

7-9-2010

# A Guide to Drug Dealing

Scott Thomas Jacques

University of Missouri-St. Louis, [scottjacques@gmail.com](mailto:scottjacques@gmail.com)

Follow this and additional works at: <https://irl.umsl.edu/dissertation>



Part of the [Criminology and Criminal Justice Commons](#)

---

## Recommended Citation

Jacques, Scott Thomas, "A Guide to Drug Dealing" (2010). *Dissertations*. 475.  
<https://irl.umsl.edu/dissertation/475>

This Dissertation is brought to you for free and open access by the UMSL Graduate Works at IRL @ UMSL. It has been accepted for inclusion in Dissertations by an authorized administrator of IRL @ UMSL. For more information, please contact [marvinh@umsl.edu](mailto:marvinh@umsl.edu).

*A Guide to Drug Dealing*

**Scott Thomas Jacques**

M.A., Criminology & Criminal Justice, University of Missouri – St. Louis, 2007

B.A., Sociology, University of Georgia, 2005

B.S., Psychology, University of Georgia, 2005

A Thesis Submitted to The Graduate School at the University of Missouri – St. Louis in  
partial fulfillment of the requirements for the degree  
Doctor of Philosophy in Criminology & Criminal Justice

June 2010

Advisory Committee

Richard Wright, Ph.D.  
Chairperson

Mark Cooney, Ph.D., S.J.D.

Jody Miller, Ph.D.

Richard Rosenfeld, Ph.D.

## TABLE OF CONTENTS

Acknowledgements  
Statement on Collaboration  
Introduction: A Guide to Drug Dealing

- 1 A Theory of Method
- 2 The Relevance of Peace to Drug Market Violence
- 3 A Theory of Drug Sales, Gifts, & Frauds
- 4 The Necessary Conditions for Retaliation: Non-Violent & Violent Forms
- 5 Code of the Suburb: Peaceful Social Control
- 6 The Victimization—Termination Link
- 7 Balancing the Scale: How the Law “Should” and “Does” Respond to Conflict

Conclusion: What Has This Guide Done? Found Irony – The St. Louis School  
Appendix: How Do You Teach Enlightenment? The Wrightian Method  
References

*ACKNOWLEDGEMENTS*

**GUIDES TO A GUIDE**

Guides show people the way – how to interview a drug dealer, write an article, or be a man. Throughout my life, I have had great guides.

My parents, Lynn and Tom, are the first and foremost guides in my life. No words could ever adequately describe my love, admiration, and respect for them. Their lives provide me with a model to build on.

My brother, Robbie, is a constant source of inspiration. I am lucky to have a little brother who makes me hold my chin so high.

My first mentor, Mark Cooney, gave my academic life birth. I can never thank him enough for his support and friendship.

My final mentor, Richard Wright, helped my academic life mature. More than that, however, he helped me find myself as a person.

Without these guides, I would be lost.

I have been fortunate to be surrounded by other guides as well. I thank Geraldine Baxter – my first funding source – for the financial assistance and support she gave me; Jessie Bridges for ever-present assistance in administrative matters; Beth Huebner for helping through the bureaucracy of getting a PhD; Bruce Jacobs for doing the best research I have encountered on drug dealers; Janet Lauritsen for her attention to details; Jody Miller for sharing her knowledge of qualitative research; Richard Rosenfeld for insights into criminology; Volkan Topalli for helping me obtain IRB approval; and Cassie Crawford, John Dalziel, Jake Jacques, Ben Moore, April Sitter, and Trent Weber for their friendship. All of these people have their own unique qualities that I hope to emulate throughout my life.

There are other sources of support meriting public acknowledgement. In the United States – where the data for this dissertation were obtained – the Center for Undergraduate Research Opportunities at the University of Georgia provided me a summer research fellowship. The University of Missouri – St. Louis (UMSL) supported me with a Graduate School Doctoral Fellowship and Dissertation Fellowship; my colleagues here – students and professors alike – helped me understand what criminology is and how to navigate the discipline. It goes without saying that this dissertation would be impossible without the cooperation of the drug dealers interviewed.

In Amsterdam – where this dissertation was finalized – the National Science Foundation covered my rent for almost two years. Margit Averdijk was a lifesaver by graciously allowing me to live in her apartment. Frank van Gemert and the Department of Criminal Law and Criminal Justice at the Free University of Amsterdam supplied various kinds of assistance. The Netherlands Institute for the Study of Crime and Law Enforcement (NSCR) generously supported my research; I am without reservation in thanking Henk Elffers and Gerben Bruinsma for their aid, and am proud to call members of NSCR my international colleagues, including Wim Bernasco, Nicole Haas, Marie Lindegaard, Danielle Reynald, Stijn Ruiter, Brandon Welsh, Jean-Louis van Gelder, and Peter van der Voort.

My personal and professional lives have matured. I am largely independent. But the irony of personal independence should never be forgotten: *Freedom from others requires their support. Walking one's own path is impossible without guidance.*

*STATEMENT ON COLLABORATION*

**GUIDES TO A GUIDE**

No dissertation is written in an intellectual vacuum. I have been fortunate to work closely with my dissertation committee, especially Richard Wright, who helped me to shape my ideas and present them in a compelling way. That being said – and with one exception, namely the “victimization-termination link”, which we developed jointly – the data, concepts, and theories reflect my own work. Alas, that means all remaining errors and faulty or confused interpretations are mine and mine alone.

*INTRODUCTION*

**A GUIDE TO DRUG DEALING**



This dissertation is a guide to drug dealing. A guide can be an object that brings followers to a destination. A guide can also be an object that provides instructions or advice. The same guide can bring many people, different or alike, to the same destination or to different ones, and can provide general advice or specialized instructions. This guide has one follower primarily in mind: scientists.

The goal of this guide is to move scientists toward a deeper conceptual and theoretical understanding of drug dealing. What behaviors are experienced in the course of drug dealing? Why do some customers get a better price or ripped-off more than others? What are the circumstances that result in retaliation? Why do victims respond with peaceful social control? What leads to the termination of drug dealing? When does the law handle drug market conflict?

In short, this is a guide to drug dealing that – chapter by chapter – provides scientists with a path to empirical insights. Theory and guidance are improved when conceived within a broad conceptual framework for thinking about the world. A theme throughout this guide is that by thinking of behaviors as part of a greater whole, then new explanations, destinations, and advice can be discovered regarding the study and control of drug dealers.

The best guides take followers to new places. The remainder of this guide follows this path:

Chapter 1 describes and explains the method and data used in the dissertation. The proposed theory is nested in the paradigm known as pure sociology.

Chapter 2 provides a typology of drug market behavior that suggests which behaviors are “relevant” to a guide on drug dealing, and discusses the value of studying violent and non-violent forms of drug market-related behavior alongside each other.

Chapter 3 provides a purely sociological theory of the factors that affect the form and cost of drug transfers.

The guide then describes and explains various methods of conflict management, including violent and non-forms of retaliation (chapter 4), avoidance and toleration (chapters 5 and 6), and formal mediation (chapter 7).

The dissertation concludes with an answer to the question: What has this guide done?

*I*

**A THEORY OF METHOD**

This chapter describes the method and data used throughout the guide. At the same time, it theoretically explains the recruitment procedure, the amount of resources paid to participants, and the quantity and validity of information provided by dealers. It explains the method and data with a theory nested in the paradigm of pure sociology (Black, 1976, 1998; Cooney, 1998, 2009). The chapter concludes with advice to scientists on how to increase success in their work.

### **ETHNOGRAPHY, QUALITATIVE DATA & ACTIVE OFFENDERS**

The production, falsification, refinement, and illustration of scientific theory and guidance are difficult or impossible without data, or units of information. The data used in this guide are generated with a qualitative method referred to as ethnography. In many ways ethnography is the black sheep of the scientific family. “We [usually] think of science as manipulation, experiment, and quantification done by men dressed in white coats, twirling buttons and watching dials in laboratories” (Gould, 2000: v-vi). Ethnography is the antithesis of white coats and laboratories. Ethnography is science absent manipulation, experimentation, and statistical analyses.

### **QUALITATIVE DATA**

The purpose of ethnography is to produce qualitative data, meaning accounts and descriptions. Although quantitative data provide a sense of scale and significance, qualitative data have their own strengths. These strengths include “the elucidation of meanings, the in-depth description of cases, [and] the discovery of new hypotheses” (Shadish, Cook, and Campbell, 2002: 478). “Qualitative research... covers a wide range

of approaches, but by definition, none of these approaches relies on numerical measurements... Even though they have a small number of cases, qualitative researchers generally unearth enormous amounts of information from their studies” (King, Keohane, and Verba, 1994: 46).

Qualitative data are useful because they allow theorists and researchers to visualize what it is they are trying to document and explain. After all, “[i]t is pointless to seek to explain what we have not described with a reasonable degree of precision” (King, Keohane, and Verba, 1994: 44). Second, and perhaps more importantly for present purposes, qualitative data are useful because they allow for unanticipated findings and, in turn, theory construction and elaboration:

[W]e need not have a complete theory before collecting data nor must our theory remain fixed throughout. Theory and data interact. As with the chicken and the egg, some theory is always necessary before data collection and some data are required before any theorizing. Textbooks on research tell us that we use our data to test our theories. But learning from the data may be as important a goal as evaluating prior theories or hypotheses. Such learning involves reorganizing our data into observable implications of the new theory. This reorganizing is very common early in many research processes. (King, Keohane, and Verba, 1994: 46)

In other words, theory can be tested with data, but data can also lead to theory. Unlike quantitative questionnaires that restrict the range of possible answers, the open-ended nature of qualitative interviews allow for original and unexpected findings. Social science advances when data do not conform to preconceived notions of how people, groups, or situations behave. This is true because it forces the field to move beyond its

current state of knowledge and produce new explanations (see Kuhn, 1962). In short, qualitative research has unique properties that make it valuable for theory development (King, Keohane, and Verba, 1994).

## ACTIVE OFFENDER RESEARCH

The process of interviewing unincarcerated<sup>1</sup> lawbreakers presents serious challenges because they have strong incentives not to identify themselves to researchers or to talk about their illegal activities (see, e.g., Wright et al., 1992; Jacobs, 1998a, 2006). Challenges notwithstanding, the value of ethnography with active criminals has been demonstrated repeatedly; among other things, such interviews are not subject to the influence of the prison, probation or parole setting and they are much more likely to reflect respondents' current pursuits (see Jacobs and Wright, 2006: 9-22 for a comprehensive review).

Ethnography with underworld participants has a long history in criminology (Becker, 1966; Sutherland, 1933). This method has enjoyed something of a renaissance in recent years, with a new generation of criminologists coming to see the importance of studying crime *in situ* (see, e.g., Cromwell et al., 1991; Wright and Decker, 1994, 1997; Jacobs, 1999, 2000; Jacobs et al., 2003; Mullins et al., 2004; Topalli 2005; Venkatesh, 2006).

---

<sup>1</sup> As any desistance researcher can attest (see, among many others, Maruna, 2001), the difference between "active" and "inactive" criminals is somewhat arbitrary. "Active offender" is defined as a person who has engaged in crimes without or since going to jail or prison. I, however, prefer the term "unincarcerated" criminal over "active" criminal because, empirically speaking, the line between active and inactive is much more difficult to draw than the one between unincarcerated and incarcerated. For stylistic purposes, however, I will use the terms interchangeably throughout the guide.

Active offender research has a particularly strong tradition in the study of drug dealers and dealing. This guide has been inspired by the ethnographies of Adler (1993) in California, Bourgois (2003) and Williams (1990) in New York City, Denton (2001) in Australia, Jacobs (1999, 2000) in St. Louis, Hoffer (2006) in Denver, Mieczkowski (1988) in Detroit, Venkatesh (2006, 2007) in Chicago, and many others (e.g., Coomber, 2004; Maher, 1997; Taylor, 2007).

### **THE CURRENT STUDY**

This guide uses data from 50 in-depth, semi-structured interviews with unincarcerated individuals actively or recently involved in illicit drug selling. Half of the interviews are with middle-class dealers in the suburbs of Atlanta, Georgia, and the other half are with persons from low-income neighborhoods in St. Louis, Missouri.

All of the middle-class participants were white and between 18-23 years of age, and all of the lower-class participants were black and the majority around 30 years of age. Each middle-class seller had graduated from high school, a substantial majority of them were in college at the time they were interviewed, and many have since earned degrees. None of the St. Louis participants had graduated from college and only five had ever attended; excluding the handful who had attended college, eight had graduated from high school and another three had received their General Educational Development (GED) degree. For the middle-class sample, criminal arrests were rare and criminal convictions were even rarer, but for the lower-class dealers' involvement with police and government prosecutors was the norm, with practically all of them having been arrested in the past and many having served prison time. The middle-class sellers were mostly involved in

the marijuana business, but ecstasy, cocaine, LSD, and hallucinogenic mushrooms were also sold, and none reported selling crack cocaine or heroin. On the other hand, many of the lower-class sellers sold crack cocaine and/or heroin, a few sold only marijuana, while some sold more than one type of drug.

## ANALYSIS

The accounts and descriptions obtained from dealers are used throughout the dissertation to illustrate the to-be-proposed concepts and theories. In other words, the data are used to help readers visualize drug dealing and related behaviors, such as retaliation, in action.

In addition, and as reviewed above, qualitative data are useful because they allow for unexpected findings that can be used to improve theory. It is important here to make clear that unlike other ethnographers, I do not accept the notion of pure induction, defined as the process of using data to develop genuinely original theoretical frameworks and theories. I take a more deductive approach by using existing paradigms – such as pure sociology – to organize the data and develop theories based on patterns therein.

My reasoning for this somewhat unconventional strategy is best summed up by the philosopher of science, Karl Popper: “There is no such thing as passive experience... Experience is the result of active exploration by the organism, of the search for regularities or invariants. There is no such thing as a perception except in the context of interests and expectations... All this led me to the view that conjecture or hypothesis must come *before* observation or perception” (2002 [1976]: 55, emphasis added).



What I believe Popper is saying here is that, strictly speaking, there is no “pure induction” because all induction is situated within a deductive framework. Thus, to inductively analyze qualitative data, there already must be a deductive framework within which to view the data. Some ethnographers are more conscious than others of the deductive properties of their work. Nevertheless, all ethnographic findings are to some degree deductive.

With that said, it is possible to use qualitative data to generate new findings to develop or elaborate theories. If an account exists that somehow supports or refutes a particular theory then sharing that account with scientists may deepen our understanding of the theory in question. The way I analyze my data is nested within this approach, whereby I search for the best accounts – meaning the ones that have the thickest descriptions offering unique insights – and use them to illustrate and improve theory related to drug dealing and social control. To the extent that the stories are true, there must be a theory that explains the behavior they describe.

The data in this dissertation were analyzed manually, meaning interview transcripts were read and hand-coded based on the variable of interest, such as drug sales or retaliation. The concepts and theories I will propose were developed in the course of my interviews with dealers and my education as a criminologist. During this time, I began to understand how the data I had collected could be explained with theories nested in the various paradigms I was exposed to.

I also learned that the data used throughout this dissertation and the method of collecting it may itself be explained with theory. The next sections provide a theory of

ethnography with active offenders, including the method and data used in this dissertation.

### **TOWARD A THEORY OF ETHNOGRAPHY**

Ethnography with active offenders is a multi-step process (see, e.g., Wright et al., 1992; Dunlap and Johnson, 1999) that can be broken down into three basic parts: recruitment, payment, and interview. In any given population there are only so many active criminals and, as already noted, they have good reasons to remain hidden from view, so the first step is to find and inform them about the research (see, e.g., Jacobs, 1998a, 1999: 12-14). Once that has been accomplished, the voluntary cooperation of the offenders still must be obtained, something that often requires the expenditure of resources (see, e.g., Dunlap and Johnson, 1999). That is followed by perhaps the most important stage, namely, the interview itself, during which the offender communicates to the researcher what he or she knows about the subject in question.

The past quarter century has witnessed the emergence of a substantial literature devoted to the mechanics of recruiting, paying, and interviewing various types of unincarcerated criminals (see, among many others, Mieczkowski, 1988; Adler, 1990; Williams et al., 1992; Wright et al., 1992; Jacobs, 1998a, 2006; Dunlap and Johnson, 1999). Taken as a whole, this literature has identified a wide range of strategies that have successfully been used to locate active criminals and convince them to cooperate with researchers. Absent from this literature, however, is any sort of *theoretical* lens through

which the process of penetrating the underworld can be viewed.<sup>2</sup> Without such a lens, this literature amounts to little more than an interesting collection of anecdotes in the sense that it is not amenable to scientific testing, falsification, and refutation (Popper, 2002 [1934], 2002 [1963]). This not only precludes the development of a theoretical understanding of criminological research, it also has practical implications for planning and implementing real-world studies of active criminals, especially when it comes to matters like efficient recruitment, cost containment, and ensuring data quality.

Drug dealers sell drugs, but some of them also sell information to researchers. To be sure, recruiting, paying, and interviewing offenders is first and foremost a means of knowledge production, but it is also a social behavior that can be theoretically explained.

### **PURE SOCIOLOGY**

This chapter proposes a purely sociological theory of ethnography. Pure sociology is a paradigm concerned with the science of social life, and the epistemology is unique in what it is *not* rather than what it is (Black, 1995). Purely sociological explanations are formed without reference to three staples of contemporary mainstream sociological thinking (Black, 1995): First, pure sociology is “pure” because its explanations do not rely on non-sociological concepts, such as emotions or motivations. Second, pure sociology is also without teleology – assumptions about the motives of people. Last but not least, pure sociology is not anthropocentric (i.e., focused on persons). The question is not, “How do people behave?” but is instead, “How does social life behave?” The scientific benefit of non-subjective, non-teleological, and non-anthropocentric approaches

---

<sup>2</sup> As noted by Venkatesh (2003: 284), “[e]thnographers have studied criminal activities for decades. Yet, apart from an appendix or an autobiographical essay, they spend relatively little time analyzing the methods of their work.”

is that they increase the value of theory by making it more testable and falsifiable, general, simple, and original, all of which are common and important measures of scientific value across fields (Black, 1995; Kuhn, 1977: 320-339; Popper, 2002 [1934]).

Theories of behavior cannot precede classifications of behavior (see Cooney and Phillips, 2002), and perhaps the most fundamental aspect of pure sociology is the idea of *social space* (Black, 1976, 1995, 1998). Social space divides social life into five broad dimensions: (1) *vertical space*, defined by wealth and rank; (2) *horizontal space*, defined by the nature and frequency of interaction; (3) *corporate space*, defined by the number of actors working together; (4) *symbolic space*, defined by what is considered “good, true, and beautiful”; and (5) *normative space*, or “respectability,” defined by the application of social control.

In any given *case* of social interaction (e.g., drug deal or robbery), every actor involved has a relative *social status* and *social distance* in social space. Actors gain social status as they elevate their wealth (*vertical status*), community involvement (*radial status*), organization (*corporate status*), and knowledge or conventionality (*symbolic status*); and actors lose status as more social control is applied to their behavior (*normative status*). Actors reduce social distance as they become more intimate (*relational distance*) and culturally similar (*cultural distance*). The social statuses and distances of every actor involved in a case define the *social structure*. Different social structures produce different forms, styles, and quantities of social behavior (Black, 1995, 1998, 2000a). As any aspect of social structure changes, such as wealth, integration, organization, culture, or respectability, so too should the form, style, and/or quantity of social life.

Past work in pure sociology has mostly been concerned with social control (see Black, 1998; Horwitz, 1990), that is, behavior that “defines and responds to deviant behavior” (Black, 1976: 105), such as law (Black, 1976, 1980, 1989), crimes of self-help (Black, 1983; Cooney, 1998; Phillips, 2003; Phillips and Cooney, 2005), avoidance (Baumgartner, 1988), lynching (Senechal de la Roche, 1997), therapy (Horwitz, 1982; Tucker, 1999), and terrorism (Black, 2004a). Beyond social control, the paradigm has also been applied to economic behaviors such as welfare (Michalski, 2003) and predation (Cooney and Phillips, 2002; Cooney, 2006), and to cultural behaviors such as ideas (Black, 2000a), medicine (Black, 1998: 164-5), and art (Black, 1998: 168-9). Whatever the social behavior concerned, whether related to wealth, community, organization, culture, or social control, it may in some way or another change as a consequence of social structure. The task for pure sociologists is to find the connections between social structure and social behavior and state them as testable propositions that can be falsified or supported through testing (see, e.g., Black, 1990 and Phillips, 2003; Cooney 1998, and Phillips and Cooney, 2005).

#### RELATIONAL DISTANCE

While all aspects of social structure may have an effect on research, the theory presented here is restricted to one form of social variation: *relational distance*, defined by the nature and degree of intimacy between actors and their associates (Black, 1976: 40). “It is possible to measure relational distance in many ways, including the scope, frequency, and length of interaction between people, the age of their relationship, and the nature and number of links between them in a social network” (Black, 1976: 41). The

relational distance between actors decreases as the quantity of social interaction between themselves and those they are associated with increases.

All else equal, for example, two persons who have traded drugs are closer in relational distance than two people who have never traded; two persons who have produced marijuana together are closer in relational distance than two people who have never done so; two people who formed a drug cartel together are closer in relational distance than two loners; and, two persons who have talked together about drugs are closer in relational distance than two persons who have never communicated. Beyond direct interaction, the concept of relational distance also accounts for indirect relationships, such as “mutual friends” or “middlemen” in drug trades. The relational distance between “indirect ties” is a function of the relational distance between direct ties. All else equal, for instance, *strangers* who have bought drugs from the same dealer, or manufactured drugs for the same cartel, or spoken with each other’s business associates are closer in relational distance than strangers who do not have those indirect social connections. In short, relational distance decreases as the quantity of social behavior in a social network increases.

The question to be addressed here is: How does relational distance between researchers, recruiters, and criminals affect subject recruitment, resource expenditure, and the quantity and validity of data produced during interviews?

## **RECRUITMENT**

Recruitment is the process of locating criminals and convincing them to provide data. Most researchers rely on criteria-based sampling to locate active criminals, which

involves recruiting only those individuals who possess the social, psychological, or biological characteristics relevant to their interests. Although sometimes disparaged as sampling on the dependent variable, purposive sampling has the advantage of saving time and money while increasing the probability of successful recruitment (see Jacobs and Wright, 2006).

To use purposive sampling successfully, of course, researchers must first be able to identify individuals with the relevant characteristics, which can be extremely difficult when those characteristics involve lawbreaking. To do so, many researchers have turned to snowball sampling, a subtype of purposive sampling whereby initial participants are called upon to identify others of the same ilk and close the relational gap with them. “[S]uch a strategy begins with the recruitment of an initial subject who then is asked to recommend further participants” (Wright et al., 1992: 150; also see Watters and Biernacki, 1989; Wright and Stein, 2005).

#### ATLANTA & ST. LOUIS STUDIES

The 25 middle-class drug dealers were interviewed from 2004 to 2005, and recruited from and operated in suburban communities characterized by relative prosperity, high employment levels, and absence of “serious” crime. The first 18 such sellers were recruited using a straightforward purposive sampling strategy. I approached and asked for the cooperation of drug sellers who he already knew to be involved in this activity, largely as a result of interactions in social venues, such as sport and school. Some of these individuals had been known to me for years, but I was less other familiar with other participants. After interviewing those 18 dealers, I knew of no further drug

sellers who met the participation criteria, and so turned to snowball sampling, using two prior interviewees to recruit seven more middle-class drug sellers. These last seven dealer-participants can best be described as “friends-of-friends.” While it is not possible to precisely quantify the my relational distance from each participant in this study,<sup>3</sup> what can be said with confidence is that the first 18 participants were closer to me in relational distance than the last seven were, for the reason I had had direct interaction with the former group prior to the interview but not with the latter group.

The study of young, middle-class drug dealers in suburbs is an important pursuit for many reasons; two reasons include drug use is prevalent among suburban youth and ethnographic studies of this population are rare. A number of ethnographies explore the world of lower-class drug dealers (see, e.g., Bourgois, 2003; Mieczkowski, 1988; Hoffer, 2006; Jacobs, 1999; Williams, 1990), yet there is a paucity of studies on the users and dealers from the same social class as professors (but see, e.g., Adler, 1993; Mohamed and Fritsvold, 2006). Moreover, and unfortunately, the studies of middle-class dealers that do exist do not simultaneously consider data from a sample of lower-class drug dealers. Again, a theme throughout this guide is that by considering behaviors as part of a greater whole, new explanations, destinations and advice can be discovered regarding the study, control, and behavior of drug dealers. For that reason, I needed to recruit and interview a comparative sample of lower-class drug dealers operating in an urban locale.<sup>4</sup>

---

<sup>3</sup> I did not systematically record this information but, even if I had, the ability to disclose such information is restricted by the promises of confidentiality made to participants. The problem of confidentiality, however, need not preclude the collection of relevant information in future research, provided that appropriate protections are put in place.

<sup>4</sup> The middle-class dealers were recruited and interviewed while I was an undergraduate at the University of Georgia and working under the direction of Mark Cooney. In the fall of 2004 I applied to graduate schools so that I could continue my investigation of the drug world. At the top of my wish list was the University of Missouri – St. Louis (UMSL) because of its tradition in active offender ethnography (see, e.g., Decker and Van Winkle, 1996; Jacobs, 1999, 2000; Jacobs and Wright, 2006; Miller, 2001; Wright and Decker, 1994,



Thus, in the fall of 2005 I relocated to St. Louis, Missouri to locate and interview drug sellers residing in poor, inner-city neighborhoods, and in the summer of 2006 I interviewed 25 such persons. The recruitment of lower-class drug dealers in St. Louis was made possible through Richard Wright and his relationship with Smoke Dog, a former street criminal who, for a fee, has helped criminologists at the UMSL to find and interview various sorts of active offenders over the past decade (see, e.g., Jacobs and Wright, 2006). In effect, Smoke Dog and Wright served as my relational ties to lower-class drug dealers.

According to Wright (personal correspondence), his relationship with Smoke Dog has taken the following path: “I first met Smoke Dog in 2000 or thereabouts through Bruce Jacobs, one of my departmental colleagues and a fellow street ethnographer. My longtime field recruiter, Street Daddy, (who I’d met as a student when – after being shot and paralyzed – he took a class from me) had moved on to a very good legitimate job and didn’t have time to assist me anymore, so I turned to Bruce, who suggested Smoke Dog. I asked Smoke Dog to help Bruce, Volkan Topalli, and me to locate active drug robbers. He was very successful and, since that time, I have called on him to recruit many types of active street criminals, including carjackers, car thieves, and drug dealers. Smoke Dog calls me up at least once a week, but sometimes more often, always on the lookout for

---

1997), but also because of Cooney’s relatively close relational distance to Richard Wright. The following is from personal correspondence: “**Jacques:** As of the fall of 2004, what 3 ‘active offender researchers’ would you say were closest to you in relational distance? **Cooney:** The only active offender researchers I really know are you, Richard [Wright], and Volkan [Topalli]. I met Richard and Volkan in January 2001. They invited me to dinner at the Abbey in Atlanta. Since then I have met them both perhaps once a year, mainly at conferences. Volkan has come over to Athens twice and we hung out a little – once when you were here [at a restaurant for lunch], the second time to talk to my Research Methods class [although this occurred after the fall of 2004]... I also have a tie to Richard through Paul O’Connor of the School of Law, University College Dublin. Paul is a friend of mine and Richard knows him as well.”

extra cash by helping me find various sorts of thugs. I wouldn't describe us as friends, but we are very close, sharing, as we do, a substantial history of working together."<sup>5</sup>

In an in-depth, semi-structured interview with Smoke Dog, I asked him a series of questions about the process of recruiting criminals. The answers given by Smoke Dog revealed that relational distance plays a pivotal role in the selection process. For instance, most of the criminals recruited by Smoke Dog are friends, a few are acquaintances or "friends-of-friends," but strangers are non-existent:

**Interviewer:** How often do you try to recruit strangers? People you don't know at all?

**Smoke Dog:** I don't recruit them.

**Interviewer:** Why not?

**Smoke Dog:** I don't know them and I don't know how to come back to them about this shit, so no, I don't get strangers.

**Interviewer:** Do you ever try to recruit people that you just kind of know through someone?

**Smoke Dog:** Yeah, I've done that a couple times.

As an experiment of sorts, I asked Smoke Dog a hypothetical question<sup>6</sup> that required him to list the 25 drug sellers he would be most likely to try to recruit for one a future study. After he had done so, I asked him about his relationship with each

---

<sup>5</sup> I asked Wright: "If Smoke Dog couldn't recruit criminals, who would you ask to serve as recruiter?" He replied: "Were I unable to rely on Smoke Dog anymore, say he got murdered or arrested and put away for awhile, I'd likely go back to my original recruiter, Street Daddy. He's very straight now, and has a great legitimate job, but I'm pretty confident that he's retained some of his contacts, so he probably could put me in touch with a reliable new recruiter. If that didn't work, I'd probably try to relocate one of the active criminals that Smoke Dog found for me."

<sup>6</sup> For reasons of confidentiality, I could not ask Smoke Dog who he recruited for the St. Louis project, nor who he had recruited for previous studies conducted there. In listing names for this hypothetical exercise, Smoke Dog used pseudonyms to protect the identities of his drug-dealing associates.

individual on the list. Twenty-three of the drug sellers were defined as friends and one he considered an acquaintance; the remaining person was Smoke Dog himself. I also asked Smoke Dog how long he had known each of the persons listed; the average was 17.13 years, with a range of six months to 27 years (Smoke Dog's entire life). Also relevant is the fact that Smoke Dog shared a gang-affiliation with all of the persons listed. When asked how often he interacts with each of the individuals, he reported hanging out with one dealer about once a month, with another once every two weeks, with another once a week, and with yet another "on weekends." He interacted with ten of the remaining dealers every other day or so, and saw the rest nearly every day. In broad terms, then, it appears that the likelihood of Smoke Dog attempting to recruit any given drug seller increases as his relational distance from the dealer decreases, and, thus, the likelihood of interviewing a dealer increases as Smoke Dog's relational distance from that person decreases.

Although I was unaware of the theoretical implications at the time, the recruitment of drug sellers followed a clear pattern: the likelihood of an active offender being recruited for my study increased as my relational distance from that person decreased. Stated in the form of a general proposition:

*Recruitment to a study increases as the relational distance between researchers, recruiters and criminals decreases.*

Thus, as relational distance between the researcher, recruiter, and potential research participant decreases, the probability that the cooperation of the potential research participant will be sought increases.

#### MIECZKOWSKI'S DETROIT STUDY

Consider Mieczkowski's (1988) experience with recruiting active drug dealers in Detroit. Initially, he had no ties to active drug sellers and realized that "[a] plausible and non-threatening entrée was needed. As in any analogous social situation, my goal was to find a person who would be able and willing to facilitate my entrance into the field" (Mieczkowski, 1988: 40). The question for him was "how does one go about identifying and locating such a person or persons?" (Mieczkowski, 1988: 40). Mieczkowski describes the answer he came up with as a matter of "sheer luck", but it is more scientific to explain it as a function of relational distance:

The problem was solved by sheer luck. In every research activity involving the establishment of social relationships, serendipity plays a part. Attempts to establish an initial contact with Young Boys operatives [i.e., heroin sellers] came about through the voluntary work of a contact named Dave (a pseudonym). Dave was a student in a criminal justice course who became familiar with my research ambitions. He said that he could put me in touch with numerous drug operatives of the Young Boys type. Dave was able to help me for several reasons. First, he was a resident in the Jeffries Housing Project, a major center of heroin activity. He was not only a resident but had lived there since birth. Second, although Dave

was not a drug dealer or user, his two brothers were both drug dealers. Third, he knew nearly all of the major dealers in the Jeffries. (Mieczkowski, 1988: 41)

Although Mieczkowski did not know any drug sellers in Detroit, his student did, and this made it relatively likely that he would ask for the cooperation of a particular group of dealers, namely, those tied to his student. Relationships are oftentimes determined by employment and educational structures, and the case of Mieczkowski demonstrates that researchers working in academic settings are relatively likely to interview drug sellers who have a relationship with others participating in that setting. Given that college students are probably the most likely individuals on campus to have relationships with drug sellers, academic researchers are relatively likely to use students as recruiters, and are relatively likely to recruit drug sellers who interact with students (Jacobs, 2006; also see Wright and Decker, 1994).

### **RESOURCE EXPENDITURE**

A taken-for-granted aspect of convincing active criminals to take part in a social science research project is the ability to provide remuneration for their participation. As experienced street ethnographers Dunlap and Johnson point out, “A key element [in research...] is the availability of funds to pay respondents for interviews” (1999: 130). Although the payments involved are often relatively modest, they are important to criminals, as the idea of doing something for nothing is anathema to many of them (see Wright and Decker, 1994, 1997).

## ATLANTA & ST. LOUIS STUDIES

Payment for participation may be ordinary in this type of research, but the price per interview has ranged from zero to \$125. The initial 18 recruits for the study of middle-class drug sellers in Atlanta – who had relatively close relational distance to me – received no monetary compensation for providing information. The seven middle-class sellers who were recruited with the help of prior interviewees – essentially friends-of-friends previously unknown to me – were paid \$20 each.

Compared to my relational distance from the middle-class friend-of-friend participants, the dealers recruited by Smoke Dog were relatively far away. Since I had closer relational distance with the middle-class recruiters than with Smoke Dog, I was closer in relational distance to the last 7 middle-class participants than to the 25 St. Louis participants.

The price expended per interview, including recruiter and interviewee payments, appears to be affected by relational distance. As already noted, the original 18 middle-class sellers were closest in relational distance and were not paid for participation, the seven middle-class dealers recruited through friends were compensated \$20 for cooperation, and the low-class sellers in St. Louis – who are strictly “business associates” known through another “business associate,” i.e. Smoke Dog – were paid \$50 per interview. Similar to the pattern for subject payments, the two middle-class recruiters \$20 for each successful referral, whereas Smoke Dog charged \$75 for exactly the same service.

As with the probability of recruiting one seller or another, price per interview appears not to behave randomly, but instead varies as a function of relational distance.

My experience suggests the following proposition:

*The price per interview decreases as the relational distance between researchers, recruiters, and criminals decreases.*

In other words, the further the relational distance between subjects, recruiters, and researchers, the more it costs to interact and obtain information.

#### HOFFER'S DENVER STUDY

The power of the above proposition is best evidenced by the fact that in some cases the subjects themselves choose to be paid less (as compared to when the researcher makes the decision). In a study of heroin dealers in Denver, for example, Hoffer (2006) initially met his two informants, Kurt and Danny, when they were subjects in a separate project on the behavior of heroin users:

I [had] interviewed [Kurt] on many occasions for several studies.... My interactions with Kurt, and to a lesser extent Danny, continued regularly over several months.... Kurt and I worked together several times per week for six months. During those months, Kurt was as much my coworker as he was my research subject... One day I was getting ready to leave their apartment and go back to my office. I started filling out the obligatory paperwork to authorize paying their subject fees when Kurt told me to stop. He said very matter-of-factly,

‘Don’t worry about it. We don’t need the money.’... I was stunned and a little disturbed. I told both of them that I was interviewing them and verified that they did not want the payment for their time. I told them that it was not my money; it was the project’s money and it was intended to be compensation for their participation. Kurt was adamant and could not be dissuaded.... At this point in our relationship Kurt felt that payment was out-of-line socially. Kurt no longer viewed our relationship as researcher and subject; *we were friends*. (Hoffer, 2006: 12-15, emphasis added).

The relatively small relational distance between Hoffer and Kurt and Danny made it possible for him to study them in-depth, but it also had the effect of reducing the cost of doing so, in this case to zero.

### **DATA QUANTITY & VALIDITY**

While the successful recruitment of active criminals is a necessary first step in research of this type, the effort and expense required to do so is wasted if the data obtained in the resulting interview is sparse or false. The basic purpose of an interview is to obtain information about how people behave, and this is a quantitative variable measurable in two ways: data provided varies both in quantity and in its congruence with actual events, or validity. Consider, for example, the difference between a 10 page long narrative and a one sentence synopsis, and how either of those descriptions can be entirely accurate, partially so, or completely false. Moreover, the quantity and validity of data provided varies both between and within interviews; some interviews produce more valid information than others, as a whole or per topic, and, within interviews, various



topics (e.g., murder versus supplier selection) can be discussed in lesser or greater detail and in a more or less honest manner.

The 50 interviews that supply the data for this guide lasted between 30 minutes and 2 hours, were semi-structured and conducted in an informal manner. The contours of individual interviews varied, though each ultimately addressed the pre-identified focal topics of the project. Interviews centered on stories and narratives, as compared to general descriptions. To minimize lying and distortion, participants were promised confidentiality. All potential interviewees were made aware of their rights as a research subject through an informed consent protocol read to them at the beginning of the interview. Comments initially deemed unusual or unfounded were probed further to reveal and, if possible, resolve inconsistencies.

## ST. LOUIS STUDY

Some of the active drug sellers interviewed have been involved in past projects at UMSL and others have not. The more times a researcher and his or her colleagues have interviewed criminals and their associates, the closer is the relational distance between academics and offenders. Smoke Dog, the field recruiter, suggests that whether or not a criminal has been involved in past projects has an effect on the quantity and quality of information produced in interviews thereafter:

**Smoke Dog:** Nobody is going to tell you everything they do. Or what they did. They'll let you know most of it, something to make you feel good and put in your book. Like shit though, you can't ever expect them to tell you the whole truth...

They'll tell you some shit and some of it might be mixed up or something. They ain't gonna tell you exactly how it happened but they'll tell you. That's how it is.

**Interviewer:** And do you think people do that less the more often they come up here?

**Smoke Dog:** I say people who would do it would be people who I don't know better, but the people who have been up here [at the university to do interviews] then the shit they tell you real shit, for real. They been there. 'Cause we've been doing this 10 years man, 96 or 97 – it's 2006 now man.

Smoke Dog's experiences as a recruiter of unincarcerated offenders suggest that the more a researcher and criminal have interacted, and the more third-party ties they share, the greater the validity and quantity of data provided by that criminal.<sup>7</sup> Thus, I propose the following:

*Data quantity and validity increase as the relational distance between researchers, recruiters, and criminals decreases.*

This proposition predicts that as relational distance decreases, the data provided by an active criminal will become more plentiful and more congruent with actual events. For instance, active criminals who have been interviewed before should produce higher quality information than criminals who have never been interviewed (between-person variation), and the more times any given criminal is interviewed, the more plentiful and truthful the data will be (within-person variation).

---

<sup>7</sup> Of course, the quantity and validity of information provided by Smoke Dog also are quantitative variables that can be explained.

## BOURGOIS' NEW YORK STUDY

In Bourgois' (2003) study of crack sellers in a lower-class neighborhood in Harlem, New York, access to the knowledge of drug sellers was zero until he was able to close relational distance with them:

I was painfully aware of my outsider status whenever I initially attempted to access any street-dealing scenes.... I was primarily concerned with how to persuade the manager of the crackhouse on my block that I was not an undercover police officer. I remember vividly the first night I went to the Game Room [which became the central locale of the study]. My neighbor Carmen...brought me over to the manager of the Game Room and told him in Spanish, "Primo, let me introduce you to my neighbor, Felipe; he's from the block and wants to meet you." Excited at the possibility of finally accessing a crackhouse scene, my heart dropped when Primo shyly giggled and turned his back on me as if to hide his face. Staring out into the street, he asked Carmen in English, loud enough for me to hear clearly, "What precinct did you pick him up at?"... I had a good sense not to impose myself...and slunk back into the background.... Despite my inauspicious first evening, it took less than two weeks for Primo to warm up to my presence. I was aided by having to pass the Game Room literally every day, and usually several times a day, in order to reach the supermarket, the bus stop, or the subway. Primo would usually be standing outside pseudo video arcade.... At first we just politely nodded to each other, but after a week he called out, "Hey guy, you like to drink beer, don't you?" and we shared a round of Private Stocks. (Bourgois, 2003: 29-40)

From that point onward, Bourgois gained greater and greater access to information about drug selling. In the beginning, however, there was a great deal of relational distance between him and the criminals he wished to study, and as a result access to data about their behavior was practically zero. One of the relational ties Bourgois did have, his neighbor Carmen, closed the relational gap between him and the crackhouse employees, allowing him to get a foothold in the information gate.

### **SUMMARY & GUIDANCE**

This dissertation is a guide that uses qualitative data collected in interviews with drug dealers to conceptualize, explain, and illustrate the world of drug dealing. This chapter not only describes the method and data, but it also explains them by utilizing the concept of relational distance provided by the paradigm of pure sociology.

When viewed through this particular theoretical lens, my own experience in studying drug dealers and also those of Mieczkowski (1988), Hoffer (2006), and Bourgois (2003) suggest that the more a criminological researcher has interacted with a criminal and his or her associates, (1) the more likely a criminal is to be recruited for an interview, (2) the less it will cost to do the interview, and (3) the more valid and plentiful will be the data obtained. In other words, as researchers and (potential) research participants become more intimate, ethnography increases and becomes less expensive.

Taken together, the propositions outlined above suggest a preliminary theory of how research with active criminals “behaves.” What are the implications of this theory for scientists?

## GUIDANCE FOR SCIENTISTS

In regard to future work in methodology (the study of method), I strongly encourage researchers to take up the challenge of determining the limits of the proposed theory through testing,<sup>8</sup> and encourage theorists to add to the theory as appropriate. Surely there will be instances in which the propositions are not valid, but it should be remembered that relational distance is but one part of social life. Other aspects of social structure may prove to have an effect on the behavior of research and serve to offset the effects of relational distance.

For instance, the likelihood of studying a particular group of criminals may also depend on their social status (Black, 2000a). It is perhaps more difficult and expensive to recruit and interview criminals who are wealthy than those who are poor, and this could explain the almost complete absence of studies on “elite”, or high-status, criminals (but see, e.g., Adler, 1993).<sup>9</sup> Jacques and Wright (2010) have suggested that as the normative status of criminals decreases, their likelihood of being recruited for research increases and the price they are paid decreases, but that the information provided is less valid than what is told by more respectable offenders. This theory raises the question whether it is more economic to pay more serious offenders less money for more lies? Culture may play a role in the “behavior of method” as well; as noted by Wright and Bennett (1990: 146; also see Douglas, 1972), a “key” element in unincarcerated offender research “involves ‘fitting in’ by dressing appropriately and, more important, learning the distinctive terminology, phrasing, and so on used by the offenders. Several commentators

---

<sup>8</sup> The underlying logic of the propositions – closer relationships increase cooperation in research – has received statistical support in studies of social behavior in Kenya (Weinreb, 2006) and Thailand (Entwisle et al., 2007).

<sup>9</sup> This may be especially relevant to interviewing unincarcerated, white-collar criminals.

have stressed that researchers should modify their dress and language to accommodate those they are studying.” What is more, scientists must also examine how their own status affects research. In short, all aspects of social structure must be examined in order to fully understand the effect of each aspect of social structure on recruiting, paying, and interviewing offenders (see Black, 1995: 851-2). Both researchers and theorists should consider this point in their future work.

Beyond pure sociology, there is no reason to believe that other theories cannot explain ethnography (and other methods). For instance, Granovetter’s (1973) notions of “weak” and “strong” ties likely have important implications for obtaining data; a researcher with a few strong ties – persons very close in relational distance – to criminals may enjoy a great amount of access to cheap and valid data, but without any weak ties the “information trail” is relatively likely to end or become more expensive to travel. Other scientists could explore the role of motivation in ethnography. Does rational choice (Clarke and Cornish, 1985) affect recruitment, subject payments, and data quality? Does self-control (Gottfredson and Hirschi, 1990) affect the knowledge production process?<sup>10</sup> Do sub-cultural beliefs and norms, such as the “code of the street” (Anderson, 1999), influence cooperation? These are but a few of many conceivable theoretical questions and directions; I leave to other scientists the task of exploring the potential of those and other theories for explaining and improving the process that produces the data used in science.

Beyond ethnography, theorists and researchers should also attempt to explain and document both qualitative and quantitative variability in research as a whole.

Ethnography is a qualitative form of research, but so too are survey research and experiments. All forms of research differ in their relative size – some times and places

---

<sup>10</sup> See Hirschi and Gottfredson, 1993; Piquero et al., 2000; Watkins and Melde, 2007.

have, say, more surveys than experiments, or have more ethnography on the whole. Determining why research varies in its quality (e.g., ethnography vs. experiments) and quantity (e.g., the number of interviews or survey questions) are important academic pursuits (see, e.g., Entwisle et al., 2007; Weinreb, 2006) because the resultant knowledge has the potential to improve research by suggesting what influences, such as relational distance, should be manipulated or controlled when collecting and analyzing data.

#### Theoretically-Situated, Practical Advice

Toward that end, the theory proposed above suggests at least three pieces of practical advice for scientists who want to interview unincarcerated underworld participants: (1) The number of potential participants increases in tandem with the quantity of social interaction between researchers, recruiters, and criminals, and so spending time with criminals and their associates may provide more potential recruits for research. (2) The price of interviews does not need to be held constant, as criminals who are closer in relational distance to the researcher will do interviews for a smaller payment. And, (3) the criminals who are closest in relational distance to the researcher are most likely to produce the greatest amount of valid data, and so they are the most appropriate persons with whom to discuss the most serious crimes.

2

**THE RELEVANCE OF PEACE TO DRUG MARKET VIOLENCE**



Drug markets are defined as social contexts that involve the fair trading of drugs for resources such as money, guns, or sex. There is “more” to drug markets, however, than just fair trade. Violence is another attribute. Taken as a whole, research has clearly demonstrated that violence flows from drug markets. For instance, a study of a drug-selling gang in Chicago revealed that over a four-year period the per-member likelihood of dying a violent death was approximately one in four (Levitt and Venkatesh, 2000: 783). A study of dealers operating in Washington, D.C., found that the average dealer’s risk of being killed is about one percent annually, and over a ten year span a dealer’s chance of being murdered is one in seven (Reuter, MacCoun, and Murphy, 1990: 97). Another study found that of 434 homicides in New York City, almost 40 percent of them were instances of drug market-related violence (Goldstein et al., 1997: 117). In short, violence and drug markets are intimately related.

In an influential article, Goldstein (1985) classified all forms of violence related to the illicit drug trade under a single heading – “systemic violence.” Under this heading, he provided nine definitions, one conceptual and eight operational. Conceptually, Goldstein defined systemic violence thusly: “Systemic violence refers to traditionally aggressive patterns of interaction within the system of drug distribution and use” (Goldstein, 1985: 497). This definition ropes off drug trade-related violence from other forms of drug-related violence. He then offered eight operationalized examples of the phenomenon: “1. disputes over territory between rival drug dealers. 2. assaults and homicides committed within dealing hierarchies as a means of enforcing normative codes. 3. robberies of drug dealers and the usually violent retaliation by the dealer or his/her bosses. 4. elimination of informers. 5. punishment for selling adulterated or phony

drugs. 6. punishment for failing to pay one's debts. 7. disputes over drug paraphernalia. 8. robbery violence related to the social ecology of copping areas" (Goldstein, 1985: 497; also see Goldstein, 1989: 30).

To be clear, Goldstein's notion of systemic violence is not a theory, but rather a concept embedded within a *typology* of violence. A typology is "a purposive, planned selection, abstraction, combination, and (sometimes) accentuation of a set of criteria with empirical referents that serves as a basis for comparison of empirical cases" (McKinney, 1966: 3; also see Lazarsfeld and Barton, 1951). A typology does not explain behavior; rather, the role of a typology is to provide concepts that are distinct, observable, quantifiable, and thus explainable by theory (see Bailey, 1994; Cooney and Phillips, 2002).<sup>11</sup>

Goldstein's typology influenced a generation of researchers, many of whom devoted substantial time and effort to documenting systemic violence (see, e.g., Brownstein et al., 1992; Goldstein et al., 1989; Goldstein, Brownstein, and Ryan, 1992). It has become part of our commonsense wisdom that illicit drug markets and violence go hand-in-hand (Zimring and Hawkins, 1997: 138; also see Jensen, 2000). This belief is easy enough to understand; after all, much criminal violence is concentrated in and around drug markets (Blumstein and Rosenfeld, 1998; Jacobs and Wright, 2006). But like much commonsense wisdom, this is an over-simplification at best and nonsense at worst.

Violence is not an invariant or inevitable feature of drug markets; many such markets

---

<sup>11</sup> Kenneth Bailey (1994: 15) makes a valuable point: "classification is the premier descriptive tool. This is clearly an advantage and makes it fundamental in social science. The research goals of explanation and prediction have been so widely touted in social science, however, that some researchers tend to stereotype classification as inadequate in these terms. They see it as 'merely descriptive' or 'pre-theoretical', as if this somehow makes it insufficient rather than the prerequisite for theorizing that it is. Rather than dismissing classification as failing to meet the goal of explanation, social scientists should understand how necessary it is as a foundation for explanation. Theory cannot explain much if it is based on an inadequate system of classification."

experience little or no serious violence and even the most violent drug markets are peaceful most of the time (Coomber, 2006: 117; Jacobs, 1999: 80-1; MacCoun and Reuter, 2001: 121; Zimring and Hawkins, 1997: 138-155).<sup>12</sup> This raises an important question: How might we connect Goldstein's concept of systemic violence to the *peaceful* behavior that often characterizes drug market interactions? Stated more broadly: What behaviors – both peaceful and violent – are “drug market-related”?

The answer resides within the *resource transfer—social control typology*, which divides drug market-related behaviors into two groups: (1) those involving a pure transfer of resources, and (2) those involving the exercise of social control.<sup>13</sup> The operationalized examples of systemic violence provided by Goldstein clearly fit into this bifurcated classification scheme, as all are concerned with resource transfer (robbery) or social control (retaliation/punishment). While some forms of resource transfer and social control are violent, there also are non-violent forms of resource transfer, including frauds, thefts, gifts, and sales, and non-violent forms of informal social control, such as retaliatory fraud and theft, informal settlement, negotiation, avoidance, apology, and toleration. What is more, even *formal* social control occasionally is exercised, despite the common assumption that drug market disputes are fully beyond the reach of law (see, especially, Jacobs, 2000).

---

<sup>12</sup> There are at least two reasons why contemporary criminological research has exaggerated the link between drug markets and violence. First, much of that research is characterized by sampling on the dependent variable. It is hardly surprising that research focused on violent altercations in and around drug markets finds some sort of relationship between drug markets and violent crime. Second, most of the ethnographic research on drug markets has been done in lower-income, high crime areas of American cities that are – even without drugs – relatively violent places, while ignoring drug markets in middle-class, suburban locales and countries other than the United States that are relatively less violent (see Coomber, 2006: 130; Zimring and Hawkins, 1997).

<sup>13</sup> As will be discussed later, social control sometimes involves the transfer of resources.

Why is it useful to conceptualize drug market-related behaviors as part of a greater whole? As stated in the beginning, a theme throughout this guide is that by thinking of different behaviors as parts of a greater whole, new explanations, destinations, and advice can be discovered regarding the study, control, and aid of drug trade. Peace is social interaction absent violence – the presence of violence necessarily implies the absence of peace, and vice versa (see Hobbes, 1985 [1651]; Kurlansky, 2006: 5). Since it is a logical necessity that where there is peace there is not violence and where there is violence there is not peace (Black, 1976: 107; Black, 1983), to study peaceful behavior *alongside* violent acts may serve to better enhance our understanding of both kinds of drug market behavior.

This chapter describes the various forms of violent and non-violent resource transfer and social control in illicit drug markets, stating them in quantitative terms that are conceptually distinct and empirically observable. The goal is not to provide a theory of drug market behavior, but rather to connect the concept of systemic violence to important aspects of drug market behavior: peaceful trade and peaceful social control. By specifying the conceptual connections between various forms of behavior (peaceful and violent), it becomes clear what behaviors are “drug market-related” and thus relevant to this guide. This chapter concludes by discussing the relevance of peace, violence, and the resource transfer—social control typology for scientists.

## **RESOURCE TRANSFER**

Resource transfer – or the movement of resources between actors – is not unique to drug markets. It is has been and always will be a fundamental aspect of social life (see

Dawkins, 2006; Gouldner, 1960; Ridley, 1998; Robbins, 1952; Sahlins, 1972; Sober and Wilson, 1998; Wilson, 2000). Taken together, the literature on resource transfer suggests there are three general forms: (1) altruism, where one actor *gives* resources to another actor without receiving or taking any resources in return; (2) reciprocity, where two or more actors engage in a mutual *give* and *take* of resources; and (3) predation, where one actor *takes* the resources of an transfer partner (Cooney and Phillips, 2002).

Research shows that drug traders, especially dealers, are the frequent targets of predators, including robbers (Jacobs, 2000; Wright and Decker, 1997), burglars (Wright and Decker, 1994: 65), and defrauders (Jacobs, 1999). Although the prevalence and seriousness of predation is relatively great in the drug underworld, it is far from an inevitable outcome of black market trade. Reciprocity is at the heart of all markets, and altruism is also relevant.

The following presents five empirically distinguishable forms of resource transfer, only one of which (violent predation) involves violence; the other four (stealth predation, fraudulent predation, sale, and gift) do not. These behaviors are conceptually connected in that all involve the movement of resources between actors,<sup>14</sup> yet each behavior is empirically distinguishable from the others according to whether it involves violence, contact, deception, predation, altruism, or reciprocity.<sup>15</sup>

## PREDATION

The logic of predation is to take resources without giving any in return (Cooney and Phillips, 2002). Any given act of predation can be quantified with four measures: (1)

---

<sup>14</sup> For reasons unrelated to social control. This point is elaborated on later in the chapter.

<sup>15</sup> In some instances the line between predation, gifts, and sales may be blurry. For example, a dealer may give a potential predator a gift to avoid more serious harm.

the quantity of resource(s) taken; (2) the magnitude of violence applied to the victim; (3) the extent of misinformation surrounding the trade; and, (4) the degree of contact between the victim and offender during the act. In practice, for example, a predatory act can result in a million dollar gain or nothing, can result in murder or involve no bodily injury, the circumstances surrounding the act can be unknown, mysterious, or comprehensively understood, and the event can occur when the victim and offender are in the same room or in different countries and take place over a matter of seconds or months. The above four measures of predation suggest that it can take one of three broad classes: violent predation; stealth predation; and, fraudulent predation (see table 2.1).

**Table 2.1. Forms of Predatory Resource Transfer**

	Violence	Contact	Deception
Violent Predation	+	+	+/-
Fraudulent Predation	-	+	+
Stealth Predation	-	-	-

Abbreviations: ‘+’ denotes presence of characteristic; ‘-’ denotes absence of characteristic; ‘+/-’ denotes characteristic can be present or absent.

### Violent Predation

“Predatory violence is the use of force in the acquisition of wealth or other resources” (Black, 2004b: 146; also see Cooney, 2006; Cooney and Phillips, 2002; Jacobs, 2000; Jacobs et al., 2000; Wright and Decker, 1997). Violent predation is a quantitative variable measurable along four dimensions: (1) the amount of resource(s) taken; (2) the amount of violence applied to the prey; (3) the amount of deceptive communication proceeding coerced transfer; and, (4) the amount of contact between

predator and prey. Resources, for example, could be measured by the number of grams, ounces, or pounds of drugs stolen, or the number of dollars taken. Violence could be measured by the number of shots fired, the number of stab wounds, or anything as long as it is a consistent indicator of violence. Fraud, or misinformation, could be measured by the amount of deceptive communication used in “setting up” a drug seller for a robbery.<sup>16</sup> The quantity of interaction can be measured by any unit of time, such as seconds, minutes, days, weeks, and so on.

The only form of predatory violence operationalized by Goldstein as systemic violence is robbery (see Jacobs, 2000; Wright and Decker, 1997), and the most serious form of predatory violence involves murder<sup>17</sup>:

**Big Pimp:** Well my brother got killed when we got robbed.... Shit, the dude killed my baby brother. Me and my other two brothers were together [selling outside]. Yeah, they pulled up on us [and asked for drugs]. We were like, “You got the wrong guy.”...One of the girls are like, “They’re cool, they’re cool.” So they came and asked if we had weed or whatever. We’re like, “Yeah.”... Shit, dude hit me in my face with a gun and I blacked out... [S]o I woke up and one of my brothers [had] got shot, I didn’t know who [else had] got shot, [and then] I ran beating on people’s door to call the police.

A robbery victim may suffer a physical assault, but a successful transaction of resources is not always the result. A predatory act can score high on the violence

---

<sup>16</sup> It is worth clarifying one aspect surrounding “misinformation” in violent predation. In the case of a drug sale, a buyer or seller communicates the idea that he or she may be willing to trade drugs for another resource, such as money. Misinformation in solicitation refers to cases where an actor’s trade behavior does not match his or her communication about the trade. For instance, a seller has engaged in misinformation if he or she claims to be selling “eighths” of marijuana that *should* weigh 3.5 grams each, but in practice only supplies 3 grams. Empirically, it is impossible to determine whether there was misinformation in solicitation until both the communication surrounding the trade and the trade itself are completed.

<sup>17</sup> Holding constant the quantity of resources, misinformation, and contact.

measure, but low on the resource acquisition measure. The following two quotes concern the same violent act; the latter quote comes from the predator's view point and the former comes from the victim's perspective:

**Pete:** [I]f you get "jacked" it means you lose what you had.... I got "jumped."

They were trying to jack me but they didn't get it. 1500 bucks in my pocket.... I was looking for a QP [quarter-pound of marijuana] and most of my regular guys [suppliers] didn't have it. I got a call from a kid that I thought was my friend and he told me he could get it for me, "I hear you're looking for some weed and I can get you a QP." I said, "Yeah". He was like, "Well come pick me up and we'll go get it." So I went and picked him up, met these people.... I got to their car. They said "You got the money?" I said, "Yeah, I got the money." They were like, "Okay, let me see it and I'll go get it." I was like, "I don't think so. I'll come with you, or you can go and get it and come back." So I got out of the car, got hit in the side of the face.... I acted as though I was knocked out and lay on the ground face down. I had the money in my jacket pocket...and I felt somebody drag me and roll me over to try and get the money and when they did that I grabbed them, pulled them down, got up and got in my jeep and drove off.

---

**Mark:** [M]e and four other people were camped out with masks on in these woods at a pool, at a neighborhood pool, and the kid [Pete] came up and we were supposed to be hooking him with like \$1100 worth of something and we didn't have it, we were just gonna beat his ass and take his money. It wasn't really my idea but I got involved and I was there, I was pretty drunk or whatever, but it



doesn't matter. Anyways, the kid pulls up and he had another kid with him but the other kid didn't really do anything, and the kid [Pete] gets out of the car and me and my buddy, well pretty much just my buddy whooped his ass pretty bad, and I dunno, I had him in a headlock a couple times, but I didn't really do anything, I was just kinda there, but the kid didn't give up his money and we didn't get anything from him, and...we definitely gave this kid a beating, but he took it.

### Fraudulent Predation

Fraudulent predation is trade with false premises, where the facts of transfer do not match the communication surrounding the trade, and violence or coercion is absent from the interaction. Fraudulent predation includes “sleight of hand, counterfeiting, or crude con games” (Jacobs, 1999: 69). Fraud is unlike violent predation because the act is without violence; fraud is distinguishable from stealth predation because there is contact between the trade partners as the act occurs. Fraud can, in some instances, involve the mutual giving and taking of resources, but fraud is predation and not reciprocity because the true nature of items – their true worth – is obscured from the trade partner (discussed in detail below).

Fraud is a quantitative variable measurable by (1) the communicated cost of a transaction relative to the actual cost of the transaction, and (2) the quantity of interaction between persons, in this case defined by the length of time between the first communication about a trade and its completion. The *communication-actualization ratio* could be measured by comparing what someone says about their behavior and what that person actually does; for instance, if a drug seller says, “Give me \$50 for an eighth of

marijuana”, with an “eighth” equal to 3.5 grams, receives \$50 from the customer, and then provides only 3.0 grams of marijuana in return, the seller’s communication differs from the resulting behavior by .5 grams, resulting in a communication-actualization ratio of 7:6.<sup>18</sup> The quantity of fraudulent interaction is measurable by any consistent indicator that can capture the length of time between the first solicitation and the final transfer.

As the drug trade is mostly concerned with the trading of drugs and money,<sup>19</sup> fraudulent trades often involve fake drugs or counterfeit money:

**Big Pimp:** You got crack heads now that got counterfeit money and shit, passing all kind of shit.

**Interviewer:** Has anybody ever done that to you?

**Big Pimp:** Yeah I got a counterfeit one time.

**Interviewer:** And what did you do?

**Big Pimp:** I couldn’t do nothing ’cause he drove off so fast before I even realized it was fake. I just threw the money on the ground. I was just mad.

---

**Christian:** I...had 180 bucks or whatever to buy 10 [ecstasy pills]. I remember it was me and my friend and we drove to the house or whatever, and it was two guys and a girl, and I had the money, and I was like “let me see what’s going on here”... I felt like this wasn’t right, and... so I looked at the girl and asked her, “Have you taken this?” and she was like, “Yeah”, and I was like, “Is it good?” and she was like “Yeah, it’s good.” So whatever, and I was like “Alright”... I got the 10 pills and I wanted to find out if it was real because I was so suspicious of it.

---

<sup>18</sup> Reduced from 3.5 grams to 3.0 grams.

<sup>19</sup> As compared to, say, trading drugs for sex or guns.

I just took one of them myself, and it wasn't real, and I was pissed, it was almost a tranquil pissed, like I was like, "Man, I just got fucked over."<sup>20</sup>

Fraud in the drug world is not restricted to cash, and economic transfer is increasingly becoming cashless (Wright and Decker, 1997: 136-9). In a digital drug market, fraudulent predation involves deceptive communication surrounding the transfer of "electronic cash" and drugs. One example of electronic fraud is exchanging food cards for drugs and then canceling the account:

**Hustler:** They got food stamps. You know you get the food stamps and they cancel the card on your mother-fucking ass...

**Interviewer:** So is this some person in particular that does this to you?

**Hustler:** Yeah, a lot of mother-fuckers that have done me with the food stamps, that's how they get you. They got the card, they purchase it and shit and you get the card and it's got some amount of money on it, and they get home and cancel the fucker and then they get another card, and they do another motherfucker like that...

**Interviewer:** So how often does that kind of stuff happen to you? Like how many times has it happened?

**Hustler:** Oh man, probably ten, fifteen or twenty times man. Lot of times.

Another form of fraud relies on the false premise of being a legitimate drug trader, whereby once the prey has physically transferred the resource, the offender flees without fully reciprocating:

---

<sup>20</sup> The communication-actualization ratio of this trade is 10:0, since the buyer was promised 10 ecstasy pills but in fact received none.

**Ron:** I got screwed over one time. I had mushrooms and I was selling those. This kid, like we were meeting at this church, and he pulled in next to me, and he came to the window and I gave him the mushrooms and then he put his hand in the car and started counting out the money and then he just like pulled it out real quick and drove away.

---

**Role Playa':** [P]ut my hand out and motherfucker put the window on my mother-fucking hand... Mother-fucking window hit my hand and I dropped two sacks and he sped off.

### Stealth Predation

Stealth predation, or what we might also call unseen or covert predation, is resource transfer without interaction between the offender and victim, and in which the receiver is responsible for the actual transfer of the resource. This sort of predation is measurable solely by the amount of resources taken from the victim – violence, contact, and misinformation are, by definition, nonexistent. Stealthy acts are measurable by the quantity of any resource taken without interaction between traders. Thus, the value of a theft could involve a few grams taken from a seller's "stash spot" on the street, to duffle bags full of drugs and cash taken from a dealer's home.

Two common locations in which stealth predation occurs are dealers' vehicles and homes. Robert's car was broken into while he was at his legitimate place of work (see quote on page 32); later his home was burglarized:

**Robert:** I come home from school and I go to where I had my herb and it was gone, and I just gotten a QP and broken it up into quarters the night before, and I was freaking out, and then I look around the house, and then I go down into the basement and the garage door, one of the windows was busted out...

**Interviewer:** How much was the herb worth?

**Robert:** Roughly like 12, 1300 dollars.

Another prominent place where stealth predation occurs is the street, as a common practice among lower-class, urban-based drug sellers is to stash their product in various locales in and around the streets that serve as their place of business (Jacobs, 1999: 83-7):

**O-G:** I hid something in a chip bag right by a fence in the corner by the gangway and I came out and I seen a couple of guys that see me coming by every day and you got to suspect that they know that's a stash. So the day went on or whatever and I made my little money and I go back to get my stash and I find that it is not there anymore...

**Interviewer:** So how much did you lose?

**O-G:** About \$50 worth 'cause I don't really like to stash that much. So about \$50 worth of crack.

## GIFT

Not all drug market trade is predatory, however. "Altruism is the very opposite of the survival of the fittest" (Sober and Wilson, 1999: 19). Different paradigms produce different conceptions of altruism, but they all have a common logic. For instance, sociologist Joseph Michalski defines altruism as "social interactions that entail the

unilateral provision of resources” (2003: 344). According to evolutionary biologist Richard Dawkins, “[a]n entity, such as a baboon, is said to be altruistic if it behaves in such a way as to increase another such entity’s welfare at the expense of its own” (2000: 4). Psychologists focus on the motivation of the trade partner, whether it is ultimately “altruistic” – defined by an *entirely* unselfish motivation for giving resources, or whether the motivation is truly “egoistic” on some level (see, e.g., Batson, 1991; Sober and Wilson, 1999).

Altruism is here defined as the giving of resource(s) without taking or receiving resource(s) in return (Cooney and Phillips, 2002). The spirit of altruism is found in the notion of the gift, which is a quantitative variable that can vary in three respects: (1) the quantity of resources given away; (2) the degree of contact between the transfer partners and third parties; and, (3) the degree of social awareness about the trade. Resources and the quantity of contact are measurable in the same manner as described above; social awareness is measurable by the quantity of communication and information surrounding a gift. Thus, any given altruistic act can involve, say, one cent or one million dollars, one gram or one hundred pounds of marijuana, could be traded hand-to-hand or through an anonymous letter in the mail, and could be donated in such a way as to inform everyone in the community or to keep the action secret.

The prevalence of gift giving is no small matter: in the 2001 National Household Survey on Drug Abuse, for instance, 58 percent of respondents reported acquiring marijuana for free (Caulkins and Pacula, 2006). The following three examples of altruistic transfer occurred between family members:

**Interviewer:** Going back to your brothers, did your younger brother know you dealt?

**Dave:** Yeah, a little bit, because he smokes a little bit, not much, but whenever he wanted some I'd just give him some, I'd throw him a quarter or something for free.

---

**Jeff:** I would just give [my brother] weed because, I mean, it's my little brother. I would just give him a nug here and there for free.

## SALE

For any market, the mutual transfer of resources is the *raison d'être*. Reciprocity is defined here as the non-coercive, non-fraudulent, bilateral giving and taking of resources between actors. The concept of a sale, or deal, encompasses the nature of reciprocal trade. By definition, sales require the absence of misinformation, as this would be fraudulent predation; likewise, gifts require that the transfer be without any condition of reciprocity, no matter how minor, because otherwise it would be a sale. A sale is a quantitative variable measurable in two ways: (1) the price, or rate of transfer; and (2) credit, or the amount of time between completing one side of the trade and the other.

The price is measurable by dividing the amount of resources transferred by one trader by the amount of resources transferred by the other trader; the price for a drug *buyer* is defined by the amount of drugs received divided by the number of dollars given to the drug seller. For example, if \$100 buys 2 grams of cocaine then each dollar is worth .02 grams of cocaine, but if \$100 only buys half a gram of cocaine then the worth of each

dollar is .005 grams of cocaine. As well, the length of time between one side of the trade and the other can vary substantially from deal to deal, and this form of contact, as with predation and gifts, can be measured by any consistent indicator of time. Thus, any given sale can differ from others in its rate of transfer, such as how much money it costs to buy an ounce of marijuana, and the items can be transferred concurrently or after a delay ranging from momentary to almost infinite (see, e.g., Hoffer, 2006; Jacobs, 1999).

While economists have long been interested in how price changes on a relatively aggregate-level, such as the role of police enforcement on drug prices (see, e.g., Caulkins, Reuter, and Taylor, 2006), what has received less attention in the drug literature is the fact that rates of transfers are not always stable from one customer to the next, even when holding constant important factors (e.g., the quantity and quality of drugs). Drug prices do not always vary, as the first example below demonstrates, but in other cases prices vary widely, as the second example shows:

**Interviewer:** So do you treat all your customers the same?

**Lil' Homie:** I treat them all the same.

**Interviewer:** Like they would always get the same price, and the same ...

**Lil' Homie:** Same price, same thing. I ain't giving them none less and none more.

When I set my price I set my price. And I'm not taking any less. If I tell you I'm gonna give you an ounce for say 700, I'm looking for you to come up with that 700. I won't settle for no \$699, you know. No \$650 or no 550. I want \$700.

---

**Justin:** My roommate now, we've been friends since fucking ever, but when I was selling he was real good about making me feel like shit for getting money off



of him without really being aggressive and calling me a dick or anything like that, and so he'd come over, and I'd be open with him about the prices like I was getting it for, and so he'd be like, "You're selling me this so you're making this much money off me," and I was like, "Fine," and sell it to him for maybe even 85, 80, [instead of the regular \$100].

Given the rate of trade, sales differ in the amount of time between completion of one side of the trade and the other. Credit refers to cases where money, drugs, or other resources are traded unilaterally to a trade partner who agrees to reciprocate the transfer at a later time. Credit is a social behavior that varies in degree, as it can be a common occurrence without imposed time limitations or a rare event with strictly specified responsibilities for repayment.

## SUMMARY

In sum, gifts are distinguishable from sales because the former involves altruism – giving without receiving, whereas the latter involves reciprocity – mutual give and take. Gifts and sales differ from predatory actions – violent, stealthy, and fraudulent – because they involve the use of either force, stealth, and/or misinformation to obtain resources without mutual transfer (see table 2.2).

**Table 2.2. Forms of Resource Transfer**

	Altruism	Reciprocity	Predation	Violence	Contact	Deception
Violent Predation	–	–	+	+	+	+/-
Fraudulent Predation	–	–	+	–	+	+
Stealth Predation	–	–	+	–	–	–
Sale	–	+	–	–	+	–
Gift	+	–	–	–	+/-	–

Abbreviations: ‘+’ denotes presence of characteristic; ‘–’ denotes absence of characteristic; ‘+/-’ denotes characteristic can be present or absent.

### **SOCIAL CONTROL**

A central question for social scientists and philosophers has long been: Why act fairly or altruistically when predation results in a bigger payoff? Thomas Hobbes provides a famous State-level answer: citizens enter into a common agreement in which they agree not to prey on each other, and deviance from this agreement is subject to punishment by the government. In Hobbes’ own words:

A punishment, is an Evill inflicted by publique Authority, on him that hath done, or omitted that which is Judged by the same Authority to be a Transgression of the Law; to the end that the will of men may thereby the better be disposed to obedience. (Hobbes, 1985 [1651]: 353)

The key to Hobbes’ argument are the concepts of “punishment” and “obedience” – obedience to social norms and punishment for deviance. If resource transfer is “primary behavior”, then rewards and punishments related to resource transfer and other social exchange are “secondary behavior” (Sober and Wilson, 1998: 143). Whether among

insects (see Wenseleers and Ratnieks, 2006), non-human primates (see Black, 2000b; Flack and de Waal, 2000; de Waal, 1989), archaic tribes (see Boehm, 2000), modern suburbanites (see Baumgartner, 1988), gang members (see Decker and Van Winkle, 1996; Shakur, 1993), or any social group (see generally Black, 1998; Horwitz, 1990), *social control* manages and administers social order, deterring deviance before it occurs and responding to it when deterrence fails.

Social control as a scientific term is more than a century old (Black, 1998: 3; see Ross, 1901), and the concept is generally defined as “practices and arrangements that contribute to social order and, in particular, that influence people to conform” (Black, 1998: 4), although a more narrow definition is “how people define and respond to...behavior” (Black, 1998; also see Black, 1976). Social control includes an array of behaviors; for example: law (Black, 1976, 1980, 1989); vengeance (see Black, 1983; Cooney, 1998, 2003; Jacobs and Wright, 2006; Kubrin and Weitzer, 2003; Phillips, 2003; Phillips and Cooney, 2005); avoidance (Baumgartner, 1988); negotiation (Gulliver, 1979); therapy (Horwitz, 1982; Tucker, 1999); humiliation (Braithwaite, 1989); gossip (Merry, 1984); kidnapping (Zaitch, 2005: 210-2); apology (Tavuchis, 1991); suicide (Durkheim, 2002 [1897]); protest (Useem and Reisig, 1999); and, terrorism (Black, 2004a).

This chapter defines and illustrates several forms of drug market behavior: violent retaliation, law, retaliatory fraud and stealth, settlement, negotiation, avoidance, apology, and toleration. These behaviors are conceptually connected in that all are forms of conflict management, but each behavior is empirically distinguishable from the others

according to whether it violence, confiscation or destruction, contact, deception, neutral-party intervention, or social control of the self.

## LAW & VIOLENT RETALIATION

A review of the drug market literature would lead one to believe there are only two forms of social control: formal settlement and fighting. The common perception of the relationship between violent retaliation and mediatory law is that the absence of the latter makes occurrences of the former practically inevitable. In the words of Jacobs: “Illicit drug markets represent a context in which law is unavailable as a matter of course. The absence of legal redress is a defining characteristic of all underworld enterprise. Those who violate the law cannot be ‘victims’ and as such, lose their privilege of judicial protection” (Jacobs, 2000: 111). Boyum and Kleiman assert: “Because selling drugs is illegal, business arrangements among dealers cannot be enforced by law. Thus territorial disputes among dealers, employee discipline (punishment for selling, informing, or not paying debts), and disagreements over the price, quantity, and quality of drugs are all subject to settlement by force” (2004: 335). Fagan and Chin note that “drug selling provides a context that facilitates violence, in which violence is acceptable given the illicit nature of drug selling and the absence of other forms of legal recourse or social control” (1990: 36). The problem with the common conception of drug market social control is that it is not wholly accurate – law *is* available, at least in principle; it is a matter of degree, not entirety.

## Law

Law is defined as governmental social control (Black, 1976), and “settlement” refers to any conflict where disputants leave the fate of their case in the hands of a third-party (Black, 1998). Acts of settlement are measurable along four dimensions: (1) formalism, defined by “the tendency [of the mediator] to create and apply explicit rules” (Black, 1998: 145); (2) decisiveness, defined by the degree of compromise between parties; (3) coerciveness, defined by the quantity of force in bringing disputants to settlement; and, (4) punitiveness, defined by the amount of “pain or deprivation” applied as punishment to disputants (Black, 1998: Chapter 8; also see Black, 1976; Cooney, 1998: 39-41). While drug-related disputes are relatively unlikely to involve formal settlement (see Black, 1976: Chapter 6), formal settlement is not – at least in principle – withheld from drug traders victimized in a criminal act (see Venkatesh, 2006: 175).

Although informal agreements about the specifics (e.g., weight, quality, price) of a drug transfer cannot be enforced by civil or criminal law, robberies, burglaries, and assaults *are illegal* regardless of whether the victim is a drug seller or a law-abiding citizen, and if the victim consents, criminal victimizations will be handled as such by police and prosecutors. Often times, however, criminally involved victims avoid police intervention (see Cooney, 1998; Rosenfeld, Jacobs, and Wright, 2003) or the government applies relatively little law to the offender (Black, 1976; see, e.g., Stanko, 1981-2: 236-7). These findings have likely led to the misconception – or exaggeration – that formal settlement is an *impossibility* in drug trade-related disputes. The case of Ron demonstrates how drug traders often are reluctant to report victimizations to police:

**Ron:** [H]e had stolen like 3 ounces of weed, like he had stolen a lot of shit and he broke into my friend's dad's room – like that was a pretty big deal.

**Interviewer:** Why didn't you turn him into the cops?

**Ron:** You can't really turn anyone into the cops for a drug related robbery [burglary]. Like his dad is a doctor, and his dad can't have that, you know what I'm saying? Like he smokes weed, but if he ever got a weed charge it would completely fuck his practice up, it would really hurt him.

While Ron's case may be more common than the alternative – reporting the victimization and its illicit context, to pretend that drug trade-related victimizations are *never* handled by the police is unnecessary. A typology that pays attention to the use of mediatory law would be useful, at least more so than writing off all such cases as irrational, irrelevant, or impossible. For instance, recall that when “Big Pimp” awoke after being knocked out by a robber to find his brother near death he “ran beating on people's door to call the *police*”; at the time of the interview, Big Pimp had plans to cooperate further with the law:

**Big Pimp:** Yeah. We're gonna go talk to some detectives...

**Interviewer:** So you're gonna go to the cops and tell them what happened?

**Big Pimp:** Yeah. They know what happened 'cause of my other brother. He stayed there with my baby brother. So they know what happened...

**Interviewer:** So you do know who it is then?

**Big Pimp:** Yeah.

**Interviewer:** And the police have got him?

**Big Pimp:** Yeah, and I got to go in and identify the picture.

Consider also the case of Ho Pusher, who reported a drug related-burglary of his home:

**Ho Pusher:** Me and my girlfriend went out to eat. We come back home, our door wide open and everything left open, drawers and everything, but they came in through a window though and I mean they took everything – her money, her jewelry, everything.

**Interviewer:** Were you dealing drugs then?

**Ho Pusher:** Yeah and they took all that, they took everything....

**Interviewer:** [D]id you call the cops?

**Ho Pusher:** Yeah we called the cops. We didn't tell them about the drugs but we told them about everything else.

**Interviewer:** And did they suspect anything?

**Ho Pusher:** They didn't suspect about drugs or anything, they were just concerned that someone had broken into the house.

### Violent Retaliation

With clarification of the role of formal settlement in drug trade-related disputes, violent retaliation becomes a behavioral option instead of a behavioral necessity. There are three forms of violent retaliation relevant to Goldstein's conception of systemic violence, which are distinguishable from one another according to whether or not there is resource confiscation or destruction (see table 2.3).

**Table 2.3. Forms of Violent Retaliation**

	Violence	Confiscation	Destruction
Pure Fight	+	–	–
Violent Confiscation	+	+	–
Violent Destruction	+	–	+

Abbreviations: ‘+’ denotes presence of characteristic; ‘–’ denotes absence of characteristic.

A *pure fight* is defined as a retributive violent act that does not involve resource confiscation or destruction. Pure fights are measurable by one criterion alone: the amount of physical harm applied to a wrongdoer and/or that actor’s associates. Perhaps the St. Valentine’s Day Massacre is the best known instance of a pure fight, where a dispute between gangs over the distribution of prohibited Canadian whiskey resulted in the slaying of multiple victims by shooting them in their backs with machine guns (Kavieff, 2000). More recently, Allen Fields observed that drug sellers in San Francisco “are tough and willing to use force and violence where the need arises, to ‘let niggas know that your place of business ain’t no place to be fucked with’” (1986: 96). The importance of pure fights in drug markets is summed up by Bruce Jacobs: “Violence and, more important, the threat of it through retaliation is instrumental in maintaining order on the streets, where blood cancels all debts” (1999: 80; also see Johnson et al., 1985: 175). Consider the following example of a pure fight:

**Lil’ Homie:** [H]e was trying to rob me [and...] he opened fire on me so that...led to a shoot out. We fired back. He fired so we fired.... I fired up on him, he fired on me. We had a shoot out, four or five times of shoot offs you know. Thing is, you’re protecting yourself, you’re protecting your set.... I’m not gonna let you come in here and take nothing out of my set. That’s just a fact, you know? Hey,



shoot outs, killings, whatever, that's what it's about, that's what the game is about, it's about killing, making money and whatever. You know, you fuck up, you get killed. And that's what all this is about.

**Interviewer:** So what happened to that guy?

**Lil' Homie:** Well he came up dead... After all that bullshit that went round with him, couple of days he came up dead.

**Interviewer:** OK. Did you know him in any other way?

**Lil' Homie:** No, I didn't even know him, I just knew that he was gonna rob us.

**Interviewer:** Do you remember how he tried to rob you or anything?

**Lil' Homie:** Well the way the situation went down is, the way he was trying to rob me was, "Well let me get a figure and meet me", you walk to your car and then before you get to your car he has his coat and he's saying, "Let me get it off." I mean why is he gonna try to get it off? I ain't giving him nothing. You got the gun I'll shoot and like I say, what went down was he opened fire on me so that's what it led to, it led to a shoot out. We fired back. He fired so we fired.

What Lil' Homie's experience shows is that wrongdoers can become the target of aggression – and dead as a result, but theft is not a necessary outcome of violent retaliation.

Violent retaliation, however, often does involve unilateral resource confiscation – the theft of wealth as punishment for wrongdoing. Robbery and kidnappings can be predatory or retaliatory, depending on whether or not they are a social response to the "victim's" deviance (see Jacobs and Wright, 2006; Topalli et al., 2002). In other words, whether a violent resource transfer is retaliatory or predatory depends on whether it is a

primary or secondary behavior, defined by whether it is concerned with retribution (moralistic) or the pure redistribution of resources (predatory) (see Cooney and Phillips, 2002; Sober and Wilson, 1998: 143). *Violent confiscation*, like violent predation, is measurable by (1) the quantity of resource(s) taken, (2) the amount of physical harm applied to the wrongdoer while doing so, (3) the degree of misinformation surrounding the incident, and (4) the extent of interaction devoted to vengeance. An example of violent confiscation comes from the life of Baby Girl, a female dealer in St. Louis. She and her partner arrived at her apartment one night as two persons were breaking in:

**Baby Girl:** We snuck up and [my partner] gave me like a 32 [a gun]. He had his shit, like an Uzi, we crept up in the motherfucker house. Motherfuckers [were] still in there trying to do their shit. They thought we were at a party and they were making a lot of noise. [There was a lookout, and we] got his ass outside, *took his car*, threw him in the motherfucker trunk of the car and tied him up.

**Interviewer:** Okay, [hold on,] so what happened when you got to the house?

**Baby Girl:** We jumped up on the motherfuckers. They were surprised to see me and [and my partner]. They said, “Hey what the fuck are you doing here bitch? We were taking your shit, bitch.” So I kind of shot the motherfuckers, “You don’t call me no bitch, this is my house, I’ve been supplying and giving you good.” I kind of shot them with a one hit, it didn’t kill them or nothing like that, but it made a flesh wound... We grabbed the motherfuckers, [and my partner] roughed them up I kind of helped him. One of them tried to run up on me, [and] that’s when we kind of grabbed them by the legs [and] crisscrossed his legs. “You ain’t going nowhere.” ... We beat their ass ... We made an example of them. The

mother-fucker in the trunk, we kept him and made an example out of him for the next mother-fucker [that would think about burglarizing me]. “You try this shit, this is what the fuck you’ll get.”

**Interviewer:** What did you do with the guy in the trunk?

**Baby Girl:** We kept his mother-fucking ass and just beat his ass badly. If you gonna be the lookout mother-fucker we gonna beat your ass, and *we took everything he had* and we just beat his mother-fucking ass and tied his ass to a mother-fucking tree and told the mother-fucker to go back and see his other mother-fucking people and tell them not to fuck with us ’cause if they do this is what the fuck they gonna get. (Emphasis added)

Baby Girl’s story illustrates how conflict in the drug world can lead a victim to violently confiscate the resources of an offender as retaliation for doing something wrong.

Other cases of violent retaliation involve not confiscation but instead resource destruction – the ruining of a wealth as punishment for wrongdoing. Similarly to violent confiscation, *violent destruction* is measurable by (1) the quantity of resource(s) destroyed or damaged, (2) the amount of physical harm applied to the wrongdoer while doing so, (3) the degree of misinformation surrounding the incident, and (4) the extent of interaction devoted to vengeance. William was the victim of fraud and his friends immediately retaliated with violence by throwing pool balls through the wrongdoer’s car windshield:

**William:** [D]o you remember a place called [name of pool hall]?

**Interviewer:** Yeah.

**William:** That's where I did a lot of my business out of, back of there, behind it... We were up there and a kid..., one of my close friends... wanted a 20 pack [of ecstasy] so I said, "OK, no problem", and so [he and his girlfriend] came up there, and I kind of had a feeling [that I was going to be victimized], it's kind of weird but you kind of get a feeling. You just don't know, but you're like, "Yo, wait, this could be a bad situation." And so I called my buddy and I was like, "Hey, bring some people out here, this might go bad." So I walk up to the car and I say, "Where's the money?" And the guy says, "Here." He says, "Where are the rolls?" I said, "Here." Then he grabbed my hand and they drive off... [W]hen he grabbed that I jumped in the car 'cause I'm thinking this is [\$]320 and this is worth getting in a fight over. So I jumped in the car and he just nailed the shit out of me, right swing to the face. So my feet are dragging on the ground, I'm trying to get the rolls or the money. The money's been thrown in the back seat of the car, so I'm just grabbing and trying to hold on and then all of a sudden I hear glass shattering and at that point I just let go 'cause I hear glass shattering. People were coming out of the back of [the pool hall] knowing something was going on and thrown Q balls through the guy's back windshield... I mean I was a little drunk and I was all fucked..., but... I must say I didn't really like them throwing Q balls from 50 feet away at me!

#### NON-VIOLENT, NON-LEGAL SOCIAL CONTROL

Both vengeance and law are relevant to the study of drug market behavior, but the same can be said for a number of other social control strategies that receive practically no

attention from scientists this underworld (for examples of non-violent, informal social control in drug markets, see Hoffer, 2006; Jacobs, 1998b). And when non-violent, informal means of social control do receive such attention, they often are brushed aside as being irrelevant to drug market research. According to Ousey and Lee (2007: fn1), for instance:

In any conflict situation, a variety of conflict management strategies are theoretically available to the parties involved... In the context of street drug markets, however, most of these alternatives are probably unacceptable. For example, on the street, the appearance of ‘being soft’ may increase one’s risk of future victimization. Consequently, it behooves one to not employ conflict management strategies like toleration and avoidance in response to transgressions. Moreover, because market participants may regard one another with great suspicion and little trust, the possibility of frequently resolving conflict through negotiation...seems remote.

Just as Salviati pointed out to Simplicio that Aristotle assumed the thing in question (Galileo, 1967 [1632]: 35), it is important that scientists recognize that to make assumptions about the thing in question – the existence of non-violent social control in the universe of drug market behaviors – is not only unwise philosophically, but is also unhelpful scientifically. Besides law and violence, other methods of social control that *do occur* among drug-involved persons include stealth retaliation, fraudulent retaliation, informal settlement, negotiation, avoidance, apology, and toleration (see Black, 1998: 74-94).<sup>21</sup>

---

<sup>21</sup> Of course, this paper does not provide an exhaustive list of forms of drug market-related social control; we leave researchers and theorists to examine other forms of social control as they become relevant to their

### Stealth Retaliation & Fraudulent Retaliation

Stealth retaliation and fraudulent retaliation refer to cases where, respectively, stealth or deception is employed in confiscating or destroying the resources of a deviant actor (also see Black, 1983). Retaliatory fraud and retaliatory stealth are similar to retaliatory violence in that they are a method of punishment, but distinct in that they do not involve interpersonal violence. Fraudulent retaliation is measurable by the amount of deception involved in tricking an offender into an unfair deal and the quantity of resources lost:

**Interviewer:** Can you think of any times you ever slacked someone on purpose?

**Mark:** Not ever when I was dealing, unless they pissed me off. I mean I can remember this one guy that called me up and I knew his bag was straight and he called me up saying it wasn't and then he forgot about it or whatever, and then the next time I hooked him up again and I had just weighed it out, I knew it was straight and he called me up complaining about it being slack again, tried to like [get me to] give him more or whatever. So the next bag he came and got, I ripped him off hardcore.

Stealth retaliation is measurable by the amount of resources confiscated, damaged, or destroyed while the wrongdoer is not around (also see Black, 1998: 34). Dave was the

---

own work. Peter Reuter (1983, 1984), for example, has done path-breaking work on the role of informal settlement among Mafia members and persons connected to them. Informal settlement, or "arbitration", is a form of social control characterized by the intervention of (relatively) nonpartisan mediators whose authority is derived from outside the government (Reuter, 1984; also see Black, 1998). The Mafia has been known to summon disputants and their partisans to "sit-down[s]" to resolve drug-related business conflicts (Reuter, 1983: 160-1). As might be expected, the lower-class and middle-class drug sellers in the current study are not part of the Mafia, and so examples of Mafia interventions are not available. Another conceivable source of informal settlement agents is higher-status gang members arbitrating the dispute of persons lower in status but part of the same organization. While many of the lower-class dealers in our sample were either in a gang or closely associated with one, there were no examples of informal settlement among gang members.

victim of predation more than once; in one case he responded with stealth destruction, and in other case with stealth confiscation:

**Dave:** I actually one time got jacked, stolen from a girl dealer, and it was about 300 something dollars. But I mean that stuff just happens and it's really hard to deal with because you can't talk to the law about it, you have to just take the matter into your own hands and it's tuff to deal with a girl, and I don't ever see her, she's not really one of my friends but I thought I trusted her, she was with [i.e., dating] another one of my good friends, who's now off at the military right now, who was with us.

**Interviewer:** Did that guy know about it?

**Dave:** Naw.

**Interviewer:** Did he know when she did it?

**Dave:** We both figured it out at about the same time, about 30 minutes after we were waiting; it was over in a lower-class high school area.

**Interviewer:** Do you not think he was in on it?

**Dave:** Naw, he wasn't in on it. I know he wasn't because later on that night he helped me do stuff when he was with me, he wasn't in on it [the fraud].

**Interviewer:** What kind of stuff?

**Dave:** I dunno, just try to get back at this girl.

**Interviewer:** What'd you do?

**Dave:** Just fucked with her house and shit.

---

**Dave:** There was one time when somebody didn't pay me back, it was just about \$300, and I had trusted the kid for a long time. He wasn't paying upfront, I was just giving him the bud [i.e., marijuana] and he would sell it and give me the money later, and then it took about 3 weeks once, he still hadn't given it to me, and I was trying to call him and get it from him... [A]nd another week or two passed and I started talking to a lot of people and I was putting some time into it trying to figure out what was going on, and they all said he wasn't going to pay me, and the way he was talking about it was just really disrespectful. I just went over to his place with a couple other kids that I know to do shit like this, but I don't do shit like this unless someone has my money.

**Interviewer:** Do shit like what?

**Dave:** What I'm about to tell you. Well, basically, we just went up to his house and knocked on it for a little bit, but the music was so loud they couldn't hear us, I guess his mom was out of town, and I saw that his car was right there, and I opened up his car door and stole his TV that he had actually stolen from somebody else. I needed something that was worth that money because you can't let people keep doing that to you, taking money from you and getting away with it.

### Informal Settlement

Settlement, "or the handling of a grievance by a nonpartisan third party" (Black, 1998: 85), does not always involve a police officer or judge. "Settlement can be much more informal, conducted by family members, friends, neighbors, or community leaders"



(Cooney, 1998: 59). As is the case with formal settlement, informal settlement is a quantitative variable measurable by the amount of formalism, decisiveness, coerciveness, and punitiveness involved (Black, 1998: Chapter 8; also see Black, 1976; Cooney, 1998: 39-41). Below, a dealer recounts a conflict that was settled informally by a mutual friend of the disputants:

**Monies:** Person got mad 'cause I said it wasn't right, so a heated discussion came about, guns got drawn but it really wasn't nothing hectic, you know what I'm saying. It was one of those situations where it got going but there were people in the midst of it so I didn't have to go round.

**Interviewer:** What do you mean people in the midst of it?

**Monies:** People ... basically, there wasn't too much violence.

**Interviewer:** Can you picture it in your head, can you remember who was there, was it like you and that guy or was it you and a bunch of other people?

**Monies:** Yeah it was one of those instances where there were people on both sides. Neutral people.

**Interviewer:** So you knew people and people knew you and the other guy, and they calmed it down?

**Monies:** Yeah.

## Negotiation

A less aggressive means of dispute resolution is to "talk something out."

Negotiation refers to the process of communication between disputants in which they make a joint decision regarding the resolution of their conflict (Black, 1998: 83).

Negotiation is a quantitative variable measurable by the degree of convergence between disputants' ideas about future behavior, and the quantity of social commitments therein. "Since the two parties necessarily began with some kind of difference between them . . . , the process of decision-making therefore involves a convergence. At least one party, but usually both, must move toward the other" (Gulliver quoted in Black, 1998: 83):

**William:** I had a dispute with one of my suppliers because the guy I got the Valiums from, I had got rid of about 5,000 in two days for him, and the next shipment came in at 10,000 and he gave me 5,000 and somebody else 5,000. I said "He's gonna take a week and a half to two weeks to do it, so at least give me 2500 out of his." He was like, "No, he'll do that 5,000 in about three days." I was like, "Come on, I need some and the next shipment doesn't come in for two weeks." I'm like "I need some now." And so he went to this guy, call him Johnny. He went to Johnny and asked how many he had left and Johnny had about 3500, and he was like, "Well I want 17." He said, "17 of them?" He said, "No, 1700." He said, "Why?" He said "Cause the other guy's already sold his 5,000." . . . So he gave him the 1,700, and that was what pissed me off was that he wouldn't get them all.

### Avoidance

Disputants are not always able to come to an agreement; nor do they always attempt to reach one. Avoidance is social repulsion, where conflict is managed through the "curtailment of interaction with a person whose behavior is offensive" (Baumgartner, 1988: 11; Hirschman, 1970; Reid, 1980). Avoidance is a quantitative variable measurable

in time and pervasiveness (Black, 1998: 79), as it can be everlasting, momentary, or between the two extremes, and can entail only one aspect of social interaction or all parts of life:

**Lil' Homie:** Well, what went down is [my business partner] made a deal with some certain peoples that I told him don't do it with because of the price... They wanted 23.5 and the price I was getting it for was 25. He went and made a deal without me and so it was like, he just took the [extra] money and did what he wanted to do with it and I was kind of like pissed off with him... I didn't want it like that, I wanted to stick with the peoples that we was dealing with 'cause if you start dealing with outside peoples then the prices would go up. And what happened was he was going through another person and he had to get his cut off of it. It led into a big old argument and stuff to where we started feuding with each other. Eventually I guess he came to his senses and I came to mine and we just divided up all the shit and he went his way and I went my way, you know. And we ain't spoke since.

As others have noted (see, e.g., Jacobs, 1999, 1996; Rosenfeld, Jacobs, and Wright, 2003), avoidance is the *modus operandi* when it comes to interaction with (potential) trade-partners suspected of being a police officer or “snitching” to the police. Another example from Lil' Homie illustrates this:

**Lil' Homie:** Well yeah, there's a certain lot of peoples that I wouldn't sell to man. You go around every day on the set, listen to the rumors. If the babble say that Joe Blow is snitching, like Joe Blow got real busted last night, but Joe Blow is over there you with you today, trying to cover, but I ain't doing it, I ain't selling you

nothing man. Shit like that... It's just that certain people that [one] don't sell to 'cause when you get the word on the street about babblers, snitching or babblers trying to set you up. I wouldn't sell this person nothing, 'cause of the way he came up here, the way he walked up here, the way he talks. You can tell a lot about people like that. I'm just looking at it like, okay, that money would have made me fatter, but not all money ain't good because money like that might be bad. Straight up.

### Apology

All of the above examples are characterized by victims or mediators applying social control to an offender, but *apology* is social control of the self (Hickson, 1986; Lazare, 2004). “The core of the idea of a monadic relationship is that actors perform action on themselves” (Cooney, 1988: 43). “To apologize is to declare voluntarily that one has no excuses, defense, justification, or explanation of an action (or inaction) that has ‘insulted, failed, or wronged another’” (Tavuchis, 1991: 17). Apology is a quantitative variable measured by (1) the degree to which an offender claims responsibility for a “wrong”, (2) the truthfulness of the apology, and (3) the amount of resources provided to the victim by the apologizer. For instance, a person can take full responsibility for an act (e.g., “I’m sorry, that problem is entirely my fault”), no responsibility for an act (e.g., “I’m sorry, but that problem was out of my control”), or a degree of responsibility between the two extremes (e.g., “I’m sorry for my action, but I am not entirely to blame”), and any given apology can be true, false, or a mixture of the truth and falsehoods. As well, apologies can be absent of resource transfer or involve

large sums of money given to the victim by the offender (voluntarily and without settlement or negotiation). Consider the story told by a dealer from St. Louis:

**Interviewer:** You've never been set up or found out people were talking about setting you up or anything like that?

**Big Pimp:** Well, a dude was walking down the street. I knew him, smoked with him and shit. He was with another dude I didn't know. This was recently and he just said he was gonna rob me, and I didn't take it as a joking matter, but he thought that I should, but you just don't say to people you gonna rob them, so I went back and told my family just in case something do happen to me they would know who did it. Then he came and apologized and shit and said he was just playing and I told him, "You don't play with people like that saying you're gonna rob them [be]cause you never know what the next man is thinking. Everybody has secrets; that's what you got to look at it like."

**Interviewer:** And did you just accept his apology and that's that, or what?

**Big Pimp:** Yeah, just squashed it like that.

## Toleration

Social control is not an inevitable result of deviance. Toleration is defined by the absence of social control where it might have otherwise existed. "Toleration is the most common response of aggrieved people everywhere" (Black, 1998: 88). "[A]ll animal interactions involve at least some conflict of interest" (Dawkins, 2006: 65), but most conflicts are "stomached," "allowed," or "endured" (for examples in the drug market, see Jacobs, 1999: 80-1; Jacobs and Wright, 2006; Topalli, Wright, and Fornango, 2002: 346-

8). Toleration is a quantitative variable “measurable by comparing what might otherwise occur under the same circumstances” (Black, 1998: 88).

**Robert:** My car got robbed while I was at work for \$360, and I was gonna go re-up after work.

**Interviewer:** Did you get robbed by a stranger?

**Robert:** No, it was Victor, he went to school with me.

**Interviewer:** How’d you know that person?

**Robert:** Well, I didn’t know him that well at all, but he knew Brian’s older brothers, and shit like that, so he knew who I was, they thought I had weight, and I had money instead.

**Interviewer:** Would you tell me this story?

**Robert:** Well they jimmed it, you know, use the jimmy on the window, and then when I got out there was no money, and I started calling everybody, and Tommy was always good friends with my brother and he’s friends with Victor and he told me that he did it.

**Interviewer:** What’d you do when you found out who it was?

**Robert:** Fucking nothing, I mean what am I gonna go do – shoot him?

## SUMMARY

In sum, social control is any behavior that defines and responds to deviance (Black, 1976, 1998). There are many different forms, or strategies, of social control, including – but not limited to – retaliation (violent, fraudulent, and stealthy), settlement (formal and informal), negotiation, avoidance, apology, and toleration. Although alike in

that all are forms of social control, these behaviors can be distinguished from each other according to whether it involves violence, confiscation or destruction, contact, deception, neutral-party intervention, or social control of the self (“SCOT”) (see table 2.4).

**Table 2.4. Forms of Social Control**

	Violence	Confiscation/ Destruction	Contact	Deception	Neutral Party Intervention	Scot
Violent Retaliation	+	+/-	+	+/-	-	-
Fraudulent Retaliation	-	+	+	+	-	-
Stealth Retaliation	-	+	-	-	-	-
Settlement	+/-	+/-	+	-	+	-
Negotiation	-	+/-	+	-	-	-
Avoidance	-	-	-	-	-	-
Apology	-	+/-	+	+/-	-	+
Toleration	-	-	n/a	-	-	-

Abbreviations: ‘+’ denotes presence of characteristic; ‘-’ denotes absence of characteristic; ‘+/-’ denotes characteristic can be present or absent; “n/a” denotes not applicable.

## **THE RELEVANCE OF PEACE TO VIOLENCE**

The nature of typologies is that they lie within and next to one another, forming a hierarchal and horizontal structure of classification schemes. The stated purpose of this chapter was to (1) join Goldstein’s concept of systemic violence to the *peaceful* behavior that often characterizes drug market interactions, and, in doing so, (2) specify what behaviors are “drug market-related” and thus of relevance to this guide. These tasks were accomplished by proposing and outlining the resource transfer—social control typology, or what we can call for short the “transfer—control typology.”

The concept of systemic violence is useful to science because it distinguishes drug trade-related violence from other kinds. Systemic violence is sometimes predatory, defined by the use of force in obtaining resources from another actor, and because predatory violence is primarily concerned with the transfer of resources it shares a common logic with fraudulent predation, stealth predation, gifts, and sales. Systemic violence also can be moralistic, defined by the use of force in responding to the deviance of another, and because retaliatory violence is a form of social control it shares a common logic with stealth retaliation and fraudulent retaliation, formal and informal settlement, negotiation, avoidance, apology, and toleration.

The value of typologies can be judged by comparing their power and theoretical relevance (Cooney and Phillips, 2002). “[A] good typology is *powerful* – it allows the facts to be better explained. The typology itself provides no explanation – it merely orders reality – but it creates categories that may liberate a theory or model to explain a set of empirical findings more fully. The more facts a typology permits to be explained, the more powerful, and the more scientifically valuable, it is” (Cooney and Phillips, 2002: 78). The transfer—control typology is more powerful than the concept of systemic violence alone because it provides an abstract bridge that connects the violent acts identified by Goldstein with the peaceful acts that also occur in drug markets. The connection between peaceful and violent behaviors is fundamental to science because:

The fundamental analytical act in statistical reasoning is to answer the question “Compared with what?” Whether we are evaluating changes over space or time, searching big data bases, adjusting and controlling for variables, designing explanations, specifying multiple regressions, or doing just about any kind of



evidence-based reasoning, *the essential point is to make intelligent and appropriate comparisons.* (Tufte, 2006: 127, our emphasis)

While the concept of systemic violence places science's focus on explaining the *presence* of violence and the *absence* of violence, the transfer—control typology slightly shifts the focus, suggesting at least three logical comparisons: (1) between violent predation and fraudulent predation, stealth predation, gifts, and sales; (2) between violent retaliation and retaliatory stealth and fraud, settlement, negotiation, avoidance, apology, and toleration; and/or (3) between violent behavior and peaceful behavior. The transfer—control typology provides science with a powerful framework that facilitates “intelligent and appropriate comparisons” (Tufte, 2006.) between various forms of drug market-related behavior.

Peaceful behavior is relevant to the study of drug market violence because the presence of peace necessitates the absence of violence. If it is granted that the forms of violent and nonviolent behavior are distinct, then it logically follows that they cannot occur *simultaneously* in a given moment and space, and so they vary inversely with each other – where one exists, the others do not. If forms of resource transfer vary inversely with one another, then where there is an act of violent predation there is not an act of fraud, stealth, fair selling, or gift giving, and this is true for any combination.<sup>22</sup> Similarly, Donald Black long ago stated that forms of social control vary inversely with one another (see Black, 1976: 107; Black, 1983). Violence is *relatively* “intrinsic” (Goldstein, 1985: 497) to drug trade because mediatory law is *relatively* unavailable to disputants (see Horwitz, 1990: 128-131), but there is no reason to believe the inverse relationship is

---

<sup>22</sup> Eric Baumer and colleagues (1998) demonstrated that for reasons related to the crack cocaine market, as the rate of robbery increased in the 1980s, the rate of burglary decreased concurrently.

restricted to law and violence (see Cooney, 1998: 39). The same logic suggests that illicit drug markets may also have more retaliatory resources confiscation and destruction, informal settlement, negotiation, avoidance, apology, and toleration. *If violence and peace vary inversely with one another, it should be possible to generate understanding of violence by theorizing and testing ideas about peaceful behavior.*

Facts are never completely independent of each other. They occur either as more or less connected mixtures of separate signals, or as a system of knowledge obeying its own laws. As a result, every fact reacts upon many others. Every change and every discovery has an effect on a terrain that is virtually limitless. It is characteristic of advanced knowledge, matured into a coherent system, that each new fact harmoniously – though ever so slightly – changes all earlier facts.... The less interconnected the system of knowledge, the more magical it appears and the less stable and more miracle-prone is reality. (Fleck, 1979: 102)

The transfer—control typology is relevant to science because it provides a set of simple, general, observable and quantifiable concepts that – because of their abstract connections – allow for the production and refinement of knowledge about drug market violence through the study of drug market peace.

Moreover, studying peaceful behavior alongside violence behavior is important because behaviors are inextricably linked in temporal order. When one behavior occurs, others might become more or less likely to *subsequently* occur. For instance, violent retaliation probably follows less often from gifts and sales than it does from acts of violent, fraudulent, or stealth predation. Thus, the causes (theories) of gifts, sales, and predation have implications for explaining the presence or absence of violent retaliation

and other forms of social control. Along similar lines, how a drug dealer responds to a conflict likely has implications for future trading; a tolerant drug dealer, for example, may engage in more sales than a seller who is known for violent retaliation against customers (see Jacobs, 1999). However, a dealer known for violent retaliation against robbers or burglars may for that reason be less likely to experience violent predation or stealth predation (see Jacobs and Wright, 2006; Wright and Decker, 1994, 1997). What this implies is that explanations of social control have implications for theorizing resource transfer. The transfer—control typology is relevant to the study of drug markets because it directs researchers’ empirical and theoretical attention to the variable sequences of behavioral events that emerge in drug markets – violent, nonviolent, and “mixed.”

### **SUMMARY & GUIDANCE**

This chapter suggests that drug markets are “about” more than just drug sales – or just violence. Drug markets also involve gifts, predatory and retaliatory stealing via fraud or stealth, and social control via law, informal settlement, negotiation, avoidance, apology, toleration, and other strategies of conflict management. To fully understand why any of those drug market behaviors occur, it will be useful – perhaps necessary – to study all of them and specify how each affects the others and in turn is affected by the others.

### **GUIDANCE FOR SCIENTISTS**

The virtue of the transfer—control typology is that it provides a set of observable, quantifiable behaviors that can be explained by *more than* one paradigmatic perspective.

*Anthropologists* (e.g., Bourgois, 2003; Hoffer, 2006) and *ethnographers* (e.g., Anderson, 1999: 107-141; Jacobs, 1999) can explore the cultural aspects of social life that influence resource transfer and social control. *Biologists* can explore the role of genes in propensities to engage in various forms of resource transfer and social control (e.g., Caspi et al., 2002; Dugatkin, 2006). The environment undoubtedly has effects on human behavior (Hawley, 1986), and the study of predation is nothing new to *ecologists* (e.g., Cohen and Felson, 1979). *Economists* are in many respects still the masters of resource transfer (e.g., Reuter, MacCoun, and Murphy, 1990), and they have long been interested in the role of social control on price (e.g., Caulkins, Reuter, and Taylor, 2006).

*Psychologists* can explore the motivational and emotional aspects that influence trades and conflict management; do persons with low self-control (Gottfredson and Hirschi, 1990), for example, engage in more retaliation and less toleration, avoidance, and negotiation? Or how does rationality and phenomenology come into play when, say, a burglar (e.g., Wright and Decker, 1994) or robber (e.g., Jacobs, 2000; Wright and Decker, 1997) is choosing their prey? *Sociologists* have provided general and testable theories that use social structure to explain the behavior of retaliation (Black, 1983, 1998; Cooney, 1998), settlement (Black, 1976, 1980, 1989, 1998), negotiation (Black, 1998: 83-5), avoidance (Baumgartner, 1988; Black, 1998:79-83), and toleration (Black, 1998: 88-90); and economic sociology and network sociology are booming subfields that have important insights for drug market research (e.g., Granovetter, 1973, 1985; Portes and Haller, 2005). These are but a few of the many theoretical options available to scientists for exploring resource transfer and social control. Theorists and researchers should formulate, test, and refine those and other theories.

What is perhaps more important, however, is the advice that no matter what drug market behavior(s) a scientist is trying to explain with theory or document with research, there should always be conscious consideration of how each behavior is connected to the others. Theorists must move beyond dichotomous questions. The question cannot continue to be, for example, Why does a sale occur? Ask instead, Why does a sale occur rather than a gift, fraud, robbery, or burglary? Theorists cannot continue to ask, Why does violent retaliation occur? Ask instead, Why does an act of violent retaliation occur rather than confiscation with stealth or fraud, or a call to the police, negotiation, avoidance, apology, or toleration? It is important to broaden the scope of questions because it is only logical that a theory of why any given drug market behavior occurs has natural implications for explaining the others.

Researchers must also move beyond dichotomies. They cannot continue to simply collect information on whether a person has sold drugs. Researchers must also see determine to what degree people give drugs as gifts, or steal them with either violence, fraud, or stealth. In addition, data collection must move beyond simply determining whether a person has been the victim or offender in violent retaliation. Instead, researchers must determine to what degree people have also been the victim or offender in acts of non-violent retaliation, or been involved in mediation, or engaged in negotiation, or experienced avoidance, apology, or toleration. It is important to collect data on all kinds of drug market behavior because only then can the denominators be properly specified. Surely more can be understood about drug markets if we determine not simply how many people in a population engage in a drug sale or violent retaliation, but, instead, determine how many sales there are in comparison to gifts, frauds, robberies,

or burglaries, or determine how many acts of violent retaliation there are in comparison to non-violent forms of retaliation, calls to the police, or acts of avoidance, negotiation, apology, or toleration.

#### PATH TO BE TAKEN

This chapter has laid the conceptual foundation for the rest of the guide by specifying what behaviors are relevant to the study of drug markets, and why it is useful – perhaps necessary – to study each behavior alongside the others. The remainder of this dissertation examines how forms of drug market behavior are affected by social structure (chapter 3), opportunity (chapter 4), culture (chapter 5), social bonds, agency (chapter 6), and jurisprudence (chapter 7).

3

**A THEORY OF DRUG SALES, GIFTS, & FRAUDS**

Drug sales, gifts, and frauds are all forms of *resource transfer* (see Cooney and Phillips, 2002; Jacques and Wright, 2008). Although fair trading is at the heart of all markets, gifts and frauds also occur (see, e.g., Coomber and Maher, 2003; Copes, Forsyth, and Brunson, 2007; Mohamed and Fritsvold, 2008; Hoffer, 2006; Jacobs, 1999; Sifaneck et al., 2007). Sales are reciprocity (give-and-take); gifts are altruism (giving); frauds are predation (taking). The question is whether these various forms of drug transfer can and should be explained with a single theory?

It is logically true that forms of transfer cannot occur at the exact same time. Where a gift exists, no act of fraud or selling co-exists, and this inverse relationship holds true for any combination (Jacques and Wright, 2008; also see Baumer et al., 1998). The impossibility of simultaneity is important; a theory of why one form of transfer *does* occur has implications for explaining why the others do *not* occur, or vice versa. Thus, researching and theorizing drug sales, gifts, *and* frauds alongside each other may help to facilitate findings about not just one but all forms of illicit drug transfer.<sup>23</sup>

The aim of this chapter is propose a purely sociological theory of drug sales, gifts, and frauds. The theory is based on findings from a study of 25 suburban, middle-class dealers and 25 urban, lower-class sellers. In turn, the chapter describes its orienting paradigm – pure sociology (Black, 1976, 1998; Cooney, 2006, 2009), reviews the method and data employed, examines qualitative descriptions of drug transfer, uses those data to propose a preliminary theory, and concludes by suggesting future lines of research.

---

<sup>23</sup> In addition, it should be noted that two giants in the philosophy of science – Popper (2002) and Kuhn (1977) – agree that theory is “better” when it is more general, simple, testable, original, and valid. The nature of unified theories is that they advance scientific knowledge by making it more general and simple than before.



## PURE SOCIOLOGY

Theories based on rational choice have been at the core of scientific investigations of drug transfer (Levitt and Venkatesh, 2001; MacCoun and Reuter, 2001; Zimring and Hawkins, 1992). These theories suggest that variation in the price of drugs is explained by changes in costs and benefits, which for example may depend on the likelihood of repeat business or being arrested. Despite the substantial merits of the rationality paradigm, it is plausible that factors beyond costs and benefits affect variability in drug sales, gifts, and frauds. To build a broader criminological understanding of drug procurement, therefore, this chapter focuses its attention on *sociological influences that exist outside the decision-making calculus of any given individual*.

Although other sociological paradigms are available (see, e.g., Laub and Sampson, 2003), this chapter uses the orienting constructs of *pure sociology* (see Black, 1976, 1995, 1998; Cooney, 2006, 2009).<sup>24</sup> The fundamental task for pure sociologists “is to isolate the connections between [social] behavior and social space, preferably in the form of testable propositions” (Cooney, 1998: 9). *Social space* is an abstract system for ordering social life so that social behavior can be predicted and explained coherently (Black, 1976). It is postulated that there are five dimensions of social space, each of which accounts for a theoretically relevant and distinct sociological concept: (1) vertical dimension (Marx, 1990 [1867]), defined by wealth or rank; (2) horizontal dimension (Durkheim, 1984 [1893]), defined by relationships among actors; (3) corporate dimension

---

<sup>24</sup> Past work in pure sociology has been mostly concerned with social control, such as law, retaliation, avoidance, or therapy (Baumgartner, 1988; Black, 1976, 1983, 2000; Campbell, 2009; Cooney, 1998; Horwitz, 1982; Phillips 2003; Senechal de la Roche 1997; Tucker, 1999). Beyond social control, the paradigm also has been applied to economic behaviors such as welfare (Michalski, 2003) and predation (Cooney and Phillips, 2002; Cooney, 2006), and cultural behaviors such as ideas (Black, 2000), medicine (Black, 1998), art (Black, 1998), and research (Jacques and Wright, 2008b).

(Weber, 1964), defined by a group's size or an individual's memberships; (4) symbolic dimension (Parsons, 1951), defined by what is "true, good, and beautiful" (Black, 1976: 61); and (5) normative dimension (Ross, 1901), defined by social control.

In each dimension of social space every actor<sup>25</sup> has more or less *social status*, relative to other actors. The greater an actor's wealth, rank, employment, family, organization, beauty, knowledge, conventionality, or respectability, the higher is that actor's status. As well, actors are more or less integrated on relational, organizational, and cultural levels. The more integrated two actors are with one another, the closer they are in *social distance*. For example, two people who play sports and go to school together are closer in relational distance than two strangers.

In any given case of social behavior – such as a drug sale, gift, or fraud – the combination of actors' statuses and distances is called a *social structure*, or *social geometry*. Differences and similarities between social structures are what pure sociology uses to explain variation within and between cases of a particular behavior. Whatever the social behavior concerned, whether related to wealth, relationships, organization, culture, or respectability, it may in some way or another change as a consequence of social structure. The task for pure sociologists is to find these connections and state them as testable propositions so that they can be falsified or supported through empirical testing.<sup>26</sup>

---

<sup>25</sup> Which can be an individual or a group of individuals.

<sup>26</sup> Black's theory of law, for example, hypothesizes: "Downward law is greater than upward law" (1976, p. 21), predicting that a legal case involving a rich complainant and poor defendant will result in more judicial punishment than a case involving a poor complainant and a rich defendant. Another well known purely sociological theory is Black's theory of self-help, which, in part, predicts that conflicts between friends involve less violent retaliation than conflicts between strangers (1998, p. 76-77); as a formal proposition: violent retaliation varies directly with relational distance between disputants (for a test, see Phillips, 2003).

## GOAL OF THIS CHAPTER

This chapter addresses the following two questions: Does the social status of a person attempting to procure drugs and that person's social distance from the dealer affect the likelihood that the transfer will be the result of a sale, gift, or fraud? Do those same explanatory variables explain variability in the price of drugs and the size of gifts or frauds?

## **SOCIAL STRUCTURAL PATTERNS IN DRUG SALES, GIFTS & FRAUDS**

In what follows, the theoretical lens of pure sociology is used to examine qualitative data obtained in interviews with 25 suburban, middle-class dealers and 25 urban, lower-class sellers. The purpose is to discern a general, simple, testable, and valid theory of how social structure – meaning social status and social distance – is patterned with drug transfer – including the price and likelihood of sales, the size of gifts, and the seriousness of frauds. After examining the data, a unified, albeit preliminary, theory of drug sales, gifts, and frauds is proposed.

## SOCIAL STATUS & DRUG TRANSFER

*Social status* is a person's position in a social hierarchy (Black, 1976, 1998). Recall there are five kinds of social status: vertical; radial; corporate; symbolic; and, normative. As a person gains greater wealth, community involvement, organization, knowledge, and freedom, then that person is said to have higher social status. Does social status have any discernable patterning with the various forms of drug transfer? More specifically, does the social status of a customer affect the cost of drugs for that person?

*Symbolic status* is defined by one's knowledge,<sup>27</sup> in general or relative to a specific sort of interaction. The higher one's knowledge, the greater that actor's status. In any given drug trade, the seller, in practically all cases, has more knowledge than the customer. "The seller knows his product and sells it all day; he thus has the status advantage of both expertise and experience [i.e., knowledge] over the customer who might shop for that product only occasionally" (Blumberg, 1989: 188-9).

While almost all dealers know more about drugs than customers, inevitably some customers have more knowledge than others. For example, some customers know how much an eighth of an ounce equals in grams or what it "should"<sup>28</sup> cost, while others are ignorant of such details. According to the sellers who participated in our study, customers with relatively little market knowledge receive relatively unfavorable bargains:

**Interviewer:** How much do you sell [pills] for?

**Stephanie:** Depending on the person, 4.50 to \$6 a pill.

**Interviewer:** What do you mean "depending on the person"?

**Stephanie:** Close friends – 4.50, someone who knew something about it [referring to "normal" price] – 5 bucks, someone who's a dumb ass – 6.

**Interviewer:** Is there any other reasons you would charge people different prices?

**Stephanie:** Well, not really the quantity or anything, it just depended on the person's ability to know what they were buying.

-----

**Joseph:** I remember this one guy kept calling. I met him through my cousin and he kept calling. He called me up and he'd want a like a 20 bag, like a sixteenth or

---

<sup>27</sup> It is also defined by conventionality (see Black, 1976).

<sup>28</sup> This chapter does not deal with the reasons behind drug prices averaging out at what they do. This, however, is a social behavior that, we believe, could be explained within the paradigm of pure sociology.

something, and I would give him maybe like half a gram [about a gram short] or something for 25 bucks, and I did that every time and he never complained, you know. I gave him a little bit more or a little bit less. I was just waiting for him to say something but he never did, so I figured he didn't know [he was getting ripped off....] He just wasn't...like when it came to drugs and stuff, he wasn't that smart. He didn't know how each thing was broken down, you know what I'm saying. Like a quarter, seven grams and eighths, like three and halves and stuff like that. He just didn't know how much you would pay to get what, basically, and so I sort of took advantage of that.

-----

**Interviewer:** Do you have some customers who don't know how things should weigh? Like they don't know how much they should actually get?

**Rollin':** Yeah.

**Interviewer:** Do you treat them the same as people who do know?

**Rollin':** No, I get over on them.

**Interviewer:** Like how?

**Rollin':** Like one dope fiend, Saturday night he'd come and buy a gram and I'd charge him \$150 for 1 gram. In fact I'm giving him a half a gram and half a gram costs \$75. So I'll be getting a free \$75 and then I can sell my other half a gram for \$75, so that's a free \$75.

**Interviewer:** And he's not suspicious at all?

**Rollin':** He's not suspicious at all.

Knowledge is imperative in detecting unwanted situations. Those who do not have sufficient cultural knowledge to realize they have been wronged are exploited more often than others. Consider two additional examples from our research:

**Robert:** I fucked people too; I sold a kid a bag of oregano that one time.

**Interviewer:** Tell me this story?

**Robert:** He called me up, and he was kind of a douche, and he was wanting pot. So we put like half a joint [in the sack] – it was a roach from one of our joints – and there was real marijuana in that, but the rest of it was just oregano, and he was a fucking idiot anyway so I sold it to him for \$25.

**Interviewer:** Did you ever slack anyone else?

**Robert:** Not really, I'd usually try to be on the up and up, but that kid was a fucking idiot so whatever, we thought it was funny.

**Interviewer:** What do you mean he was a fucking idiot?

**Robert:** He just didn't know anything about that line, he didn't know anything about drugs at all, he didn't know what marijuana looked like or anything. I don't even know why he wanted to buy it. He probably was doing it just to be cool. I sold him a bag of oregano and we laughed forever.

-----

**Interviewer:** All right, you were talking about people being stupid. Do you have any customers that you just know that they don't know what's going on in terms of the weights and the prices? You know that they don't know what they actually deserve?

**\$50-Holler:** Yeah. People like that I short them all the time but they don't know the weight. They don't know what they're supposed to be getting [...] They just give you money and you give them the product. I short people like that all the time. If you don't know the weight, I ain't gonna tell you the weight.

**Interviewer:** Is there like one person you have in mind that you do that to all the time, but they always come back?

**\$50-Holler:** This stupid dude. He is so fucking stupid. He so stupid he don't know the weight or the value of what he gets. Man, I do that to him all the time. He's stupid. He comes with a fat bag of money. You get to add 3 or 4 stones to that bag but he's stupid, he don't know so I ain't gonna tell him. I'm gonna keep using his dumb ass like that until he finally runs out of the fucking door. When he finds out it will be too late. I like dealing with him [be]cause he's dumb.

Even when a customer *does* know the going price for a drug, if the weight cannot be determined there is less knowledge, resulting in worse treatment. Dealers, for the most part, have access to scales that allow them to precisely weigh out their sales. Customers seldom have scales, and thus no way of confirming whether or not any given transaction is fair. Tom, for instance, said that he would slack those who “didn't have scales to actually weigh it out themselves.” Dave echoed these sentiments, saying, “you can just rip somebody off because you know they're not going to weigh it out because you know they don't have any scales.” And Christian explained the process of slacking certain customers in more detail:

**Christian:** I never slacked anybody big, the people I'd slack were basically just the people who I knew I could get away with it.

**Interviewer:** And why would you get away with it?

**Christian:** Just because they wouldn't have a scale, it's a rare thing to have a scale.

**Interviewer:** And you wouldn't show them the weight on your scale?

**Christian:** That's part of deceiving them into not knowing what's going on, obviously if you're giving somebody a slack bag you never show them a scale, but if you're giving somebody a fat sack you're going to show them the scale every time cause if you're hooking somebody up then you want them to know.

*Vertical status* is defined by the distribution of resources and rank in a hierarchy, with more wealth or higher rank equating to higher status. According to sellers, the typical pattern is for wealthier customers to get more gifts, pay a lower price, and be ripped-off less often<sup>29</sup>:

**Interviewer:** Do you have any customers that you know have more money than others?

**K Loc:** Yeah.

**Interviewer:** Do you treat them the same. Do you overcharge them because they have more money?

**K Loc:** No, I might try to treat them a little better... I might give them a little bit more than their money's worth.

*Radial status* is defined by one's integration with the institutions of communities, such as family, work, politics, and so on, with more involvement resulting in higher status. Perhaps the most pertinent aspect of radial status in economic exchange is whether

---

<sup>29</sup> Holding constant the amount of drugs transferred.



or not the customer has employment. When they do, sellers report, they get a better bargain:

**Interviewer:** Would you say some of your customers have jobs and some don't?

**Hustler:** Yeah most of them got jobs.

**Interviewer:** Do you treat the ones with jobs any differently from the ones that don't have jobs?

**Hustler:** Yeah I certainly do...

**Interviewer:** So how do you treat those customers differently?

**Hustler:** I make sure that I hook [the persons with jobs] up every time...

**Interviewer:** You said you hook up the guys with jobs, like what do you mean "hook them up"?

**Hustler:** I give them a nice amount.

**Interviewer:** Like more than they deserve?

**Hustler:** More than what they deserve.

The nature of wealth and work is that the latter often increases the former. In other words, whether a person has employment (radial status) affects their wealth (vertical status). Recognizing this, some drug dealers give differential treatment to customers based on whether they have a job and, presumably, income – that may be spent on drugs:

**Ridin' Dirty:** I ripped a lot of...people.

**Interviewer:** What was it about the...people that made you think you could rip them off, or that made you rip them off?

**Ridin' Dirty:** 'Cause most of them didn't have jobs. I mean why would I rip a person off that's got a job and who's gonna keep bringing money?

**Interviewer:** So you wouldn't rip people off with the jobs but you'd rip the people off without the jobs?

**Ridin' Dirty:** Yeah.

Although work is an indicator of radial status (discussed directly above), it may also be considered an indicator of *corporate status* to the degree it results in more memberships and organization. Corporate status increases as does the amount of collective action. "[A]ny group is, by definition, more organized than an individual on his own" (Black, 1976: 86).

It is not uncommon for drug dealers to elicit the help of their friends and family to sell drugs (see Denton, 2001: 107-110; Dickson-Gomez et al., 2004: 917, 925; Hoffer 2006: 26-7). Examples of such collective action include attracting customers or hiding drugs. The benefit of such work/collective action is often free drugs or a better bargain for them. Consider Richard's story:

**Interviewer:** Do you give anybody a better price?

**Richard:** One dude [...] He gets \$5 taken off an eighth.

**Interviewer:** Why do you give that to him?

**Richard:** 'Cause he lives here, he lives in my house, like If I'm not here [and] somebody's trying to come over [to buy something], he knows most of the people so he'll do [the deal]. So I'll just give him the [\$5] discount, I always have.

**Interviewer:** Do you do anything else for him?

**Richard:** No, like that's the agreement, if he sells a sack. Like, basically, if he's there when I need him.

A separate middle-class dealer had a "crew" to help him find potential customers:

**Robert:** Ryan, Mark, and Jason, they would all look for people to sell weed to. They would just help me out [in selling]. I dunno, it was like a fucking pact.

**Interviewer:** What'd you do to compensate them?

**Robert:** I always got them high anyways, and whoever we sold weed to they'd smoke with us anyways. We smoked a shit load of weed, that was an extreme amount of consumption.

Similarly, a lower-class seller used her "Auntie" to facilitate business:

**Baby Girl:** I would kind of like get my auntie an upgrade for her bringing my clientele to me.

**Interviewer:** What do you mean upgrade?

**Baby Girl:** I kind of like gave her more than what I usually would give and more than somebody else would give her.

**Interviewer:** Like what are we talking about?

**Baby Girl:** Like crack, I would give her like 50 [dollars worth] more of what anyone else would give her [be]cause she bringing her clients over to me.

Pete, another dealer we interviewed, routinely kept his "weight" – or supply of drugs – at the house of one of his friend's. He also relied on this friend to help him sell drugs while he was at work. As Pete explained:

**Pete:** I left all of my weed at his house all of the time [...] sometimes I'd be at work and if I was at work he would hold on to my weed for me and sell it while I was at work.

**Interviewer:** How did you compensate him?

**Pete:** If I got a half-pound I gave him 100 bucks, if I got a QP I'd give him 50, and he got to smoke as much as he wanted.

*Normative status* is defined in part by the amount of social control applied to an actor's behavior, with status decreasing as the amount of social control applied to one's behavior increases. No matter what behavior is defined as deviant, a customer's involvement in that behavior diminishes the favorability of bargains (for an example in another study, see Williams, 1989: 34). For instance, many drug sellers work long hours, so it stands to reason that they prefer to be left alone when off duty. Calling a seller after business hours often is regarded by sellers to be deviant and therefore the customer receives a less favorable bargain:

**Mike:** I remember one time a guy woke me up at night for a quarter of weed or something like that, so I gave it to him for some amount, and I said, "I'm going to take this little nug out because I'm going to go get high." And he was like, "Well, you already sold it to me for 110," and I was like "Well, you just fucking woke me up at 12 at night."

As sellers often set their own price (or at least have the self-designated authority to negotiate), bargaining plays an important role in drug markets. Sometimes a customer's haggling pays off; other times it does not. However, when one has haggled his or her way to a better bargain, an easy way for that bargain to be undone is to complain:

**Interviewer:** Did any of your customers ever piss you off like complaining about prices or saying it didn't weigh right or anything? [...]

**East-Side Pimp:** Oh when you give them a better price [...] and [then] they complain about the price, what you do is go to the "heavy bag" thing, where they

thinking you giving them 14 grams [half an ounce] whereas you're giving them more like 10 grams [which is 4 grams short of a half ounce]. [This deceives the customer be]cause the bag will weigh a few grams by itself.

-----

**Interviewer:** Can you think of any times you ever slacked [i.e., under-weighed] someone on purpose?

**Mark:** Not ever when I was dealing, unless they pissed me off. I mean I can remember this one guy that called me up and I knew his bag was straight [i.e., fair] and he called me up saying it wasn't and then he forgot about it or whatever, and then the next time I hooked him up again and I had just weighed it out, I knew it was straight and he called me up complaining about it being slack again, tried to [get me to] give him more or whatever. So the next bag he came and got, I ripped him off hardcore.

Normative status is lowered by social control but amplified by praise (Cooney, 2009). Praise is often given for "seller loyalty", the result of which is relatively better bargains (Jacobs, 1999; Hoffer, 2006):

**Hustler:** Yeah well you're gonna have your personal customers. Some mother-fuckers are just loyal. Loyalty means they ain't gonna spend with anybody but you, you know. You gotta bless those mother-fuckers. When they come you gotta damn near give them more than what they're paying for it because they're loyal...

**Interviewer:** Is it just in weight or do you hook them up with price? Does it vary?

**Hustler:** I just gonna do weights. I work in weights. I'm not gonna give you no discount on no money. I want as much money as I can get. So I might cut down

the product I'm selling you in[to] maybe 20 dollar increments. You do 60 dollars, that's three increments of 20. I might actually give you four instead of giving you the three that you paid for.

A process of "altruistic reciprocity" prevails in the illicit drug world (cf. Mauss, 1990 [1922]). In other words, persons who gave gifts in the past or are likely to give them in the future have high normative status and the benefit of this is a reduced price for drugs. Dave, for instance, said: "I only hooked up people who were going to hook me up later on." Similarly, Mark observed: "If I hooked them up fat then it would be one of my friends or somebody I'd been through some shit with who I think would do the same thing back to me if it was me getting it from them." Trevor told us:

**Trevor:** [S]ometimes I'm fucking out of weed forever, you know, [and] sometimes I got a shit load all the time. But I always need to smoke. I always got my buddies to get me high, so the same kids that I could just walk up to them and if they had a big sack I could be like "Yo, I need a bowl, I don't have any money, can you give some weed, straight up?" Yeah, they'd be like "No problem dude," the same kids of course I'm gonna kick back to them any way that I can.

## SOCIAL DISTANCE & DRUG TRANSFER

*Social distance* is the amount of relational, organizational, and cultural commonalities in persons' lives (see Black, 1976, 1998). Recall that there are three kinds of social distance: relational distance; organizational distance; and cultural distance. Does social distance have any discernable patterning with the various forms of drug transfer?

Does closer social distance between drug dealers and procurers<sup>30</sup> affect drug cost, including the price, amount of gift giving, and defrauding?

*Relational distance* is defined by “the degree to which [two actors] participate in each other’s lives, including the scope of their interaction, its frequency, duration, and their linkages in a wider network” (Black, 1998: 160). Two people, for example, who never interact have more relational distance than, say, a seller and buyer who trade drugs and money once a week, and they have further relational distance than a seller and buyer who do business every day, who have greater relational distance than persons who trade drugs every day and *also* play sports and attend school together.

The data from our study suggest that the cost of drugs diminishes as relational distance decreases between a seller and procurer. Stephen, for instance, told us: “I was giving my roommate a better price.” Phillip reported: “[F]or old friends I’d just hook them in price, I’d give them 3.5 and bring it down to like 40 bucks. You know, something where I’m not necessarily making money off them but [I] keep the business going without having to lose any money.” Ron observed: “Someone that’s like my good friend from a long time ago, they’re going to get the lower prices.” Also consider the following:

**Trevor:** [I]n general I’d say kids that are real close to me I would charge them not necessarily the price that I get it for – because they wouldn’t expect me to because it’s not like I just go out of my way to provide them a sack every time they need it – but, you know, it’s like I’ll make half the profit that I usually would, whatever that is. Instead of making \$20 off of a quarter [of an ounce of marijuana] I make \$10, [...] like my roommate man, I basically give it to him at cost.

---

<sup>30</sup> A “procurer” is more than a drug buyer. It is defined as a person who obtains a drug through altruism (receiving a gift), reciprocity (trading in a sale), or predation (stealing the item through violence, fraud, or stealth).

-----

**J-Money:** I sell Ex pills at \$10, so if you spend \$100 you get 10 pills. But on the streets for real they sell Ex pills for \$20-25, so I mean I'm giving them a nice deal.

**Interviewer:** Is there anyone that has like a special deal where they get like a cheaper price than everyone else?

**J-Money:** My homies, my partners, they get the deals like nobody else.

**Interviewer:** So what deal do they get and what deal does everybody else get?

**J-Money:** If they spend \$100 with me then I sell them like 3 extra pills so they get 13 pills for \$100.

-----

**Robert:** I dealt with other people than my friends, but I would always hook up my friends more than people I wasn't familiar with [...] Maybe give them the same price but more weight, and I'd get them high all the time anyways. It depends on the quantity. If they were buying a quarter [i.e., 7 grams], [I'd give them] maybe a gram more. Maybe [if they were buying] a half-quarter, [I'd give them] maybe a half gram [extra] or something like that. And plus I got them high all the time anyway.

-----

**Stephen:** [I]t was like 3 bucks a pill for everybody, for every pill. [But for friends] I'd sell them like 4 for 10, something like that.

-----



**Joseph:** I think I'd often weigh a bag under what it was supposed to be. You know, it's like if somebody asked me for 3.5 [grams] I'd go for like 3.4 or 3.3 to save that little bit, but if it was a friend of mine I'd make it 3.5, 3.6 or even 3.7.

Some dealers develop rules, or policies, to add structure and regularity to their differential treatment in sales transactions (Waldorf and Murphy, 1995; Denton, 2001; Adler, 1985; Carey, 1968). Christian, for example, had his own unique policy for exchanges with friends:

**Christian:** I definitely did not give everybody the same deal. I had those primo customers who were my best friends – the people I'll talk to for the rest of my life – and I would hook them up pretty fucking fat, like I'd weigh 'em out at 4 [grams] for [when it should weigh] 3.5, a sixteenth [1.75 grams] I'd weigh them out at 2. It actually came to the point where I was tired of making it different every time, so I was like “Look dude, when you buy a sixteenth from me it's 2, when you buy an eighth it's 4, and when you buy a quarter I'll weigh you out at 7.5.” So I just told them straight up, and this was like 4 or 5 people, “Look, don't hassle me or anything, that's what you get.” And that's fucking an awesome deal for them, like .5 [grams] is like 10 bucks depending on how you look at it.

The romantic partners of dealers also appear to receive preferential treatment in the form of less expensive drugs. A lower-class dealer recalled how business was conducted with his crack-cocaine addicted girlfriend:

**Interviewer:** You say you got a girl you really care about?

**50-Holler:** Yeah.

**Interviewer:** So how does dealing and her all kind of mix together?

**50-Holler:** I'm kind of mixed up about it really 'cause I hate it that she smokes that shit. I tell her I can't deal with her smoking that shit. She has to get off of it. She says "I want to give it up." So I'm like, "Well got to rehab." She says she wants to stay around with me but me dealing it makes her want to do it. I'm like, "I'm dealing it but I don't do it." She says, "Yeah but you tried it once and didn't like it, that's why you don't do it. I tried and I got stuck on it." I told her all she has to do is tell herself she can't afford it. I told her I just can't deal with her doing that. She said I'm right. I told her I'd take care of her, even though she doesn't have money sometimes I'd still hook her up.

**Interviewer:** So when you sold to her would she get a better deal?

**50-Holler:** Yeah.

**Interviewer:** So what kind of shit would you let her have?

**50-Holler:** I'd give her 8 balls for \$40. Everybody else has to pay 150 for it.

The flip side to more weight for less cash is less weight for more cash. The more relational distance between customer and dealer, the more often this occurs. One of the dealers we interviewed, Ron, explained how increased relational distance caused him to "slack" customers he was unfamiliar with: "Somebody gives you money for weed and you take some of it [out of the bag] because you don't know them very well." Likewise, Dave reported that he might short-change "people I didn't know, people who probably wouldn't buy from me ever again, or just somebody that I don't even know, like know me as a person [...] If I'm supposed to give them 3.5 [grams] I might give them 3, 3.2." And Christian stated: "I remember if people would call me to hook up their friends, like those people automatically got slacked usually, I'd be like 'Who is it?' and they'd be like

‘John Doe’ and I’d be like, ‘I don’t know them so they get the 3.3 [...] This is the kind of person who gets slacked.’”

If some people are getting better prices, then others are getting worse ones. Customers with further relational distance from dealers pay higher prices for the same quantity of drugs. For example:

**Interviewer:** Who are your customers?

**Ron:** Most of them are between the age range of 18 to 25, I’m 22, right around my age. They’re mostly just people that I already know that are family or friends.

**Interviewer:** Are there any outsiders that just know you as their drug dealer?

**Ron:** There’s only 1 or 2 people like that.

**Interviewer:** Why do you deal with them?

**Ron:** ’Cause some people you don’t know you can sell it to for more.

**Interviewer:** Do you give some customers better price than others?

**Ron:** Definitely, yeah, definitely. If it’s somebody I don’t know it’s automatically a lot higher.

Sometimes established customers serve as intermediaries between dealers and would-be customers with no relational ties to one another. When a dealer knows that the drugs being purchased are for someone unknown – that is, when there is increased relational distance between seller and buyer – worse treatment is likely to be the outcome. Jared put it this way: “[I]f somebody tells you they’re getting it for a friend of theirs it’s a little easier to slack ’em a little bit because you don’t have to deal with [the customer] face-to-face.”

In addition to the concept of relational distance, there is also *organizational distance*, defined as the degree of integration into a particular group. Having more memberships in common equates to closer organizational distance.

Drug sellers, for instance, in our own study often report giving relatively generous bargains to family members:

**Jeff:** I would just give [my brother] weed because. I mean, it's my little brother. I would just give him a nug [of marijuana] here and there for free.

-----

**Dave:** ...whenever [my brother] wanted some [marijuana] I'd just give him some, I'd throw him a quarter or something for free.

-----

**Interviewer:** Have you ever sold to your brothers and sisters?

**O-G:** Yeah.

**Interviewer:** Would you give them the same deals?

**O-G:** They can get it for free. They're my blood. They can get the shit for free.

**Interviewer:** So that's what you do, they just come up and say what they want?

**O-G:** Yeah.

**Interviewer:** So when was the last time that happened, can you remember?

**O-G:** Well yeah, my brother came to get a bag for free [recently]...

**Interviewer:** Was there any other time, for whatever reason, you didn't hook up your brother? Either you didn't give him what he paid for, where you actually slacked him?

**O-G:** No, family members they usually get their hook up. They come with a lower amount of money but they'll still get the right amount of product because they're family.

In addition to family, gangs are another form of social organization (see Decker and Van Winkle, 1996). Persons in the same gang are relatively close in organizational distance, and customers in the same gang reportedly get better bargains than do customers from different gangs. The dealer quoted directly above, O-G, explains how he also gives fellow gang members a better bargain:

**O-G:** Well, basically your associates and friends, they're combined with all gangs and depending on what gang you favor then that's who gets the hook up. I've got all types of associates and friends that are Blood and some are Crips and if my Blood homie calls up then he's gonna get the hook up and then Crip dude calls [...] he's not gonna get the hook up [be]cause he's Crip. That's how it goes.

Another aspect of social distance is *cultural distance*, defined as the amount of similarity between actors in their ideas and modes of expression. The more similar the content of culture held by two or more persons, the closer they are in cultural distance. For example, two people who are from the same country and speak the same language are typically closer in cultural distance than are persons from far-apart countries who communicate entirely differently.

Discerning the impact of cultural distance on drug transfer is a difficult task for two reasons. First, the sample of middle-class dealers interviewed for our study did not, for the most part, provide drugs to anyone outside their own socio-culture circle. In other words, they rarely – usually never – did business with any person who was not white,

middle-class, and from or living in a suburban locale who largely share ideas and modes of expression. In this respect, the amount of cultural distance between middle-class drug dealers and their customers is too small to determine how cultural distance affects drug sales, gifts, and frauds.

However, one middle-class dealer did report selling drugs to a foreign national and that case resulted in a relatively high sale price for the customer:

**Mike:** I remember this girl came in from Italy, and she was Italian, she was like 25, and her brother or something knew something about me, I don't know [exactly how she knew me]. Anyways, she would call and be like "I'm in from Italy, I really need some weed." I'd be like, "I don't know you [chuckle], but, sure, you know, I got some weed, 110 a quarter, a 115 a quarter." [...] I gave her a worse price.

Unlike the middle-class dealers we interviewed, the lower-class dealers in our sample often provided drugs to persons who were different from them culturally. It was not unusual for them to do business with people who were of a different race/ethnicity, from a higher social class, living in suburban and rural areas. Although these demographic factors are certainly not direct indicators of culture or cultural distance, they do indicate that social differences, including cultural ones, were relatively great in the markets maintained by lower-class, urban dealers.

Despite the seeming cultural distance that frequently characterizes such markets, it is nevertheless difficult to ascertain its influence because – at least according to our participants – culture, as indicated by race/ethnicity, is highly correlated with a separate aspect of social structure, namely vertical status (i.e., wealth), which is discussed above.

When lower-class dealers in our study – all of whom were black – were asked whether they give “white people” a worse, better, or equal price for their drugs, their answer was overwhelmingly “no.” As explained by two dealers in the quotes below, differential bargains based on culture – at least as indicated by race – were almost entirely non-existent because their white customers typically had more money than their black ones:

**Interviewer:** Who’s getting better and who’s getting worse treatment [in terms of bargains]? Do you fuck over white people more than black people?

**Baby Girl:** No white people doesn’t want to bring the money. Them [black people are] the worse at bringing all the motherfucking money. You should know, you got more motherfucking money than us, you white, you know! Just the white motherfuckers [have money].... Now you might get a black motherfucker who has the money, but it’s [usually a] white motherfucker.

-----

**Interviewer:** Do you have white customers and black customers?

**4-Life:** Yeah.

**Interviewer:** Do you treat them all the same? I mean do you ever fuck over a white guy just because he’s white?

**4-Life:** No I probably treat the white guys better than the black guys. Just because they have more money usually.

The words of Baby Girl and 4-Life demonstrate that various aspects of social structure – such as vertical status and cultural distance – may be correlated with each other and, therefore, determining the effect of each aspect of social structure on drug

transfer is not always straightforward. Although the above quotes provide evidence that customers with more wealth (vertical status) pay less for drugs, it is unclear whether – holding constant wealth – cultural distance affects the cost of drug transfer.

### **A THEORY OF DRUG SALES, GIFTS & FRAUDS**

As evidenced in the qualitative descriptions provided by suburban, middle-class dealers and urban, lower-class dealers, it is clear that drugs are transferred through fair sales but also via gifts and frauds. Moreover, the scale of gifts and frauds differs just as it does with the price of sales.

The question posed at the beginning of this chapter is whether these various forms of drug transfer can best be explained by a *unified* theory? When the data provided by drug dealers are examined through the theoretical lens of pure sociology, it appears that the *form* and *cost* of drug transfer is affected by social structure in a patterned manner.

#### **THE FORM OF DRUG TRANSFER**

The *form* of drug transfer refers to whether it is a *sale*, *gift*, or *fraud*. The data outlined above suggest that the quality of drug transfer is affected by the *procurer's social status* – meaning their relative rank in a social hierarchy based on wealth, production, organization, knowledge, or respectability. Patterns in the qualitative data suggest two hypotheses concerning the relationship between the form of drug transfer and procurers' social status:



*As the social status of a drug procurer increases, the likelihood of a transfer being a gift rather than a sale or fraud increases.*

And:

*As the social status of a drug procurer increases, the likelihood of a transfer being a sale rather than a fraud increases.*

Stated differently, information provided by sellers leads to the hypotheses that drug transfers are more likely to be gifts than sales or sales than frauds as a procurer increases in wealth, community involvement, collective action, knowledge or respectability. Gifts are most likely when a procurer's social status is maximal; frauds are most likely when a procurer's status is minimal; sales should become more common as a procurer's status becomes more average.

Another aspect of social structure is social distance. The social distance between a drug dealer and procurer is said to decrease as they spend more time together, have more common memberships, interact more often, think more alike, and express themselves in increasingly similar manners. The qualitative data examined above appear to have two patterns that may be stated as hypotheses:

*As the social distance between a drug procurer and drug dealer decreases, the likelihood of a transfer being a gift rather than a sale or fraud increases.*

And:

*As the social distance between a drug procurer and drug dealer decreases, the likelihood of a transfer being a sale rather than a fraud increases.*

In other words, the descriptions provided by dealers suggest that drug transfers are more likely to be gifts than sales or sales than frauds as a procurer and dealer interact more often, gain common memberships, or become more similar in ideas and modes of expression. Gifts are most likely when social distance is minimal; frauds are most likely when social distance is maximal; sales should become more common as a procurer's distance from a seller becomes average.

#### THE COST OF DRUG TRANSFER

Each form of drug transfer may vary in its cost, or relative size. In principle, the *price* of drug sales may range from almost nothing (e.g., \$1 for 1 gram of cannabis) to exorbitant (e.g., \$80 for 1 gram of cannabis). Similarly, the size of a *gift* may vary from practically nothing (e.g., 1 "hit" of cannabis out of a pipe) to enormous amounts (e.g., 1 pound of cannabis to be used as one wishes). And the seriousness of a *fraud* may vary from practically nothing (e.g., 0.1 grams less of cannabis than "deserved") to huge (e.g., 1 pound of cannabis paid for with counterfeit money). Lower drug cost is equivalent to lower prices, bigger gifts, or less serious frauds.

The data outlined above suggest that the cost of drug transfer is, affected by the *procurer's social status*. The patterns in the data provide the basis for the following hypothesis:

*As the social status of a drug procurer increases, the cost of a drug transfer decreases.*

What this hypothesis predicts is that as a drug procurer has more wealth, community integration, organization, knowledge, and respectability, then the price of drug sales decreases, the size of gifts increases, and the seriousness of frauds decreases. In short, higher social status leads to lower drug costs (cf. Michalski, 2003).

The descriptions obtained from drug dealers also suggest that social distance between drug procurers and dealers affects drug costs. Patterns found within the data suggest the following hypothesis:

*As the social distance between a drug procurer and a drug dealer decreases, the cost of a drug transfer decreases.*

Put differently, it appears that when a drug procurer and seller become closer in relational distance, organizational distance or cultural distance, then the price of drug sales decreases, the size of gifts increases, and the seriousness of frauds decreases. In short, closer social distance leads to lower drug costs.

## A THEORY OF DRUG TRANSFER

Taken together, the hypotheses outlined above comprise a *unified*, albeit preliminary, *theory of drug transfer*. The theory is intended to explain not only the frequency of drug sales and their price, but also the frequency and size/seriousness of drug gifts and frauds.

In short, the theory proposes that – all else equal – as (a) drug procurers' gain social status or (b) become closer in social distance to a dealer, then (1) the frequency of gifts and sales should increase while frauds decrease, and also (2) the size of gifts should increase, the price of sales should decrease, and the seriousness of frauds should decrease.

## SUMMARY & GUIDANCE

In part, the value of qualitative research and theory development resides in its ability to promote quantitative research aimed at supporting or falsifying empirically-grounded hypotheses about variability in behavior. With that in mind, the purpose of this chapter is to begin a debate: Is it best to explain various forms of drug transfer – including drug sales, gifts, and frauds – with a single unified theory? And what are the logical implications of such a theory for explaining other social harms, such as drug use or retaliatory crimes of violence, theft, or destruction that may flow from conflicts related to drug transfer?

## GUIDANCE FOR SCIENTISTS

As relates to developing alternative unified theories of drug transfer, I strongly encourage social scientists to apply various theoretical perspectives to the above questions. Of course, the explanatory variables of interest include not only social structural factors, but also learning, culture, rationality, biology, environment, and others. It is possible that any or all of those theoretical factors influence not only the frequency and price of sales, but also the rate and size/seriousness of gifts and frauds. If any of those factors do affect drug transfer, then they may also have an effect on drug use and retaliation.

Whether any given theoretical perspective is capable of explaining drug transfer is ultimately a question that may be answered with the statistical analysis of quantitative data. This will allow the field to ascertain what factors are significant predictors of drug transfer, and the effect size of those factors. Therefore, and perhaps following a stage of initial theory development, I urge scientists to simultaneously collect data on each form of drug transfer and each explanatory variable identified by theorists. Only then will we have a firm grasp of why drug transfers vary in form and cost, and how that variability is related to drug use and retaliatory acts of violence, theft, and destruction.

4

**THE NECESSARY CONDITIONS FOR RETALIATION:  
NON-VIOLENT & VIOLENT FORMS**

Illicit drug markets constitute a “virtually stateless society” – a context almost entirely devoid of mediatory law despite being under the jurisdiction of the state (Black, 1983; Cooney, 1998; Horwitz, 1990; Phillips, 2003). Although drug market participants can be punished by the law, they encounter barriers in trying to mobilize the law for help (see, e.g., Copes, Forsyth, and Brunson, 2007: 894; Jacobs, 2000; Topalli, Wright, and Fornango, 2002). The fact that law is largely unavailable to drug market participants makes *retaliation* a more likely outcome of their conflicts (Jacobs and Wright, 2006). As Machiavelli put it, “[t]here are two ways of fighting: by law or by force. The first way is natural to men, and the second to beasts. But as the first way often proves inadequate one must needs have recourse to the second” (2003 [1532]: 56). In short, the illicit drug world is virtually anarchic and therefore often rife with retaliation.

Prior research clearly demonstrates an intimate connection between *violent* retaliation and illicit drug markets (see, e.g., Goldstein et al., 1997; Jacobs and Wright, 2006; Jensen, 2000; Kubrin and Weitzer, 2003; Levitt and Venkatesh, 2000; Ousey and Lee, 2004). Despite the merits of that research, what largely has been unaddressed is that *not all retaliation is violent*. The existing drug market literature offers few counts, estimates, or stories of non-violent retaliation (but see, Adler, 1993: 106-7; Jacobs and Wright, 2006: 58-9; Wright and Decker, 1994: 59), and no single theory specifies the conditions that determine whether violent or non-violent forms of retaliation occur. Important theoretical questions have yet to be answered: What determines whether retaliation is accomplished via non-violent or violent means? Why, for instance, does one drug market conflict lead to a retaliatory murder, another to a retaliatory rip-off, and another to a retaliatory burglary?

The goal of this chapter is to move scientist toward a more nuanced, variegated, and complete understanding of violent *and* non-violent retaliation in drug markets by providing the conceptual and theoretical foundation for future criminological work. To be clear, the purpose of this chapter is *not to end* but rather *to begin* an academic debate that might result in the development of strategies to reduce retaliation.

To accomplish this goal, the chapter takes the following path: (1) it first briefly describes a theory and typology of drug market retaliation; (2) it then draws on the logic of the necessary conditions perspective to specify what conditions are necessary for various forms of drug market retaliation – both violent and non-violent – to occur; and, (3) it concludes by providing an agenda for future criminological work, including the development of theories that explain variability in retaliatory forms, research that demonstrates whether any given theory is supported by data, and criminal justice policies that draw on theoretical and empirical knowledge to reduce all forms of drug market retaliation – violent *and* non-violent.

### **THE FOUNDATION FOR A THEORY OF RETALIATORY FORMS**

Retaliation is “the handling of a grievance by unilateral aggression” (Black, 1998: 75).<sup>31</sup> Although retaliation is often criminal, it is also “moralistic and involves the pursuit of justice” (Black, 1983: 34). The distinguishing characteristic of retaliation is it “is an assault by one grievant on the other without the invocation...of settlement agents” (Horwitz, 1990: 127). In other words, retaliation is a tool for obtaining justice without police, courts, or prisons.

---

<sup>3131</sup> In addition to retaliation, other forms of social control include settlement, negotiation, avoidance, and toleration (Black, 1998; Horwitz, 1990; for examples in the drug market, see Reuter, 1983; Taylor, 2007).



All cases of retaliation involve two parties: a *wrongdoer* and a *retaliator*.

Wrongdoer is defined as an *actor* (person or group) that is involved in a deviant action (i.e., an action that is socially controlled). Retaliator is defined as an actor who unilaterally punishes a deviant action (see Black, 1983, 1998). Thus, a wrongdoer could be a single person or group of persons who do something deviant. Likewise, a retaliator could be an individual or group of individuals that punishes deviance on their own (i.e., without the help of a government).

#### A THEORY OF DRUG MARKET RETALIATION

What circumstances are most likely to result in retaliation? Black's (1983) theory of retaliation, or what he calls "self-help", argues, in part, that (1) access to formal mediation decreases as the social status of a victim decreases, and (2) retaliation becomes more common as access to formal mediation decreases (p. 42; also see Black, 1976: 107; Horwitz, 1990: 128-31). In other words, as people or groups gain status, their access to law increases and, in turn, their involvement in retaliation decreases. There are many kinds of social status (see Black, 1976, 1998), and all have been shown to be inversely related with retaliation (Cooney, 1998).

Normative status, or respectability, is the form of social status most relevant to understanding the interplay between *illicit* drug markets and retaliation. "Respectability is a quantitative variable, known by the social control to which a group or person has been subject: The more social control, the less respectable he is" (Black, 1976: 111). By definition, the more law is applied to a drug market participant, the less respectable is that

actor. For example, a cocaine seller or user has lower respectability than a wine seller or user because the former group has more law applied to their drug-related behavior.

According to Black's (1983) theory of retaliation, as more law is applied to drug market participants (i.e., as they become less respectable), their conflicts involve less formal mediation and, therefore, involve more retaliation. In other words, Black's theory suggests that because illicit drug market participants are involved in an illegal behavior their respectability (i.e., status) is relatively low and so their conflicts are relatively unlikely to be settled by police or courts, which, in turn, makes retaliation a relatively likely outcome of their conflicts.

*Not all acts of retaliation are conceptually the same, however.* Black's theory of retaliation does not attempt to explain why different forms of retaliation occur. For instance, Black's theory does not specify the conditions that determine whether retaliation is achieved with violence, theft, or fraud. Greater levels of explanatory power often come at the cost of generalizability and simplicity (Clarke and Cornish, 1985), and *if scientific understanding of drug market retaliation is to advance, it will be necessary to explain why various forms of retaliation occur.*

## A TYPOLOGY OF DRUG MARKET RETALIATION

What are the forms of drug market retaliation? Building on the typologies of Black (1998: 74-94) and Cooney and Phillips (2002), Chapter 2 of this dissertation suggested there are two broad types of retaliation: *violent* and *non-violent* (or *peaceful*). Violent retaliation involves the use of threats or physical force in punishing a wrongdoer (Black, 2004b); examples include retaliatory robberies, kidnappings, and murders (see,

e.g., Jacobs, 2000; Jacobs and Wright, 2006). Non-violent retaliation is revenge absent of threats or physical force; examples include retaliatory burglaries and frauds (see, e.g., Adler 1993: 106-7; Wright and Decker, 1994: 59). Within each type of retaliation (violent and non-violent), there are two conceptually distinct forms of retaliation; see table 4.1.<sup>32</sup>

**Table 4.1. Types & Forms of Drug Market Retaliation**

Types	Forms	Violence	Resource Confiscation	Contact	Deception
Violent Retaliation	Violent Confiscation	+	+	+	+/-
	Pure Fight	+	-	+	+/-
Non-Violent Retaliation	Stealth Retaliation	-	+	-	-
	Fraudulent Retaliation	-	+	+	+

Abbreviations: ‘+’ denotes presence of characteristic; ‘-’ denotes absence of characteristic; ‘+/-’ denotes characteristic can be present or absent.

The two forms of violent retaliation are *violent confiscation* and *pure fight*.

Violent confiscation is defined as a retaliatory act that involves both violence and the confiscation of a wrongdoer’s wealth. In contrast, pure fight is defined as retaliation that involves violence but does not involve resource confiscation. An example of violent confiscation is a retaliatory robbery, which involves the use of threats or physical force to

<sup>32</sup> The four forms of retaliation identified in Chapter 2 are of relevance to criminology not only because they emerge from illicit drug market conflicts, but also because in many cases those actions are defined and treated as criminal actions by the government. Even when a person is a criminal, it *is* illegal to retaliate against that person with stealth, fraud, or violence. “To be sure, not all rights are given up simply because individuals are transacting off the books. Homicides[, for example,] are still investigated and prosecuted, even if they occur in the context of an illegal exchange” (Venkatesh, 2006, p. 175). Although informal agreements about the specifics (e.g., weight, quality, price) of a drug exchange cannot be enforced by civil or criminal law, robberies, burglaries, and assaults *are illegal* regardless of whether the victim is a drug [market participant] or a law-abiding citizen; for details, see Chapter 7.

confiscate the wealth of a deviant (see, e.g., Jacobs and Wright, 2006). An example of a pure fight is a drive-by shooting, which involves violence but not confiscation.

The two forms of non-violent retaliation are *stealth retaliation* and *fraudulent retaliation*. Stealth retaliation refers to cases of vengeance where a retaliator confiscates the wealth of a wrongdoer when no one is around to see the theft occur. An example of stealth retaliation is a burglary in which a victim steals from a wrongdoer's home when the inhabitants are gone. Fraudulent retaliation is defined as retribution where a person uses deception (and not violence) to unfairly obtain the resources of a wrongdoer. An example of fraudulent retaliation is a scam, con, or hustle (see Jacobs, 1999) in which a wrongdoer is given less wealth (e.g., drugs or money) than promised as punishment for wrongdoing.

## TOWARD A THEORY OF RETALIATORY FORMS IN DRUG MARKETS

When combined, Black's (1983) theory of retaliation and the typology of retaliation proposed in Chapter 2 suggest that *illicit* drug market conflicts should be more likely than *licit* drug market conflicts to be resolved with violent *and* non-violent forms of retaliation. But what we do not know is what determines whether any given drug market conflict is resolved with a pure fight, violent confiscation, fraudulent retaliation, or stealth retaliation.

How might we *begin* to theorize why one form of retaliation or another takes place? What considerations should *initially* guide the construction of a theory of retaliatory forms in drug markets? This chapter suggests that the logical *first* step in laying the foundation for such a theory is to specify the *necessary conditions* for any

given form of retaliation to occur. This is an important step because without first knowing what conditions are necessary for each form of retaliation to occur, it will be more difficult – perhaps impossible – to determine what theoretical factors have a causal impact on variability in retaliatory forms.

The following sections describe and draw on the “necessary conditions perspective” (Gottfredson and Hirschi, 1990; Sparks, 1982: 29-30) and definitions of retaliatory forms to specify what conditions are necessary for each form of drug market retaliation to occur. Once the necessary conditions for each form of retaliation have been outlined, the chapter suggests future directions for criminological work centered on theory development, empirical research, and the production of practical strategies for reducing retaliation in communities.

### **THE NECESSARY CONDITIONS FOR RETALIATION**

The necessary conditions perspective is concerned with “specify[ing] the minimal elements necessary (and collectively sufficient) for” any given behavior to occur (Gottfredson and Hirschi, 1990; also see Gottfredson and Hirschi, 2003; Sparks, 1982: 29-30). For example, Cohen and Felson (1979) propose that the necessary conditions for a criminal event are a motivated offender, a target, and the absence of a guardian; without a motivated offender or target, crime cannot occur because the necessary conditions for crime are absent. Similarly, Cohen, Kluegel, and Land (1981: 508-9) argue that the definitional properties of crimes affect their rate of occurrence; burglary, for example, cannot occur without buildings to burglarize, and auto theft is constrained by the absence of automobiles (also see Gottfredson and Hirschi, 1990).

It is only logical that how forms of retaliation have been defined, or conceptualized, has consequences for developing a theory of them. Definitions are relevant to the development of a theory of retaliatory forms because *the way forms of retaliation have been defined determines the necessary conditions for them to occur*. Recall that there are four forms of drug market retaliation: violent confiscation; pure fight; stealth retaliation; and, fraudulent retaliation. Each form of retaliation is empirically distinguishable from the others according to whether it involves violence, resource confiscation, contact between disputants, and deception. By focusing on the definitional elements of the four forms of retaliation, it becomes possible to determine what conditions are necessary for each to occur.

It stands to reason that determining the minimal elements for each form of retaliation to occur is an important *first step* toward a theory of retaliatory forms in drug markets because *without the necessary conditions, each form of retaliation is impossible*. The following sections of the chapter use the definitions of stealth retaliation, fraudulent retaliation, pure fight, and violent confiscation provided in Chapter 2, “The Relevance of Peace to Drug Market Violence”, to determine and then specify – in the form of propositions – what conditions are necessary for each form of retaliation to occur. *Outlining these necessary conditions contributes to science by providing the foundation for future work that attempts to explain or document variability in the rate or magnitude of retaliatory forms across drug market conflicts.*

## STEALTH RETALIATION

Stealth retaliation is defined as non-violent revenge gained through resource confiscation without interaction between the retaliator and wrongdoer during the transfer. Stealth retaliation is a quantitative variable measurable by the amount of resources taken from the wrongdoer by a retaliator. In principle, stealth retaliation can involve any kind of resource, such as drugs, money, or jewelry, and the amount confiscated can vary widely, from one gram to a kilo of drugs, or tens to thousands of dollars.

Why does any given drug market conflict result in stealth retaliation rather than a pure fight, violent confiscation, or retaliatory fraud? The first step in answering that question is determining what conditions are necessary for an act of stealth retaliation to occur. The key concepts that define “stealth retaliation” are *wrongdoer*, *retaliator*, *resource confiscation*, and *the absence of contact*. The retaliator confiscates the resources of the wrongdoer while the two are not in contact. What this suggests is that without a wrongdoer, retaliator, resource, or the absence of interaction, stealth retaliation cannot occur because the necessary elements for that behavior are deficient. This suggests four propositions that are true by definition and thus should be considered during the development of a theory of retaliatory forms in drug markets:

- Stealth retaliation is only possible when a wrongdoer owns wealth.
- Stealth retaliation is only possible when a wrongdoer physically separates from their wealth.
- Stealth retaliation is only possible when a wrongdoer physically separates from a retaliator.

- Stealth retaliation is only possible when a retaliator comes into contact with a wrongdoer's wealth.

Together, these propositions suggest that stealth retaliation is possible only when wrongdoers own wealth, physically separate from their wealth and retaliators, and retaliators come into contact with wrongdoers' wealth.

The story of Dave, a drug dealer who was victimized in an act of fraudulent predation, illustrates the concept of stealth retaliation and propositions outlined above. Rather than respond to his victimization with violence or fraud, what ultimately occurred was stealth retaliation:

**Dave:** There was one time when somebody didn't pay me back, it was just about \$300, and I had trusted the kid for a long time. He wasn't paying upfront, I was just giving him the bud [i.e., marijuana] and he would sell it and give me the money later, and then it took about 3 weeks once, he still hadn't given it to me, and I was trying to call him and get it from him... [A]nd another week or two passed and I started talking to a lot of people and I was putting some time into it trying to figure out what was going on, and they all said he wasn't going to pay me, and the way he was talking about it was just really disrespectful. I just went over to his place with a couple other kids that I know to do shit like this, but I don't do shit like this unless someone has my money.

**Interviewer:** Do shit like what?

**Dave:** What I'm about to tell you. Well, basically, we just went up to his house and knocked on it for a little bit, but the music was so loud they



couldn't hear us, I guess his mom was out of town, and I saw that his car was right there, and I opened up his car door and stole his TV that he had actually stolen from somebody else. I needed something that was worth that money.

Dave's story illustrates the propositions outlined above. If the wrongdoer had been in physical possession of his television (a form of wealth), then that item could not have been confiscated with stealth because, by definition, stealth retaliation requires that a retaliator come into contact with a wrongdoer's wealth when that person is not around. In addition, had the television not been owned by the offender in the first place, then the above example of stealth retaliation would not have taken place because, by definition, stealth retaliation requires that a wrongdoer owns wealth. Also relevant is that had the debtor answered the door when Dave knocked and engaged in social interaction, then the reported incident of stealth retaliation may not have occurred because, by definition, stealth retaliation requires the absence of contact between disputants.

Another example of stealth retaliation comes from Smooth, who is a lower-class drug seller from the streets of St. Louis. Smooth and his friends were immersed in conflict when a number of rival dealers started "hating" on them. In Smooth's own words: "[They were] hating on us and shit, saying we stole their dope and we were snitching on them, just hating... Fucking with us and shit." As retribution, Smooth and his crew "topped their ass." Not with violence, but with stealth:

**Smooth:** I started selling [drugs] when I was about 14. My little brother [and I], we were walking going to get our hair cuts on the way to the barber's shop. Found a bag of crack – 22 stones and we were selling that for cheap, like if you come

with 20 dollars we will give you 40 dollars' worth. We were just selling it for cheap. People were beating on us wanting to take it from us, trying to rob us and all that damn shit. Dudes that were trying to do it were older than us, so this one crew I was with..., we had to do some shit, rob their ass, break in their homes, take all their shit...

**Interviewer:** So what did you all actually do?

**Smooth:** What did we do? Shit we didn't go to school, it was me and four other dudes... So shit, we got together early in the morning when they'll be at work or something and maybe their mommas will be at work, and we just kick that shit in and take all their shit, for fucking with us.

Smooth and his crew's response to being "hated on" was non-violent, but in the end they still managed to obtain revenge by confiscating the resources of the wrongdoers. As with Dave's experience, Smooth's story illustrates the idea that stealth retaliation requires wrongdoers who own wealth but who do not always have physical possession of it. Had the wrongdoers not owned any wealth, then stealth retaliation against them would have been impossible because, by definition, stealth retaliation involves resource confiscation. Had the wrongdoers not separated from their wealth to go to work, then the case of stealth retaliation described by Smooth may not have occurred because, by definition, stealth retaliation is resource confiscation without contact between disputants during the transfer.

## FRAUDULENT RETALIATION

Fraudulent retaliation is defined as non-violent retribution accomplished using deception to trick a wrongdoer into an unfair trade, and is a quantitative variable measurable by the amount of resources transferred, deception involved, and contact between disputants during the act. Any given act of fraudulent retaliation, for instance, could involve a gram or pound of fake drugs, and the fraud could be instant payback for a wrongdoing or could involve an elaborate scam that evolves over a matter of days, weeks, or even months.

Why does any given drug market conflict result in fraudulent retaliation rather than a pure fight, violent confiscation, or stealth retaliation? The first step in answering that question is determining what conditions are necessary for an act of fraudulent retaliation to occur. The key concepts that define “fraudulent retaliation” are *wrongdoer*, *retaliator*, *resource confiscation*, *deception* (i.e., deviation from an agreement), and *contact*. The retaliator confiscates the resources of the wrongdoer through deception while the two are in contact. Without a wrongdoer, retaliator, resource, deception, or contact, fraudulent retaliation cannot occur because the necessary elements for that behavior are absent. This suggests four propositions that are true by definition and thus should be considered in the construction of a theory of retaliatory forms in drug markets:

- Fraudulent retaliation is only possible when a wrongdoer owns wealth.
- Fraudulent retaliation is only possible when a wrongdoer has contact with their wealth.
- Fraudulent retaliation is only possible when a wrongdoer has contact with a retaliator.

- Fraudulent retaliation is only possible when a wrongdoer and retaliator have an agreement (i.e., something to deviate from).

Together, these propositions suggest that fraudulent retaliation is possible only when wrongdoers own wealth, have physical contact with their wealth and retaliators, and have agreements with retaliators.

The above ideas are illustrated by a story from *Hoe Pusher*, a lower-class drug dealer from St. Louis who retaliated against a deviant customer by giving that person less than a fair deal. The “crime” of the customer was repeatedly failing to provide enough money for the quantity of drugs she was trying to buy. In many cases, illicit drug dealers weigh and sort their supply into various quantities, bag them, and then sell those bags on the street for predetermined amounts of cash. On the street, dividing up the drugs once they are bagged is a hassle and unsafe, as it wastes time, the exchange rate is less accurate because a scale is not used, and dividing up drugs also exposes the dealer’s illicit resources to what may be a potential predator or police officer disguised as a customer (Jacobs, 1999). Nevertheless, customers are on occasion short of money and either unable or unwilling to pay for the quantity of drugs they want to consume, but nevertheless do everything in their power to procure their supply. As observed by Jacobs (1999) in St. Louis: “On one end of the predation continuum, sellers confront a steady and predictable barrage of users who are trying in some form or fashion to take them in. The most innocuous of such attempts involves pleas for more crack than users are willing or able to pay for” (p. 68). Bluntly put, these attempts are simply annoying to drug dealers (see Collins, 2008: 343), and in some cases they retaliate against such annoyances by employing fraud:

**Interviewer:** So is there anyone that you have ever slacked or like charged more or anything like that?

**Hoe Pusher:** Yeah, there's one lady customer that I got 'cause it depends if she comes with half of what she wants, and she won't always come with the whole amount so she gets less.

**Interviewer:** So what do you mean?...

**Hoe Pusher:** If she wants 50 [dollars worth of drugs] she'll come with like 35 [dollars]. So she gets the short end of the stick...

**Interviewer:** [D]o you give her 35 worth though?

**Hoe Pusher:** No I give her a 30 [sack, meaning \$30 worth of drugs]...

**Interviewer:** So does she know that she's getting ripped off?

**Hoe Pusher:** Yeah she knows, 'cause she knows she always comes short. If she comes with the whole full amount it can be something different.

Hoe Pusher's story illustrates that a conflict can lead a dealer to give a customer "less than deserved" owing to that customer's deviant behavior. The propositions outlined above are supported by the case of fraud described by Hoe Pusher. For example, had the wrongdoer not physically possessed any wealth, then this case of fraud would have been impossible because, by definition, fraudulent retaliation requires wrongdoers who own wealth and have physical possession of it. Moreover had the wrongdoer not come into contact with Hoe Pusher, then fraudulent retaliation could not have occurred because, by definition, stealth retaliation requires contact between disputants. What is also evident is that had the disputants not come to an agreement on what a particular

quantity of drugs *should* cost, then fraudulent retaliation would have been impossible because, by definition, fraud requires an agreement.

The story of another drug dealer, Mark, illustrates how conflict can lead a “victim” to confiscate the resources of an “offender” through deception yet without violence, and that doing so requires certain necessary conditions (specified in the propositions above). Rather than use stealth or violence to punish a wrongdoer, Mark responded with trickery and deceit:

**Interviewer:** Can you think of any times you ever slacked [i.e., under-weighed] someone on purpose?

**Mark:** Not ever when I was dealing, unless they pissed me off. I mean I can remember this one guy that called me up and I knew his bag was straight [i.e., fair] and he called me up saying it wasn't and then he forgot about it or whatever, and then the next time I hooked him up again and I had just weighed it out, I knew it was straight and he called me up complaining about it being slack again, tried to [get me to] give him more or whatever. So the next bag he came and got, I ripped him off hardcore.

Mark's story illustrates that a conflict can lead a dealer to give a customer “less than deserved” owing to that customer's deviant behavior, and that doing so requires certain conditions. For example, had the wrongdoer not physically possessed any wealth (to buy drugs with), then this case of fraud would have been impossible because, by definition, fraudulent retaliation requires wrongdoers who own wealth and have physical possession of it. Moreover, had the wrongdoer not come into contact with Mark, then fraudulent retaliation could not have occurred because, by definition, fraudulent

retaliation requires contact between disputants. What is also evident is that had the disputants not come to an agreement on what a particular quantity of drugs *should* cost, then fraudulent retaliation would have been impossible because, by definition, fraud requires an agreement.

## VIOLENT FORMS OF RETALIATION

Violent retaliation “occurs...in the context of prosecuting a grievance, seeking justice, exacting vengeance” (Cooney and Phillips, 2002: 81), and “includes beatings, killings, fights, and other physical attacks between individuals” (Black, 2004b: 146; see, e.g., Goldstein, 1985; Jacobs and Wright, 2006; Phillips, 2003; Taylor, 2007). As discussed above, there are at least two distinct forms of violent retaliation: *violent confiscation* and *pure fight*, which are empirically distinguishable from one another according to whether or not they involve resource confiscation.

*Violent confiscation* is defined as retaliation that involves both violence and resource confiscation, and is a quantitative variable measurable by the quantity of resources taken from the wrongdoer, violence applied to the wrongdoer, and contact between disputants during the retaliatory action. Any given violent confiscation, for instance, could involve \$1 or \$1,000, one ounce or many pounds of drugs, a slap to the face or a murder, and could last seconds or months (e.g., a retaliatory robbery versus a retaliatory kidnapping).

An example of violent confiscation comes from the life of Baby Girl, a female dealer in St. Louis. She and her “partner” arrived at her apartment one night as two persons were breaking in:

**Baby Girl:** We snuck up and [my partner] gave me like a 32 [a gun]. He had his shit, like an Uzi, we crept up in the motherfucker house.

Motherfuckers [were] still in there trying to do their shit. They thought we were at a party and they were making a lot of noise. [There was a lookout, and we] got his ass outside, *took his car*, threw him in the motherfucker trunk of the car and tied him up.

**Interviewer:** Okay, [hold on,] so what happened when you got to the house?

**Baby Girl:** We jumped up on the motherfuckers. They were surprised to see me and [and my partner]. They said, “Hey what the fuck are you doing here bitch? We were taking your shit, bitch.” So I kind of shot the motherfuckers, “You don’t call me no bitch, this is my house, I’ve been supplying and giving you good.” I kind of shot them with a one hit, it didn’t kill them or nothing like that, but it made a flesh wound... We grabbed the motherfuckers, [and my partner] roughed them up I kind of helped him. One of them tried to run up on me, [and] that’s when we kind of grabbed them by the legs [and] crisscrossed his legs. “You ain’t going nowhere.” ... We beat their ass ... We made an example of them. The mother-fucker in the trunk, we kept him and made an example out of him for the next mother-fucker [that would think about burglarizing me].

“You try this shit, this is what the fuck you’ll get.”

**Interviewer:** What did you do with the guy in the trunk?



**Baby Girl:** We kept his mother-fucking ass and just beat his ass badly. If you gonna be the lookout mother-fucker we gonna beat your ass, and *we took everything he had* and we just beat his mother-fucking ass and tied his ass to a mother-fucking tree and told the mother-fucker to go back and see his other mother-fucking people and tell them not to fuck with us 'cause if they do this is what the fuck they gonna get. (Emphasis added)

Baby Girl's story illustrates how conflict in the drug world can lead a "victim" to violently confiscate the resources of an "offender" as retaliation for doing something wrong.

Violent confiscation, stealth retaliation, and fraudulent retaliation all involve taking the resources of wrongdoers, but retaliators do not always take offenders' property. A *pure fight* is defined as violent vengeance that does not involve resource transfer between disputants, and is a quantitative variable measurable by the amount of violence used by the retaliator against the wrongdoer and the amount of contact between disputants during the event. An example of a pure fight comes from a lower-class dealer in St. Louis:

**Ridin' Dirty:** A couple of customers pissed me off. Keep coming knocking on my door. Sometimes at night, that pissed me off a lot.

**Interviewer:** All right. So what would you do to get back?...

**Ridin' Dirty:** Fight them.... Like this one dude he always used to come about 2 o'clock in the morning. First couple of times he came I just tell him he had to quit coming knocking on my door. That was the first couple of times but the last time I punched him in the mouth.

**Interviewer:** Did he keep coming back?

**Ridin' Dirty:** No. Well he kept coming back but he quit knocking on my door.

Ridin' Dirty's experience illustrates how conflict in the drug world can lead a grievant to victimize an offender violently, but not confiscate any of the offender's resources.

Important questions remain unaddressed: Why does a drug market participant respond to conflict with violent retaliation rather than with stealth or fraud? And why do some conflicts lead to a pure fight while others result in violent confiscation? The first step in answering these questions is determining what conditions are necessary for a pure fight or violent confiscation to occur. The key concepts that define "violent retaliation" are *wrongdoer*, *retaliator*, *violence*, *resource confiscation*, and *contact*. The retaliator acts violently toward the wrongdoer while they are in contact, and some cases involve confiscation. Without a wrongdoer, retaliator, violence, and interaction, violent retaliation cannot occur because the necessary elements for that behavior are absent. In addition, and by the same logic, violent confiscation cannot occur unless the wrongdoer possesses wealth. This suggests four propositions that are true by definition and thus should be considered in the construction of a theory of retaliatory forms in drug markets.

The first proposition employs one of the same explanatory variables used to explain the rate of fraudulent retaliation:

- Violent retaliation (pure fight or violent confiscation) is only possible when a wrongdoer has contact with a retaliator.

Violent confiscation, pure fight, and fraudulent retaliation are definitionally similar in that all involve contact between disputants during the retaliatory act. Therefore, the definitional properties of these three forms of retaliation suggest they have common

precipitating factors: both forms of violent retaliation and also fraudulent retaliation are only possible when disputants come into contact because, by definition, they all require contact between the retaliator and wrongdoer.

However, a pure fight or violent confiscation are conceptually distinct from fraudulent retaliation because they involve violence whereas fraudulent retaliation does not. The way the two forms of violent retaliation have been defined suggests that a retaliator's physical capacity to be "violent" influences their prevalence. Stated as a proposition:

- Violent retaliation (pure fight or violent confiscation) is only possible when a retaliator possesses the physical capacity for violence.

Although somewhat obvious, the simple fact must be acknowledged that without the physical capacity to apply damage with physical force, "violence" is not possible.

In addition to a retaliator's physical capacity for violence, what must also be considered in developing a necessary conditions theory of retaliatory forms in drug markets is that some acts of violent retaliation involve resource confiscation while others do not. Two concepts – wealth and contact – provide theoretical guidance regarding the conditions under which a pure fight versus a violent confiscation will occur. All cases of violent retaliation, by definition, involve contact between retaliator and wrongdoer, and the single definitional difference between a pure fight and a violent confiscation is whether the wrongdoer's resources are taken. This suggests two propositions:

- Violent confiscation is only possible when a wrongdoer owns wealth.
- Violent confiscation is only possible when a wrongdoer has contact with their wealth.

Violent confiscation is impossible unless a wrongdoer has physical contact with their wealth and a retaliator because, by definition, violent confiscation requires the transfer of resources from the wrongdoer to the retaliator when the two are in contact. Unlike violent confiscation, a pure fight *is possible* when a wrongdoer does not have contact with their wealth because, by definition, a pure fight is retaliatory violence *absent resource confiscation*.

Taken together, the four propositions above suggest that a pure fight or violent confiscation are possible only when wrongdoers have contact with retaliators who have the physical capacity for violence, and, in addition, violent confiscation is possible only when wrongdoers have physical possession of their wealth.

William's story, below, illustrates how the aforementioned factors affect violent retaliation. William is a drug dealer whose Valiums were stolen with stealth by a friend with a methamphetamine "problem." When William discovered that he had been victimized, he took revenge by violently confiscating the wrongdoer's resources:

**William:** I was on probation...and I had a PO [i.e., parole officer] meeting and so I had just picked up about 6 or 7,000 dimes [Valiums] and my buddy was driving me as I didn't have a license. So I'm not gonna walk in there with two cargo pockets bulging out huge, you know I wasn't that stupid at the time. Yeah selling drugs on probation wasn't smart. So I left it on my friend's seat, and this was a friend in my group of 50 I'd say. He gave me a ride, I gave him 10 dimes for giving me a ride and so I put it in his car, went in there. Probation was never fast at that place..., it was never a fast process, you were there 45 minutes to an hour. I came out,

my buddy dropped me off... I counted them and tallied them and I don't remember exactly how much I was supposed to have but I was about 3[00] to 400 short, but out of a bag of 6-7,000 Valiums you're not gonna be able to tell 300, you just can't tell. So I guess he probably had a couple of handfuls out of each bag... [S]o my friend [and I], we showed up at his house, beat the hell out of him and took every dollar he had, you know, just two guys on one. We weren't gonna bloody him up or anything, just kind of beat the hell out of him, held him, took all the DVDs we could find, obviously he had sold some, probably got about \$600 back.. I gave my friend \$200 [and] I took \$400.

William's account shows that a drug market participant may respond with violence when victimized. The propositions outlined above suggest that without particular conditions, each form of violent retaliation is impossible. Had William, for instance, been seriously physically handicapped, then violent confiscation (or a pure fight) would have been impossible because, by definition, this form of vengeance requires a retaliator with the physical ability to be violent. Or, had the wrongdoer not come into direct contact with William and his friend, then violent confiscation (or a pure fight) would have been impossible because, by definition, violence requires contact between a wrongdoer and retaliator.

As relates to distinguishing between the two forms of violent retaliation – violent confiscation and pure fight, the story of William shows that the “seriousness” of retaliation is affected not only by violence but also by the amount of wealth confiscated. Had the wrongdoer not owned or physically possessed any wealth, then William's

response could not have been violent confiscation because, by definition, violent confiscation requires a wrongdoer who owns wealth and is in physical possession of it. However, even if the wrongdoer was entirely without wealth, that person still could have been the victim of a pure fight because this form of vengeance does not require a wrongdoer to possess wealth.

#### RELATIONSHIPS BETWEEN RETALIATORY FORMS

The key theme presented in Chapter 2 of this dissertation is that unique insights into drug market violence can be obtained by theorizing the factors that influence non-violent (i.e., “peaceful”) forms of drug market behavior, such as fraudulent retaliation and stealth retaliation. If one reason exists why peaceful behavior is relevant to the study of drug market violence, it is because the presence of peace necessitates the absence of violence. By definition, where one kind of retaliation occurs, the others cannot *simultaneously* take place; it is impossible, for instance, to at the same time punch a person in the face (violent retaliation) and burglarize that person’s home (stealth retaliation).

This idea is relevant to the development of a theory of retaliatory forms in drug markets because if forms of retaliation cannot occur simultaneously, then it logically follows that the necessary conditions for one form of retaliation to occur may inhibit the occurrence of the other forms of retaliation. The propositions outlined above suggest the following:

- Stealth retaliation is only possible if a wrongdoer physically separates from their wealth, but fraudulent retaliation and violent confiscation are only possible if a wrongdoer has contact with their wealth.

What the above proposition suggests is that stealth retaliation is possible when fraudulent retaliation and violent confiscation are not possible, and vice versa. Whether a pure fight occurs is not dependent on whether the wrongdoer physically separates from their wealth.

Another logical proposition is the following:

- Stealth retaliation is only possible if a wrongdoer physically separates from a retaliator, but fraudulent retaliation, violent confiscation, and a pure fight are only possible if a wrongdoer has contact with a retaliator.

This proposition suggests that stealth retaliation is possible when fraudulent retaliation, violent confiscation, and pure fights are not possible, and vice versa.

Also apparent is that some of the factors necessary for one form of retaliation to occur are not necessary for the other forms of retaliation to occur:

- Stealth retaliation, fraudulent retaliation, and violent confiscation are only possible if a wrongdoer owns wealth, but a pure fight is possible even when a wrongdoer does not own wealth.
- Fraudulent retaliation is only possible if a wrongdoer and retaliator have an agreement (i.e., something to deviate from), but stealth retaliation, violent confiscation, and a pure fight are possible even when no agreement is present.
- Violent confiscation and a pure fight are only possible if a retaliator possesses the capacity for violence, but fraudulent retaliation and stealth retaliation are possible even when a retaliator lacks the physical capacity for violence.

These propositions suggest that wealth is not necessary for pure fights to occur; agreements (and deception) are not necessary for violent confiscation, pure fights, or stealth retaliation to occur; and, the physical capacity for violence is not necessary for non-violent retaliation (stealthy or fraudulent) to occur.

### **SUMMARY & GUIDANCE**

This chapter began with the observation that although theory and research suggest retaliation is prevalent among drug market participants because they lack access to law, no single theory specifies the variable conditions that determine which *form of retaliation* emerges from any given drug market conflict. To address that issue, this chapter has laid the foundation for a theory of retaliatory forms in drug markets by specifying what conditions are necessary for each form of retaliation to occur. Because certain elements are by definition necessary for each form of retaliation to take place, those elements should consciously be considered when constructing a theory of retaliatory forms in drug markets.

As mentioned from the outset, however, the purpose of this chapter is *not to end* but rather *to begin* an academic debate.

### **GUIDANCE FOR SCIENTISTS**

It is obvious that there is much more to understanding variability in retaliatory forms than can be gleaned solely by determining the necessary conditions for each form of retaliation to occur. Therefore, much work is left to be done by theorists and researchers before science will have produced a clear picture of what factors influence



variability in retaliatory forms across drug market conflicts. At present, advancing criminological understanding of drug market retaliation requires (1) theorists to develop explanations of retaliatory forms, and (2) researchers to put those theories to the test with empirical data.

#### Develop Theories of Retaliatory Forms in Drug Markets

A limitation of this chapter is that it does not answer several important theoretical questions. For instance, what factors – such as routine activities or social structural (dis)advantage – lead to or inhibit the convergence in time and space of the necessary elements for each form of retaliation? And, when the necessary conditions for a particular form of retaliation do converge, what factors – such as self-control, social learning, or rationality – affect the chance that a retaliatory action occurs? Many theoretical perspectives have the potential to shed light on the question of why one form of retaliation or another takes place. *Theorists should specify what factors determine the rate and magnitude of violent and non-violent forms of retaliation across conflicts (situations), people, and communities.* Although this chapter cannot provide an exhaustive list of theoretical possibilities, a few noteworthy theories stand out as having obvious implications for explaining retaliatory forms in drug markets. *Science will benefit if theorists elaborate on them and specify other possibilities.*

Rational choice theory, for example, contends that crime is the outcome of what amounts to a cost-benefit analysis that takes place in the mind of offenders (Clarke and Cornish, 1985). Crime should escalate as the rewards of offending increase or the rewards of licit action decrease, or vice versa. A rational choice theory of retaliatory

forms would predict that forms of retaliation differ in their relative prevalence and magnitude according to their relative costs and benefits. As any given form of retaliation becomes more beneficial or less costly to a retaliator, the more likely is that form of retaliation to occur.

Social learning theory maintains that crime is the outcome of differential association, imitation, differential reinforcement, and definitions (Akers and Jensen, 2006; Sutherland, 1937). Crime is most likely to occur among persons who associate with and observe criminals receiving rewards from crime and avoiding punishments, and who do not define crime as “bad.” A social learning theory of retaliatory forms would predict that people’s relative involvement in each form of retaliation depends on whether they associate with persons who engage in that form of behavior, imitate that behavior, benefit from it, and do not define it as being “bad.” This suggests that any given form of retaliation will increase as persons more often observe it, know people who engage in it, see its benefits but not its costs, and subscribe to positive definitions of it.

Routine activity theory argues that crime takes place when a situation includes a target and a motivated offender, but lacks a capable guardian (Cohen and Felson, 1979). Crime becomes more likely as targets increase in value, offenders increase in population size or relative motivation, and guardians decrease in number or effectiveness. A routine activity theory of retaliatory forms would suggest that forms of retaliation vary depending on the attractiveness of targets, the number of retaliators and the intensity of their desire for vengeance, and the capability of guardians to protect targets. Thus, the form of retaliation that emerges from a drug market conflict should be the one that offers the most attractive target that is the least guarded.

In recent years, Anderson's (1999) "code of the street" thesis has been widely regarded as the premier cultural theory of criminology. Simply put, the code of the street is a cultural adaptation that results from social structural disadvantage and racial discrimination (also see Wilson, 1996), and views violence as an acceptable – or even good – strategy for settling disputes and gaining respect. However, the code of the street thesis suggests that retributive actions do not increase the respect, or "juice" (Anderson, 1999), of retaliators when community members are unaware of the retaliatory actions. This suggests that because non-violent forms of retaliation are less visible (since they involve deception or stealth but not bodily injury), there should be greater levels of violent retaliation among drug market participants who live by the code of the street because violent vengeance earns more respect and juice for retaliators. For drug-involved persons who do not conform to the code of the street, violent forms of retaliation should be relatively rare (for an empirical example, and so fraudulent retaliation and stealth retaliation might be relatively common).

Gottfredson and Hirschi (1990) claim that criminal (and analogous) actions are the product of individuals' low self-control. "People who lack self-control will tend to be impulsive, insensitive, physical (as opposed to mental), risk-taking, short-sighted, and nonverbal, and they will tend therefore to engage in criminal and analogous acts" (p. 90). The opportunity for crime may be ever-present, but "[t]o say that opportunities for crime are ubiquitous is not to say that opportunities for any particular crime are ubiquitous. Each crime or type of crime has a unique opportunity structure or set of conditions necessary for its performance" (Gottfredson and Hirschi, 2003: 10-1). Thus, a self-control theory of retaliatory forms in drug markets would predict that each form of retaliation is

more likely to occur as the opportunity for it increases among retaliators with low self-control. Holding constant the opportunity for each form of retaliation, self-control theory predicts that as retaliators' self-control increases their probability of engaging in any form of retaliation – both violent and non-violent – should decrease.

The predictions that emerge from Gottfredson and Hirschi's (1990) theory are in some ways mirrored by the predictions of the strain/anomie perspective (Merton, 1938) and also the social bond/disorganization perspective (Sampson and Laub, 1993; Bursik and Grasmick, 1993). These perspectives are similar because they all suggest that each form of retaliation will increase as do the factors that cause crime, namely strain/anomie or a lack of control. In other words, holding constant the necessary conditions (i.e., opportunity) for each form of retaliation to occur, the frequency and magnitude of each form of retaliation should increase as retaliators gain strain or lose social bonds, or as a group (that includes retaliators) experiences greater levels of anomie or social disorganization.

#### Collect Data and Evaluate Theories

Theory development is valuable insofar as it leads to testable predictions that can be falsified or supported through empirical research (Popper, 2002 [1934]). Although qualitative data are valuable in theory construction, quantitative data and statistical analyses are important ingredients in putting theory to the test. Yet data on *non-violent* retaliation in drug markets are extremely limited. The following empirical questions cannot be answered adequately at the present: How often does each form of retaliation take place as a whole, in comparison to the others, and in comparison to other forms of

social control? To what extent do situations, people, and communities differ in their total and relative involvement in each form of retaliation? What are the total and average net costs/benefits of each form of retaliation for wrongdoers, retaliators, and communities? Are the factors specified by theory statistically and substantively significant? What proportion of crime in a community is the outcome of each form of drug market-related retaliation? Before researchers can answer such questions, they will have to collect data on each form of retaliation and the explanatory factors specified by theorists.

What method might researchers employ to obtain meaningful information on the factors that influence retaliatory forms in drug markets? To determine the *situational factors* that influence retaliation, one potential method is to adapt the “matched pairs” strategy used by Phillips (2003) to test Black’s (1998) theory of retaliation. In this study, Phillips (2003) asked violent offenders to describe two similar conflicts – one that *did end* in violent retaliation and another that *did not* – that occurred within a short time span of one another, and then used statistical analyses to determine what differences between the two conflicts had a significant and substantive impact on violent retaliation. The value of the matched pairs approach is that it holds constant the effect of individual or community differences, and thus allows for the effect of situational differences to become more evident. Thus, it is obvious how researchers could use the matched pairs approach: have drug market participants describe two or more of their conflicts (of a particular type, such as debt-related) that resulted in two or more forms of retaliation (violent confiscation, pure fight, stealth retaliation, or fraudulent retaliation) or another form of social control (e.g., toleration). Because this methodological design controls for individual- or group-level differences, it would permit scientists to determine what

situational factors do or do not affect retaliatory forms in a significant or substantive manner.

Of course, *individual-* and *group-*level factors also likely influence variation in the form of retaliation across drug market conflicts. Thus, scientists should generate and apply methodological designs that provide insight into why some people or groups are more involved in certain retaliatory forms than are others. *Science will benefit if researchers take up the challenge of designing and implementing studies that are useful in understanding situational-, micro-, and macro-level processes that determine whether and to what degree drug market conflicts lead to violent and non-violent forms of retaliation.*

5

**CODE OF THE SUBURB:  
PEACEFUL SOCIAL CONTROL**

Retaliation – in its various shapes and sizes – is a pronounced characteristic of some drug markets. Many urban markets, for example, are thought to exhibit high rates of violent retaliation because participants therein adhere to *the code of the street* – a set of informal rules governing interpersonal behavior that emerges from the social circumstances that characterize disadvantaged communities in American cities (Anderson, 1999; also see Stewart and Simons, 2006; Stewart, Schreck, and Simons, 2006). For drug market participants who abide by this particular code, vengeance is prescribed when conflicts arise (see, e.g., Jacobs and Wright, 2006; Topalli, Wright, and Fornango, 2002).

*Yet not all drug markets are located in cities or exhibit high rates of violent retaliation* (Brownstein et al., 2000; Cooney, 1998: 139; Curtis and Wendel, 2007; Zimring and Hawkins, 1997). There has been a disproportionately large amount of research on violent, urban drug markets (Zimring and Hawkins, 1997). The result of this discrepancy is a plethora of theory and research on the factors that *facilitate* violent retaliation (see, e.g., Jacobs, 2000), but far less knowledge on what factors *inhibit* vengeance in the underworld. It is becoming clear, however, that a full understanding of violent retaliation in drug markets requires documenting and explaining where and why it does *not* occur (Zimring and Hawkins, 1997; see, e.g., Jacobs and Wright, 2000; Topalli, 2005; Topalli, Wright, and Fornango, 2002).

American suburbs are a case in point. These areas have their own drug markets – especially in and around schools (Mohamed and Fritsvold, 2006) – but these communities remain relatively free of the vengeful acts that make urban drug markets notorious for their violence (Cooney, 1998: 139). As shown in this chapter, suburban



drug traders often respond to their conflicts – even their victimizations – with non-confrontational forms of conflict management, such as avoidance or toleration. This, in turn, raises the important but understudied question: Why are suburban drug markets relatively free of violent vengeance and, instead, characterized by non-confrontational social control?

It is important to answer this question because it might expand our understanding of drug market violence. Explaining why non-confrontational control *does* occur is important because such a theory has implications for explaining why violent retaliation *does not* occur. After all, it is only logical that the factors that facilitate peaceful conflict management will likely inhibit violent conflict management, and vice versa (Baumgartner, 1988; Black, 1976, 1983; Cooney, 1998). In other words, new insights into drug market violence can be obtained by studying drug market peace (Zimring and Hawkins, 1997).

Building on Baumgartner's (1988) study of social control in suburbia, this chapter theorizes that conflicts in suburban drug markets are typically handled with non-confrontational approaches and not violent retaliation because many suburban drug traders adhere to *the code of the suburb* – a culture that emerges from the social circumstances that typify American suburbia, including weak ties, structural advantage, and a scarcity of information on reputations that is due in part to the absence of street life.

The code of the suburb maintains that conflict is embarrassing, confrontational social control is bad, and non-confrontational social control is good. The effect of this code on the conflicts of drug traders is a reduction in violent retaliation and an increase in

toleration and avoidance. This theory is illustrated with qualitative data obtained in interviews with young, middle-class, suburban drug dealers.

### **CITIES & SUBURBS**

Suburbs are neither new nor an entirely American phenomenon. More than four millennia ago, the first suburbs surrounded the great city of Ur, located in what is now Iraq (Jackson, 1985: 12). Ancient Rome had suburbs, and the inhabitants there named this area “*suburbium*, meaning what was literally below or outside the walls” (Bruegmann, 2005: 23). The simplest definition of “suburb” is an area surrounding a city. All cities are surrounded by suburbia.<sup>33</sup>

Crime in cities has been described and explained at great length (see, e.g., Park, Burgess, and McKenzie, 1925; Sampson, Raudenbush, and Earls, 1997; Shaw and McKay, 1969). Crime in suburbs has received much less academic attention (but see, e.g., Conklin and Bittner, 1973; Hakim, 1980; Logan and Stults, 1999; Loth, 1967; McCausland, 1972; Rengert and Wasilchick, 2000). The relative emphasis on cities is likely the outcome of several factors, not least of which might be the empirical fact that crimes, especially violent offenses such as murder and robbery, occur at a greater rate in cities than in suburbs (FBI, 2005). It is no secret that American suburbs typically have less violent crime than the cities they surround (Baumgartner, 1988; Garnett, 2006).

---

<sup>33</sup> Where “cities” end and “suburbia” begins is a matter of debate (Bruegmann, 2005). A city is defined as an area over a certain size with a population density over a certain amount; the size and density needed for a place to be called a “city” has changed with time, and therefore the size and density needed for a place to be called a “suburb” also varies.

## CITIES & SUBURBS BEFORE MODERN TIMES

Suburbs have not always been a safe haven, however. Quite the opposite. “From its...usage in the fourteenth century, a ‘suburbe’—that is, a settlement on the urban fringe—meant...a ‘place of inferior, debased, and especially licentious habits of life’” (Fishman, 1987: 7). The suburbs were a typical “refuge” for criminals of various sorts, including defrauders, robbers, thieves, and prostitutes (Fishman, 1987).

The suburbs of sixteenth and seventeenth century London, for instance, have been described as “a perennial menace to the maintenance of law and order” (Fishman, 1987.: 16). In the United States, a nineteenth century social commentator noted that “[n]inety-tenths of those whose rascalities have made Philadelphia so unjustly notorious live in the dens and shanties of the suburbs.’ He went on to label a suburban prostitution center as ‘the core of the rottenest and most villainous...human beings’” (Jackson, 1985: 17).

The real and perceived criminality of suburbanites from earlier centuries is often attributed to their social disadvantages, including poverty, a lack of education or skills, and belonging to a racial/ethnic minority (Fishman, 1987; Kotkin, 2005; Jackson, 1985; cf. Anderson, 1999; Wilson 1987, 1996). Whereas the wealthiest and most respectable citizens typically lived at the core of their respective cities, “the urban peripheries outside the walls were disreputable zones, shantytowns to which the poorest inhabitants... were relegated” (Fishman, 1987: 6). “Suburbs often remained the abode of all manner of undesirables, the rejects of the city” (Kotkin, 2005: 114).

In ancient Rome, for example, “the reason for living in the suburbs was [usually] a matter of cost” because some persons “could not afford to live in the city... These residents often lived in poorly built dwellings that could be even worse than those within

the walls” (Bruegmann, 2005: 23). “In eighteenth-century Paris... the suburbs were populated largely by persons who were prevented—by [their inability to pay] taxes collected at the gates or by guild restrictions—from settling the city proper, or by outcasts of one sort or another who sought to avoid the officialdom of the capital” (Jackson, 1985: 15).

#### CITIES & SUBURBS IN MODERN AMERICA

The first suburbs in America predate the Revolutionary War (Jackson, 1985: 13). Suburban growth has been furious in America. “Between 1950 and 1970”, for instance, “American central cities grew by 10 million people, their suburbs by 85 million. By 1970 there were more Americans living in suburbs than in central cities or rural areas (Fishman, 1987: 182). “By 1985,... scarcely anyone could quarrel with [America’s] designation as a suburban nation” (Jackson, 1985: 284). Today, there are still more suburbanites than city dwellers (Garnett, 2006: 630).

In the 1800s, the characteristics of suburbs and suburbanites in the U.S. began to change from lower-class to middle- and upper-class (Fishman, 1987: 62-3; Jackson, 1985).<sup>34</sup> Historians and demographers have shown that the cities emptied and suburbs filled with white, middle- and upper-class persons at a rapid rate (Fishman, 1987; Bruegmann, 2005). “After 1920, no one could deny that the inner cities were poor and that the suburbs were, relatively speaking, rich” (Jackson, 1985: 274). Of course not all suburbanites are white and middle- or upper-class (Bruegmann, 2005), but a large majority of the suburban population fits that mold, whereas urban dwellers are more often

---

<sup>34</sup> London is viewed as the first place where the affluent moved to the suburbs in large numbers (Fishman, 1987; Jackson, 1985: 13; Kotkin, 2006: 114-6). Brooklyn was once a suburb of New York City and it is credited as the first commuter suburb (Jackson, 1985: 25-30).

lower-class and belong to a racial/ethnic minority (Fava, 1956; Fishman, 1987; Jackson, 1985).<sup>35</sup>

### Crime in American Cities & Suburbs

What has been noted by several observers is that “[a]s the suburbs drew off the wealthy, central cities became identified with social problems” (Jackson, 1985: 274), especially violence (Anderson, 1999; Wilson, 1987, 1996). In modern America, it is empirically clear that the suburbs have less violent crime – such as robbery or murder – than the cities they surround (FBI, 2005).

“Perhaps the most striking feature of conflict” and crime “in suburbia is its rarity. Grievances arise, but people contain them and confrontation is uncommon. Instead, toleration, avoidance, and restraint in the pursuit of justice are much in evidence” (Baumgartner, 1988: 3). The situation in the disadvantaged areas of American cities is much different. There, predatory and retaliatory crimes are much more common (Anderson, 1999; St. Jean, 2007).

This raises the question: Why do American cities experience more violence than American suburbs? There are two broad ways of addressing this question: (1) specify what factors *facilitate* violence, or, alternatively, (2) specify what factors *inhibit* violence (see Sutherland, 1934:126-7). Anderson (1999) suggests that the “code of the street”

---

<sup>35</sup> There are a number of factors identified by theorists that might explain why suburbs in the US have become home to so many white, middle- and upper-class persons. These include choice, economic structure, the transition to a home only inhabited by the nuclear family, bourgeois culture, transportation advancements, communication advancements, flight from the immorality of cities, class/racial/ethnic separation, prejudice, and discrimination, federal subsidies and tax breaks, the failure of cities to grow through annexation and consolidation with suburban communities, cheap housing, population growth, affluence, outward movement of industry, democratization, insufficiently regulated capitalism, and bad public policy (Bruegmann, 2005; Fishman, 1987; Jackson, 1985). For brevity’s sake this chapter cannot discuss these theories in any detail, but all of the above factors may have had an influence on the vast exodus of white, middle- and upper-class persons away from cities and into suburbs.

facilitates violence. Baumgartner (1988) suggests there is a “code of the suburb”; this chapter suggests that culture may inhibit violence. The next sections review these cultural codes, their causes, and consequences for understanding drug market conflict and violence.

### **CODE OF THE STREET**

In *Code of the Street*, Anderson (1999) argues that the relatively high rate of violent crime in cities is the outcome of a culture that encourages aggressive actions as a means of obtaining and maintaining respect. There is “a code of the streets, which amounts to a set of informal rules governing interpersonal public behavior, particularly violence” (p. 33). The code of the street maintains that violence is an acceptable method for gaining respect and also for punishing and deterring disrespect. The code is caused by the social circumstances that typify inner-city ghettos in America.

#### **THE CODE**

Based on ethnographic research in an American city, Anderson (1999) develops the theory that lower-class, racially segregated areas of cities develop and sustain a culture oriented around respect and confrontation. This culture is called *the code of the street*. “At the heart of the code is the issue of respect—loosely defined as being treated ‘right’ or being granted one’s ‘props’ (or proper due) or the deference one deserves” (p. 33). This suggests that persons who live by the code of the street should be embarrassed when they feel disrespected and so take steps to reduce disrespect against them. Those

who live by the code of the street should also be proud when they feel respected and therefore take steps to increase respect shown to them.

Related to this issue of respect is the attitude that threats and violence are necessary to maintain or gain respect. Threats and violence can be used to either take respect (e.g., by stealing a person's shoes or money) or protect respect (e.g., through self-defense). This suggests that persons who live by the code of the street should have a positive attitude to confrontational approaches that maintain or increase respect, especially violent kinds.

This fondness for force contrasts with the negative attitude toward "punking out" – or refusing to protect one's self or others with threats or violence. "If somebody messes with you, you got to pay them back" (p. 70) is a basic tenant of the code. It is not acceptable to tolerate disrespect. This suggests that persons who live by the code of the street should have a negative attitude toward non-confrontational responses to disrespect, and therefore look down on the use of avoidance or toleration for conflict management.

In sum, the code of the street is a set of informal rules governing interpersonal public behavior. The code implies (1) disrespect is embarrassing, (2) respect is rewarding, (3) threats and violence used to gain respect and punish disrespect are good, and (4) the failure to punish disrespect is bad. To be clear, the code of the street is a set of informal rules that tell people how they *should* behave, which, in turn, affects how they *do* behave, at least in part.

## THE CAUSE OF THE CODE

Anderson (1999) suggests that the *code of the street* is a cultural adaptation that results from social structural disadvantage and an absence of formal mechanisms for dispute resolution (see Wilson, 1987, 1996). Respect obtained through violence is particularly important in urban ghettos because residents there have less chance of achieving conventional success than do their suburban counterparts (Anderson, 1999; Wilson, 1987, 1996). When status is hard to obtain with legitimate means, what often emerges is a culture like the code of the street. Moreover, such a culture results from a “profound lack of faith in the police and the judicial system” (Anderson, 1999: 34). When citizens are unwilling or unable to use the formal justice system, they may become more likely to adopt a culture that calls for vigilantism (also see Black, 1983; Cooney, 1998).

The code of the street emerges from disadvantage and the absence of law, but the code is also learned from interactions with community members, especially family. There are two kinds of families in urban, lower-class neighborhoods – “street” and “decent” (Anderson, 1999). Decent families have little wealth but nevertheless treat people kindly and maintain “mainstream values”, such as a desire for family, employment, and a decent income. On the other hand, street families have little wealth, desire for conventional success, or concern for the wellbeing of others, including their family and neighbors. Despite their differences, the reality of cities makes it necessary for both decent and street families to teach the code of the street to its members.

Persons from street families are “more fully invested in the code of the street than the decent people... They more fully believe in the code and judge themselves and others according to its values” (Anderson, 1999: 45). Therefore, street families teach that



aggression is suitable for self-defense (retaliation) *and* theft (predation). Decent families are less tied to the code of the street, and do not view violence as an acceptable strategy for obtaining wealth. Out of a necessity, however, decent families do teach that aggression is suitable for self-defense. “Because the street element so dominates the public spaces, even the decent people must show they are ready to meet the street ethic in order to survive unmolested. As a result, most decent parents encourage their children to hit back if challenged... It is difficult not to fight back, because status and esteem are often at issue” (p. 64). The point here is that in urban, lower-class neighborhoods, people learn that self-defense – or what others call vengeance or retaliation – is a necessary evil (but see p. 72).

The code of the street thesis is aptly named because the streets are literally where respect is gained and lost on public stages of violence. Street life is an important part of city life. People gather on corners, porches, and at the entrances of stores or parking lots. Children who gravitate to these streets may learn to be violent. Some eventually become gang members or drug dealers and use the streets to fight their rivals. Even persons who avoid or desist from crime and gangs must be ready to use violence to protect themselves when moving through the streets because to do otherwise risks exacerbating the problem and losing respect (Anderson, 1999).

In sum, the code of the street is the result of social disadvantage and confrontation with law enforcement, and it is taught to children by families and community members. The importance of street life means that respect is constantly in the balance and on display. Violent retaliation is relatively common in disadvantaged, urban neighborhoods

because it must be used to protect against victimization and avoid low status (for a test of these ideas, see Stewart and Simons, 2006; Stewart, Schreck, and Simons, 2006).

#### THE CODE OF THE STREET & DRUG MARKET CONFLICT

Drug markets in disadvantaged zones of American cities are known to be hot spots for violent vengeance (Jacobs and Wright, 2006). According to MacCoun and Reuter (2001), “[y]oung males in an illegal commerce with valuable goods to sell and without access to courts to resolve disputes, are likely to use violence to resolve disputes” (p. 110). As noted by Jacobs: “Illicit drug markets represent a context in which law is unavailable as a matter of course... Those who violate the law cannot be ‘victims’ and as such, lose the privilege of judicial protection. If and when grievances arise, they must be resolved informally. Retaliation emerges as the modal response” (p. 111; also see Katz, 1988: 184; Reuter, 1983; Taylor, 2007). The consequences of vengeance in urban drug markets are pronounced. For instance, a study of 434 homicides in New York City found that almost 40 percent of those homicides were instances of drug market-related violence (Goldstein et al., 1997: 117; also see Kubrin and Weitzer, 2003; Levitt and Venkatesh, 2000: 758; Ousey and Lee, 2004; Reuter, MacCoun, and Murphy, 1990: 97; St. Jean, 2007).

Why are drug markets in urban, disadvantaged communities plagued by violent vengeance? Perhaps surprisingly to some, Anderson (1999) does *not* argue that the code of the street is responsible for high rates of urban drug market violence. Instead, Anderson suggests there is a separate “code of the drug trade” (p. 116) that is responsible for the violence that characterizes urban drug markets. “Because the drug trade is

organized around a code of conduct *approximating* the code of the streets and employing violence as the basis for social control, the drug culture contributes significantly to the violence of inner-city neighborhoods” (Anderson, 1999: 110-1, emphasis added). In other words, Anderson sees the culture of drug markets as a factor that increases violence but that is (at least partially) *independent from* the code of the street.

“Like any marketing enterprise, the drug trade requires production and distribution networks. Another requirement is social control” (Anderson, 1999: 116). Social control is any behavior that defines and responds to deviance (Black, 1976, 1998). “Among drug dealers” operating in the streets, social control is accomplished through “the use and threat of violence” (Anderson, 1999: 116), or what others call *violent retaliation* (Black, 2004b; see, e.g., Jacobs, 2000; Jacobs and Wright, 2006; Taylor, 2007; Topalli, Wright, and Fornango, 2002). “It is understood on the streets that the drug trade...is unforgiving. To make a misstep is to risk getting roughed up, shot, or killed.... Often the people who get hurt ‘deserved it,’ in terms of the *code of the drug trade*: they ‘crossed somebody big,’ or they ‘thought they were slick’” (Anderson, 1999: 116, emphasis added). What Anderson appears to be saying here is that a “code of the drug trade” causes violent retaliation in a process that is independent from but similar to the code of the street.

### The Code of the Street as a Cause of Drug Market Violence

This chapter suggests that the “code of the drug trade” notion cannot be quite right, which is evidenced by the fact that drug markets are *not* always violent (Zimring

and Hawkins, 1997). If not all drug markets are violent, then drug markets do not have their *own* culture of violence.

Instead, what must be happening is that the code of the street is causing – or at least facilitating – much of the violent vigilantism that has made urban drug markets notorious (see, e.g., Goldstein et al., 1997; Jacobs and Wright, 2006). It seems logical to argue that since the code of the street is caused by the absence of law (Anderson, 1999), then a reduction in access to law caused by engaging in illegal activity (Black, 1983) would amplify the code of the street and, in turn, increase the magnitude and rate of violence in urban ghettos.<sup>36</sup>

In short, the theory that drug market violence is caused by a violent drug market culture is called into question by evidence that not all drug markets are violent. Differently, the theory that drug market violence is caused by the code of the street is *not* put in doubt by evidence that not all drug markets are violent. What this requires, however, is the recognition that *not* all drug market participants live by the code of the street. Some live by the *code of the suburb*.

### **CODE OF THE SUBURB**

In *The Moral Order of a Suburb*, Baumgartner (1988) argues that the relatively low rate of violent crime in suburbs is attributable to their social structure. In addition, she suggests that this social structure produce a culture that encourages non-confrontational approaches to social control and thereby inhibits violence.

---

<sup>36</sup> Simplicity is a hallmark of scientific theory (Kuhn, 1977; Popper, 2002), and this idea is simpler than Anderson's idea that the drug trade has its own unique culture that causes violence.

## THE CODE

Based on ethnographic research in an American suburb, Baumgartner (1988) argues that suburbs have their own “philosophy”, or *culture*, “of moral minimalism” (p.129, 10-1). This chapter calls that culture/philosophy the *code of the suburb*. “[T]he most basic component of this system is a strong conviction that conflict is a social contaminant, something to be prevented if at all possible and to be ended quickly once begun” (p. 130). This suggests that persons who live by the code of the suburb should be embarrassed by their conflicts and take steps to keep them in the past.

“Related to the negative assessment of conflict is the attitude that the exercise of social control is dirty and unpleasant work. This extends not only to aggressive tactics such as violence – which is felt to be extremely distasteful – but also to many efforts simply to reach a peaceful accommodation with an offender” (p. 130). This suggests that persons who live by the code of the suburb should have a negative attitude toward confrontational approaches to social control, especially violent retaliation.

“The dislike of confrontation contrasts sharply with the strongly positive opinion of toleration and avoidance held by people in [suburbia]. Simply staying away from someone who is offensive is viewed not only as an effective tactic but also as the ‘natural’ response of any ‘mature’ person” (p. 131). This suggests that persons who live by the code of the suburb should have a positive attitude toward non-confrontational approaches to conflict management, such as avoidance and toleration.

In sum, the code of the suburb is a culture stipulating that (1) conflict is embarrassing and should be halted, (2) confrontational approaches to conflict – especially

violent retaliation – are bad, and (3) non-confrontational approaches to social control – such as avoidance or toleration – are good (Baumgartner, 1988).<sup>37</sup>

## THE CAUSE OF THE CODE

Baumgartner (1988) explains the code of the suburb as the outcome of suburbia's unique social stratification and social morphology. "[T]he social system of suburbia is distinctive. It combines transiency with homogeneity, and autonomy and independence with a relative absence of strangers. It entails a diffuse kind of interpersonal association, marked by considerable fluidity and distance in relationships" (p. 10). The basic thrust behind Baumgartner's argument is that the social structure of suburbs – especially weak ties, material independence, and a scarcity of information – leads to a culture that promotes non-confrontational approaches to conflict management such as avoidance and toleration.

The notion of "weak ties" refers to connections between people that are not intimate, overlapping, or time consuming (Granovetter, 1973). The lives of suburbanites tend to be "highly compartmentalized. Relationships tend to be single stranded, restricted to a single dimension of interaction, and partly as a result, ... social networks are not formed into dense webs of common association. Ties are scattered through many towns and regions" (Baumgartner, 1984: 95). Weak ties increase non-confrontation because they provide more opportunity for avoidance and toleration, makes feuds difficult to

---

<sup>37</sup> In *Code of the Street*, Anderson (1999) alludes to the idea that middle-class people are more likely to avoid conflict than "street-oriented people." "[P]articularly among the middle class, people may not feel required to retaliate physically after an attack, although they are well aware that they have been degraded or taken advantage of. They... are much more likely than street-oriented people to feel that they can walk away from a possible altercation with their self-esteem intact. Some people may even have the strength of character to flee without thinking that their self-respect will be diminished" (p. 76; also see p. 124).

sustain, and “deprive people...of supporters to assist them in pressing grievances” (p. 96). The importance of weak ties in reducing confrontation is made clear when we consider that strong ties between gang members may lead them to retaliate together rather than as individuals (see Black, 1998; Cooney, 1998; Phillips and Cooney, 2005).

Suburbanites are typically of middle- or upper-class standing and more likely than the average city dweller to have a job, be married, have a college education, belong to the racial majority, and not have a prison record (see Baumgartner, 1988: 7-8). Baumgartner explains that, in general, middle- and upper-class persons have less social control applied to their behavior than do lower-class persons, and so confrontation is relatively rare in suburbs because suburbanites are relatively high in social status (Baumgartner, 1988; also see Black, 1976). However, we can also understand how the absence of social disadvantage (that is naturally implied by high social status) could reduce confrontational approaches to conflict by reducing or eliminating the factors, such as discriminatory law enforcement, that lead to cultures like the code of the street (see Anderson, 1999; Wilson, 1987, 1996).

Compared to neighborhoods in cities, there is a scarcity of information in suburbs about residents and so reputations are of less importance. The scarcity of information is in large part due to the weak ties between suburbanites, but is also attributable to the relative absence of street life in suburbs. Anyone who has travelled through the suburbs knows that street life is *not* an important part of suburban life. In comparison to cities, it is unusual to see people standing on street corners or idling in front of stores in the suburbs. Most suburbanites tend to drive wherever it is they are going and in doing so maintain their privacy. The nature and ubiquity of detached houses in the suburbs means

that home-life is especially private, whether inside or out. In the suburbs, the residents apparently have few good reasons to congregate on the street (Baumgartner, 1988).

The scarcity of information and absence of street life reduce confrontation by putting suburbanites under less “pressure to preserve their ‘honor,’ or public reputations, by taking action against offenders. A concern with honor—which typically dictates forceful retaliation—presupposes an audience who will know about the affairs of others and whose opinions matter” (p. 95; also see Anderson, 1999). The social structure of the suburbs, however, reduces information and street life. “There, practically no one knows what offenses occur or what responses they meet. Cut off from others, . . . people can handle their problems without regard to public opinion. Suburbanites have little or no honor to defend, and this helps to explain why they take so little action in the face of grievances” (p. 95; cf. Cooney, 1998).

In sum, the code of the suburb is the result of weak ties, structural advantage, and a scarcity of information that is due in part to the absence of street life.

#### THE CODE OF THE SUBURB & SOCIAL CONTROL

Baumgartner (1988) does not delve specifically into how the code of the suburb might affect conflict management, either outside of or in drug markets. Rather, *The Moral Order of a Suburb* focuses entirely on how the social structure of suburbia affects social control. The theory suggests suburbia’s weak ties, structural advantage, and a scarcity of information about community members result in (1) more non-confrontational control *and* (2) a code of the suburb, or “philosophy of moral minimalism.”



What Baumgartner does *not* argue is that the code of the suburb affects social control or crime. Yet the code of the suburb could have its own causal influence on violent and peaceful forms of conflict management. It might be true that a comprehensive understanding of social control, including violent retaliation, will require a combination of structural *and* cultural theorizing (see, e.g., Anderson, 1999; Wilson, 1987, 1996).

This chapter adds a cultural component to Baumgartner's (1988) social structural theory of suburban social control. In any given dispute, if the social structure of the situation is held constant, then, in theory, adherence to a particular culture – whether that of the street or suburbia – should be found to affect the form and quantity of social control that results. Violent retaliation should be more likely when a grievant lives by the code of the street. Differently, peaceful control should be more likely when a grievant lives by the code of the suburb.

This chapter now elaborates that theorizing and examines it empirically by presenting and discussing the stories of young, middle-class, suburban drug dealers. This endeavor contributes to the sociological study of drug markets, crime, violence, and peace by illustrating and explaining the relative absence of violent vengeance among drug dealers due to their peaceful culture.

### **THE CODE OF THE SUBURB & DRUG MARKET CONFLICT**

“Anarchy is social life without law” (Black, 1976: 123). Less law is equivalent to greater anarchy. The violence of drug markets is often attributed to its anarchy (Black, 1983; Goldstein, 1985; Jacobs, 2000). When people engage in criminal activity, such as illicit drug trade, they lose access to formal means of dispute resolution (Black, 1976). It

is logically true that when the police and courts do not intervene in disputes then other forms of social control become more likely (Black, 1983). This suggests that the natural outcome of anarchy in drug markets is an increase in violent retaliation. But this same logic suggests that informal, non-violent forms of social control, such as avoidance and toleration, also become more likely when law is absent (Cooney, 1998; Phillips, 2003).

The increase in informal social control – both violent and non-violent forms – that results from illegality suggests that the context of drug markets “should be regarded as a potential or contingent cause of expanding rates of...violence” (Zimring and Hawkins, 1997: 152). What this means is that “[w]here potential drug sellers have the habits and skills of violent predators, the overlap between hard narcotics and violence can be expected to be substantial because problems of credibility and nonenforceability would seem to call for violent measures” (p. 152). Thus, *where the conditions for violent retaliation are already in place* – such as those described by Anderson (1999) – *then the presence of an illegal market amplifies the effect of those conditions on violence by reducing persons’ access to formal means of dispute resolution* (see Zimring and Hawkins, 1997: 152-5). When the code of the street mixes with the anarchy of illicit drug markets, the result is an increase in violence.

“On the other hand, where lethal violence is not part of the background and predilection of those who organize and engage in illegal drug transactions, the rate of violence generated by the drug trade will be smaller” (p. 152). Although the absence of law experienced by suburban drug traders might increase their involvement in violent retaliation (see Black, 1983), anarchy should increase non-confrontational social control *at a greater rate and magnitude* in drug markets dominated by the code of the suburb

(see Zimring and Hawkins, 1997: 153).<sup>38</sup> *Where the conditions for non-confrontational conflict management are already in place, then the presence of an illegal market amplifies the effect of those conditions on non-confrontation by reducing persons' access to law.* In other words, when the anarchy of drug markets mixes with the code of the suburb, the result is an increase in toleration and avoidance (more so than violent retaliation).

#### TOLERATION & THE CODE OF THE SUBURB

Toleration is defined as “inaction when a grievance might otherwise be handled” (Black, 1998: 88). In other words, toleration is doing nothing in response to a conflict (Baumgartner, 1988; Horwitz, 1990: 101). It is a quantitative variable “measurable by comparing what might otherwise occur under the same circumstances” (Black, 1998: 88). To determine the degree of toleration in one conflict, we might compare how much violent retaliation *does* result from another conflict. “When a group”, for instance, “exacts blood vengeance for one killing but does little or nothing in response to another, its behavior in the latter is extremely tolerant” (Black, 1998: 88). Thus, the less social control responds to conflict, the greater is toleration.

“When an offense occurs in [suburbia], doing nothing... is the most common strategy of conflict management” (Baumgartner, 1984: 84). Suburbanites “bear with inconveniences and, as a result, avoid the risk of becoming embroiled in conflict. Rather than take strong measures, they will absorb much conduct that greatly annoys or offends

---

<sup>38</sup> A similar process is true for those who live by the code of the street. Although the absence of law experienced by lower-class, urban drug traders will likely increase their involvement in non-confrontational social control (see, e.g., Topalli, Wright, and Fornango, 2002: 346-8; Topalli, 2005), anarchy should increase violent retaliation at a greater rate when the underworld is dominated by the code of the street.

them” (Baumgartner, 1984: 84). Suburbs are typically more tolerant places than cities because there is less violent retaliation in the former than in the latter. Similarly, the code of the suburb is a more tolerant culture than the code of the street because the former calls for less violent retaliation than the latter.

Several cases of toleration were described by the suburban drug dealers interviewed for this study. For instance, a dealer, Josh, was involved in the illegal distribution of pharmaceuticals and had more than 100 pills literally stolen out of his pockets as he slept. But as he explained: “I had about a thousand [pills] back at the house and it didn’t matter to me at the time. Better to write stuff like that off sometimes.” Another dealer, Richard, had \$50 stolen from him; his response was to do nothing, saying: “I’m not really the pursuit type, man. I think that motherfucker will get what’s his. I’ll see that motherfucker in hell.” A separate seller, Jared, was owed but never received \$70 from a customer; instead of seeking revenge he, in his own words, “just gave up on it.”

The story of a suburban drug dealer, Robert, shows how the code of the suburb can lead to toleration rather than violent retaliation. This dealer’s vehicle was broken into and his drug money stolen. Rather than respond with retaliation, Robert’s embarrassment of conflict, negative attitude toward violent retaliation, and positive attitude toward non-confrontation led him to tolerate his victimization:

**Robert:** My car got robbed while I was at work for \$360, and I was gonna go re-up after work.

**Interviewer:** Did you get robbed by a stranger?

**Robert:** No, it was Victor, he went to school with me.

**Interviewer:** How'd you know that person?

**Robert:** Well, I didn't know him that well at all, but he knew Brian's older brothers, and shit like that, so he knew who I was. They thought I had weight [i.e., drugs], and I had money instead.

**Interviewer:** Would you tell me this story?

**Robert:** Well they jimmed it, you know, use the jimmy on the window, and then when I got out there was no money, and I started calling everybody, and Tommy was always good friends with my brother and he's friends with Victor and he told me that he did it.

Traditional thinking (e.g., Jacobs, 2000) would suggest that once this drug dealer discovered the identity of his victimizer, the response would be retaliation. This suburban seller, however, took a less aggressive approach:

**Interviewer:** What'd you do when you found out who it was?

**Robert:** *Fucking nothing, I mean what am I gonna go do – shoot him?*

**Interviewer:** Why didn't you do anything?

**Robert:** 'Cause it's not worth getting in trouble over. The only thing I could have done is went and whooped his ass, and at that point it wasn't worth getting in trouble because I was trying to sell and make a little money, but I'm not trying to escalate in criminal activities... I'd try to be a nice person and not be too much of a dick so that's another thing, and I never wanted to rob anybody, I never ever robbed anybody... I don't want to buy a gun or shoot anybody, or fuck someone up permanently. (Emphasis added.)

It is clear from Robert's story that he does not possess a cultural framework conducive to vengeance. When asked what he did to the offender after discovering his identity, Robert's non-violent orientation became crystal clear when he replied, "Fucking nothing", and then added, "I mean what am I gonna go do – shoot him?"

Robert's general orientation toward life was more peaceful than violent. Instead of attempting to gain status by looking and acting violent, Robert spent his efforts "try[ing] to be a nice person." He had no interest in robbing people or "fuck[ing] someone up permanently." Simply put, Robert's negative attitude toward violence and positive attitude toward non-confrontation meant that violent retaliation was a less likely outcome of his victimization than toleration, which is the form of social control that ultimately did occur.

In short, it seems reasonable to think that urban, lower-class drug dealers who live by the code of the street are more likely to retaliate with violence than are drug dealers such as Robert, who live by the code of the suburb and therefore believe that toleration is a better way to handle grievances.

#### AVOIDANCE & THE CODE OF THE SUBURB

Avoidance is defined as "the handling of a grievance by the curtailment of interaction" (Black, 1998: 79; Baumgartner, 1988). "As in tolerance, the offended party who engages in avoidance neither remedies the problematic situation nor sanctions the offender. Avoidance is distinguishable from tolerance because the aggrieved party does limit contact with the offender" (Horwitz, 1990). Avoidance is a quantitative variable measurable by the relative reduction in interaction between two or more people,

including the amount of time they spend together and also the number of activities they do together (Black, 1998: 79; Horwitz, 1990). Thus, the more interaction is curtailed because of conflict, the greater is avoidance.

“Even when [suburbanites] do take action against offenders, they are likely to do so obliquely rather than directly. Avoidance is a favorite tactic” (Baumgartner, 1984: 84). In suburbia, “avoidance means,” for example, “that people are not greeted when encountered or greeted perfunctorily, not invited to visit or visited in turn, and not offered small favors or asked to do them. Effort is made not to run into them at all” (p. 85). “Because middle-class people are often hesitant to press a conflict openly, whether to escalation or to resolution, avoidance is an acceptable outcome that freezes hostilities and allows the parties involved to direct their attention to other concerns” (p. 86).

Suburban drug dealers often handle offenders by cutting off interaction with them. For example, Adam “fronted” – meaning gave on credit (see Jacobs, 1999) – one ounce of marijuana and two ounces of mushrooms to his friend, but the debt of \$400 was never paid. “And”, Adam recalls, “that was kind of the end of that, stopped calling him, just stopped telling him to come to [my town] to hang out. It kind of ruined our whole friendship, actually.” One suburban socialized dealer, Jim, twice was victimized by females who stole drugs from him when he was not around. He responded to the first victimization by “never deal[ing] with them again, . . . never did see them again.” He was friends with the second thief, but the relationship changed, as he explains: “I haven’t spoken to her since because I’m pretty convinced that she took it.” Another dealer, Josh, fronted two ounces of marijuana to a customer but the debt was never repaid in full; never doing business again with that person is how Josh handled the conflict: “I figured it

would be better off just...not [to] sell to him again.... I just brushed him off, 'Hey, whatever man', and never sold to him again."

The case of Christian, a suburban drug seller, demonstrates how the code of the suburb can lead to toleration or avoidance rather than violent retaliation. Christian was the victim of a fraud and then became suspicious that others were trying to victimize him. Rather than take vengeance into his own hands, Christian's embarrassment, negative attitude toward violence, and positive attitude toward non-confrontation led him to initially tolerate and then eventually avoid the predators:

**Christian:** So [this guy is] like, "I want a quarter," and I was like, "Alright, let's do it" [in this parking lot]. And he was like, "No, follow me to my house 'cause I don't want to do it here." And I was like, "No, I'm pretty sure we can do it right here."... And I look at this, and I say to him, "Why do you have a bat and a crowbar [in your car]?" And he doesn't really give me an answer, so I kinda knew what was up... So... I was like, "Whatever, I'm gone, give me a call later or something." And so he calls me back like hours later looking for a half ounce [i.e., two quarters], and I should have known when he upped the weight that this is definitely not right, but we decided to meet at [a local business]... [T]his is one of the most embarrassing stories I have... But he opens the door, and I was like, "You got the money?" And he throws down a roll of bills with a 5 on the outside, and I'm like, "Alright, here's the weed." [He] runs off, and, sure enough, I open it up and there's \$18. . . . my loss on it was \$142 or something

Rather than attempt to locate the offender and obtain vengeance through violence, this drug dealer's immediate response was to simply give up on the matter:



**Christian:** So I was like he can have it 'cause it's not worth getting shot, 'cause this is somebody I didn't know and he had just gotten out of jail and he had a crowbar and a bat so at that point I pretty much committed to that I'm either wrong about this person or I'm right and they can have it anyways, and it was dumb but I did it anyways.... [A]t this point it's like, "It's not worth getting shot, flat out, I don't give a fuck about \$150, I'll pay somebody \$150 not to shoot me."

This suburban outlaw tolerated his fraudulent victimization, but within a few days he became suspicious that he was being "set-up" for another fraud – or perhaps even a robbery – by a separate predator:

**Christian:** Like I can't be sure [this person was trying to victimize me], but this kid I knew...called me up and was like, "Hey man, can I get an ounce [of marijuana]?" And I would sell an ounce every now and then but I really wasn't too up for it because I was only making like 50 bucks profit of it compared to 100 bucks profit off selling small bags. And so he basically called me up looking for an ounce and I was like, "Dude, I dunno, I don't have a lot and if I get rid of this ounce I have to re-up, so it doesn't make sense, so no, I don't want to do it." And he told me who gave him my number, so I called that guy up and was like, "Dude, what's the deal with [this person] calling up for an ounce?" and he was like, "Dude, don't deal with [this person], I gave him your number but don't deal with him, he's been a sketch lately."

**Interviewer:** What's a sketch?

**Christian:** How could I define it? Somebody who doesn't play by the rules necessarily, or does shady shit, just do stuff that's not right—rob people or

whatever. So, the kid calls me later and he's like. "Dude, you got to let me get this ounce, I'll buy it for 400", – which would give the same profit as selling small bags – and at this point I'm like, "Bullshit." And you could tell by the tone of his voice that it wasn't right, like you can tell when somebody's lying to you, if you really listen to them, especially if you do like 10 deals a day, you can hear the hesitation in their voice. And if somebody starts messing with prices in terms of their just getting fucked then you shouldn't deal with them 'cause that's the point where you know they've said, "Ok, I don't care, I'm going to make it profitable for this person—because I'm not going to pay it anyways—where it's gonna be profitable enough for this person to do it, I'll tell them I'll pay them \$1000 for an ounce, 'cause they're not going to get the money anyways, all I need to do is to get them where I need them to be in order for to jack them", and that's what this kid was trying to do and I knew it, and obviously I can't be sure, but I would put anything on it.... And that incident happened a few days after the first jacking [i.e., fraudulent victimization], so I felt like something had gotten around to him and like now I was somebody that people could take advantage of.

Perhaps a drug dealer who lives by the code of the street would find this to be an opportune moment to show dominance and gain respect by using violence against the would-be predator. This particular drug dealer chose a more peaceful approach to conflict management – the curtailment of interaction with the offender *and* his associates:

**Christian:** So pretty much at that point *I stopped dealing with anybody in that crew, I don't remember dealing with anybody who I thought would know them or be a part of them.* (Emphasis added.)

Also relevant is that this drug dealer made clear during the interview that he does not – nor never has – lived by anything analogous to the code of the street. This seller simply cannot imagine enacting violent retaliation because he lives by the code of the suburb:

**Christian:** I've never been in a fight. Like I've always thought, like I remember being 8 years old and thinking, "If I get in a fight I'm kinda screwed 'cause I don't want to hurt somebody." Like I can't imagine punching somebody in the face and hurting them, and I've always been like that. So it's like the idea of physical violence as retribution has never been something I wanted [to do].

The story told by Christian demonstrates that not all drug dealers live by a violent code of conduct. He views avoidance and toleration as preferable ways of dealing with predation. It stands to reason that non-confrontation was the path taken by Christian because he adheres to the code of the suburb, as evidenced by his embarrassment of conflict and negative attitude toward vengeance and positive attitude toward non-confrontation.

In the first conflict, he suspected he was about to be victimized, failed to listen to his intuition, and in the end had more than \$100 stolen from him. Christian was obviously embarrassed, as he plainly called this incident "dumb" and "one of the most embarrassing stories" he possesses. This dealer also had a negative attitude toward violence, as evidenced by his comments regarding the harmful consequences that could flow from vengeance. As he said, gaining retribution is "not worth getting shot, flat out, I don't give a fuck about \$150, I'll pay somebody \$150 not to shoot me." Rather than focus on the "positives" of retaliation, Christian's attention was on the "negatives" that could

potentially result. He also noted that “violence as retribution has never been something [he] wanted [to do]”. His embarrassment and distaste for violence led Christian to tolerate his victimization.

In the second conflict, a separate deviant was suspected of trying to set up a fraud – or perhaps a robbery – at Christian’s expense. Rather than tolerate the deviant and his suspicions, the dealer responded to the problem by avoiding not only the suspected predator but also “anybody in that crew... who [he] thought would know them or be a part of them.” This is interesting because it shows toleration alone does not always put an end to conflict, and also that avoidance can be collective in nature.

After Christian tolerated the first fraud, predators found out and then set their targets on him (see Jacobs, 2000). Thus, Christian’s toleration of a predator may have increased the problem of predation. To solve this dilemma, this suburban dealer found it necessary to cut off all interaction with the newly suspected offender and his associates. Simply stated, Christian’s embarrassment, negative attitude toward violence, and positive attitude toward non-confrontation may have led him to handle predators with collective avoidance rather than threaten, hurt or kill them.

In short, it seems reasonable to think that urban, lower-class drug dealers who live by the code of the street are more likely to retaliate with violence than are suburban drug dealers, such as Christian, who live by the code of the suburb and believe avoidance is a good way to handle a problem and violent retaliation is not.

## VIOLENT RETALIATION & THE CODE OF THE SUBURB

It is important to study non-violent techniques of social control in drug markets because doing so can help us to understand violent retaliation therein (Zimring and Hawkins, 1997). The code of the suburb is able to shed light on the prevalence and magnitude of violence in drug markets. As stated by Baumgartner (1988), “a system of social control that relies primarily on the tolerance of offenses, avoidance of troublesome people, and comparable tactics, making little use of violence or formal settlement procedures, is of great significance both theoretically and practically” (v-vi). This is true because “the factors that create and sustain nonconfrontation of this sort can shed light not only on the conditions that promote tolerance and avoidance but also, by implication, on those that undermine quarreling, violence, mediation, adjudication, and a host of other sequels to disapproved acts” (p. v-vi).

As reiterated throughout this dissertation, if one reason exists why peaceful behavior – such as non-confrontational conflict management – is relevant to the study of drug market violence, it is because the presence of peace necessitates the absence of violence. For instance, it is impossible for a victim to *simultaneously* respond to a conflict with both violent retaliation *and* avoidance or toleration. The implication of this is that a theory of non-confrontational social control has direct implications for understanding confrontational control, such as vengeance (Zimring and Hawkins, 1997).

As discussed above, logic tells us that where one form of social control exists, another cannot occur simultaneously (Black, 1976, 1983). What this means is that violent retaliation and non-confrontational social control (avoidance and toleration) should vary inversely with each other. As one decreases, the other should increase. This implies that

to the degree the circumstances are right for avoidance or toleration then the circumstances are *not* right for violent retaliation, and vice versa. If that is true, then theories of why avoidance or toleration do occur also shed light on why violent retaliation does *not* result from drug market conflict (Zimring and Hawkins, 1997).

It seems logical to argue that the likelihood of a drug trader engaging in violent retaliation decreases as that person's commitment to the code of the suburb increases. More specifically, the code of the suburb thesis suggests that violent retaliation decreases as drug traders become more embarrassed by conflict, less approving of confrontation, and more approving of non-confrontation. Violent retaliation should decrease as any of those factors increase because each facilitates non-confrontational social control and, therefore, inhibits other forms of conflict management, including vigilantism.<sup>39</sup>

### SUMMARY & GUIDANCE

A vast literature shows that drug markets in urban, disadvantaged areas are plagued by violent vengeance (see, e.g., Anderson, 1999; Goldstein et al., 1997; Jacobs and Wright, 2006). Yet not all drug markets are located in cities or characterized by vigilantism (Brownstein et al., 2000; Curtis and Wendel, 2007; Zimring and Hawkins, 1997). This is an important insight to acknowledge and explain because it may generate unique insights into drug market violence (Zimring and Hawkins, 1997).

---

<sup>39</sup> This same reasoning can also be applied to the relationship between the code of the *street* and non-confrontational social control. Anderson's (1999) code of the street thesis suggests that the likelihood of a drug trader engaging in avoidance or toleration decreases as that person's commitment to the code of the street increases. More specifically, the theory suggests that avoidance and toleration decrease as drug traders become more embarrassed by disrespect, prouder of respect, more approving of violence, and less approving of non-violence, which are attitudes that arise from the social circumstances that typify American cities – social disadvantage and confrontation with law enforcement. Avoidance and toleration should decrease as all of those factors increase because they facilitate violent retaliation and, therefore, logically inhibit other forms of conflict management, including non-confrontational forms.

The qualitative data examined above suggest that violent retaliation in drug markets is inhibited and non-confrontational control is facilitated when disputants abide by the *code of the suburb*, which is a set of informal rules that emerges from the social circumstances that typify American suburbia (see Baumgartner, 1988). When the anarchy of drug markets mixes with the code of the suburb, the result is an increase in avoidance and toleration (more so than violent retaliation) (see Zimring and Hawkins, 1997). This suggests that as the code of the suburb increases among drug market participants, the amount of violent retaliation that results from their conflicts should decrease.

#### GUIDANCE FOR SCIENTISTS

To be clear, the code of the suburb is unlikely to be the only factor that affects conflict management (also see Cooney, 1998). Baumgartner (1988), for instance, focuses her attention on the *social structural* factors that affect conflict management, especially suburbia's weak ties, structural advantage, and a scarcity of information about community members. Baumgartner suggests that both (1) those social structural forces lead to non-confrontational control *and* (2) a code of the suburb, or philosophy of moral minimalism. Baumgartner does *not* argue that the code of the suburb affects social control or crime.

The originality of this chapter resides in its suggestion that the code of the suburb exerts its own independent influence on social control and crime. In any given drug market conflict, if the social structure of the situation is held constant (e.g., weak vs. strong ties, structural advantage vs. disadvantage), then, in theory, greater adherence to

the code of the suburb should lead to higher levels of avoidance or toleration and lower levels of violent retaliation.

Other scientists have argued that a comprehensive understanding of social control, including violent retaliation, will require a combination of structural *and* cultural theorizing (see, e.g., Anderson, 1999; Wilson, 1987, 1996). This chapter has added a cultural component to Baumgartner's (1988) social structural theory of suburbia. My hope is that the cost to parsimony attributable to this addition will be offset by gains in explanatory power.

Ultimately, whether the code of the suburb thesis enhances our ability to explain social control is a matter that should be settled with empirical research. Unlike qualitative research, quantitative research allows for the falsification of theory through statistical tests (see Popper, 2002 [1934]; see, e.g., Stewart and Simons, 2006; Stewart, Schreck, and Simons, 2006).

This chapter has posed a number of questions that are perhaps best answered through quantitative methods. Do suburban drug traders – more so than urbanities – hold the attitude that conflict is embarrassing, confrontation is bad, and non-confrontational control is good? Is this attitude the result of suburbia's typical characteristics, namely weak ties, structural advantage, and a scarcity of information on reputations? And does the code of the suburb cause more avoidance and toleration and less violent retaliation?

If quantitative research answers those questions, there will be greater insight into the code of the suburb, its precipitating factors, and whether it significantly and substantially affects violent *and* non-violent forms of social control that emerge from drug market disputes.



6

**THE VICTIMIZATION—TERMINATION LINK**

*It takes only a minute to change one's whole life course.*

–Stanley (Shaw, 1930: 89)

To date, life-course criminology has focused primarily on the ways in which positive life events (e.g., marriage or gaining employment) can serve as positive turning points toward the termination of lawbreaking, and the ways in which negative life events (e.g., imprisonment, divorce, or losing employment) can serve as negative turning points that lead to or exacerbate criminal behavior (Laub and Sampson, 2003; Sampson and Laub, 1993, 1997). Less empirical or theoretical attention has been paid to the ways in which *negative* life events, under certain circumstances, can serve as *positive* turning points toward the termination of crime (for empirical examples see Bennett, 1986: 93; Cusson and Pinsonneault, 1986: 73-5; Decker and Lauritsen, 2002; Haggård, Gumpert, and Grann, 2001: 1055-6; Laub and Sampson, 2003: 139; Sampson and Laub, 1993: 223-4, 230-1; Sutherland, 1937: 183-91).

Illicit drug dealers often experience victimization – a negative event – because they have little access to formal mediation and so are rational targets for predators such as robbers and burglars (Jacobs, 2000; Wright and Decker, 1994, 1997). Such victimizations can be contagious to the extent that they provoke retaliation (Jacobs and Wright, 2006). Retaliation is relatively common in illicit drug markets because criminal-victims are unlikely to contact the police or file a lawsuit in court (Black, 1983; Goldstein et al., 1997; Jacobs, 2000; Topalli, Wright, and Fornango, 2002).

Nevertheless – and as discussed in the last chapter – the empirical fact remains that *victimizations do not always lead to retaliation*. Instead, some drug dealers respond

to victimization by ending their own illicit entrepreneurial career. Avoidance is taken to the extreme when dealers quit crime entirely as a strategy to curtail their victimizations related to offending.

This chapter contributes to science, criminology and life-course theory by exploring and explicating the role of one kind of negative event, victimization, as a positive turning point toward the termination of a negative trajectory, illicit drug dealing. The stories of drug dealers reveal that victimizations can mark turning points toward the end of criminal careers, a criminologically important but neglected empirical connection I term the “victimization—termination link.” This chapter suggests a theory of this link that uses the logic of the life-course perspective (Elder, 1985) and Laub and Sampson’ (2003) age-graded theory of social control: When serious victimizations occur in the context of crime there is a break from the customary that provides an opportune situation for adaptation, and when victims have social bonds and agency, define the event as the result of their own criminal involvement, and find other adaptations unattractive, criminal-victims are likely to adapt by terminating crime.<sup>40</sup>

The chapter begins by briefly summarizing the theoretical lens employed (Elder, 1985; Laub and Sampson, 2003). Then, it explicates the utility of life-course concepts and theory for making sense of the empirical connection between victimization and termination. Data obtained from young, middle-class drug dealers once again are used to illustrate the theory. The conclusion involves discussing the implications of the findings for future work in science. The primary goal of this chapter is to stimulate theorizing and

---

<sup>40</sup> As noted toward the end of this chapter, the proposed theory is not necessarily *the* explanation of the victimization—termination link, but is rather one of many theoretical options for making sense of the relationship.

testing aimed at verifying, explaining, or discrediting the empirical connection between victimization and termination.

### **LIFE-COURSE CRIMINOLOGY**

The life-course perspective is arguably “the pre-eminent theoretical orientation in the study of lives” (Elder, Johnson, and Crosnoe, 2003: 3). The “pioneering study” (Elder, 1985: 24) of the life-course perspective is Thomas and Znaniecki’s (1918-20) *The Polish Peasant in Europe and America*. Since publication of that study, and especially in recent decades, the life-course paradigm has been applied to many forms of behavior (see Mortimer and Shanahan, 2003), and has been particularly fruitful in understanding onset, persistence, and desistance in crime (see, e.g., Laub and Sampson, 2003; Moffitt, 1993, 2006; Sampson and Laub, 1993).

Three key concepts in the life-course perspective are *trajectories*, *transitions*, and *turning points* (Elder, 1985). Any given life moves through various trajectories – “pathways or lines of development” (Laub, Sampson, and Sweeten, 2006: 314), and these may differ in direction, degree, and rate of change (Elder, 1985: 31). A person, for instance, may be on a more or less positive trajectory – such as having employment and a stable family life – or be on a more or less negative trajectory – such as engaging in criminal activity on a daily basis. Trajectories represent long-term patterns in life, whereas the notion of transitions refers to the “short-term events embedded in trajectories” (Laub, Sampson, and Sweeten, 2006: 314). Transitions, like trajectories, can be positive or negative; positive transitions, for example, include becoming married or employed, and negative ones include divorce, being fired, or being arrested. Transitions

are important to understanding trajectories because “[s]ome events are important turning points in life—they redirect paths” (Elder, 1985: 35). “A major concept in [the life-course perspective] is the dynamic process whereby the interlocking nature of trajectories and transitions generates *turning points* or a change in life course” (Laub and Sampson, 1993: 304). In other words, some life events – negative or positive – mark an important change in the direction of a life trajectory.

“Adaptation to life events is crucial because the same event...followed by different adaptations can lead to different trajectories” (Laub and Sampson, 1993: 304). An important adaptation in understanding criminal trajectories, transitions, and turning points is the termination of crime that results from the process of desistance. The conceptual difference between termination and desistance is subtle but important:

Termination is the point at which one stops criminal activity, whereas desistance is the causal process that supports the termination of offending. Although it is difficult to ascertain when the process of desistance begins, it is apparent that it continues after the termination of offending. That is, the process of desistance maintains the continued state of non-offending. Thus both termination and the process of desistance need to be considered in understanding cessation from offending. By using different terms for these distinct phenomena, we separate termination (the outcome) from the dynamics underlying the process of desistance (the cause), which have been confounded in the literature to date. The termination of offending is characterized by the absence of continued offending (a nonevent)... Desistance, by contrast, evolves over time in a process. (Laub and Sampson, 2003: 21-2; also see Laub and Sampson, 2001)

Laub and Sampson's (2003) revised, age-graded theory of social control attempts to make sense of why some persons desist from crime and others persist in their criminal careers. According to that theory, the three causal influences on desistance and the resulting termination of crime are social bonds, routine activities, and human agency.<sup>41</sup> Simply put, Laub and Sampson's theory predicts that criminal involvement varies inversely with the strength/quantity of social bonds, structured routine activities, and human agency – “purposeful execution of choice and individual will” (Sampson and Laub, 2005: 176). Thus, termination of crime should result from events and transitions that increase social bonds, structured activities, and human agency; conversely, criminal activity should increase as a person loses social bonds, structured activities, and human agency. In sum, differences in social bonds, routine activities, and human agency are the factors that produce variable adaptations to life events and transitions, which, in turn, alter life trajectories. (For a review of the empirical validity of the theory, see Laub, Sampson, and Sweeten, 2006: 324-7.)

### **THEORIZING THE VICTIMIZATION—TERMINATION LINK**

Existing social bonds, routine activities, and human agency may not always be powerful enough, however, to prevent the onset or result in the termination of crime (Laub and Sampson, 2003; Sampson and Laub, 1993). Control theories seek to explain why people do not commit crime (see, among many others, Gottfredson and Hirschi, 1990; Hirschi, 1969; Laub and Sampson, 2003). The experiences of some middle-class

---

<sup>41</sup> A fourth factor in desistance and persistence in crime is “random developmental noise”, which “conceives of development as the constant interaction between individuals and their environment, coupled with the factor of chance” (Laub, Sampson, and Sweeten, 2006: 323).

drug dealers suggest that victimizations experienced in the context of drug dealing can be turning points toward termination – a life trajectory with more control.

I suggest the following line of reasoning: “Opportune situations for modifications or a change in course are those which represent a break from the customary, a disturbance of habit in which customary behavior can no longer be maintained” (Elder, 1985: 42). For drug dealers who are victimized in the course of their work there is a “break from the customary” – being in control of drugs – and this may lead to “a disturbance of habit in which a customary behavior can no longer be maintained”, namely drug dealing.

“[A]daptations to crisis situations are ways of dealing with resources and options in order to achieve control” (p. 42). An adaptation that may flow from personal victimization (a negative event) suffered while engaging in drug dealing (a negative trajectory) is the termination of drug dealing (a positive turning point and transition). By terminating (controlling) one’s drug dealing, the probability of victimization is reduced (the crime of others is controlled), and the life-course experiences a turning point toward a more positive trajectory.

According to Elder, the outcome of turning points cannot be appraised without taking into account four sets of variables: “(1) the nature of the event or transition, its severity, duration, and so on; (2) the resources, beliefs, and experiences people bring to the situation; (3) how the situation or event is defined; and (4) resulting lines of adaptation as chosen from available alternatives” (1985: 35). I suggest that termination is an adaptation that follows (1) severe victimizations of drug dealers (2) with social bonds and agency, (3) who define their victimizations as the result of their own criminal involvement, and (4) find other adaptations, such as retaliation, to be unattractive.

In sum, then, given the existence of social bonds and human agency (Laub and Sampson, 2003), serious victimizations that drug dealers define as the outcome of their own lawbreaking can increase the probability of termination. Although victimization is a negative event, *if the experience occurs while participating in crime* it may serve as a turning point toward the termination of offending because termination is an adaptation that allows persons to gain control over their life and reduce the probability of future victimization. In this respect, negative life events can be positive turning points that mark a transition to a new life trajectory with more control.

This chapter draws on the experiences of young, middle-class drug dealers to illustrate the theoretical process described above. To be clear, the objective here is not to test the theory, but rather to demonstrate that dealers themselves associate social bonds, agency, and victimization with their termination and, therefore, the victimization—termination link appears to be a fruitful line of inquiry for future work

### **EVIDENCE FOR A VICTIMIZATION—TERMINATION LINK**

This chapter suggests above that victimizations that occur in the context of crime provide drug dealers with an opportune situation for adaptation, and that the adaptation of termination follows from (1) severe victimizations of drug dealers (2) who have social bonds and agency, (3) who define the victimizations as the result of their own crime, and (4) find alternative adaptations, such as violent retaliation, to be unattractive. In this way, a negative life event, victimization, can be a positive turning point that marks a transition toward a life trajectory with more control and less crime.



## SOCIAL BONDS + VICTIMIZATION → TERMINATION

“In its most general sense, ‘social control’ refers to the regulation of human behavior” (Sampson, 1986: 276). As seen in the work of Hirschi (1969) and Sampson and Laub (1993), the control tradition in criminology is especially concerned with persons’ “bonds to family, school, and community, which affect or embody the social controls that account for the costs of delinquency” (Kornhauser, 1978: 25). Crime can be contained through internal (self-invoked) or external (other-invoked) controls and direct (purposeful) or indirect (by-product) actions (p. 24). This chapter is interested in how direct internal controls and direct external controls serve as mechanisms that intertwine with victimization to lead to termination.

“Direct internal controls are manifested in guilt and shame, the products of effective socialization, which varies across persons and over the lifetime of a person.... Direct external controls are the products of scrutiny, supervision, and surveillance, designed to preclude, deter, or detect deviance” (p. 24). When a person experiences direct internal control or is subject to direct external control the social bond of the person is strengthened. If a dealer’s victimization leads to shame or regret, or promotes greater levels of supervision and intervention by family, then that victimization has interacted with social control and strengthened the social bond. If a dealer’s bond prior to victimization is “strong” but not “strong enough” to control crime, then the strengthening of the bond that follows victimization may result in the termination of drug dealing.

Pete’s story is illustrative of how victimization can interact with direct internal controls, namely shame, and direct external controls, namely supervision and punishment applied by family. Before termination, of course, comes onset, and Pete’s termination can

be better understood by knowing the conditions surrounding the onset of his drug dealing career:

**Pete:** The first time I bought an ounce [28 grams of marijuana] I bought it for 350 bucks and sold all of it but an eighth [3.5 grams, typically worth \$50 at the retail level]...

**Interviewer:** Why did you decide to get an ounce and sell it like you did?

**Pete:** So I didn't have to pay for the weed I wanted to smoke...

**Interviewer:** So take me along this time line of selling.

**Pete:** Once I bought one for \$350 and then the next time I bought an ounce for like \$325, I got it cheaper. And, actually, I made like 50 bucks and got to keep a sixteenth [1.75 grams] of it for free [to smoke]. And then I started trying to make profit, and profit, and profit. I'd buy an ounce – try to make a little more money, buy an ounce – try to make a little more money, and then eventually when I had enough money I started buying two ounces, and then more and more, gradually and gradually... When I started it was for free drugs and then as I went along it was like, “Wow, the more I buy the cheaper I get it, and the more I sell the more money I can make, and the more I can smoke.”...

**Interviewer:** How old were you at this point?

**Pete:** 17, a senior in high school.

The drug dealing life was “good” to Pete, but, as they say, all good things must come to an end. Having sold marijuana for almost 6 months, the desistance process for Pete began on the night he was “set-up” and violently victimized in the parking lot of a neighborhood pool:

**Pete:** I was looking for a QP [quarter-pound] and most of my regular guys [suppliers] didn't have it. I got a call from a kid that I thought was my friend and he told me he could get it for me, "I hear you're looking for some weed and I can get you a QP." I said, "Yeah." He was like, "Well come pick me up and we'll go get it." So I went and picked him up, met these people.... They said "You got the money?" I said, "Yeah, I got the money." They were like, "Okay, let me see it and I'll go get it." I was like, "I don't think so. I'll come with you, or you can go and get it and come back." So I got out of the car, [and then] got hit in the side of the face.... I acted as though I was knocked out and lay on the ground face down. I had the money in my jacket pocket...and I felt somebody drag me and roll me over to try and get the money and when they did that I grabbed them, pulled them down, got up and got in my jeep and drove off.

**Interviewer:** Really?

**Pete:** Yeah.

**Interviewer:** How did you pull him down?

**Pete:** Just grabbed his shirt and pulled him.

**Interviewer:** OK.

**Pete:** They were wearing masks.

**Interviewer:** How many were there?

**Pete:** Two of them.

**Interviewer:** Where did you meet them up at?

**Pete:** We met at a neighborhood pool.

**Interviewer:** So once it was done you just left you said?

**Pete:** Yeah.

**Interviewer:** And what did you do? What were you thinking to yourself?

**Pete:** “Shit, that sucks.”

**Interviewer:** Were you hurt?

**Pete:** I didn't have any broken bones or anything. I think I dislocated one joint, but that's about it, and I was beat up dude, I was black and blue all over.

**Interviewer:** What did you decide to do, like what were you going through in your head, were you thinking about trying to get back at these guys? Did you know who it was?

**Pete:** I dunno man, I really can't even tell you what I was thinking when it happened. I was thinking, well I didn't even realize I was getting jumped until I got hit in the face about three times. First time I got hit it made me like dazed, you know, then I was like “Shit, shit, they're trying to steal my money.”... I got out and started driving off [and] I was like, “What the fuck, what the hell, what the hell's going on?” And I was at a party at one of my friend's houses just before, not a party but we just had a little get-together, so I went back over there, went to his house, got in the shower 'cause I was bleeding everywhere and yeah, then we were trying to find out who did it.

**Interviewer:** What do you mean we were trying to find out who did it? How did you do that?

**Pete:** Me and my friends.

**Interviewer:** And how did you go about trying to find out who did it?

**Pete:** We called the kid that set me up and he lied and said ... you know, he bullshit us and said, “Oh I got hit in the face too, I don’t know what happened, blah-blah-blah.”... He said, “Dude I don’t know what happened man, because I got hit in the face too, ’cause the guy’s not really my good friend, I just kind of know him a little bit, blah-blah-blah, I can’t believe they did that to us.” I’m like, “All right man.” I sort of believed him at first ’cause I didn’t think he would do something like that to me, but he did.... I was like, “Well alright but I’m gonna find out who did this.” Basically...I didn’t really care... I didn’t know if these guys were trying to kill me or what, you know. I was just glad that I was fucking alive ’cause I had bigger things on my mind.

Receiving a black eye and almost losing more than \$1,000 in cash were not, according to Pete, the only, or even the worst, negative events he experienced that week – a week that marked a turning point toward a more conventional trajectory. As evidenced in the story below, a victimization experienced in the context of drug dealing can be a turning point toward termination by contributing to the production of direct internal controls, such as regret, guilt, and shame, and direct external controls, such as supervision and shaming by family members.

**Pete:** I had to go to my grandfather’s funeral the next day, in front of all my family beat the fuck up because I was trying to sell weed... That’s the thing in my life that I regret most in my life ever, having my whole entire family having to see me all beat up because I was selling weed.

**Interviewer:** Did they know that?

**Pete:** They knew.

**Interviewer:** How did they know?

**Pete:** I told them someone tried to steal my car and blah-blah-blah. I told them a bullshit story, but everyone knew.

**Interviewer:** Who did you tell a bullshit story to?

**Pete:** My whole family, my parents, everybody. My parents didn't buy it. Everyone else was like, "Oh really, that's awful!" But I know everyone in my family and they knew I was bullshitting to them.

**Interviewer:** So you never told your parents what happened?

**Pete:** Eventually I told my parents what really happened.

**Interviewer:** How long did it take you to tell them?

**Pete:** About a week after that happened.... Christmas Eve....

**Interviewer:** And what brought that on?

**Pete:** My mom asked me if I was selling drugs because she knew nobody was going to steal my fucking car.... She said, "I know you're selling weed." I was like, "Why?" She said, "Because of this", and she showed me...\$1,000 I had and just a stash of cash [I had] in my room.

**Interviewer:** So what did you say?

**Pete:** I was like, "Damn." I got mad at first and said, "No, I've just been saving up money", and just kept trying to lie.

**Interviewer:** Why did you do that?

**Pete:** 'Cause I didn't want my parents to think that I was selling drugs.

**Interviewer:** Why not?

**Pete:** Because I didn't want them to be disappointed in me.

**Interviewer:** Why would they be disappointed in you if you were selling drugs?

**Pete:** ...it's just the concept of, "He's a drug dealer", you know. All these...women say, "Oh he's a drug dealer, he's a drug dealer, scum of the earth", like that's the fucking title given to drug dealers and I didn't want to be that and I didn't want anybody to know that's what I was.

**Interviewer:** And yet you still sold drugs?

**Pete:** Yes, because I didn't think that I was [a bad person]. I still don't think I was for selling weed.... I wasn't a bad person. Yeah, I sold drugs that were illegal – I mean I don't think they should be illegal, but that's not what it's about. I dunno, I just don't think I fit the description of what everyone thinks a drug dealer is – what everybody makes out a drug dealer to be.

**Interviewer:** Which is what?

**Pete:** Like a violent person who steals, fucking has guns, is sketched out, all tripped out on drugs and all, has no self-control.

**Interviewer:** Oh, OK. So did you quit dealing then? When did you quit dealing?

**Pete:** I quit like two weeks after I had that confrontation with my mom.

**Interviewer:** So you got jumped and you quit dealing?

**Pete:** No, I got jumped and then I kept trying to buy the weed and then I found the weed and then my mom was like, "Yeah, you're selling, blah-blah-blah", and I sold the rest of the weed I had.

**Interviewer:** Which was how much?

**Pete:** Like a QP. I bought a QP and sold it in ounces, and then I had that confrontation with my mom, on Christmas Eve. I was down and felt like shit, my

parents knew that I was selling weed and my parents thought that I was a bad person because of it.... My dad said I was an idiot.... He just talked down to me like I wasn't a person, you know like I was a fucking dog or something. For about a week, two weeks, I felt like shit....

**Interviewer:** And what about your mom?

**Pete:** My mom was like, "I can't believe this has happened, but it's alright, I still love you"... She said I was lucky they didn't kill me. Mom was just scared.

**Interviewer:** And she told you that or you just felt that?

**Pete:** She told me that.

**Interviewer:** OK, and do you have any other family members like brothers or sisters?

**Pete:** Yeah.

**Interviewer:** What do you have?

**Pete:** I have two sisters and a brother...

**Interviewer:** And what did they say about it?

**Pete:** They said that I'm stupid.

Pete was victimized in an act of violent predation, and while this act did not result in immediate termination, the incident did spur the desistance process that resulted in termination. The victimization led Pete to experience greater levels of social control and so his bond was strengthened. When Pete's extended family saw his black eye at the funeral and consoled him, Pete experienced internal direct control, namely regret and shame (see Kornhauser, 1978: 25). Pete said, "That's the thing in my life that I regret most in my life ever, having my whole entire family having to see me *all beat up because*



*I was selling weed*" (emphasis added). Shame and regret related to victimization and drug dealing strengthen the social bond and thereby reduce the probability of future drug dealing.

The victimization also led Pete to experience greater levels of direct external control, such as "scrutiny...and surveillance" (Kornhauser, 1978: 25). Pete's parents were suspicious that their son was involved in crime because victimization is a rare event in their community. For that reason, Pete's mom engaged in surveillance by going into his room and searching for evidence of deviance, which resulted in her finding more than \$1,000 in cash. After finding the suspected drug-money, Pete's mother and father scrutinized and shamed their child (Braithwaite, 1989; Sampson and Laub, 1993: 68). Pete's father told him he was an "idiot" and treated him as if he "wasn't a person" and like "a fucking dog or something"; his siblings simply told him that he was "stupid." Pete's mother, on the other hand, applied social control through expressions of caring and concern. The direct external control applied to Pete by his family resulted in greater levels of internal direct control, as he felt "down" and "like shit" for a couple weeks after the victimization and confrontation with his family. Direct external control and direct internal control strengthen the bond, and Pete's victimization led him to experience greater levels of control on both fronts, thereby becoming more tied to society.

Although social bonds are an important ingredient in the termination-equation, some lives, such as Pete's, require the addition of another ingredient that serves to "kick start" social control and strengthen social bonds. Victimization, at least in the life of Pete, was that ingredient – it enhanced social control and, in turn, social bonds. Pete's victimization resulted in him experiencing regret and shame, and being subjected to

greater levels of surveillance and scrutiny by his family. Victimization, a negative event in Pete's life, provided an opportune situation for a positive adaptation and change in his life – the termination of drug dealing. Victimization and social bonds interacted in a way that produced Pete's desistance from drug dealing and the termination of that activity. Without social bonds, the victimization may have not been followed by termination. Without victimization, Pete's dealing career may have continued longer than it did.

#### AGENCY + VICTIMIZATION → TERMINATION

Agency is another mechanism that interacts with victimization to produce termination. Nagin (2007) defines agency as “a decision-making process, however crude or faulty, that reflects the benefits, costs, and risks of alternative courses of action” (p. 262). Elder, Johnson, and Crosnoe (2003) think of agency as the process through which “[i]ndividuals construct their own life course through the choices and actions they take within the opportunities and constraints of history and social circumstance” (p. 11). To be clear, “the concept of human agency cannot be understood simply as a proxy for motivation. Rather, the concept of agency has the element of projective or transformative action within structural constraints” (Laub, Sampson, and Sweeten, 2006: 323). When a dealer is victimized there is reason to reweigh the costs and benefits of dealing, owing not only to the chance of future victimizations, but also to one's stake in conformity and the potential penalties attached to breaking the law.

The interplay of drug dealing, agency, victimization, and termination is evidenced in the life of Christian – the same middle-class dealer who was defrauded and tolerated the infraction, and later collectively avoided other customers suspected of trying to rip

him off (see Chapter 5). His drug using career began in the 9<sup>th</sup> grade with a hit of marijuana. His marijuana dealing career began after completing high school:

[I] started talking to this kid on my [sport] team, and we decided, me and my friend, that we'd go in together with our graduation money and buy some quantity [of marijuana] and we'd start selling, right when we graduated from high school... [W]e graduated from high school and... what we did is we went and bought a scale, bought an ounce for like [\$]325, maybe we bought 2 ounces but I think we bought one... We worked together...and...it went well.

All was well, at least for a while. Eventually, however, Christian became the victim of a fraudulent trade – one without violence, but with misinformation between traders. The following quote illustrates the relationship between victimization, agency, and termination:

**Interviewer:** Was there any one factor that led you to quitting?

**Christian:** Well, I remember, we [my family] go to [place name] for vacation because that's where we're from, and I remember being in the...airport about to come back, and I had been gone for like 10 days...and didn't bring my cell phone with me or anything, but I remember sitting in the airplane...and I remember thinking to myself, "When I go back do I want to keep doing this?" 'Cause I knew I was 18 and that if I got caught I was fucked.

**Interviewer:** So you managed to get some time away from it?

**Christian:** Basically, yeah, 10 days away from it and just thought it out.... I basically decided that when I got back that I needed a change.... I was going to stop dealing, and the other thing is I knew I was coming to [college], like I

remember thinking to myself that I'm going to [college] and I'm not going to make enough money [dealing drugs] to make it worth basically fucking up your life and not being able to go to [college], 'cause it was basically like I was on the right track and I was done with high school and it was finally time for me to go off and make something of myself, and I just knew that if I was going to continue to deal I was going to put that at a heavy risk and it just wasn't worth it, I mean having the money was nice, but the rest of my life wasn't worth the money....

**Interviewer:** So there was no incident that made you quit?

**Christian:** Well, I remember before I left [for vacation], this is like a week or two before I left, I...got jacked.

This "jacking" is the same fraud described in the previous chapter on the code of the suburb and peaceful control. As you will recall, he handled this victimization with toleration and by avoiding other persons he suspected of trying to defraud him.

Christian's drug dealing trajectory took the following path: He began his marijuana selling career after completing his high school career, and concluded it before beginning his college career. According to Christian, the termination of dealing flowed from two key events in his life: his victimization in a fraudulent trade where he lost almost \$150 worth of marijuana, and his choice to make something of himself and discontinue dealing.

Just prior to being defrauded, Christian asked himself, "Why the fuck am I doing this? I'm about to get robbed. Why am I doing this?" Christian could not find the strength to stop himself from doing a drug deal that he predicted would result in his own victimization. After being victimized, he could have tried to find the offender and exact

vengeance, but Christian did not want to take the chance of getting shot. What is more, “physical violence as retribution has never been something [he] wanted” to partake in, and so he did not find the adaptation of retaliation to be an attractive option. While victimization did not result in Christian instantly terminating his illicit activity, the desistance process had been set in motion because he started to reevaluate the benefits and costs of dealing in relation to alternative lines of action available to him.

The victimization and subsequent vacation provided Christian with an opportune situation to reflect on his current and potential future life trajectories. Christian made a decision while on the plane “that reflects the benefits, costs, and risks of alternative courses of action” (Nagin, 2007: 262). Christian considered that he was 18 and thus no longer a minor, that he was going to college soon, that the profit of dealing was not large enough to offset the risks, and that it was time for him to go and make something of himself. In the end, Christian decided that dealing was too hazardous and that termination was the best course of action.

In sum, the two most important factors that, in Christian’s mind, facilitated his termination of drug dealing were being victimized in a fraudulent trade and his *choice* to make something of himself and avoid the negative consequences of acting criminally. Without agency, the victimization may not have been followed by termination. Without victimization, Christian’s dealing career may have continued longer than it did.

### **SUMMARY & GUIDANCE**

Examining the qualitative and quantitative aspects of any given transitional event alongside the sociological and psychological conditions surrounding the affected person

enhances understanding of how and why various adaptations lead to new life trajectories (Elder, 1985: 35). What the qualitative data outlined above suggest is that – when coupled with social bonds and agency (Laub and Sampson, 2003) – victimizations that occur in the context of illicit activities may mark turning points toward a life trajectory with less crime.

Termination of drug dealing is an adaptation to victimization to the extent that it allows drug sellers to gain more control over their resources, health, and reputation by reducing the probability of future victimization (controlling the crime of others).

## GUIDANCE FOR SCIENTISTS

So what are the implications of this possibility for the future of science and criminology? Theoretical specification and formal testing are important avenues for future work.

### Theoretical Specification

Appraising and explaining the outcome of any given turning point requires consideration of four sets of variables: “(1) the nature of the event or transition, its severity, duration, and so on; (2) the resources, beliefs, and experiences people bring to the situation; (3) how the situation or event is defined; and (4) resulting lines of adaptation as chosen from available alternatives” (Elder, 1985: 35). In this section, I suggest possible ways in which theorists may want to further specify how conditions relevant to the above variables affect the victimization—termination link.

Since “the nature of the event or transition, its severity, duration, and so on” (p. 35) affects turning points, theorists should explicate how qualitative and quantitative variability in victimization influence termination. Quantitatively, the theory presented above states that the more serious the victimization, as measured by money, drugs, or violence, the more likely is termination to occur. What is unknown is whether violence or the loss of resources (money or drugs) has a larger effect on the termination of crime. Is money less important than health, or vice versa, in determining life trajectories? As relates to the “nature” (quality) of victimization, the theoretical principle is restricted to the influence of victimizations that occur *in the context of crime* rather than applying to all victimizations across time and place. But what follows from victimizations that do not occur in the context of crime? Also related to the quality of victimizations is whether they are predatory or retaliatory in nature (Cooney and Phillips, 2002). Are predatory victimizations more or less likely than retaliatory ones to result in termination?

As relates to the “resources, beliefs, and experiences” brought by the dealer to the victimization situation, this chapter has argued that dealers with social bonds and agency are especially likely to terminate drug selling after being victimized. Important questions left unanswered are: Are some social bonds more important than others in contributing to the victimization—termination link? Do social bonds *and* agency both need to be present to produce termination after victimization, or is one alone sufficient? The nature of the data precluded exploring the effect of routine activities on crime (Cohen and Felson, 1979), which is a component of the revised, age-graded theory of social control (Laub and Sampson, 2003), and so future work should develop the theoretical implications of routine activities theory for making sense of the victimization—termination link.

The definition of an event influences its effect on the trajectory of a life. For a victimization to lead to termination, the dealer must define it as a product of her or his own criminal behavior. Otherwise, there is no logical link, in the dealer's mind, between selling and being a victim, and thus no impetus to *choose* a different path or feel shame and embarrassment for being victimized. Similarly, if an agent of social control, such as a parent, does not identify a drug-related victimization as the outcome of the victim's own lawbreaking, then social control will not occur, social bonds will not be strengthened, and the likelihood of termination will not be enhanced. Future work should delve deeper into how variability in definitions of victimizations affects termination. For instance, it seems to us that the world of middle-class dealers is in many respects different from the one inhabited by lower-class, urban drug dealers (see, e.g., Jacobs, 1999), who often live in neighborhoods where victimization is a way of life regardless of your criminal involvements and where legitimate opportunities for success are limited (see Wilson, 1987, 1996; Wright and Decker, 1994, 1997). Do offenders who live in crime-saturated communities less often define their victimizations as the result of their own criminal involvement? If so, does this reduce the likelihood of termination following victimization occurring in the context of crime?

Also important to understanding the victimization—termination link is generating information bearing on the causes of alternative adaptations, and, in turn, how those adaptations affect life trajectories. “[A]daptations to crisis situations are ways of dealing with resources and options in order to achieve control” (Elder, 1985: 42), and “[a]daptation to life events is crucial because the same event or transition followed by different adaptations can lead to different trajectories” (Laub and Sampson, 1993: 304).



Besides termination, another adaptation to victimization is retaliation, which achieves control both by providing victims with retribution and by deterring future victimizations (Topalli, Wright, and Fornango, 2002). To the degree that dealers find retaliation to be an unattractive adaptation, then termination will occur, and vice versa. Although drug dealers are mostly thought of as violent people, some drug dealers simply do not have a “cognitive landscape” (Sampson and Wilson, 1995) conducive to retaliation. A cognitive landscape refers to “ecologically structured norms...regarding appropriate standards and expectations of conduct” (p. 46). The middle-class dealers interviewed did not grow up in neighborhoods with broken windows, nor did they see bullet-filled bodies on street corners; instead what they saw everywhere were well-kept homes, pharmacies, restaurants, grocery stores, and other staples of suburban life. In the streets the smallest conflict may lead to retaliation (see Anderson, 1999; Cooney, 1998), but in the suburbs conflict usually leads to avoidance or toleration (see Baumgartner, 1988). Whereas lower-class persons from urban areas may witness serious acts of violence and suffering on a regular basis, most middle-class “kids” are entirely insulated from violence, and so they develop a cognitive landscape devoid of violence and permeated with peaceful forms of conflict management. When middle-class dealers are victimized, their non-violent cognitive landscape inhibits them from enacting physical vengeance and, therefore, termination (and other adaptations) becomes more likely to occur. The cognitive landscape theory is but one approach to understanding alternative adaptations; theorists should develop other explanations of alternative adaptations, and explain how those alternatives affect change and continuity in life trajectories.

*Alternative Theories*

Regardless of whether the mixing of social bonds, agency, and victimization affect the likelihood of termination, it may be useful to develop alternative explanations of the victimization—termination link. Five alternative theories of crime that appear to hold promise for explaining the victimization—termination link are deterrence theory (see, e.g., Beccaria, 1995 [1764]; Bentham, 1988 [1789]), social learning theory (see, e.g., Moffitt, 1993; Akers and Jensen, 2006), identity theory (see, e.g., Giordano, Cernkovich, and Rudolph, 2002; Maruna, 2001), reintegrative shaming theory (Braithwaite, 1989), and strain theory (see, e.g., Merton, 1938; Agnew, 1992). A theory that does not appear to hold much promise for explaining the victimization—termination link is self-control theory (Gottfredson and Hirschi, 1990). This chapter explores the implications of these theories for understanding the victimization—termination link, in turn.

Deterrence theory argues that as sanctions associated with behavior increase, the prevalence of that behavior decreases, all else equal (Blumstein et al., 1986; Cook, 1980; Nagin, 1998; Paternoster, 1987; Pratt et al., 2006; Zimring and Hawkins, 1973). “Political sanctions” and “popular sanctions” (Bentham, 1988 [1789]: 24-5) have both been found to reduce crime (Cook 1980; Nagin 1998), but “physical sanctions” also influence criminal careers, at least in theory.

Physical sanctions are...those consequences of behavior that follow automatically from it... It turns out many criminal or deviant acts are sufficiently risky or inherently difficult that they are, at least to some extent, naturally limited.... Such consequences of course tend to deter people from committing the acts in question.

For example, intravenous drug use apparently produces great pleasure, but it also carries with it a large increase in the risk of accident, infection, permanent physiological damage, and death. (Gottfredson and Hirschi, 1990: 6)

The idea that illicit drug dealing has inherent risks above and beyond those associated with “everyday” life is far from new (e.g., Goldstein et al., 1997; Levitt and Venkatesh, 2000; Reuter, MacCoun, and Murphy, 1990). These risks are sometimes related to conflicts over right and wrong, but the risks can also be physical (not moralistic) (see, e.g., Jacobs, 2000; Wright and Decker, 1994, 1997). If a drug dealer is victimized for reasons unrelated to social control then that dealer has suffered a physical sanction, or “predatory victimization”. What this all suggests is that deterrence theorists and researchers may want to explicate how variability in victimization, both physical (predatory) and popular (moralistic), affects the costs, benefits, and prevalence of drug selling.<sup>42</sup>

Social learning theory explains behavior as the outcome of differential associations, definitions, imitation, and differential reinforcement (Akers and Jensen, 2006). As relates specifically to drug dealing, this theoretical perspective suggests that persons who use drugs and/or know drug dealers (differential association) and hold

---

<sup>42</sup> Among others, questions that could be addressed include: (1) Does an increase in the objective severity and certainty (S&C) of victimization reduce drug dealing? (2) Does an increase in the objective S&C of victimization increase the perceived S&C of victimization? (3) Does an increase in the perceived S&C of victimization reduce drug selling? (4) Do the general (vicarious) and specific (personal) effects (Paternoster and Piquero, 1995; Stafford and Warr, 1993) of victimization differ and, if so, how? (5) Do victims experience a “resetting effect” (Pogarsky and Piquero, 2003) and how does this affect termination? And, (6) what are the effects of political and popular sanctions on the S&C of victimization, and vice versa?

Also note that the effect of victimization on criminals is important for calculating the “costs” of victimization to society. As mentioned by Cohen, Miller, and Rossman: “It is possible that intentional injury will result in offsetting social benefits. For example, suppose a career criminal is robbed at gunpoint and fatally shot. The social cost of this murder might be partially offset by the reduced cost of other future crimes the victim was likely to commit” (1994: 75). The above insight suggests that “social benefits” flow from victimizations of criminals to the degree that those events lead to the termination of crime.

positive attitudes toward drug-related behavior (definitions) will learn how to deal drugs and then begin dealing themselves (imitation), and the costs and benefits of that behavior will determine persistence and desistance (differential reinforcement). Social learning theory would explain the empirical connection between victimization and termination as the consequence of differential reinforcement, or the sum of rewards and punishments that follow from a behavior. “Whether individuals will refrain from, or commit, a crime at any given time (and whether they will continue, or desist, from doing so in the future) depends on the balance of past, present, and anticipated future rewards and punishments for their actions” (Akers and Jensen, 2006: 39-40). Victimization, in the language of social learning theory, is a “punishment,” and so, in theory, it reduces the probability of whatever behavior or context it is associated with in the mind of the victim. Whether victimization is followed by termination or persistence depends on the costs of the victimization but also on past learning experiences and structural constraints. Social learning theorists should stipulate the various hypotheses emanating from this theoretical lens for explaining the victimization—termination link.

A less positivistic approach to understanding the victimization—termination link is identity theory (see, e.g., Giordano, Cernkovich, and Rudolph, 2002; Maruna, 2001). Building on labeling theory, phenomenology, and symbolic interactionism (see, e.g., Blumer, 1969; Lofland, 1969), this perspective asserts “that human life is essentially and fundamentally narrated and that understanding human interaction, therefore, requires some understanding of these stories” (Crewe and Maruna, 2006: 109). The focus of identity theory is how people tell the story of their own lives: how stories are made sense of; how stories are affected by structural constraints; and the effect of persons’ stories on

their subsequent behavior. Identity theorists may suggest that victimizations in the context of drug dealing facilitate cognitive transformations and narrative reconstructions. After victimization, dealers may begin to wonder: “Who am I, a drug dealer or a good kid? Can I be both at the same time? Should I continue selling drugs or is it time for me to go off and make something of myself?” In this way, victimizations may lead to cognitive transformations and narrative reconstructions that produce identity change and the termination of drug dealing. To the degree that identity theorists take up the challenge of producing their own theory of the victimization—termination link, science will benefit.

Braithwaite’s (1989) theory of reintegrative shaming argues that interdependency and communitarianism increase the likelihood that individuals will be susceptible to shaming, and when the shaming is reintegrative, as compared to stigmatizing, the chance of future crime is reduced because “disapproval is dispensed without eliciting a rejection of the disapprovers, so that the potentialities for future disapproval are not dismantled” (p. 102). Reintegrative shaming theorists have typically examined how the discovery and pronouncement of crime by the government leads to shaming situations and reintegration into the community. Differently, the story of Pete – the dealer who was robbed and then confronted by his family – shows that victimization can lead to shame and reintegration if it reveals the criminal behavior of the victim and then the family or larger community responds with disapproval but also with “words or gestures of forgiveness” (p. 100). Recall what Pete’s mother said to her son after finding out about his drug dealing career: “I can’t believe this has happened, but it’s alright, I still love you.” Theorists working in

the reintegrative shaming tradition may want to outline the implications of victimization for shame and its effect on subsequent crimes.

At first glance, Agnew's (1992, 2006) strain theory does not appear capable of explaining the victimization—termination link. According to strain theory, “a range of strains or stressors increase the likelihood of crime... These strains may involve the inability to achieve positively-valued goals..., the loss of positively-valued stimuli..., and the presentation of negatively-valued or aversive stimuli. These strains make people feel bad and they may cope through crime” (Agnew, 2006: 101). Any given victimization of a drug dealer can involve the application of negative valued stimuli (pain or suffering), the loss of positively-valued stimuli (drugs or money), and may make the dealer unable to achieve positively-valued goals (buying something or getting high). The logic of this theory suggests that victimizations should result in more strain and, for that reason, more crime, such as violent retaliation or “working more hours” to make up for the loss (for empirical examples see Topalli, Wright, and Fornango, 2002). However, Agnew (1992) is careful to specify that under certain conditions strain will not lead to crime:

“Behavioral coping may assume several forms.... Individuals... may seek to...*terminate* or *escape* from negative stimuli” (p. 69). Agnew notes that this pro-social coping strategy is more or less likely to occur under a number of psychological and social circumstances (p. 71-4; for a test, see Brody, 2001). Strain theorists should focus their attention on specifying the conditions conducive to “escape” from victimization through termination.

In contrast to the theories discussed above, Gottfredson and Hirschi's (1990) self-control theory appears unable to explain the victimization—termination link. Self-control theory asserts that low self-control is the cause of crime, and that self-control is invariant

across the life-course. The theory also posits that events analogous to crime, such as being victimized, are the outcome of low self-control. If self-control is invariant across time and is the cause of crime and victimization, then it logically follows that there can be no victimization—termination link because victimization cannot increase self-control and, thus, cannot lead to termination.<sup>43</sup> In short, the logic of self-control theory suggests that victimization has no influence on crime other than, perhaps, an incapacitative one.

### Formal Testing

The foregoing discussion suggests that the theory explicated in this chapter (also see Elder, 1985; Laub and Sampson, 2003), deterrence theory (Nagin, 1998; Paternoster, 1987), learning theory (Akers and Jensen, 2006; Moffitt, 1993, 2006), identity theory (Giordano, Cernkovich, and Rudolph, 2002; Maruna, 2001), reintegrative shaming theory (Braithwaite, 1989), and strain theory (Agnew, 1992, 2006) may be able to “make sense” of the victimization—termination link, whereas self-control theory (Gottfredson and Hirschi, 1990) cannot. The incongruence of theories’ predictions about the victimization—termination link is valuable to science because it provides an opportunity for evaluating which theory is “better” than the others: if victimization does not affect crime at all then self-control theory gains credibility; if victimization produces termination under the conditions specified in this chapter or by deterrence, learning, identity, reintegrative shaming, or strain theories then they gain credibility, and the assertions of self-control theory perhaps become more questionable.

---

<sup>43</sup> Given that injury from the victimization does not physically incapacitate the criminal and thereby reduce opportunity.

Qualitative data are valuable in prompting new lines of theorizing, but quantitative data and statistical analyses are necessary to put hypotheses to the test. Unfortunately, data suitable for testing theories of the victimization—termination link are extremely limited (Lauritsen and Laub, 2007). Before researchers can test the effect of victimization on termination and the mechanisms that result in that empirical relationship (or inhibit it from occurring), it will be necessary to collect longitudinal data on social bonds and agency, the costs and benefits of drug dealing, shaming in communities, strains of dealers, and their self-control. Given the existence of such data, it will then be possible – and worthwhile – for researchers to use statistical analyses to determine whether, to what degree, and under what circumstances, victimization has a significant and substantive effect on the termination of drug dealing and other forms of lawbreaking.



7

**BALANCING THE SCALE:  
HOW THE LAW “SHOULD” & “DOES” REACT TO CONFLICT**

The idea that formal mediation rarely responds to drug market conflicts is ubiquitous in the criminological literature. Coomber (2006) claims that “for those involved in drug markets there is no recourse to the forms of marketplace regulation enjoyed by legal traders (laws and law enforcement) to protect them against fraud, robbery and the like” (p. 117). As put by Jacobs and Wright (2000), drug market participants “have no recourse to the police” because “black market entrepreneurs cannot be ‘victims’ and therefore lack access to official means of grievance redress” (p. 1).

It is widely accepted that the consequences of anarchy in drug markets are greater levels of predatory and retaliatory crimes, such as assault, kidnapping, fraud, robbery, murder, and burglary (National Research Council, 2001: 167; Zimring and Hawkins, 1997). This is partially attributable to the fact that drug market-related victimizations are relatively unlikely to be avenged by law (Black, 1983). Not only are criminals less likely to report their victimizations to the government, but they are also less likely to receive help when they do request it (Klinger, 1997; Jacobs and Wright, 2006; Reuter, 1983). For this reason, drug market participants are attractive targets for predators, such as robbers, defrauders, and burglars (Jacobs, 1999, 2000; Wright and Decker, 1994, 1997), and often retaliate against such persons with violence, destruction, or property confiscation (Black, 1983; Jacobs, Topalli, and Wright, 2000; Jacobs and Wright, 2006; Topalli, Wright, and Fornango, 2002).<sup>44</sup>

---

<sup>44</sup> The consequences of predation and retaliation appear to be no small matter. In Chicago, for instance, one study shows that death rates among persons in a drug-selling gang were 7 percent annually (Levitt and Venkatesh, 2000: 758), and over a four-year period the per-person likelihood of dying a violent death was approximately one in four (p. 783). Similarly, a study of drug dealers operating in Washington, D.C., found that the average seller’s risk of being killed is about one percent annually, and over a ten year span a dealer’s chance of being murdered is one in seven (Reuter, MacCoun, and Murphy, 1990: 97). A study of 434 homicides in New York City found that almost 40 percent of those homicides were instances of drug market-related predation and retaliation (Goldstein et al., 1997: 117). These high rates of violence are often inferred to be the outcome of anarchy in illicit drug markets (Zimring and Hawkins, 1997).

Despite the problematic prevalence of predation and retaliation in drug markets, the empirical fact is that *law does respond to some drug market conflicts* (Copes, Forsyth, and Brunson, 2007: 894-5; Taylor, 2007: 56). The criminological literature literally suggests that formal mediation *never* responds to drug market conflicts (see, especially, Jacobs, 2000), but the absence of law has been overstated. “To say that law is effectively unavailable to certain groups is not to assert that [it is] never invoke[d]” (Cooney, 1997: 393). “To be sure, not all rights are given up simply because individuals are transacting off the books. Homicides are still investigated and prosecuted, even if they occur in the context of an illegal exchange” (Venkatesh, 2006: 175). What is more, homicide is not the only offense against drug market participants that is punishable by the government. *Law does exist in the underworld of drugs.*

The purpose of this chapter is to balance criminology’s scale regarding its portrayal of government intervention in illicit drug market conflicts. To date, criminology has painted a picture of drug market conflict that is entirely absent police, courts, prisons, and other facets of the law enforcement apparatus. But Lady Justice is an important part of the picture, and criminology needs to move beyond its oversimplified understanding of formal mediation in illicit drug markets and begin to develop theory and collect data that tells us why *law does* respond to some drug market conflicts. In other words, criminology must move toward a more realistic and balanced understanding of the factors that *facilitate* government intervention in underworld disputes. This is an important pursuit for academic but also practical reasons: if criminology and society know why formal mediation *does* settle some drug market conflicts, then that knowledge

can be manipulated to reduce crimes of predation and retaliation in and around drug markets.

To accomplish the above, this chapter takes the following path: it begins by reviewing relevant concepts, theory and research. Qualitative data obtained from a study of middle-class and lower-class drug dealers are then used to demonstrate and illustrate how law does intervene in some drug market conflicts. This is followed by providing a jurisprudential theory of drug market law – i.e., a theory that examines the implications of law and the legal system for variability across conflicts in the amount of formal mediation that results. The implications of this chapter’s findings and proposed theory for explaining variability in various forms of predation and retaliation are then discussed. The chapter concludes by suggesting an agenda aimed at further balancing criminology’s portrayal of formal mediation in drug markets and its effect on predation and retaliation therein.

### **AN IMBALANCED SCALE: EXISTING CONCEPTS, THEORY, & RESEARCH**

To develop a more nuanced and balanced understanding of formal mediation in drug markets, it is first necessary to specify what behaviors are “drug market-related.” After defining the relevant concepts, the chapter then reviews existing theorizing on how each drug market-related behavior is relevant to the others. Once the concepts and theories of direct relevance to this chapter have been discussed, research that bears on those ideas is presented.

## CONCEPTS

Building on earlier concepts (Black, 1983, 1998; Cooney and Phillips, 2002; Goldstein, 1985), Chapter 2 suggests there are two broad categories of drug market-related behavior: *resource exchange* (or *transfer*) and *social control*. There are at least three forms of resource exchange – *predation*, *gifts*, and *sales* – and five forms of social control – *formal mediation*, *retaliation*, *negotiation*, *avoidance*, and *toleration*. For simplicity and brevity, this chapter focuses its attention on one form of resource exchange, namely predation, and two forms of social control, namely formal mediation and retaliation.

*Predation* is the dark-side of drug market exchange, and defined as the “exploitation of the...property of another” (Cooney and Phillips, 2002: 81). There are at least three broad forms of predation: *violent*; *fraudulent*; and, *stealthy* (p. 227-232). Violent predation is defined as “the use of force in the acquisition of wealth or other resources” (Black, 2004b: 146). Fraudulent predation is trade with false premises, in which the facts of the exchange do not match the communication surrounding the trade. Stealth predation is resource transfer without interaction between predator and prey (p. 231).

Although predation has its payoffs, the rewards may come at the cost of *retaliation*, defined as “the handling of a grievance by unilateral aggression” (Black, 1998: 74; also see Jacobs, 2000). The conceptual distinction between predation and retaliation is that the former is concerned primarily with *wealth* whereas the latter is focused on *right and wrong* (Cooney and Phillips, 2002). There are at least five forms of retaliation: *pure fight*; *violent confiscation*; *destructive retaliation*; *fraudulent retaliation*;

and, *stealth retaliation*. A pure fight is vengeance that involves interpersonal violence but no resource transfer between disputants. Violent confiscation, on the other hand, is vengeance with both interpersonal violence and resource confiscation. Destructive retaliation is defined as vengeance achieved by destroying the property of an offender. Fraudulent retaliation is retribution obtained by tricking an offender into an unfair deal. Stealth retaliation refers to instances where a victim takes the resources of a wrongdoer when that person is not around to see the act occur.

Predation and retaliation have an intimate connection with another form of social control – *formal mediation*. It is defined as the handling of a grievance by the government (see Black, 1976, 1998: 85). There are many behaviors covered under the conceptual umbrella of “law,” including prohibitions, calls to the police, arrests, indictments, prosecutions, fines, and imprisonments (Black, 1998: 9). By definition, formal mediation increases as the government applies more control to a particular case of deviance. For instance, any given drug market-related robbery, burglary, fraud, or murder could be reported to or investigated by the police, and this could lead to formal prosecution or punishment. By definition, as the government becomes more involved in responding to drug market conflict, the amount of formal mediation increases.

## THEORY

What is the theoretical effect of each form of drug market-related behavior on the others? The logic of various theoretical perspectives suggest that illicit drug market conflicts are relatively unlikely to be resolved with formal mediation and, therefore, drug markets are relatively likely to involve greater levels of predation and retaliation. Three

prominent theoretical orientations that come to this empirical conclusion are the rationality, cultural, and social structural perspectives. The relevance of each perspective for understanding the interplay between illicit drug exchange, formal mediation, predation, and retaliation is now discussed.

### Rationality

The rationality perspective argues that rewards and punishments determine how people and groups behave (Bentham, 1988 [1789]; Clarke and Cornish, 1985). The basic thrust of the rationality perspective is that as any given behavior becomes more beneficial or less costly, its rate of occurrence and magnitude should increase. Thus, victims of crime should be more likely to instigate and cooperate in formal mediation as it becomes more rewarding and less costly. Likewise, the government should be more likely to apply greater levels of social control (legislation, investigation, arrest, prosecution and punishment) as the benefits for doing so increase and the costs decrease. Conversely, formal mediation should decrease as the costs to victims or governments increase or as the benefits decrease.

As relates specifically to formal mediation in the drug world, the rationality perspective suggests that the payoffs and punishments associated with formal mediation determine its relative rate of occurrence and magnitude therein. Since victims involved in crime receive less help from the police (Klinger, 1997), the benefits of formal mediation are relatively small for this group. Moreover, persons who possess, consume, or sell illegal substances are less adamant about reporting victimizations due to the fear that the police

will detect and punish their own crime (Jacobs and Wright, 2006). For those reasons, it is often irrational for criminals to report their victimizations to the police.

It naturally follows that as formal mediation becomes less rational and unlikely to occur, then preying on and retaliating against drug market participants become more rational and likely to occur (MacCoun and Reuter, 2001; Wright and Decker, 1994, 1997). According to MacCoun and Reuter (2001), for instance, “[y]oung males in an illegal commerce with valuable goods to sell and without access to courts to resolve disputes, are likely to use violence to resolve disputes” (p. 110). Jacobs (2000) succinctly sums up the contemporary rationality argument: “Illicit drug markets represent a context in which law is unavailable as a matter of course... Those who violate the law cannot be ‘victims’ and as such, lose the privilege of judicial protection. If and when grievances arise, they must be resolved informally. Retaliation emerges as the modal response” (p. 111; also see Katz, 1988: 184; Reuter, 1983).

## Culture

The cultural perspective argues that social behavior – including what people say, think, feel, and do – is a learned adaptation that results from a congruence of biological, ecological, psychological, rational, and sociological factors (Boyd and Richerson, 2005; Sutherland, 1934, 1937). Said differently, different genes, environments, personality traits, opportunities, and social structures produce variability in how people think and feel and, in turn, how they behave socially. The cultural perspective views the use or avoidance of formal mediation as a cultural adaptation that is learned through the experience of individuals and groups. Persons or groups whose conflicts are adequately



handled by the government will develop a pro-formal mediation culture that results in more government intervention (per conflict), but negative experiences lead to an anti-formal mediation culture that diverts cooperation with police, prosecutor, or other government officials (Anderson, 1999).

When people are without formal mediation, what often develops is a particular kind of culture – an *honor culture* (Kubrin and Weitzer, 2003; Sutherland, 1934). “[T]he principal features of honor are that it is (1) a rule-bound moral system that (2) values a public reputation for (3) bravery (4) into which children are socialized and under which people are (5) sensitive to insult, (6) verbally aggressive, and (7) quick to retaliate for (8) provocations that are often objectively minor; a system that generates (9) hostility to law and, sometimes, (10) a willingness to manipulate legal officials and institutions to further private disputes” (Cooney, 1998: 131-2). Although honor cultures are obsessed with right and wrong, they are nevertheless hostile toward government intervention. In essence, persons who partake in an honor culture do not call the police or make claims in civil court because their culture does not allow them to do so (note that this culture is produced, in part, by the absence of access to law, and so there is a reciprocal effect).

The cultural perspective suggests that drug market conflicts are unlikely to be handled with formal mediation because criminals often live by an honor code. As well documented in Sutherland’s (1937) *The Professional Thief*, criminals live by a moral code that respects bravery, applauds retaliation, and despises cooperation with the law. Indeed, the “stool pigeon” is the anti-thesis of a “good” criminal. “He is a person who makes regular reports to a law-enforcement officer regarding persons engaged in illegal operations; he secures this information because he is generally engaged in illegal

occupations himself” (p. 130). Because criminals often live by an honor code, their method of responding to stool pigeons and other deviants is retaliation. As noted by a professional thief, “[t]he usual treatment for stool pigeons is to ignore them or kill them.”

Interestingly enough, Sutherland goes on to say that “the less dangerous method” is “the rule *except* in the *narcotic* and *liquor* business” (p. 131, emphasis added). Many cultural criminologists, including Sutherland, have recognized that honor culture is fostered in illicit drug markets because formal mediation is relatively absent in them. Without government officials to help protect against and quell problems, what is promoted and reinforced is a culture that approves of – or even demands – aggressive, violent, and unilateral strategies for handling conflicts (see Anderson, 1999; Hobbes, 1985 [1651]).

### Social Structure

The social structural approach of Black (1976, 1980, 1983, 1989, 1998) suggests that the amount of formal mediation and retaliation varies from one conflict to the next depending on the social status of and social distance between disputants. By definition, a person’s social status increases as they gain wealth, employment, family, memberships, knowledge, conventionality, or respectability (i.e., less social control is applied to their behavior). The social distance between two people decreases as they interact more often, become more similar culturally, and join the same group(s).

According to Black’s (1976, 1980, 1989, 1998) theory of law, as the social status of a victim (complainant) increases or as the status of an offender (defendant) decreases, the amount of law (formal mediation) that responds to their dispute (conflict) should

increase. Moreover, as the victim and offender become closer in social distance, the amount of law that responds to their conflict should decrease. Black's (1983) theory of self-help, or retaliation, builds on his theory of law by arguing that the social conditions most ripe for retaliation are those least ripe for formal mediation. Specifically, this theory argues that retaliation becomes more likely as the formal mediation becomes less likely. For the reason formal mediation is least likely among low-status disputants, retaliation is most likely among low-status disputants. Conversely, because law is most likely among high-status disputants, retaliation is least likely to occur among them.

When viewed through this theoretical lens, drug markets appear to be anarchic and rife with retaliation because, by definition, *illicit* drug market participants are low in normative status (in comparison to licit drug market participants). Normative status "is a quantitative variable, known by the social control to which a group or person has been subject: The more social control, the less respectable he is. Thus, to be subject to law is, in general, more unrespectable than to be subject to other kinds of social control. To be subject to criminal law is especially unrespectable, and the more serious the crime, the more unrespectable it is" (Black, 1976, p. 111). The more control applied to an actor by a government, the lower is that actor's normative status. According to Black's (1976, 1983) theorizing, as the normative status of a person or group decreases, their conflicts involve less formal mediation and more retaliation. What this means is that because persons involved in the underworld are by definition low in normative status, their conflicts are more likely to result in retaliation than government intervention.<sup>45</sup>

---

<sup>45</sup> It might be said at this point that Black and other social structural theorists working in the Blackian tradition (e.g., Baumgartner, 1998; Cooney, 1998) are yet to theoretically specify what social structural factors influence the rate and magnitude of predation in drug markets (but see, Cooney, 2006; Cooney and Phillips, 2002).

## RESEARCH

The rationality, cultural, and social structural perspectives use different explanatory concepts and assumptions to arrive at the same empirical prediction: illicit drug market conflicts are unlikely to be resolved with formal mediation and therefore retaliation and predation are relatively common. The findings of prior research on drug markets provide evidence for this idea.

For instance, past studies suggest that each form of *predation* – violent, fraudulent, and stealthy – is prevalent in drug markets because formal mediation is uncommon. An ethnographic study in St. Louis, for instance, found that armed robbers target drug dealers because they are unlikely to call the cops (Wright and Decker, 1994: 1997). As said by one robber: “That’s all I done robbed is drug dealers... [T]hey not gonna call the police. What they gonna tell the police? He robbed me for my dope. They is the easiest bait to me” (p. 64; also see Jacobs, 2000). In Chicago, “neighborhood experts have indicated that there is a...form of robbery that is often unreported to the police: instances when drug dealers rob each other” (St. Jean, 2007: 160). Burglars also target illicit market participants due to their inability to access law. A study of 100 active burglars found that “[q]uite a few of the offenders targeted residences belonging to...drug dealers” because the “benefit of burglarizing dwellings belonging to drug dealers...was that such people were unlikely to report break-ins to the police” (Wright and Decker, 1994: 65). Fraud is another common concern in the drug world. “Burns and rip-offs are taken-for-granted features of the scene” since drug traders “cannot be ‘victims’ and therefore lack access to official means of grievance redress” (Jacobs and Wright, 2000: 1).

Similarly, a wealth of quantitative and qualitative evidence show that *retaliation* – especially violent kinds – is common in drug markets. A study of sellers in the England, for example, found that 40 percent of dealers had violence with competitors (Matrix Knowledge Group, 2007: 45). Fieldwork in Amsterdam reveals a case where a dealer who sold some “rubbish” had a lump of concrete dropped on his toes in return (Grapendaal, Leuw, and Nelen, 1995: 91). A seller in St. Louis retaliated against a robber by “hitting her like in the ribs... in her face... stomping her ass... whipping her ass... ..and... [took a] thousand dollars... two quarter pounds [of marijuana]... big [diamond rings]... nice little chains... [and] earrings” (Jacobs and Wright, 2006: 51, brackets in original). Fagan and Chin’s (1990) survey of persons in Manhattan further demonstrates the normalcy of violent retaliation among drug dealers. Among the 300 dealers surveyed, more than a quarter of them had “regular” fights with other dealers or assaulted persons in the course of debt collection, and 21 percent regularly fought with buyers over the quality of drugs (calculated from p. 26; also see Goldstein, 1997; Jacobs and Wright, 2006; Levitt and Venkatesh, 2000). Adler (1993) provides one of the few examples of stealth retaliation in the literature. A supplier in California, Roger, retaliated by stealing from a debtor: “I knew if I didn’t go after the \$16,000 I had advanced to Ken to buy the dope, the two guys who had fronted it to me were going to harm me pretty seriously... So one day when [Ken] was out, I just pulled up to his house with a moving van and loaded everything he had into it. I took it straight to a used furniture dealer and got cash for it on the spot” (p. 106-7).

## BALANCING THE SCALE: THE PRESENCE OF FORMAL MEDIATION

The foregoing research provides clear empirical evidence for the theory that predation and retaliation are common outcomes in drug markets for reasons related to the absence of formal mediation (Goldstein et al., 1997; Jacobs and Wright, 2006).

Nevertheless, what is telling regarding the imbalance of criminology's approach to understanding formal mediation and its effect on predation and retaliation is that very little research shows how often and to what degree illicit drug market conflicts *are* responded to by the government.

The absence of formal mediation is always *inferred* in criminology from the relative prevalence of predation and retaliation. There is practically no existing research, for instance, that provides solid information on the percent of drug market-related acts of predation and retaliation that are investigated, prosecuted, or punished by the government. Without such information, it is of course impossible to know whether drug market-related conflicts are significantly and substantially more or less likely to result in formal mediation than are disputes occurring in other social contexts (e.g., illegal gun markets or marital disputes). This clouds our understanding of how the legal apparatus affects predation and retaliation.

The imbalance in criminological research toward *showing* predation and retaliation while *assuming* the absence of formal mediation is in part attributable to criminology's tendency to explain why formal mediation *does not* respond to drug markets conflicts rather than explain why it *does* sometimes occur. It might be said that criminology has been too concerned with explaining and demonstrating the *absence* of formal mediation, and not concerned enough with explaining and demonstrating its

*presence*. When criminologists find the presence of predation and retaliation in drug markets they often assume this to be the outcome of relative anarchy, but relative anarchy is not total anarchy. *Criminology needs to know why some drug market-related acts of predation and retaliation are handled by the government.*

### **WHAT DOES HAPPEN? FORMAL MEDIATION IN DRUG MARKETS**

Recall that formal mediation is defined as the handling of a grievance by the government (see Black, 1976, 1998: 85). Formal mediation is a quantitative variable that increases as the government becomes more involved in a particular case of deviance. For example, drug market-related robberies, burglaries, frauds, or murders might vary in how often they are reported to the police, prosecuted, or punished by the government.

As evident in the existing literature, there are many good reasons why illicit drug market participants do not invoke or cooperate with formal mediation when embroiled in conflict (Jacobs and Wright, 2006; Kubrin and Weitzer, 2003). Despite the many reasons why formal mediation does intervene in drug market conflicts, the experiences of drug dealers show that there *are* circumstances that result in its occurrence.

For instance, a dealer in St. Louis interviewed for this study, Big Pimp, invoked formal mediation after he and his siblings were the victims of violent predation that resulted in the murder of his brother:

**Interviewer:** Are you dealing right now?

**Big Pimp:** Not at the moment.

**Interviewer:** When was the last time you dealt?

**Big Pimp:** Three weeks ago.

**Interviewer:** OK, so what's been going on these last three weeks?

**Big Pimp:** Well my brother got killed when we got robbed.

**Interviewer:** Oh man, you and your brother got robbed when dealing?

**Big Pimp:** No well ...

**Interviewer:** I mean do you want to talk about this?

**Big Pimp:** Not for real but I'll talk a little bit. We got robbed, shit the dude killed my baby brother, me and my other two brothers were together. They were in my face with the gun and I blacked out so I woke up and one of my brothers got shot, I didn't know who got shot, I ran beating on people's door to call the police, that's why for the last three weeks I ain't been doing shit.

**Interviewer:** Man, I'm sorry to hear that. So was it related to dealing or was it like something else?

**Big Pimp:** Somebody set us up.

**Interviewer:** Somebody set you all up?

**Big Pimp:** Yeah.

**Interviewer:** So do you know what's going on with that, are you trying to get back at them? Do you know who set you up yet, are you trying to find out?

**Big Pimp:** Yeah we're trying to find out.

**Interviewer:** Any luck?

**Big Pimp:** It's good.

**Interviewer:** It's good? So are you all going to take care of it or not?

**Big Pimp:** Yeah. *We're gonna go talk to some detectives.*

**Interviewer:** So you're gonna talk to the cops about it?



**Big Pimp:** Yeah... I got to go 'cause see when it happened I was at the scene, fella had to pull over and all this, I was the only other person in the joint, and I can't afford to go to jail and that shit that happened to my brother, then I ain't gonna make it to my brother's funeral so I'm like, shit fuck that, I'm not gonna get like no dope fiend or nothing so they just want to talk to me, ask me questions, look at some pictures. So I'm like cool and we set it up, my momma wanted me to give it up. That's basically what I'm on.

**Interviewer:** So you're gonna go to the cops and tell them what happened?

**Big Pimp:** Yeah. They know what happened 'cause of my other brother. He stayed there with my baby brother. So they know what happened...

**Interviewer:** So you do know who it is then?

**Big Pimp:** Yeah.

**Interviewer:** And the police have got him?

**Big Pimp:** Yeah, and I got to go in and identify the picture.

Homicides are only the tip of the iceberg when it comes to revealing and understanding drug market law. Assault, for instance, is illegal regardless of the victim's involvement in crime. A drug seller named Lady retaliated against a customer by letting her "dogs out on him." In turn, the customer who was retaliated against called the cops and reported the context of the assault:

**Lady:** I had this one guy who used to come by my house and I had been dealing with him for like two and a half years, and he just turned up one day and wanted a quarter from me. I called my cousin and he brought it and dropped it off, and when I got ready to give it to him he was like, "No man this ain't weighing right."

He was on about weighing, I don't weigh. All I do is deliver it. It already comes to me bagged up. He was like, "Well I ain't giving you no money for that." So I was like, "Ok, well you can just go somewhere else, you don't have to get it from me." So that was one incident where I stopped dealing with him 'cause he got kind of funny acting, and then one time he did come back and I told him I wasn't dealing with him no more. He made a scene on my front, and this and that.

**Interviewer:** What did he do?

**Lady:** I had to let the dogs out on him.

**Interviewer:** Did they get him?

**Lady:** Yeah my pit bull got his ass.

**Interviewer:** Oh yeah?

**Lady:** Yeah I got two pits, one got him on the arm and the other got him on his pants. He didn't really get his leg, he just got his pants and shook his leg and the other one ripped his arm. *I'm still going to court on that... Yeah I'm waiting to go to court right now.*

**Interviewer:** But what about the context, has it not come up, haven't they asked the guy why he was there?

**Lady:** Yeah they asked why was he there.

**Interviewer:** And what was his answer.

**Lady:** To buy some weed... Nobody cared about the weed. I told the Police he came to the wrong door. He came looking for somebody but that person wasn't at that address and he started going off on me and I let my dogs out on his ass.

**Interviewer:** And that's what you told the Police?

**Lady:** Yeah that's what I told them.

**Interviewer:** Why is it, do you think, that this guy brought this to the Police. I mean 'cause...

**Lady:** 'Cause for one he was mad 'cause I let my dogs out on him and two, he came by my house unannounced and I guess when he called the Police and he came back with the Police, he was mad at me and they were going to lock me up, which they did, and they put my dogs on what they call a house arrest, where they have to be in the house and they don't come out. They put them on a house arrest. Another dealer in St. Louis, known as Ho Pusher, called the cops after drugs and other property were stolen from his home by a burglar:

**Ho Pusher:** Me and my girlfriend went out to eat. We come back home, our door was wide open and everything left open, drawers and everything, but they came in through a window though and I mean they took everything – her money, her jewelry, everything.

**Interviewer:** Were you dealing drugs then?

**Ho Pusher:** Yeah and they took all that, they took everything....

**Interviewer:** [D]id you call the cops?

**Ho Pusher:** *Yeah we called the cops. We didn't tell them about the drugs but we told them about everything else.*

**Interviewer:** And did they suspect anything?

**Ho Pusher:** They didn't suspect about drugs or anything, they were just concerned that someone had broken into the house.

Yet another instance of formal mediation in drug markets is described by the same dealer, Big Pimp, whose brother was killed in a drug-related robbery:

**Big Pimp:** I was at my partner's crib waiting for him to come back from seeing his brother that was locked up. His partners came over to rob him and just so happened that I was there. So I ended up being part of the robbery. They robbed us, made us go to the bathroom, crawling on our knees to the bathroom and shit. Then my partner came home. *His girl told [the police] what had happened and they locked the niggers up.*

**Interviewer:** Really? Was your boy that you were dealing with, I mean that you were at his place, was he dealing? So it was a drug dealing robbery and you just happened to be there too?

**Big Pimp:** Yeah.

**Interviewer:** So this guy's girlfriend told the cops what happened?

**Big Pimp:** Yeah.

**Interviewer:** And did she tell them it was about dealing?

**Big Pimp:** Yeah, when they caught the dude the dude told them he robbed him for some dope and guns.

**Interviewer:** The dude that robbed you?

**Big Pimp:** Yeah, it was someone my partner dealt with that went up in the house for dope and guns.

**Interviewer:** So they actually told the cops that's why they robbed him?

**Big Pimp:** Yeah. And then they made the Police go back over there to my partner's house.

**Interviewer:** And what happened to your partner? Did he get into trouble?

**Big Pimp:** No he didn't get into trouble.

**Interviewer:** Really?

**Big Pimp:** No.

**Interviewer:** So the guys stole drugs and money right? Did they get his shit too?

**Big Pimp:** Yeah.

**Interviewer:** So they stole drugs and money and then the cops never tried to do anything to him?

**Big Pimp:** To me?

**Interviewer:** Yeah to you. 'Cause they knew ...

**Big Pimp:** No 'cause they didn't know I got robbed.

**Interviewer:** So they never knew that? But they did know the other guy's drugs got robbed, right?

**Big Pimp:** Right.

**Interviewer:** And then nothing happened to him, they just ...

**Big Pimp:** No.

**Interviewer:** They never bothered him?

**Big Pimp:** No, they went back over there. Once they knew he had guns they went back over there. He had accumulated about two more guns and they locked him up for that. He beat that though 'cause they went over there illegally. They just wanted to know some information about the robbery and they came over and took the dude prisoner because the dude told them about the guns.

**Interviewer:** So they did try to get him though?

**Big Pimp:** Yeah.

Taken together, the above qualitative data provide clear evidence that acts of predation and retaliation that occur among illicit drug market participants are, in some cases, responded to with formal mediation, including calls to the police, investigations by them, prosecutions in court, and the institutionalization of offenders.

### WHAT “SHOULD” HAPPEN? THE JURISPRUDENTIAL PERSPECTIVE

As discussed above, the logic of the rationality, cultural, and social structural perspectives suggest that illicit drug market conflicts are unlikely to be resolved with formal mediation and, therefore, retaliation and predation occur more often. The accounts of drug dealers presented above, however, provide clear evidence that the government does intervene in some underworld disputes. The question is, Why?

Despite the merits of the rationality, cultural, and structural perspective, too little attention has been given to the *jurisprudential perspective*. To date, criminology has explained formal mediation in drug markets with little or no regard for what the law – crafted through years of legislating and making of legal precedent – *actually says*. This is problematic because without knowing what the law says, it is impossible to know how much of an effect rationality, culture, or social structure have on the legal process or crimes of predation and retaliation.

### TWO MODELS OF LAW: WHAT “SHOULD” VS. WHAT “DOES” HAPPEN

When thinking about law and its involvement in drug market conflicts, we can discuss and analyze what “should” happen according to the rules of a government, or we

can refer to what “does” happen for scientific reasons related to rationality, culture, social structure, or other factors. In other words, there are two “models” of law – one jurisprudential, the other criminological (Black, 1989: 19); see table 7.1.

**Table 7.1. Two Models of Drug Market Law: Jurisprudential & Criminological**

	<b>Jurisprudential Model</b>	<b>Criminological Model</b>
<i>Focus</i>	Rules	Rationality, Culture, Social Structure, Etc.
<i>Process</i>	Logic	Behavior
<i>Scope</i>	Universal	Variable
<i>Purpose</i>	Practical	Scientific
<i>Goal</i>	Decision	Explanation

*Note:* Adapted from Black, 1989: Figure 3, p. 21.

The criminological “model of law differs radically from the jurisprudential—or lawyers’—model that has long dominated legal thinking in the Western world” (p. 19). Both, however, can be used to understand why variable amounts of law (e.g., arrest, prosecution, and imprisonment) respond to drug market conflicts.

In the jurisprudential model, “law is fundamentally an affair of rules. The explanation of a legal decision normally lies with one or more rules by which the established facts are assessed” (p. 19). In this model of law, factors such as rationality, culture, and social structure are thought to have no influence on the amount of law that reacts to conflicts – except when these factors are expressly written into the rules (see Dubber, 2002). “The jurisprudential model regards law as a logical process. The facts of each case are assessed in light of the applicable rules, and logic determines the result”

(Black, 1989: 20). This “model also assumes law is constant from one case to another. It is written and available to all, and the same facts result in the same decisions. In other words, law is universal, applying to all cases in the same fashion.” Crimes are supposed to be handled the same way because the rules and logic of law are supposed to be the same for everyone (Beccaria, 1995 [1764]; Bentham, 1988 [1789]). Last, “[t]he jurisprudential model is practical, concerned with how cases *should* be decided. The jurisprudential model is used to reach decisions” (Black, 1989: 21, emphasis added; cf. Sutherland, 1934: 5-9).

In short, the *jurisprudential model* of drug market law has the practical goal of showing how drug market-related conflicts should be decided based on the rules and logic of the justice system. On the other hand, the criminological model of drug market law has the scientific goal of explaining how drug market-related conflicts actually are decided based on rationality, culture, and social structure (Black, 1989). Because it seems only natural that the rules and logic of the justice system affect rationality, culture, and social structure, and vice versa, it is important to consciously consider the conclusions of both models of law.

#### Discrimination – What “Should” vs. What “Does” Happen

The jurisprudential and criminological models of drug market law have different stances regarding discrimination, or “differentials in the handling of cases” (Black, 1989: 21), by the justice system. “Countless studies” from many times and places “demonstrate that technically identical cases—pertaining to the same issues and supported by the same evidence—are often handled differently” (p. 6). That is discrimination – differential



behavior. “People”, for instance, “may or may not call the police or a lawyer; if they do, a prosecution or lawsuit may or may not result; some defendants lose while others win; the sentence or civil remedy imposed changes from one case to another; some losers appeal and others do not; and so on. In other words, law is variable. It differs from one case to the next” (p. 6). This variability in law can be called discrimination, regardless of whether it results from the characteristics of the situation, victim, offender, justice system, or larger community.

“The jurisprudential model...regards discrimination as exceptional, a deviation from normality that can and should be corrected. Ideally, the rules alone determine how a case is decided” (p. 21). Differently, the criminological model “assumes that the handling of a case always reflects” the rationality, culture, and “social characteristics of those involved in it” (p. 21). Thus, the jurisprudential model sees discrimination (for reasons unrelated to the rules or logic of the justice system) as something that *should not* happen, but the criminological model sees discrimination as something that *does* happen.

#### TOWARD A JURISPRUDENTIAL THEORY OF DRUG MARKET LAW

It would be useful to examine how the law enforcement apparatus *should* respond to drug market conflict – according to legal codes and precedent. If we can determine what the law says should happen in response to various drug market conflicts, we will be better able to answer a number of interesting questions: Does an increase in the amount of law that *should* react to victimization decrease predation or retaliation? Independent of the amount of law that should react, does an increase in the amount of law that *actually* reacts to victimization decrease predation or retaliation? Does a decrease in the amount of

law that actually reacts to victimization *relative to* what should happen increase predation or retaliation? And, what is the effect of rationality, culture, or social structure on those relationships? Without first knowing what the law says should happen, it will be difficult – if not impossible – to determine what effect rationality, culture, and social structure have on formal mediation, predation, and retaliation.

At the present, however, there is no existing literature that reviews how much law *should* result from various forms of drug market conflict, and so it is difficult to tell to what degree those disputes (1) are subjected to discriminatory treatment by the government or (2) lead to subsequent acts of predation or retaliation because of that discrimination. Looking at formal mediation in drug markets through the theoretical lens of the *jurisprudential perspective* helps to fill that gap in the literature. This chapter now uses that perspective to address the following questions: What behaviors are illegal according to criminal law? What makes a person criminally liable? Who is involved in cases of law enforcement? How is the law enforcement process supposed to proceed after a crime occurs?

### What Behaviors are Illegal According to Criminal Law?

Criminal law may be defined as legislation that calls for punitive penalties in response to particular actions. “These rules are found in the constitutions, treaties, common law, enactments by the legislatures of the state and of its subdivisions, and in judicial and administrative regulations... A crime is dealt with as an injury to the state rather than to a private citizen and in this respect differs from a tort or civil injury, for

which the injured party may attempt to secure damages” (Black and Mileski, 1973: 5; Sutherland, 1934: 4-5).<sup>46</sup>

A major challenge in counting and explaining crime is accounting for cross-jurisdictional difference in the definitions of crimes.<sup>47</sup> This is evident across cities, counties, and states in the United States, and also between countries. According to Zimring (2007), “[t]he local nature of crime data means that different places [in the United States] will often use different criteria of crime classification” (p. 4). As noted by Tonry and Farrington (2005), “there are [also] substantial differences between countries in how offenses are defined. In some, for example, murder includes completed and attempted killings. In others, only completed killings count” (p. 3). The incongruence of legal definitions across jurisdictions raises the question: In developing a jurisprudential theory of drug market law, which book of jurisprudence should be used to ascertain what the law is?

The answer to this question can never be objective; the answer will always depend on subjective preferences. Nevertheless, “it is possible for the criminologist to define his units, just as any other scientist can. He can make his definitions coincide with the legal definitions or differ from them.... The Committee on Uniform Crime Records has defined crimes for statistical purposes and statistical reports are being made in terms of these definitions, although the definitions do not agree entirely with the legal definitions in the several states from which statistics are collected” (Sutherland, 1934:

---

<sup>46</sup> Sutherland (1934: 5-9) makes clear that the conventional definition of law has problems (also see Black, 1972, 1980).

<sup>47</sup> Jurisprudence is either “local” or “universal” (Bentham [1789] 1988: 325). Universal jurisprudence is concerned with “the laws of all nations whatsoever”, whereas local jurisprudence “may have reference either to the laws of such or such a nation or nations in particular” (p. 325). The vast variability across nations in their laws means that “any books...of universal jurisprudence...must be looked for within very narrow limits” (p. 325).

19). Because the intended audience of this chapter is criminologists and UCR data is frequently used by this group, the strategy taken here is focus on the definitions of criminal offenses used in the Uniform Crime Reports (UCR) provided by the Federal Bureau of Investigations (2004: 505-6).<sup>48</sup> These definitions are *unauthoritative* but reflect the *authorative* definitions of the United States government.<sup>49</sup>

Recall that there are three forms of predation distinguishable from each other according to whether they involve violence, fraud, or stealth. If we examine the definitions of the various forms of predation – *violent*, *fraudulent*, and *stealthy* – it becomes evident that they are similar to the definitions of *criminal homicide*, *robbery*, *forgery and counterfeiting*, *fraud*, *embezzlement*, *motor vehicle theft*, *burglary (breaking or entering)*, and *larceny-theft*; see table 7.2.

**Table 7.2. Forms of Drug Market Predation in Relation to Definitions of Criminal Offenses**

<b>Form of Predation</b>	<b>Definition of Criminal Offense</b>
<i>Violent Predation</i>	<p><i>Criminal homicide</i>: a.) Murder and non-negligent murder: the willful (nonnegligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, and accidental deaths are excluded.</p> <p><i>Robbery</i>: The taking or attempted taking of anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.</p>

<sup>48</sup> Were the intended audience government officials, lawyers, or legal scholars, it would be better to focus on the definitions of criminal offenses provided in the Model Penal Code (American Law Institute, 1962).

<sup>49</sup> If the intended audience were lawyers rather than criminologists, it would be more appropriate to use the definitions of crimes provided by the Model Penal Code because this work is commonly employed by lawyers in their work and has been adopted by several legislatures (see Dubber, 2002).

<p><i>Fraudulent Predation</i></p>	<p><i>Forgery and counterfeiting:</i> The altering, copying, or imitating of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud. Attempts are included.</p> <p><i>Fraud:</i> The intentional perversion of the truth for the purpose of inducing another person or other entity in reliance upon it to part with something of value or to surrender a legal right. Fraudulent conversion and obtaining of money or property by false pretenses. Confidence games and bad checks, except forgeries and counterfeiting, are included.</p> <p><i>Embezzlement:</i> The unlawful misappropriation or misapplication by an offender to his/her own use or purpose of money, property, or some other thing of value entrusted to his/her care, custody, or control.</p>
<p><i>Stealth Predation</i></p>	<p><i>Burglary (breaking or entering):</i> The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.</p> <p><i>Larceny-theft (except motor vehicle theft):</i> The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket-picking, or the stealing of any property or article that is not taken by force and violence or by fraud.</p>

*Notes:* Definitions of criminal offenses are quoted from Appendix II (p. 505-6) of the Federal Bureau of Investigation. 2004. *Crime in the United States*, 2004. Washington D.C.: US Department of Justice.

Violent predation has definitional commonalities with criminal homicide and robbery; a robber, for instance, may use force to take the money or a law-abiding or criminally-involved person, and some cases of homicide escalate and become criminal homicide. The concept of fraudulent predation encapsulates the offenses of forgery, counterfeiting, fraud, embezzlement, and motor vehicle theft (see Copes, Forsyth, and Brunson, 2007: 894-5); a defrauder, for example, may use fake money or fake drugs to

obtain something in an unfair trade, or say that a debt will be paid off with despite having no intentions of actually doing so. Stealth predation reflects the crimes of burglary and larceny-theft; a sneaky thief steals without confrontation, either from a dwelling or from a stash spot on the street.

Retaliation is a separate matter. Retaliation commonly responds to the above described crimes of predation, but retaliation also occurs for less “legitimate” reasons such as taking the turf of a rival with violence. There are many forms of retaliation, including pure fights, violent confiscation, fraudulent retaliation, stealth retaliation, and destructive retaliation. As is also the case with predation, the definitions of criminal offenses provided by the FBI (2004: 505-6) are similar to the definitions of various forms of retaliation; see table 7.3.

**Table 7.3. Forms of Drug Market Retaliation in Relation to Definitions of Criminal Offenses**

<b>Form of Retaliation</b>	<b>Definition of Criminal Offense</b>
<i>Pure Fight</i>	<p><i>Criminal homicide:</i> a.) Murder and non-negligent murder: the willful (nonnegligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, and accidental deaths are excluded. The Program classifies justifiable homicides separately and limits the definitions to: (1) the killing of a felon by a law enforcement officer in the line of duty; or (2) the killing of a felon, during the commission of a felony, by a private citizen. b.) Manslaughter by negligence. Traffic fatalities are excluded.</p> <p><i>Forcible rape:</i> The carnal knowledge of a female forcibly and against her will. Rapes by force and attempts or assaults to rape, regardless of the age of the victim, are included. Statutory offenses (no force used—victim under age of consent) are excluded.</p> <p><i>Aggravated assault:</i> An unlawful attack by one person upon another for</p>

	<p>the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Simple assaults are excluded.</p> <p><i>Other assaults (simple):</i> Assaults and attempted assaults which are not of an aggravated nature and do not result in serious injury to the victim.</p>
<i>Violent Confiscation</i>	<p><i>Criminal homicide:</i> a.) Murder and non-negligent murder: the willful (nonnegligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, and accidental deaths are excluded. The Program classifies justifiable homicides separately and limits the definitions to: (1) the killing of a felon by a law enforcement officer in the line of duty; or (2) the killing of a felon, during the commission of a felony, by a private citizen. b.) Manslaughter by negligence. Traffic fatalities are excluded.</p> <p><i>Robbery:</i> The taking or attempted taking of anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.</p>
<i>Destructive Retaliation</i>	<p><i>Arson:</i> Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.</p> <p><i>Vandalism:</i> To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law. Attempts are included.</p>
<i>Fraudulent Retaliation</i>	<p><i>Forgery and counterfeiting:</i> The altering, copying, or imitating of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud. Attempts are included.</p> <p><i>Fraud:</i> The intentional perversion of the truth for the purpose of inducing another person or other entity in reliance upon it to part with something of value or to surrender a legal right. Fraudulent conversion and obtaining of money or property by false pretenses. Confidence</p>

	<p>games and bad checks, except forgeries and counterfeiting, are included.</p> <p><i>Embezzlement</i>: The unlawful misappropriation or misapplication by an offender to his/her own use or purpose of money, property, or some other thing of value entrusted to his/her care, custody, or control.</p>
<p><i>Stealth Retaliation</i></p>	<p><i>Burglary (breaking or entering)</i>: The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.</p> <p><i>Larceny-theft (except motor vehicle theft)</i>: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket-picking, or the stealing of any property or article that is not taken by force and violence or by fraud.</p> <p><i>Motor vehicle theft</i>: The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on land surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category.</p>

*Notes*: Definitions of criminal offenses are taken verbatim from Appendix II (p. 505-6) of the Federal Bureau of Investigation. 2004. *Crime in the United States*, 2004. Washington D.C.: US Department of Justice.

A *pure fight* could be a *criminal homicide*, *forcible rape*, or *assault* because, by definition, none of these crimes involve resource transfer but all involve violence. *Violent confiscation*, like violent predation, has definitional similarities with the crimes of *criminal homicide* and *robbery*. *Destructive retaliation* is relevant to the crimes of *arson* and *vandalism*; a wrongdoer, for instance, may be punished by having their home set on fire or covered with graffiti. *Fraudulent retaliation* is definitionally similar to the crimes of forgery, counterfeiting, fraud, and embezzlement. Last, *stealth retaliation* is, like stealth predation, definitionally alike to the crimes of burglary and larceny-theft, but in



addition – and unlike stealth predation – is also relevant to the crime of *motor vehicle theft*.

The above demonstrates there are many similarities between definitions of criminal offenses provided by the FBI and definitions of various forms of predation and retaliation. This suggests that, at least according to criminal law, some drug market-related victimizations might be criminal and, thus, could or even should be responded to, investigated, and punished by the government – despite the fact the victim is involved in crime.

#### What Makes a Person “Criminally Liable”?

Whether an action is defined as criminal does not entirely determine whether in fact it should be punished as such. This is the issue of criminal liability – whether or not a person is in fact guilty of a crime *and* worthy of punishment. To understand criminal liability, we can make use of the *Model Penal Code* (American Law Institute, 1962). This is a “model piece of *legislation*” that is commonly used by legal scholars in their work. In fact, the Code has been adopted by several legislatures (see Dubber, 2002).

According to the Code, “[a] person is criminally liable if he engages in [1.] conduct that [a.] inflict or threatens [b.] substantial harm to individual or public interests [2.] without justification and [3.] without excuse” (Dubber, 2002: 29). In other words, all behaviors that inflict or threatens substantial harm to individual or public interests are to be treated as criminal (i.e., punished) unless there is a justification or excuse.

The section directly above shows that many acts of predation and retaliation that occur in drug markets may be illegal (FBI, 2004: 505-6). This raises the question, What

are justifications and excuses and do they negate criminal liability for predatory and retaliatory acts occurring in drug markets?

The short answer is yes and no. A person is not liable for criminal behavior if it is *justified* as either necessary (i.e., diverts greater harm), self-defense, the defense of property, law enforcement, or consensual (Dubber, 2002: Ch. 2). In essence, “[a] justified action is not criminal” and therefore should not be punished, “whereas an excused defendant has committed a criminal act but is not punishable” (Berman, 2003: 2). A person is not liable for criminal behavior if it is *excused* for reasons related of duress, entrapment, ignorance of law (under special conditions), mental handicaps or psychological disturbance, insanity, or the person is an infant (Dubber, 2002: Ch. 3). Note that “the victim was a drug market participant” is not a justification or excuse for committing a criminal action. This further suggests that that many acts of predation and retaliation that occur in drug markets may be illegal and should be punished by the government.

However, it is especially interesting that a certain kind drug market-related retaliation is justifiable and so not criminal or punishable by the government. If a drug market participant is being violently attacked (e.g., in an assault or robbery) and believes that the use of violence against the offender is immediately necessary to protect himself or herself, then that violent response is in fact *not* illegal because it is justified as self-defense (see Dubber, 2002; Leverick, 2007; Uniacke, 1996). This literally means that some acts of violent retaliation in drug markets, including murder, are actually legal – or at least without criminal liability. Thus, we might distinguish between two kinds of violent retaliation, one legal and the other not; see table 7.4.

**Table 7.4. Legality of Violent Retaliation: Self-Defense vs. Vigilantism**

<b>Retaliation</b>	<b>Legal</b>
Self-Defense	+
Vigilantism	-

*Notes:* ‘+’ denotes action is legal; ‘-’ denotes action is illegal.

By definition, *self-defense* is violent retaliation that is legally justified or excused.

*Vigilantism* is violent retaliation that is *not* legally justified or excused.

In sum, an action is supposed to be punished by the government if it is defined as illegal in criminal law and the actor had no justification or excuse (American Law Institute, 1962; Dubber, 2002).

Who is Involved in Cases of Law Enforcement?

Every criminal act that is detected by the legal authorities may be considered a “case” (Black, 1976). “By *case* I mean any dispute or instance of alleged illegality that enters a legal system. A breach of contract, for instance, becomes a case only when a suit is filed; a burglary becomes a case when it is reported to the police” (Black, 1980: 42, fn2). All cases involve a “complex structure of social positions and relationships” depending on, for instance, “Who has a complaint against whom? Who handles it? Who else is involved? Each case has at least two adversaries (a complainant or victim and defendant), and it may also include supporters on both sides (such as lawyers and friendly witnesses) and a third party (such as a judge or jury)” (Black, 1989: 7-8).

Broadly speaking, there are three kinds of actors involved in cases. “*Principal parties, supporters, and legal officials* are all important to an understanding of what

happens in cases” (Baumgartner, 1999: 13, emphasis added). The principals are the victims and offenders. “The principals are the people whose conflict has created a legal event in the first place—the accused and their accusers.... Principals appear in legal matters as suspects, defendants, respondents, complainants, victim-witnesses, and plaintiffs” (Baumgartner, 1999: 13). Supporters are the friends, family, and other relational ties of principals. “One or both principals commonly attract supporters of some kind to their legal cause. This support most often comes in the form of witnesses and attorneys, although there are other possibilities, such as people who organize legal defense funds or file friend of the court (*amicus curiae*) briefs in matters that have reached appeals courts” (Baumgartner, 1999: 14). The third group makes law enforcement possible: legal officials. “In the contemporary United States, legal officials include police officers, prosecutors, probation officers, judges, and...jurors” (Baumgartner, 1999: 15; also see USDOJ, 1998).

#### What “Should Be” the Response of the Law?

Given that a person has acted criminally, is without a justification or excuse, and the crime has come to the attention of the legal authorities, how should the law enforcement process proceed? For sure, this process is complex. But, broadly speaking, it can be broken down into two component parts: mobilization and disposition (Black, 1971: 1104, 1110; (Black and Mileski, 1973: 5). Once a crime has occurred, the government must first detect the case (mobilization) if it is to punish it (disposition).

### *Mobilization*

Without mobilization, the criminal law is practically meaningless because crimes would never be punished. Mobilization “is the process by which a legal system acquires its cases” (Black and Mileski, 1973: 6). If the government does not find out about a crime, then it cannot do anything to punish it. “A mobilization of law...is a complaint made to or by a legal agency. Mobilization occurs at several stages in some legal processes, for example, at a detection stage, an evidentiary or prosecutorial stage, and an adjudicatory stage” (Black, 1980: 42, fn2).

Law can be mobilized by *anyone*, both government officials and citizens – whether victims, offenders, or bystanders. “A citizen may set the legal process in motion by bringing a complaint, or the state may initiate a complaint upon its own authority” (Black, 1980: 43). When “a legal agency reacts to a citizen”, this is called reactive mobilization. Reactive mobilization does not always begin with the complaint of a victim, as bystanders may also report crimes to the police. Yet when “a legal official acts with no prompting from a citizen”, this is called proactive mobilization (Black, 1980: 43).

As relates to understanding why law enforcement does respond to some drug market-related instances of predation and retaliation, the point that law can be mobilized by anyone makes clear that the prevalence of formal mediation in drug markets is not entirely dependent on the culture, rationality, or social status of victims. Even if a victim – such as a drug dealer who is robbed in the street – is entirely committed to honor, finds law enforcement entirely irrational, and is without any status, it is nevertheless possible that a bystander or legal official would witness or otherwise become aware of the victimization and subsequently mobilize the law. This further suggests that that many

acts of predation and retaliation that occur in drug markets may become detected by the government and thus should be handled by them.

What is more, persons who are victimized in the course of drug dealing, buying, manufacturing, or using need not report the illegal aspects of their victimization when mobilizing the law. It is commonly argued that criminally-involved persons are unlikely to report their victimizations for fear of mobilizing the law not only against their victimizer but also against themselves (Miron, 2004). *Self-incrimination* is defined as the voluntarily provision of information to the government regarding personal involvement in crime. To be clear, lying to the government and not telling the government the whole truth are different things, at least to a degree.

Victims need not reveal their personal involvement in crime in order to report their victimization because the 5<sup>th</sup> Amendment of the Constitution protects against self-incrimination: “No person shall...be compelled in any criminal case to be a witness against himself.” In other words, it is not criminal to withhold information from government officials regarding one’s own criminal pursuits.<sup>50</sup> Therefore, and legally speaking, persons are allowed to report their victimization without self-incrimination, regardless of whether the crime occurred within the context of illicit trading or consuming. This further suggests that many acts of predation and retaliation that occur in the drug markets may become detected by the government and thus should be handled by them.<sup>51</sup>

---

<sup>50</sup> There is a difference between withholding information and distorting information, and the latter is illegal.

<sup>51</sup> Although not truly drug-market related, the victimization and reaction described by a lower-class drug dealer, Role Playa, is informative because it shows that victims may withhold information from the police: **Role Playa:** Then I had a situation where a motherfucker broke into my crib. They didn’t find my weed stash but they took a fucking DVD player. Well that situation handled itself. **Interviewer:** Oh yeah? **Role Playa:** Put it this way, motherfucker can’t break into anyone else’s house. **Interviewer:** Because of you? **Role Playa:** Hell no, I wasn’t even involved in the situation, that’s why I say the problem handled itself.

The one exception to this is fraudulent victimizations – those involving the deceptive trading of drugs for another resource, such as cash. Although fraud in the drug world is a crime (see definitions, above, in tables 7.2 and 7.3), it is not possible for a victim of drug-related fraud to report the victimization without self-incrimination because doing so necessarily implicates one's self in illegal activity. Unlike fraud, victims of robbery (violent predation/retaliation) or burglary (stealth predation/retaliation) can mobilize the law without self-incrimination because they can simply refrain from disclosing the full details of what was stolen or why they think the crime occurred (assuming they think it was drug-related). Differently, the victim of fraud cannot report the crime without reporting personal involvement in crime because such victims must report what resources were *supposed* to be traded – to not disclose this would make prosecution/adjudication impossible because it would not be possible to determine whether deception did in fact occur. And, legally speaking, the victim cannot lie about what was being traded because that would itself be criminal (but remember that withholding information about personal involvement in crime is not illegal because of the 5<sup>th</sup> Amendment).<sup>52</sup>

---

He fucked with somebody else's home and you don't do that. He was only a little kid and I sort of felt sorry for the motherfucker. **Interviewer:** What's a little kid? **Role Playa:** Teenager, he was like 17 or 18. You probably heard about that shit, that was in the County area where a kid got shot dead. **Interviewer:** So when they robbed you of your DVD player, and I know that this is dumb question, but why didn't you just call the cops? Didn't you even think about it? **Role Playa:** I did call the cops. **Interviewer:** You did? **Role Playa:** Yes 'cause motherfucker stole my DVD player. He walked past two laptops and motherfucker stole the DVD. **Interviewer:** So what did the cops say? Were they not suspicious? **Role Playa:** No, they just said well there's a lot of break-ins in my area. **Interviewer:** So you weren't worried? **Role Playa:** Well yes I was worried about my shit, but they just came in and I said that was just a couple of boxes, and they didn't ask me to open it. **Interviewer:** So you didn't need to open it? **Role Playa:** No. **Interviewer:** So what if he'd said, "Come on, open this up?" **Role Playa:** I'd have told him I can't open it! If I had have opened it I'd have been in the shit, I wouldn't be sitting here right now. Had about 5 ounces.

<sup>52</sup> Note, however, that victims of fraud do in some case report their victimization to the police and are able to recover their lost resource (see Copes, Forsyth, and Brunson, 2007). Because, however, this requires a

*Disposition*

Once the law has been mobilized, the next stage in the legal process is disposition. This is the official handling of the case, which may involve settlement of a dispute, routine application of a sanction, or dismissal (Black and Mileski, 1973: 6). Disposition involves all conceivable responses of the government to criminal behavior, including investigation, arrest, prosecution, adjudication, sanctioning, and corrections (USDOJ, 1998). Note that with every additional step in the legal system, law becomes “larger” (Black, 1976).

Once the law has been mobilized, the first task for the government is to identify the offender, which requires an investigation if the crime was not witnessed by a police officer. If a suspect is identified, the person is supposed to be arrested, meaning deprived of liberty. If no suspect is identified, the case is dropped. The more often suspects are identified or arrested, the larger is law.

“The decision to prosecute represents the next major state of legal processing” (Horwitz, 1990). Prosecution is the process in which evidence against and for (including justifications and excuses) a defendant are reviewed and deliberated on. The more often cases are prosecuted, the larger is law. If the evidence against a defendant is substantial enough, then the case proceeds to adjudication, but otherwise is dropped.

Adjudication is the trial process where offenders are informed of the charges against them, advised of their rights, asked to plead guilty or not guilty, and, given a not guilty plea, have the evidence for and against them presented in court. The more often



cases are adjudicated, the larger is law. If the evidence against a defendant is substantial enough, then the case proceeds to sentencing, sanctions, and corrections.

In this final stage of law, a judge or jury decides the penalty for a crime and it is then applied. Penalties include death, incarceration in an institution, probation, parole fines, and restitution (USDOJ, 1998). The more often any of those penalties occur, the larger is law. Moreover, the size of those penalties varies between cases. Some prison terms, for instance, are larger than others, and that is also true for probation terms, fines, and restitution payments. The larger is any of those penalties, the larger is law.

In sum, when the government discovers a case of criminal behavior (i.e., is mobilized by either a citizen or legal official), the first step in the law enforcement process is to identify the offender, and the subsequent stages are, in turn, arrest, prosecution, adjudication, sentencing and sanctioning (USDOJ, 1998). Every step in the legal process is supposed to proceed only if the evidence against the defendant from the previous step(s) is strong “enough.”<sup>53</sup>

At this point, it is worth commenting on *resource recovery*. This refers to instances where property is stolen, the law is mobilized, the government recovers the stolen resources, and then – in some cases – returns them to the victim. Alternatively, resource recovery can also come from restitution payments ordered by the court.

Although not all drug market-related crimes involve property (e.g., pure fights do not),

---

<sup>53</sup> Whether there is enough evidence is to a degree a matter of discretion. “Discretion is ‘an authority conferred by law to act in certain conditions or situations in accordance with official’s or an official agency’s own considered judgment and conscience’” (Pound quoted in USDOJ, 1998; cf. Black, 1980: 56-58; Baumgartner, 1999). What discretion allows is for legal officials to use their own judgments (that are affected by the community) in deciding what cases of crime should and should not proceed through the legal process. For instance, police officers can use their discretion to decide whether a crime should be investigated or a suspect arrested; prosecutors can decide whether to press formal charges; judges have some leeway to decide whether cases should be tried and how much punishment should be applied to convicted criminals. In short, discretion by legal officials increases the amount of variability in the legal system by relaxing its reliance on formal rules.

many of them do. When drug-related property is stolen or destroyed in the course of a robbery or burglary (or other crime), the financial loss is sometimes recoverable by the victim. There are many kinds of property relevant to the drug world (e.g., scales, bongs, guns), but for simplicity and brevity let us focus on what are seemingly the two most important resources in drug underworld: cash and drugs. If drugs are stolen from a person and recovered by the government, the drugs are not recoverable by the victim because those resources are illegal. For the same reason, the courts cannot order a guilty offender to compensate a victim for the amount of drugs stolen.

Because, however, the 5<sup>th</sup> amendment protects against self-incrimination, drug-money stolen from a person and recovered by the government is supposed to be returned to the victim – given that the victim has not admitted that the money is “drug-money.” Similarly, a court may punish an offender by demanding restitution to be paid for the stolen cash. This is possible, remember, because victimizations can be investigated, prosecuted, adjudicated, and punished without the full details of the case (e.g., that the victim was a drug dealer and the money stolen was drug-money).

Note, however, that assets lost in fraudulent victimizations are not recoverable because reporting this crime requires the admittance of personal involvement in crime (see above discussion of mobilization). Despite the inability of resource recovery in fraud, the ability of victims to recover their drug-related assets further suggests that many acts of predation and retaliation that occur in the drug markets may become detected by the government and thus should be handled by them.

## SUMMARY

There are two models of law: criminological and jurisprudential (see Black, 1989). The criminological model of drug market law has the scientific goal of explaining how drug market-related conflicts actually are decided based on rationality, culture, and social structure. Differently, the jurisprudential model of drug market law has the practical goal of showing how drug market-related conflicts should be decided based on the rules and logic of the justice system.

As relates to acts of predation and retaliation that occurs in the context of illicit drug trade, the jurisprudential perspective suggests a few reasons why law *does* intervene in such conflicts: (1) all of those acts are in one way or another illegal and should be punished by law enforcement; (2) anyone – citizens or legal officials – can mobilize the law enforcement’s handling of such acts; (3) there are no justifications or excuses that specifically defend the victimization of drug market participants; (4) the absence of justifications or excuses means that once mobilized, the government should investigate, arrest, prosecute, adjudicate, and punish such acts (given there is “enough” evidence); (5) however, cases of retaliation – even deadly occurrences – in the underworld are *legal*, or at least excusable, if the retaliator was legitimately acting in self-defense; (6) moreover, victims do not necessarily have to incriminate themselves when reporting their victimization because of the 5<sup>th</sup> Amendment; and, in turn, (7) resources – such as cash – that are drug-related but not illegal are recoverable by victims (given the courts have not demonstrated their illegal connection); see table 7.5.

**Table 7.5. Drug Market-Related Acts of Predation and Retaliation: Are They Illegal? How is Law Mobilized? Is Self-Incrimination Necessary for Victim-Mobilization? Are Stolen Resource Recoverable?**

Type of Drug Market-Related Victimization	Defined as Illegal ?	How is Law Mobilized ?		Self-Incrimination ?	Recoverable Resources ?
		Reactive	Proactive		
<i>Fraudulent</i>					
Loss of money	+	+	+	+	-
Loss of drugs	+	+	+	+	-
<i>Stealthy</i>					
Loss of money	+	+	+	-	+
Loss of drugs	+	+	+	-	-
<i>Violent Confiscation</i>					
Loss of money	+	+	+	-	+
Loss of drugs	+	+	+	-	-
<i>Destructive Retaliation</i>					
Loss of money	+	+	+	-	+
Loss of drugs	+	+	+	-	-
<i>Pure Fight</i>	+/-	+	+	-	n/a

*Notes:* ‘+’ denotes action is illegal, law can be mobilized in that way, victim-mobilization does require self-incrimination, and stolen resources are recoverable; ‘-’ denotes action is legal, law cannot be mobilized in that way, victim-mobilization does not require self-incrimination, and stolen resources are not recoverable; ‘n/a’ denotes not applicable.

All of this provides jurisprudential – or legalistic – reasons why some acts of predation and retaliation in the drug world should be handled by the law enforcement apparatus.

## DOES WHAT “SHOULD” HAPPEN AFFECT WHAT “DOES” HAPPEN?

What the law “should do” in reaction to a crime and what it “does do” are not always the same. However, we might reasonably expect that what should happen affects what does happen, and vice versa. This suggests that descriptions of what the law should be able to predict what the law does do, at least to a degree.

Moreover, recognizing that law does respond to some drug market conflicts and this is due, in part, to legalistic reasons is important for reasons that extend beyond the study of law. This is true because access to law affects predation and retaliation (Hobbes, 1985 [1651]). It stands to reason that if predation and retaliation decrease as access to law increases (Black, 1983), and access to law behaves as a function of legal definitions, mobilization, self-incrimination, and the recoverability of resources, then some types of predation and retaliation may be more or less likely to occur depending on their relationship with those factors.

All of this raises the question: Does what the law should do affect variability in the *actual* amount of drug market-related (1) formal mediation, (2) predation and (3) retaliation?

## LEGALITY, MOBILIZATION, FORMAL MEDIATION, PREDATION, & RETALIATION

In the first place, the prevalence of any given form of drug market-related predation or retaliation – whether fraudulent, stealthy, violent, or destructive – should vary depending on (1) whether it is defined as illegal in criminal law and (2) who can mobilize the government to take action against it. For the reason all forms of

victimizations are defined as illegal (except for pure fights justified as self-defense) and anyone – citizen or legal official – can mobilize the law enforcement system, then the prevalence of forms of victimization should be relatively equal (i.e., not varying for these reasons).

However, if violence is immediately necessary to protect one’s self, then that violence is legal; we might call such acts “pure fights in self-defense.” It is illegal, however, to steal from that offender (violent confiscation) or delay self-defense to a point where it is no longer immediately necessary; we might call the latter acts “delayed pure fights.”

If pure fights in self-defense have less law applied to them, we should expect them to occur more often than other forms of drug market-related retaliation.

Specifically, it may be deduced: *Because they are defined as legal:*

1. Pure fights in self-defense are less likely to be handled by the government than are delayed pure fights and other forms of retaliation. Therefore:
  - a. Pure fights in self-defense are more likely to occur.
  - b. Pure fights in self-defense are more likely to be responded to with retaliation.

#### SELF-INCRIMINATION, FORMAL MEDIATION, PREDATION, & RETALIATION

A second issue is how predation and retaliation are affected by the legal issues surrounding self-incrimination, or the voluntary provision of information to the government regarding one’s personal involvement in crime. If a drug market participant is victimized in the course of business, self-incrimination is not always necessary to

report the crime to the police because the 5<sup>th</sup> Amendment of the Constitution protects against self-incrimination. Above, it was argued that self-incrimination is not necessary to report a crime when (1) violence was involved, (2) property other than drugs, such as cash or an automobile, was stolen or destroyed, and (3) the property was not stolen in a fraud. Victims of violence and thefts (not involving drugs or fraud) can report their victimizations without self-incrimination because doing so does not necessarily implicate them in crime. Victims, however, who have only their drugs stolen or other property stolen through fraud cannot report the victimizations without self-incrimination because doing so requires reporting what resources were stolen (but illegally possessed) or were *supposed* to be (illegally) traded.

If forms of drug market-related victimization become more likely as drug markets become more anarchic, then the following can be deduced. *Because self-incrimination is not necessary:*

1. Violent victimizations are more likely to be handled by the government than are fraudulent, stealthy, or destructive victimization. Therefore:
  - a. Violent victimizations are less likely to occur.
  - b. Violent victimizations are less likely to be responded to with retaliation.
2. Victimizations involving the theft or destruction of property that is legal are more likely to be handled by the government than are victimizations that involve *only* the loss or destruction of illegal property, such as drugs. Therefore:
  - a. Victimizations where only legal property is lost are less likely to occur.

- b. Victimizations where only legal property is lost are less likely to be responded to with retaliation.
  - c. And, victimizations involving the loss of both legal *and* illegal property should hold a middle-ground in the above predictions.
3. Victimizations unrelated to fraud are more likely to be handled by the government than are those involving fraud. Therefore:
- a. Victimizations unrelated to fraud are less likely to occur.
  - b. Victimizations unrelated to fraud are less likely to be responded to with retaliation.

#### RESOURCE RECOVERY, FORMAL MEDIATION, PREDATION, AND RETALIATION

A third and final issue is how variation in the legality of resource recovery affects predation and retaliation. Property lost from a drug market-related victimization can be recovered – in certain circumstances – if the government finds the stolen property or the court demands restitution. Above, it was argued that resource recovery is possible when (1) the stolen property is not itself illegal, and (2) the victimization was not a fraud. This is true for the same reasons that affect self-incrimination.

If it is true that less law enforcement leads to more predation and retaliation, then the following can be deduced: *Because resources can legitimately be recovered:*

- 1. Victimizations involving the theft or destruction of property that is legal are more likely to be handled by the government than are victimizations involving *only* the loss or destruction of illegal property, such as drugs. Therefore:



- a. Victimizations where only legal property is lost are less likely to occur.
  - b. Victimizations where only legal property is lost are less likely to be responded to with retaliation.
  - c. And, victimizations involving the loss of both legal *and* illegal property should hold a middle-ground in the above predictions.
2. Victimizations unrelated to fraud are more likely to be handled by the government than are those involving fraud. Therefore:
- a. Victimizations unrelated to fraud are less likely to occur.
  - b. Victimizations unrelated to fraud are less likely to be responded to with retaliation.

### **SUMMARY & GUIDANCE**

Prior theory and research suggest that the relative absence of formal mediation in illicit drug markets leads to heightened levels of predation and retaliation therein (Wright and Decker, 1994, 1997). Three key perspectives in criminology – namely rationality, culture, and social structural theories – predict that as access to law decreases, predation and retaliation increase (Anderson, 1999; Black, 1983; Cooney, 1998; Jacobs and Wright, 2006; Wright and Decker, 1994, 1997).

### **GUIDANCE FOR SCIENTISTS**

This chapter, however, has drawn on the accounts of drug dealers to demonstrate – and the jurisprudential perspective to explain why – some conflicts in the drug world are handled by the government. This raises the questions: (1) Why *does* the government

intervene in some underworld conflicts? (2) How *often* and how *much* does the government intervene in drug market disputes? And, (3) what are the implications of theory and findings for *crime control*? Criminologists should devote their attention to answering those questions through theoretical specification (including the development of alternative explanations), the collection and analysis of empirical data, and the use of findings to produce practical strategies for increasing formal mediation and reducing predation and retaliation.

### *Theoretical Specification*

This chapter of course is not perfect and has many limitations. For one, this chapter does not fully specify the implications of the jurisprudential perspective because doing so would require much detailed analysis. Criminologists should build on the ideas in this chapter by developing a better informed and more specified jurisprudential theory of drug market law, predation, and retaliation. Bentham (1988 [1789]) claims that the objective of jurisprudence is to specify the following: “1. The *extent* of the laws in question in point of dominion. 2. The *political quality* of the persons whose conduct they undertake to regulate. 3. The *time* of their being in force. 4. The manner in which they are *expressed*. 5 The concern which they have with the article of *punishment*” (Bentham, 1988 [1789]: 324-5).

This chapter specifies what the current (*time*) statutes (*expression*) in the United States of America (*extent*) say regarding how the various forms of predation and retaliation, which occur between citizens of the US and other countries (*political quality*), should – according to legal precedent – be reacted to by law enforcement officials

(*punishment*). Criminologists should devote their effort to specifying what past and present statutes at various levels of the government hierarchy (e.g., county vs. state) in various places (e.g., the United States, England, and Australia) say regarding the quality and amount of punishment that should be applied to various actions. In addition, they should use that information to determine whether and to what degree the law “does” what it “should,” and how this affects predation and retaliation.

#### Alternative Explanations

Future work should be attuned to fully determining the implications of criminological theories for understanding why formal mediation *does* respond to some drug market conflicts (and not others). Prior criminological theory has been focused on explaining why formal mediation does *not* rather than does occur in response to drug market conflicts. However, the logic of several criminological models, including the rationality, cultural, and social structural perspectives, suggest reasons for why formal mediation does sometimes occur in response to drug market conflicts and, in turn, the effect of this on predation and retaliation.

As discussed above, for instance, the logic of the rationality perspective suggests that formal mediation in drug markets should increase as that behavior’s relative benefits increase and relative costs decrease. Related to this is that retaliation and predation should both decrease as the frequency and magnitude of formal mediation in drug markets increase (i.e., as that behavior becomes more rational). Does this perspective suggest that it is always irrational for drug market participants to call the police when victimized? No, but no rational choice theorist has outlined the rational factors – or inhibitors of retaliation – that increase the amount of formal mediation that responds to

any given drug market-related conflict. Such a theory would examine, for instance, how the relative costs and benefits of retaliation and formal mediation affect the response of a victimized drug dealer. Since frauds, for instance, but not other forms of victimization require self-incrimination for a victim to report the crime, and also since resources are not recoverable in such cases, formal mediation is a less rational response for the victim, and so we might expect frauds to be less likely to be handled with formal mediation and more likely to result in retaliation. This seems true for jurisprudential but also rational reasons.

Does the cultural perspective suggest that persons who abide by an honor code will always avoid formal mediation? The answer is no. Law can creep into the lives of honorable persons despite their “best efforts to keep it out” (Cooney, 1998: 129). When formal mediation does respond to predation and retaliation in the underworld, a criminal may interact with the government in a manner that facilitates the personal goal of punishing a wrongdoer. Cooperation with formal mediation is made possible through neutralization techniques that offset the effects of honor culture (Rosenfeld, Jacobs, and Wright, 2003; Topalli, 2005). In communities of honorable people involved in illicit trade, aiding formal mediation is known as “snitching” (Rosenfeld, Jacobs, and Wright, 2003), which is “defined as any contact or communication with the police” of a voluntary nature (Topalli, 2005: 810). Snitching is inhibited by honor culture, but neutralization techniques can counter the effects of honor. An honorable person may report a drug market-related victimization to the government if that person reasons there is no other option (e.g., “the police forced me to give up information”), no injury (e.g., “no one was arrested because of what I said”), no injustice in injury (e.g., “the person who was

arrested deserved it”), or ethics demand it (see Sykes and Matza, 1957; Topalli, 2005; cf. Cooney, 1998: 129).

Like the rationality and cultural perspectives, the logic of the social structural perspective suggests that there are certain conditions that facilitate formal mediation in illicit drug markets. Black’s (1976) theory of law predicts that drug market conflicts are more likely to result in formal mediation as (1) the social status of the victim increases, (2) the social status of the offender decreases, and (3) the social distance between the victim and offender increases. What this theory predicts, for instance, is that a drug market-related instance of predation or retaliation is responded to with greater levels of formal mediation if the victim is rich, married, employed, educated, belonging to the racial/ethnic majority, and without a criminal record, or if the offender lacks any or all of those qualities. Moreover, the theory predicts that drug market conflicts involving strangers are more likely than those involving family or friends to result in government intervention.

In sum, the jurisprudential, rationality, cultural, and social structural perspectives all provide reasons for why law *does* become involved in some cases of drug market conflict. *Criminology will benefit from elaborations on the above ideas and the use of alternative perspectives* (e.g., Cohen and Felson, 1979) *to answer the question of why formal mediation does handle some underworld conflicts*. In turn, the answers provided by these theories should be used to specify the conditions that facilitate or inhibit predation and retaliation.

## EMPIRICAL RESEARCH

Qualitative data are valuable in prompting new lines of theorizing and research, but quantitative data and statistical analyses are integral components in falsifying and supporting hypotheses through empirical tests (see Popper, 2002 [1934]). To understand why drug market law does occur, it will be necessary for researchers to collect, organize, and analyze data on the various stages of the legal process (legislation, mobilization, and disposition) and their relationship to factors of interest specified by theorists of various perspectives – jurisprudential, rational, cultural, and social structural, and otherwise.

Although rare, data are beginning to emerge that show law does intervene in some illicit drug market disputes. Taylor (2007), for instance, interviewed drug dealers to find out why some conflicts result in violent retaliation while others do not. These interviews resulted in data on 35 disputes that ended in violence. Interestingly, formal mediation responded to a few of these disputes: “In only three cases were there arrests involving the respondent and his fellow combatants. Only one of these resulted in a conviction. As for the opponent’s side, there were two cases in which there was an arrest; neither led to a conviction” (p. 55-6). Thus, five arrests and one conviction resulted from 35 violent drug market-related disputes. Although arrest and conviction were not the common outcome of the violent disputes, Taylor’s study shows that formal mediation does intervene in some drug market conflicts. However, Taylor does not attempt to explain why these particular cases of formal mediation *did* occur.

Another apparent source of formal mediation in drug markets is conflict over “rock rentals”, which is “one of the more inventive means of supporting a drug habit [that] has recently emerged from the ever-present need and desire for transportation

among low-level crack dealers. Crack users have recognized and sought to capitalize on this niche by renting their vehicles in exchange for drugs. This practice has become known informally on the streets and among law-enforcement personnel as ‘rock rentals’” (Copes, Forsyth, and Brunson, 2007: 886). Yet when the dealer fails to return the user’s car, what often occurs is that the user invokes formal mediation by reporting the vehicle stolen. “In fact, some police have blamed broken rock-rental contracts for the increase in auto thefts in their jurisdictions... Estimates from some cities suggest that more than half of vehicles reported stolen or missing have actually been loaned to drug dealers who just never returned them” (p. 894). What this suggests is that formal mediation is perhaps a common outcome of some drug market conflicts, but no existing theory attempts to explain why this particular behavioral pattern *does* occur (for reasons why it does *not* occur, see Copes, Forsyth, and Brunson, 2007: 895).

The frequency of formal mediation in drug markets is clearly illuminated by considering the FBI’s (2007) *Supplementary Homicide Reports* (SHR) for the *Uniform Crime Reports*. As seen in table 7.6, there were almost 5,000 drug market-related homicides from 1999 through 2006.

**Table 7.6. Drug Market-Related Homicides (DMH) in the United States, 1999-2006**

Year	1999	2000	2001	2002	2003	2004	2005	2006
DMH	564	572	558	657	666	554	589	796

*Note:* Adapted from the FBI’s (2007) *Supplementary Homicide Reports* (SHR) for the *Uniform Crime Reports*.

To be sure, homicides are not ignored by the government, regardless of who is the victim (see Messner and Rosenfeld, 2006; Venkatesh, 2006: 175). Therefore, the SHR

suggests that, at a minimum, almost 5,000 drug market-related conflicts were handled with formal mediation between 1999 and 2006. But no existing research tells us how much formal mediation resulted from each case and what explains this variation in law enforcement.

In addition, it is also important to *simultaneously* collect information on formal mediation, predation, *and* retaliation. If it is possible to empirically determine what factors facilitate formal mediation in drug markets, then that information can be used to evaluate and develop theories of how legal intervention affects predation and retaliation in illegal markets. By first determining how much law “should” and “does” respond to drug market conflicts, the counts (quantitative data) and stories (qualitative data) of predation and retaliation obtained and used in analysis will become more meaningful and valuable for knowledge development.



*CONCLUSION*

**WHAT HAS THIS GUIDE DONE?**

**FOUND IRONY – THE ST. LOUIS SCHOOL**

This dissertation is a guide to drug dealing. It offers scientists new insights into how to study, conceptualize, and theorize drug dealing and related acts of social control such as retaliation, avoidance, and formal mediation. These behaviors have been explored through various perspectives, including pure sociology, opportunity, culture, social bonds, and jurisprudence. It might be argued that although applying different perspectives produces a commendable diversity of ideas, it does so at a cost: the absence of a steady line of thinking. Yet this dissertation does reflect a consistent perspective, namely *irony*. Ironically, irony is what unites this dissertation into a coherent whole.

The accumulated wisdom of criminology is replete with irony (see, e.g., Cottee, 2004; Merton, 1938; Messner and Rosenfeld, 2006; Sieber, 1981; Young, 2002). Irony is important because it stimulates thought by revealing the nuances, twists, and turns of life (Marx, 1981; Schneider, 1975: 332). Whereas the humanities have paid substantial attention to irony's utility as a tool of knowledge construction and communication (Hutcheon, 1994; Muecke, 1982), it has remained at the outermost periphery of the social sciences, including criminology (Schneider, 1975). This lack of interest in irony is lamentable because its use may advance knowledge through the negation and reconstruction of existing concepts, theories, and findings (Merton, 1936).

The goal of this chapter is to explore the relevance of irony for criminology. In turn, it (1) defines irony, (2) discusses its value to science, and (3) describes its relationship to the "St. Louis School" and this guide.

## THE CONCEPT OF IRONY

What is irony? This is a question that has been addressed many times, albeit without satisfactory resolution. “There is no agreement among critics about what irony is, and many would hold to the romantic claim...that its very spirit and value and are violated by the effort to be clear about it” (Booth, 1975: ix; also see Colebrook, 2003a; Knox, 1961; Muecke, 1982). Nevertheless, irony does share common traits across definitions (Schneider, 1975). Consider two examples of irony provided by Kierkegaard (1989 [1841]):

*A man “walked along contemplating suicide—at that very moment a stone fell down and killed him, and he ended with the words: Praise the Lord!” (p. 426)*

*“Is a dung-basket beautiful then? Of course, and a golden shield is ugly, if the one is well made for its special work and the other badly.” (p. 22)*

These stories reveal the three fundamental attributes of irony, which is a kind of communication.

First, irony depends on *context*, or the situation (Booth, 1975; Hutcheon, 1994). In the first example above, the necessity of context is seen in how appreciation of death depends on the person contemplating suicide; in most contexts, people do not want to die. Also, the value of the dung-basket was not seen in absolute but rather relativistic terms; not all dung-baskets are better than golden swords.

Second, irony depends on *shared knowledge* – something to build on. Irony cannot be created out of nothing. Irony requires something to be known together by people (Hutcheon, 1994). The man’s final words in the death story would not be ironic if *we* were unaware of his prior thoughts. “Praise the Lord!” seems pious, not ironic, without shared knowledge of the context. The idea that most dung-baskets are not worth more than golden shields is surely shared by almost all of us. It is no coincidence that the example does not compare the basket to something less valuable, such as a non-golden shield. The two examples are ironic because they build on shared knowledge about the context. “It takes at least two to play this game in which the rules are reflexively established” (Booth, 1975: 14).

Last, and perhaps most importantly, irony depends on *counter-intuition* and *hidden meaning*. It involves saying things that are against the flow of normal ideas and yet correct and coherent (Kierkegaard, 1989 [1841]). Irony is “covert, intended to be reconstructed with meanings different from those on the surface” (Booth, 1975: 6). It depends on negating and flipping a subject in a clever way so as to reveal hidden truth (Hutcheon, 1994; Niebuhr, 1952).

In sum, irony is a kind of idea in which (1) shared knowledge (2) about a particular context (3) is formed as a counter-intuitive statement with hidden meaning (see Booth, 1975).

### **THE VALUE OF IRONY**

The idea that irony has important implications for the social sciences, including criminology, is not new. As Schneider (1975) pointed out decades ago, “irony is

intimately bound up with a great deal of...thought.” Indeed, “ironic perspectives stimulate such thought profoundly” (p. 323; Egan, 1997; Purdy, 1999: 203). Irony confers at least two major benefits on criminology. It (1) branches the tree of criminological knowledge and (2) balances the field’s moral scale.

#### BRANCHING THE TREE OF KNOWLEDGE

Irony increases our comprehension of the world through mystification. It provides a “subjective freedom that at all times has in its power the possibility of a beginning and is not handicapped by earlier situations. There is something seductive about all beginnings, because the subject is still free, and this is the enjoyment the ironist craves” (Kierkegaard, 1989 [1841]: 253; Rorty, 1989).

The benefit of new beginnings and freedom is that they allow for plentiful and variable discoveries. “For irony, everything becomes nothing, but nothing can be taken in several ways” (Kierkegaard, 1989 [1841]: 258). Thus, irony may be used in science to find new starting points in inquiry and take multiple directions from there. This is how the tree of knowledge branches off. To be ironic is to mutate ideas. Irony may be called “the birth-pains of the objective mind” (Kierkegaard, 1989 [1841]: 444).

New beginnings are obtained via irony because it “limits, finitizes, and circumscribes” current ideas and in doing so creates “truth, actuality, content” (Kierkegaard, 1989 [1841]: 326). Irony is a form of control that “disciplines and punishes and thereby yields balance and consistency. Irony is a disciplinarian feared only by those who do not know it but loved by those who do” (Kierkegaard, 1989 [1841]: 326). Persons

who understand irony – its methods and virtues – realize that no path is a dead end (Hutcheon, 1994).

### BALANCING THE MORAL SCALE

The discovery and taking of new paths are important not only for scientific reasons, but also for moralistic ones. Irony has “a corrective function. It is like a gyroscope that keeps life on an even keel or straight course, restoring the balance” (Muecke, 1982: 4). To lack irony is to be single-minded (Muecke, 1982; Hutcheon, 1994).

Criminology has always straddled the fence between “science for the government and citizens” and “science for the offender” (Becker, 1967; Sutherland, 1937). Yet irony provides balance between these two extremes. “A diplomat’s view of the world is ironic in many ways” (Kierkegaard, 1989 [1841]: 253).

Just as it looks at both sides of the scientific coin, irony also looks at both sides of the moralistic coin. Irony is itself morally neutral and capable of being used by multiple sides in a debate. “[N]o epistemological... or ideological... position is ever *intrinsically* either right or wrong, either dangerous or safe, either reactionary or progressive. And the ironic stance is no exception” (Hutcheon, 1994: 10).

### SUMMARY

Although irony is in and of itself not truth, it is a way to truth (Kierkegaard, 1989 [1841]: 327). Scientific irony is objective truth made through counter-intuitive ideas about existing scientific concepts, theories, or findings. In other words, scientific irony is

the discovery of hidden meaning and balancing of morality through the destruction and rebuilding of existing ideas.

### **THE OFFENDERS' PERSPECTIVE ON CRIME & THE ST. LOUIS SCHOOL**

As already noted, irony has implications for criminology. There are many interesting ironies of crime and control. There are cases where a concept, theory, or finding of crime or control is proposed that is counter-intuitive and potentially valid (see, e.g., Schneider, 1975). Examples include that law enforcement increases crime (Tannenbaum, 1938), private vices are public benefits (Mandeville, 2007 [1724]), and the so-called American Dream facilitates crime and undermines control (Merton, 1938; Messner and Rosenfeld, 2006; also see Hinkle and Weisburd, 2008).

### THE OFFENDERS' PERSPECTIVE

Perhaps the greatest two ironic works related to crime and control are Plato's (1941) *The Trial and Death of Socrates* and Sutherland's (1937) *The Professional Thief*.

Plato's (1941) work suggests a number of ironies surrounding the end of Socrates' life. As argued by Socrates', he was ironically the wisest because he understood that he knew nothing. He was ironically prosecuted and punished for spreading false knowledge when, in fact, he was eradicating it. Last, his penalty – capital punishment – was futile and ironic because Socrates' ignorance led him not to fear death.

Sutherland's (1937) classic book examines ironies of the underworld based on stories from a former professional thief. For instance, thieves are known as antisocial and predatory, but cooperation among thieves and the ethics of mobs shows that they may

also be prosocial and altruistic. Another irony is that “the culture of the underworld grows out of and is related to the general culture, and how the institution of professional theft is related to our general social institutions” (Sutherland, 1937: 229). Without the legitimate world, the underworld is not possible – or at least not very profitable (p. 172). That is ironic.

What these classics by Plato (1941) and Sutherland (1937) have in common goes beyond irony. They also use the same perspective to tell parts of the story – the “offenders perspective on crime.”

This perspective is nested in the belief that important knowledge may be obtained from communicating with and observing offenders because (1) they know things about crime (2) that others, including police, do not know. Also, (3) changing the perspective from the law enforcer to the criminal – the hunter to the hunted – provides insights into the nuances of theories and how they may be altered to reach greater levels of generality and specificity in their predictions. For these reasons, it is important to communicate with and observe offenders directly.

## THE ST. LOUIS SCHOOL

The “St. Louis School”, or SLS, is a branch of the offenders’ perspective. In other words, the SLS is a research philosophy with a particular set of practices. The SLS believes that *active* offenders know things that institutionalized criminals (1) do not know or (2) cannot remember (Wright and Decker, 1994, 1997). There are many reasons why researching active offenders rather than incarcerated ones is advantageous. Memory is known to decay over time. The behavior of criminals may vary from one generation to



the next (Jacobs, 1999; Jacobs and Wright, 2006; Sutherland, 1937: 210).

Institutionalized offenders may be afraid to speak the whole truth (Wright and Decker, 1994, 1997).<sup>54</sup>

For these reasons and others it is important to research active offenders (see Jacques and Wright, 2010a). Beginning in the early 1990s, Wright and Decker (1994, 1997) began a research project based on active residential burglars at the University of Missouri – St. Louis that spawned a series of offender-based research projects that continue to the present day. The goal of this research is to understand crime by obtaining qualitative data through interviews with, experiments on, and observations of active offenders.

Besides residential burglars (Wright and Decker, 1994; Mullins and Wright, 2003), this method has been used to study armed robbers (Jacobs and Wright, 1999, 2008; Miller, 1998; Wright and Decker, 1997), carjackers (Jacobs, Topalli, and Wright, 2003), gangs (Decker and van Winkle, 1996), retaliators (Jacobs and Wright, 2006; Mullins, Wright, and Jacobs, 2004; Rosenfeld, Jacobs, and Wright, 2003), and drug dealers (Jacobs, 1999).

This dissertation is a contribution to the St. Louis School because it uses data from active drug dealers to produce and illustrate new concepts and theories.

---

<sup>54</sup> Moreover, low-status persons, such as the poor or ethnic minorities, are over-represented in institutions, and so any research done only therein may reduce the generalizability of findings or, even worse, lead to distorted pictures of “who” is involved in crime (Jacques and Wright, 2010).

## WHAT HAS THIS GUIDE DONE? FOUND IRONY

The SLS is currently defined by its reputation for researching active offenders. To date, it is *not* identified with any particular theoretical perspective. Heretofore, I propose the SLS adopts irony as its perspective – its orienting theoretical force.

### IRONY: THE SLS' PERSPECTIVE

Irony is a kind of idea in which shared knowledge about a particular context is formed as a counter-intuitive statement with hidden meaning. The value of irony is it branches the tree of criminological knowledge and balances the field's moral scale.

In recent years, the SLS has been – I believe unconsciously – concerned with the irony of theories and crime. In hindsight, what this guide has found is that the dissertation is held together – made coherent – by irony.

A beginning point is Jacobs, Topalli, and Wright's (2000) examination of robbery and informal social control. Although the power of informal controls such as community or parental supervision are well established (Sampson and Laub, 2005), there is far less known about how an anti-social form of informal control – namely retaliation – affects the crime rate (but see Black, 1983). What Jacobs and colleagues suggest is that retaliation is a sanction that may reduce robbery. The irony here is that crime may deter crime (also see Topalli, Wright, and Fornango, 2002).

Topalli's (2005) article, "When Being Good is Bad", exemplifies the irony genre. It theorizes that crime is reduced when the code of the street, which is a pro-violence culture (Anderson, 1999), is restrained by people's use of neutralization techniques, which are factors usually thought to facilitate rather than inhibit crime (Sykes and Matza,

1957). The irony is that neutralizations may facilitate deviance among people with a conventional culture yet also exacerbate law-abiding behavior among people with a criminal culture.

Jacobs' (2010) article *Serendipity in Robbery Target Selection* suggests an irony that is a central philosophy of this guide's life. Jacobs uses the experiences of active robbers to show their crimes are not always planned but rather emerge from unanticipated and unexpected circumstances. Yet the ability to recognize such serendipitous opportunities requires explanation. One possibility is that setbacks prime people for innovation. "The most prolific entrepreneurs", for example, "typically experience setback after setback before tasting success and only taste success because failure is pedagogical.... Street offenders are widely perceived to be failures in almost every sense of the word. Maybe it is failure that makes serendipity possible and real" (p. 526). The irony of all this is that failure provides the opportunity for success.

### This Guide's Irony

This dissertation is a work of irony. It used data obtained from drug dealers to find ironies of drug market-related law, victimization, control, and research:

- "Balancing the Scale" provides a jurisprudential theory of why law *does* respond to some drug market conflicts. The logic of this theory is subsequently used to hypothesize about drug market-related acts of predation and retaliation. This chapter is ironic by showing that disputes in illicit drug markets are settled using legal means.

- “The Victimization—Termination Link” theorizes that when serious victimizations occur in the context of crime there is a break from the customary that provides an opportune situation for adaptation, and when victims have social bonds and agency, define the event as the result of their own criminal involvement, and find other adaptations unattractive, criminal-victims are likely to adapt by terminating crime. This chapter is ironic by revealing offending may lead to desistance.
- “The Code of the Suburb” examines how the anarchy of drug markets affects not only violence but also peace. It is argued that the relative absence of law due to illegality leads to avoidance and toleration when drug traders adhere to a culture that this paper terms “the code of the suburb”. It stipulates that conflict is embarrassing, confrontational control is bad, and non-confrontational approaches to control are good. This chapter is ironic by demonstrating how the relative anarchy of drug markets increases not only retaliation but also peaceful control.
- “A Theory of Drug Sales, Gifts, and Frauds” focuses on the fact that the transfer of drugs from one person to another does not always involve a fair sale. Gifts and frauds also are common. The theoretical lens of pure sociology is used to find patterns in the qualitative data obtained from middle-class and lower-class drug dealers. Based on that data, it is suggested that the social status of drug procurers and their social distance from drug dealers affects whether the transfer is a gift, sale, or fraud, and its cost – meaning the size of the gift, the price of the sale, or the

seriousness of the fraud. This chapter is ironic owing to its contention that the cost of drugs is about more than their price.

- “The Relevance of Peace to Drug Market Violence” builds on Goldstein’s concept of systemic violence by connecting it to a broader typology of social life: the resource exchange—social control typology. That typology logically connects systemic violence with two important yet neglected forms of drug market behavior: peaceful resource exchange and peaceful social control. After defining the various forms of behavior as quantitative variables and illustrating their occurrence, the chapter suggests the important irony that theories of peace should also explain violence. After all, where peace occurs violence does not.
- “A Theory of Method” describes the data used throughout this dissertation – namely qualitative experiences described by 25 middle-class and 25 lower-class, unincarcerated drug dealers. Yet it does more than that. The past quarter century has witnessed the emergence of a substantial literature devoted to the mechanics of recruiting, paying, and interviewing currently-active offenders. Absent from that literature, however, is a theoretical framework within which to understand, test, modify, and further develop efforts to locate such offenders and gain their cooperation. This chapter uses the concept of *relational distance*, that is, the nature and degree of intimacy between recruiter, interviewee and researcher, to explain variation in this guide’s recruitment of participants, the amount paid to them for doing so, and the quality of data produced in interviews.

The method chapter is ironic because it theorizes the data used to theorize drug dealing.<sup>55</sup>

To conclude and summarize, this guide is a contribution the St. Louis School and the criminology of drug dealing. The SLS is more than a method centered on obtaining data from active offenders.<sup>56</sup> It is also a perspective centered on irony. This guide and the SLS (1) use data from active offenders to find and suggest (2) counter-intuitive ideas for a particular context (e.g., drug dealing) being seen through a particular perspective (e.g., pure sociology). The value of this guide and the SLS is it branches the tree of criminological knowledge and balances the field's moral scale. In doing so, it provides new guidance to scientists.<sup>57</sup>

---

<sup>55</sup> Admittedly, “The Necessary Conditions for “Retaliation” lacks obvious irony. This chapter contributes to criminology by drawing on the necessary conditions, or opportunity, perspective to provide the conceptual and theoretical foundation for future criminological work, including the development of theories that explain variability in retaliatory forms, research that demonstrates whether any given theory is supported by data, and criminal justice policies that draw on theoretical and empirical knowledge to reduce all forms of drug market retaliation – violent *and* non-violent.

<sup>56</sup> And, as suggested by Richard Rosenfeld, the use of “massive quotes.”

<sup>57</sup> Mark Cooney points out that irony is a useful starting point for theory development, but not particularly valuable at finding an end point. This is so because “as soon as irony becomes generalized, it ceases to be ironic.” Future work should explore whether (1) that is true, and, if so, (2) a negative aspect of the irony perspective, and (3) possible to overcome.

*APPENDIX*

**HOW DO YOU TEACH ENLIGHTENMENT?  
THE WRIGHTIAN METHOD**

A doctoral dissertation is supposed to be a scholar's unique, original contribution to the field. Yet *enlightenment* – thinking for one's self – is not necessarily the product of a successful dissertation defense.

*Enlightenment* is the human being's emancipation from its self-incurred immaturity. *Immaturity* is the inability to make use of one's intellect without the direction of another. This immaturity is *self-incurred* when its cause does not lie in a lack of intellect, but rather in a lack of resolve and courage to make use of one's intellect without the direction of another. “*Sapere aude!* Have the courage to make use of your own intellect!” is hence the motto of enlightenment. (Kant, 2006 [1784]: 17, emphasis altered)

The **Wrightian method** is a teaching philosophy and practice that leads to students' enlightenment. This strategy is meant to help students build the resolve and courage required to direct their own intellect. Resolve and courage are not improved through control and hierarchy. Just the opposite. **Freedom, equality, and support** – those are the keys to the door of enlightenment. It flourishes when teachers give students the freedom to explore their own interests, treat them as colleagues, and aid them when needed. This is the formula of the Wrightian method for teaching enlightenment.

Interesting enough, Kant (2006 [1784]) explains the virtues of the Wrightian method in his famous essay, *What is Enlightenment?* His theory provides reasons for why the Wrightian method is a teaching style that expedites enlightenment. In other words, Kant explains why teachers supplying their students with freedom and equality leads them to obtain resolve, courage, and, in turn, enlightenment. What Kant does *not* discuss, however, is the power of support – a key to the Wrightian method.



This appendix begins by presenting Kant's definition of enlightenment. Then it describes the fundamental principles of the Wrightian method. That is followed by examining Kant's theory of enlightenment and its similarities to and differences from the Wrightian method. The conclusion proposes an irony of enlightenment.

### KANT'S DEFINITION OF ENLIGHTENMENT

More than 200 years ago, the philosopher Immanuel Kant (2006 [1784]) gave an answer to the question: What is enlightenment? This section describes and discusses Kant's (2006 [1784]) definition of enlightenment.<sup>58</sup>

As seen in the introduction to this paper, there are three key definitions that prescribe exactly what enlightenment "is":

- *Enlightenment* is the human being's emancipation from its *self-incurred immaturity*.
- *Immaturity* is the inability to make use of one's intellect without the direction of another.
- Immaturity is *self-incurred* when its cause does not lie in a lack of intellect, but rather in a lack of resolve and courage to make use of one's intellect without the direction of another. (emphasis altered, p. 17)

Taken together, these three definitions suggest *enlightenment is when a person uses resolve and courage to use her or his intellect without the direction of others*.

The goal of teachers should be to help students reach enlightenment. This raises the question: How do you teach enlightenment?

---

<sup>58</sup> Unless stated otherwise, all page numbers refer to Kant [1784] 2006.

## THE WRIGHTIAN METHOD OF TEACHING

Enlightenment is not easy to obtain. Not all people do. One path to enlightenment is **the Wrightian method**. This philosophy and practice of teaching is nested in the belief that students are more likely to be enlightened and achieve broader success when teachers adhere to three inter-related principles:

- Allow students to find and pursue their own interests.
- Treat students as equals.
- Support students when they need or request help.

This method of teaching is named after Richard Wright of the University of Missouri – St. Louis. He embodies the idea that teachers should give students freedom, treat them equally, and help them so they may become enlightened and obtain success.<sup>59</sup>

**Freedom** is the ability to do what one wants. It is the absence of control. By allowing students to investigate the topic most intriguing to them, students develop the resolve and courage necessary to become enlightened. Freedom leads to this by forcing students to find their own way. “Sink or swim”, the saying goes. Freedom comes with a great responsibility – *personal accountability*. Freedom might be considered having just enough rope to hang one’s self. Those who *must* think their own thoughts and direct their own action are forced to use resolve and courage. Therefore, teachers who give students the freedom to pursue their own interests are facilitating enlightenment.

**Equality** is treating people the same. It is the absence of discrimination. Equality gets rid of excuses and thereby increases resolve and courage – *personal determination*.

---

<sup>59</sup> Mark Cooney of the University of Georgia also embodies those attributes. The method, however, is named after Richard rather than Mark because I assume he would not want an impure sociological method named after him. Although freedom, equality, and support are all social behaviors, enlightenment is a psychological phenomenon and therefore not relevant to the paradigm of pure sociology that Mark loves.

You alone are ultimately responsible for your outcome – failure or success, immaturity or enlightenment. Equality encourages enlightenment by making the playing field fair.

When the game is fair, people can be sure their ability determines their success. When equal opportunity and controls prevail, there is no one to blame other than one's self.

Equality is a condition without a public scapegoat – such as police, teachers, neighbors, or parents – to blame for individuals' failure. To avoid personal failure, people try harder and become more accountable for their actions and success. In this way, equality increases the resolve and courage it takes to achieve enlightenment.

**Support** is providing people with help. It is the opposite of opposition. Support builds resolve and courage by letting students know they are not alone. It is easier to walk toward enlightenment – to study, research and write for hours and hours on end – when there is financial stability, an ear to complain to and confide in, or a sounding board with knowledge and curiosity. A student without teacher's support is analogous to a plant without water. Support creates a responsibility beyond the individual. *Public responsibility* is a person's duty to make people proud who have been supportive. Public responsibility increases as people gain support and, in turn, this increases their resolve and courage to succeed. For these reasons, teachers' support of students is a key ingredient in creating enlightenment.

When teachers provide students with **freedom, equality, and support**, they are more likely to become enlightened. This is the premise of **the Wrightian method**.

## KANT'S THEORY OF ENLIGHTENMENT

Kant (2006 [1784]) defines enlightenment, but he also theorizes about the conditions that harbor it (cf. Foucault, 1984). This theory provides insights into why the Wrightian method is a way to teach enlightenment. The following pages describe Kant's theory of enlightenment and its congruence with the Wrightian method.

### THE CAUSE OF IMMATURITY

Kant suggests two reasons why immaturity – meaning the absence of enlightenment – persists: idleness and cowardice. Idleness is easier than work. Cowardice is easier than courage. It is as simple as that (p. 17). Some students are experts in idleness and fear anything new. Yet enlightenment cannot be obtained without resolve and courage: to read articles and books; to work every day; to talk with your professors and peers; to speak up in class; to write something entirely new; to send papers and applications out for review.

Idleness and cowardice may come from a fear of failure. The problem with this fear is it kills success. “[A]fter falling a few times, eventually [people] learn to walk alone; but one such example makes them timid and generally deters them from all further attempts” (p. 18). In other words, success requires multiple failures. Enlightenment cannot be obtained without first experiencing failure. Enlightenment requires a failure to fear: to read things you do not understand; to disagree with your professors and peers; to incorrectly answer questions in class; to write something not only new but also potentially wrong; to receive a rejection letter – many, many times.

## THE EFFECT OF GUARDIANS ON ENLIGHTENMENT

Persons who are immature have “guardians” (p. 17). These are people who use their intellect to direct the intellect of others. Examples of guardians include pastors, physicians, parents, and bosses. *Teachers are guardians.*

The key actors in Kant’s theory of enlightenment are guardians and the immature. Guardians can give the immature the opportunity to obtain enlightenment – “nothing but *freedom* is required” (p. 18). ***Recall that freedom is fundamental to the Wrightian method.*** Absolute freedom is not necessary. Anarchy does not need to occur. Limits on freedom are ubiquitous, but not all limits restrain enlightenment. Some limits may even promote the resolve and courage to think for one’s self. Kant (p. 19) addresses the question: Which limits are facilitators or hindrances of enlightenment? The answer is important because it has implications for how determining how best to bring students to enlightenment.

Kant addresses that question by examining the two forms of reasoning: *public* and *private*. Public reasoning is “the kind of use that one makes thereof as a scholar before the reading world” (p. 19). In other words, public reasoning is the making and sharing of ideas based on prior study and experience. On the other hand, private reasoning is the “use that one may make of it in a civil post or office with which one is entrusted” (p. 19). Said differently, private reasoning is using one’s intellect to follow orders – i.e., pursue the goals of a leader. Almost everyone must obey from time to time.

If enlightenment is the goal, then public and private reasoning should be controlled differently. Kant believes “the *public* use of one’s reason must be free at all times, and this alone can bring about enlightenment among humans” (p. 19). On the other

hand, “the *private use* of one’s reason may often, however, be highly restricted without thereby especially impeding the progress of enlightenment” (p. 19). The restriction of private reasoning is necessary for the following reason:

For many affairs that serve the interests of the [group] a certain mechanism is required, by means of which some members of the [group] must play only a passive role, so that they can be led by the [leaders] in the pursuit of [collective] ends by means of an artificial unanimity, or at least be kept from undermining these ends. In these cases, of course, one may not argue, but rather must obey (p. 19, changes to quote made in brackets).

The nature of life is that public and private reasoning intermingle. Kant argues that although persons should obey orders in private life (i.e., when working for someone else), they should also be allowed to share ideas about their orders in public life. To better understand this idea, consider an example of public freedom and private limitations on reasoning:

It would...be very harmful if an officer who receives orders from his superiors were to publicly question the expediency or usefulness of his orders; he must obey. He cannot, however, justifiably be barred from making comments, as a scholar, on the mistakes in the military service and submitting these remarks to judgment by the public. (p. 19)

For those who have not served in the military, a more common occurrence may further illustrate Kant’s argument:

A citizen cannot refuse to pay the taxes which are required of him.... Regardless of this, the same citizen does not contravene his civic duty if he publicly

expresses, as a scholar, his thoughts against the impropriety or even injustice of such levies. (p. 19)

The differential control of public and private reasoning has direct implications for teachers, students, and freedom in lectures:

[T]he use that an employed teacher makes of his reason before his [class] is merely a *private use* thereof: because this is always merely a domestic assembly of persons, however large it may be. And in this view he is not free as a [teacher]...because he is acting on a commission that comes from outside. As a scholar, on the other hand, who, through writings, addresses the true public, namely, the entire world, the [teacher], when making *public use* of his reason, enjoys unrestricted freedom in making use of his reason and in speaking from his own person. (p. 20, changes to quote made in brackets)

In other words, teachers should teach what they are told to teach (e.g., a particular class such as methods versus theory), but they may express their learned opinion about the subject matter. This public reasoning may be done in class (given it is within the bounds of one's orders) or by talking with colleagues, writing papers, or through other tools of expression.

As relates to limiting the reasoning of students, Kant's theory suggests the rules they follow should reflect their teachers' rules. ***Recall that equality is fundamental to the Wrightian method.*** Students should more or less do whatever assignment they are told to do (e.g., read a paper or write one), but they may share their informed opinion about the order – what is being worked on. This public reasoning may be done in or outside of class, so long as it does not conflict with orders.

Teachers, however, cannot teach in a way that confines enlightenment, especially if the motivation is keeping their power and status. ***Recall that both freedom and equality are fundamental to the Wrightian method.*** As thought by Kant:

One generation cannot form an alliance and conspire to put a subsequent generation in such a position in which it would be impossible for the latter to expand its knowledge (particularly where such knowledge is so vital), to rid this knowledge of errors, and, more generally, to proceed along the path of enlightenment. That would be a violation of human nature, the original vocation of which consists precisely in this progress; and the descendents are thus perfectly entitled to reject those resolutions as having been made in an unjust and criminal way. (p. 20)

What Kant is saying here is that teachers must not rig the game with rules that make it impossible for the newer generation to rise and gain enlightenment. It is better to give students freedom and equality than make them obey orders because the former facilitates enlightenment.

The rules of the game should always be determined with an eye to *lex talionis*. If rules follow the ethic to treat others how you would want to be treated, then enlightenment is more likely. ***Recall that equality is fundamental to the Wrightian method.*** Kant makes clear why this is important:

The touchstone of anything that can serve as a law over a people lies in the question: whether a people could impose a law on itself.... A human being can postpone enlightenment for his own person, and even then only for a short time, with regard to that which is his responsibility to know. But to renounce it for his



own person, and still more for his descendents, amounts to violation the sacred rights of humanity and to trample them under foot. (p. 21)

Kant here is illuminating how teaching can affect the enlightenment of students by getting in the way of students – opposing rather than helping them. It only makes sense that if teachers realize they learn the most when left alone to do their research, then it might be best to leave students to do theirs. Equality between teachers and students increases their enlightenment. “*Caesar non est supra grammaticos*” (p. 21).<sup>60</sup>

#### WHAT KANT FORGOT & THE IRONY OF ENLIGHTENMENT

Freedom and equality are free, but providing help takes time, feedback, and money. ***Recall that support is fundamental to the Wrightian method.*** The enlightenment of students requires the support of teachers. It is the one aspect of this teaching philosophy that costs resources. It accounts for all of the expense.

Support may be given in the form of comments on papers, conducting research together, or time spent talking about ideas. Support may also cost money – lots of it. Often students do not realize how expensive they can be for parents, much less a professor, department or school. If you consider salary and tuition fees, many PhDs in criminology cost more than \$100,000. Those teachers who can afford to sometimes use their research funds to pay students for work so they may become enlightened.

*Kant does not discuss guardians’ support of the immature and its role in their enlightenment.* What explains this omission? I propose he forgot. Support is too important a factor to intentionally leave out.

---

<sup>60</sup> The emperor is not above the grammarians.

Kant almost hits upon the importance of support but does not fully draw out the implications of his analogy quoted above: “after falling a few times, [people] eventually learn to walk alone” (p. 18). This analogy implies that walking in the first place requires support – someone holding you up, providing balance. Thus, Kant subconsciously realizes – and perhaps takes for granted and so fails to properly theorize – that support increases the resolve and courage it takes to intellectually walk alone.

Support is a necessary, absolutely vital part of the Wrightian method. Support is key to enlightenment because resolve and courage cannot be obtained without help. No person has always stood alone; those who did died quickly, and probably never stood in the first place. *The truth and irony of enlightenment – daring to think for one’s self – is it requires support from others.*

Support builds resolve and courage by letting students know they are not alone. Support gives people a base to build on. It is comforting to know there are people on your side that will help you when needed – give you a shoulder to lean on. Courage is built from a safety net of support.

Resolve comes from an increase in accountability – not only to one’s self, but also to those who have helped. Public accountability helps drive individuals forward. When there is a foundation made of teachers’ support, students are more likely to gain the tools of resolve and courage to construct their own intellectual home.

**Support is too important to forget. It is a key part of teaching enlightenment and fundamental to the Wrightian method.**

## DISCUSSION

This appendix has hoped to make three major points: (1) Enlightenment is a person mustering the resolve and courage to use their own intellect (Kant, 2006 [1784]). It is a cognitive destination – a philosophy of life – with practical implications. (2) Teachers should have the goal of helping their students obtain enlightenment. (3) The best way to “teach” enlightenment is for teachers to give students freedom, equality, and support – **the Wrightian Method**.

Kant ([1784] 2006) provides a theory for why equality and freedom bring forth enlightenment. What he does not suggest is that support affects enlightenment. It is suggested here that support is key to teaching enlightenment because otherwise freedom and equality go wasted. There would be no foundation to build on. *Thinking for one's self requires support from others. That is the irony of enlightenment.*

*The irony of **teaching** enlightenment – helping students think for themselves – is it makes teaching less important.* To be enlightened is to no longer need the teacher. It is to become one. The goal of teaching should always be to make mature teachers. How do you teach people resolve, courage, and enlightenment? **The Wrightian method.**

**Freedom. Equality. Support.**

*REFERENCES*

**GUIDES TO A GUIDE**

- Adler, Patricia. 1990. Ethnographic Research on Hidden Populations: Penetrating the Drug World. *NIDA Monograph* 98:96-111.
- Adler, Patricia. 1993. *Wheeling and Dealing: An Ethnography of an Upper-Level Drug Dealing and Smuggling Community*, 2<sup>nd</sup> ed. New York: Colombia University Press.
- Akers, Ronald L, Gary F. Jensen. 2006. The Empirical Status of Social Learning Theory. In *Taking Stock: The Status of Criminological Theory*, eds. Francis T. Cullen, John Paul Wright, and Kristie R. Blevins. New Brunswick, NJ: Transaction Publishers.
- Agnew, Robert. 1992. Foundation for a General Strain Theory of Crime and Delinquency. *Criminology* 30:47-87.
- Agnew, Robert. 2006. General Strain Theory: Current Status and Directions for Future Research. In *Taking Stock: The Status of Criminological Theory*, eds. Francis T. Cullen, John Paul Wright, and Kristie R. Blevins. New Brunswick, NJ: Transaction Publishers.
- American Law Institute. 1962. *Model Penal Code*. Washington, DC: American Law Institute.
- Anderson, Elijah. 1999. *Code of the Street: Decency, Violence, and the Moral Life of the Inner City*. New York: W.W. Norton & Company.
- Bacon, Francis. 1939. Novum Organum. In *The English Philosophers from Bacon to Mill*, ed. Edwin Burtt. New York: The Modern Library.
- Bailey, Kenneth D. 1994. *Typologies and Taxonomies: An Introduction to Classification Techniques*. Thousand Oaks, CA: Sage Publications.

- Batson, C. Daniel. 1991. *The Altruism Question: Toward a Social-Psychological Answer*. Hillsdale, NJ: Lawrence Erlbaum Associates.
- Baumer, Eric, Janet L. Lauritsen, Richard Rosenfeld, and Richard Wright. 1998. The Influence of Crack Cocaine on Robbery, Burglary, and Homicide Rates: A Cross-City, Longitudinal Analysis. *Journal of Research in Crime and Delinquency* 35(3):316-340.
- Baumgartner, M. P. 1984. Social Control in Suburbia. In *Toward a General Theory of Social Control*, vol. 2, *Selected Problems*, ed. Donald Black. New York: Academic Press.
- Baumgartner, M. P. 1988. *The Moral Order of a Suburb*. New York: Oxford University Press.
- Baumgartner, M. P. 1998. Moral Life on the Cultural Frontier: Evidence from the Experience of Immigrants in Modern America. *Sociological Focus* 31:155-179.
- Baumgartner, M. P. 1999. Introduction. In *The Social Organization of Law*, 2<sup>nd</sup> ed., ed. M. P. Baumgartner. San Diego: Academic Press.
- Beccaria, Cesare. 1995 [1764]. *On Crimes and Punishments and Other Writings*. New York: Cambridge University Press.
- Becker, Howard. 1967. Whose Side Are We On? *Social Problems* 14:239-247.
- Bennett, Trevor. 1986. A Decision-Making Approach to Opioid Addiction. In *The Reasoning Criminal: Rational Choice Perspectives on Offending*, eds. Derek B. Cornish and Ronald V. Clarke. New York: Springer-Verlag.
- Bentham, Jeremy. 1988 [1789]. *The Principles of Morals and Legislation*. Amherst, NY: Prometheus Books.

- Berman, Mitchell N. 2003. Justification and Excuse, Law and Morality. *Duke Law Journal* 53:1-77.
- Black, Donald. 1971. The Social Organization of Arrest. *Stanford Law Review* 23:1087-1111.
- Black, Donald. 1972. The Boundaries of Legal Sociology. *Yale Law Journal* 81:1086-1100.
- Black, Donald. 1976. *The Behavior of Law*. New York: Academic Press.
- Black, Donald. 1980. *The Manners and Customs of the Police*. New York: Academic Press.
- Black, Donald. 1983. Crime as Social Control. *American Sociological Review* 48:34-45.
- Black, Donald. 1989. *Sociological Justice*. New York: Oxford University Press.
- Black, Donald. 1995. The Epistemology of Pure Sociology. *Law and Social Inquiry* 20:829-870.
- Black, Donald. 1998. *The Social Structure of Right and Wrong*, revised edition. San Diego, CA: Academic Press.
- Black, Donald. 2000a. Dreams of Pure Sociology. *Sociological Theory* 18:343-367.
- Black, Donald. 2000b. On the Origin of Morality. In *Evolutionary Origins of Morality: Cross-Disciplinary Perspectives*, ed. Leonard D. Katz. Exeter, UK: Imprint Academic, Ltd.
- Black, Donald. 2004a. The Geometry of Terrorism. *Sociological Theory* 22(1):14-25.
- Black, Donald. 2004b. Violent Structures. In *Violence: From Theory to Research*, eds. Margaret A. Zahn, Henry H. Brownstein, and Shelly L. Jackson. Newark, NJ: LexisNexis/Anderson Publishing.

- Black, Donald, and Maureen Mileski. 1973. *The Social Organization of Law*. New York: Seminar Press.
- Blumberg, Paul. 1989. *The Predatory Society: Deception in the American Marketplace*. New York: Oxford University Press.
- Blumer, Herbert. 1969. *Symbolic Interactionism: Perspective and Method*. Englewood Cliffs, NJ: Prentice Hall.
- Blumstein, Alfred, Jacqueline Cohen, Jeffrey A. Roth, and Christy A. Visher (eds.). 1986. *Criminal Careers and "Career Criminals"*, 2 vols. Panel on research on Career Criminals, Committee on Research on Law Enforcement and the Administration of Justice, Commission on Behavioral and Social Science and Education, National Research Council. Washington, D.C.: National Academy Press.
- Blumstein, Alfred, and Richard Rosenfeld. 1998. Explaining Recent Trends in US Homicide Rates. *Journal of Criminal Law and Criminology* 88:1175-1216.
- Boehm, Christopher. 2000. Conflict and the Evolution of Social Control. In *Evolutionary Origins of Morality: Cross-Disciplinary Perspectives*, ed. Leonard D. Katz. Exeter, UK: Imprint Academic, Ltd.
- Booth, Wayne C. 1975. *A Rhetoric of Irony*. Chicago, IL: University of Chicago Press.
- Bourgois, Philippe. 2003. *In Search of Respect: Selling Crack in El Barrio*, 2<sup>nd</sup> ed. New York: Cambridge University Press.
- Boyd, Robert, and Peter J. Richerson. 2005. *The Origin and Evolution of Cultures*. New York: Oxford University Press.



- Boyum, David A., and Mark A. R. Kleiman. 2004. Substance Abuse Policy from a Crime-Control Perspective. In *Crime: Public Policies for Crime Control*, eds. James Q. Wilson and Joan Petersilia. Oakland, CA: ICS Press.
- Braithwaite, John. 1989. *Crime, Shame and Reintegration*. New York: Cambridge University Press.
- Brenner, Sydney, and Richard J. Roberts. 2007. Save your notes, drafts and printouts: today's work is tomorrow's history. *Nature* 446(12 April):725.
- Broidy, Lisa M. 2001. A Test of General Strain Theory. *Criminology* 39(1):9-36.
- Brownstein, Henry H., S. M. Crimmins, and B. J. Spunt. 2000. A conceptual framework for operationalizing the relationship between violence and drug market stability. *Contemporary Drug Problems* 27:867-890.
- Brownstein, Henry H., Hari R. Shiledar-Baxi, Paul J. Goldstein, and Patrick J. Ryan. 1992. The Relationships of Drugs, Drug Trafficking and Drug Traffickers to Homicide. *Journal of Crime and Justice* 15(1):25-44.
- Bruegmann, Robert. 2005. *Sprawl: A Compact History*. Chicago, IL: University of Chicago Press.
- Burisk, Robert, and Harold Grasmick. 1993. *Neighborhoods and Crime: The Dimensions of Effective Community Control*. Lanham: Lexington Books.
- Campbell, Bradley. 2009. Genocide as Social Control. *Sociological Theory* 27:150-172.
- Carey, James T. 1968. *The College Drug Scene*. Englewood Cliffs, NJ: Prentice-Hall.
- Caspi, Avshalom, Joseph McClay, Terrie E. Moffitt, Jonathan Mill, Judy Martin, Ian W. Craig, Alan Taylor, and Richie Poulton. 2002. Role of Genotype in the Cycle of Violence in Maltreated Children. *Science* 297(5582):851-854.

- Caulkins, Jonathan P., and Rosalie Liccardo Pacula. 2006. Marijuana Markets: Inferences From Reports by the Household Population. *Journal of Drug Issues* 36(1):173-200.
- Caulkins, Jonathan P., Peter Reuter, and Lowell J. Taylor. 2006. Can Supply Restrictions Lower Price? Violence, Drug Dealing and Positional Advantage. *Contributions to Economic Analysis & Policy* 5(1): Article 3.
- Clarke, Ronald V., and Derek B. Cornish. 1985. Modeling Offenders' Decisions: A Framework for Research and Policy. In , *Crime and Justice: A Review of Research*, vol. 6., ed. Michael Tonry. Chicago, IL: University of Chicago Press.
- Cohen, Eugene. 1972. Who Stole the Rabbits? Crime, Dispute, and Social Control in an Italian Village. *Anthropological Quarterly* 45:1-14.
- Cohen, Lawrence, and Marcus Felson. 1979. Social Change and Crime Rate Trends: A Routine Activity Approach. *American Sociological Review* 44:588-608.
- Cohen, Lawrence, James R. Kluegel, and Kenneth C. Land. 1981. Social Inequality and Predatory Criminal Victimization: An Exposition and Test of a Formal Theory. *American Sociological Review* 46(5):505-524.
- Cohen, Mark A., Ted R. Miller, and Shelli B. Rossman. 1994. The Costs and Consequences of Violent Behavior in the United States. In *Understanding and Preventing Violence: Consequences and Control*, vol. 4, eds. Albert J. Reiss and Jeffrey A. Roth. Washington, D.C.: National Academy Press.
- Colebrook, Claire. 2003a. *Irony (The New Critical Idiom)*. New York: Routledge.
- Colebrook, Claire. 2003b. *Irony in the Work of Philosophy*. University of Nebraska Press.

- Conklin, John E., and Egon Bittner. 1973. Burglary in a Suburb. *Criminology* 11:206-232.
- Copes, Heath, Craig J. Forsyth, and Rod K. Brunson. 2007. Rock Rentals: The Social Organization and Interpersonal Dynamics of Crack-for-Cars Transactions in Louisiana, USA. *British Journal of Criminology* 47:885-899.
- Cook, Philip. 1980. Research in Criminal Deterrence: Laying the Groundwork for the Second Decade. In *Crime and Justice: A Review of Research*, vol. 2, eds. Norval Morris and Michael Tonry. Chicago, IL: University of Chicago Press.
- Coomber, Ross. 2006. *Pusher Myths: Re-Situating the Drug Dealer*. London, UK: Free Association Books.
- Coomber, Ross, and Lisa Maher. 2003. There's no such thing as a free lunch: How 'freebies' and 'credit' operate as part of rational drug market activity. *Journal of Drug Issues* 33(4): 941-962.
- Cooney, Mark. 1997. The decline of elite homicide. *Criminology* 35:381-407.
- Cooney, Mark. 1998. *Warriors and Peacemakers: How Third Parties Shape Violence*. New York: New York University Press.
- Cooney, Mark. 2003. The Privatization of Violence. *Criminology* 41(4):1377-1406.
- Cooney, Mark. 2006. The Criminological Potential of Pure Sociology. *Crime, Law, and Social Change* 46:51-63.
- Cooney, Mark. 2009. *Is Killing Wrong? A Study in Pure Sociology*. Charlottesville, VA: University of Virginia Press.
- Cooney, Mark, and Scott Phillips. 2002. Typologizing Violence: A Blackian Perspective. *International Journal of Sociology and Social Policy* 22(7/8):75-108.

- Cottee, Simon. 2004. The idea of critical criminology: irony, skepticism and commitment. *International Journal of the Sociology of Law* 32:363-376.
- Crewe, Ben, and Shadd Maruna. 2006. Self-Narratives and Ethnographic Fieldwork. In *The Sage Handbook of Fieldwork*, eds. Dick Hobbs and Richard Wright. Thousand Oaks, CA: Sage.
- Cromwell, Paul, James Olson, and D'Aunn Avary. 1991. *Breaking and Entering: An Ethnographic Analysis of Burglary*. Newbury Park, CA: Sage.
- Curtis, Ric, and Travis Wendel. 2007. "You're Always Training the Dog": Strategic Interventions to Reconfigure Drug Markets. *Journal of Drug Issues* 37: 867-890.
- Cusson, Maurice, and Pierre Pinsonneault. 1986. The Decision to Give Up Crime. In *The Reasoning Criminal: Rational Choice Perspectives on Offending*, eds. Derek B. Cornish and Ronald V. Clarke. New York: Springer-Verlag.
- Dawkins, Richard. 2006. *The Selfish Gene*, 30<sup>th</sup> anniversary edition. New York: Oxford University Press.
- Decker, Scott, and Barrik van Winkle. 1996. *Life in the Gang: Family, Friends, and Violence*. New York: Cambridge University Press.
- Decker, Scott H., and Janet L. Lauritsen. 2002. Leaving the Gang. In *Gangs in America III*, ed. C. Ronald Huff. Thousand Oaks, CA: Sage.
- Denton, Barbara. 2001. *Dealing: Women in the Drug Economy*. Sydney, AU: University of New South Wales Press.
- Dickson-Gomez, Julia, Margaret R. Weeks, and Kim Radda. 2004. Reciprocity and Exploitation: Social Dynamics in Private Drug Use Sites. *Journal of Drug Issues* 34(4): 913-932.

- Douglas, Jack D. (ed.). 1972. *Research on Deviance*. New York: Random House.
- Dubber, Markus D. 2002. *Criminal Law: Model Penal Code*. New York: Foundation Press.
- Dugatkin, Lee Alan. 2006. *The Altruism Equation: Seven Scientists Search for the Origins of Goodness*. Princeton, NJ: Princeton University Press.
- Durkheim, Emile. 1984 [1983]. *The Division of Labor in Society*. New York: The Free Press.
- Durkheim, Emile. 2002 [1897]. *Suicide*. New York: Routledge Classics.
- Dunlap, Eloise, and Bruce D. Johnson. 1999. Gaining Access to Hidden Populations: Strategies for Gaining Cooperation of Drug Sellers/Dealers and Their Families in Ethnographic Research. *Drugs and Society* 14:127-149.
- Egan, Kieran. 1997. *The Educated Mind: How Cognitive Tools Shape Our Understanding*. Chicago, IL: University of Chicago Press.
- Elder, Glen H., Jr. 1975. Age Differentiation and the Life Course. *Annual Review of Sociology* 1:165-90.
- Elder, Glen H., Jr. 1985. Perspectives on the Life Course. In *Life Course Dynamics*, eds. Glen H. Elder, Jr. Ithaca, NY: Cornell University Press.
- Elder, Glen H., Jr., Monica Kirkpatrick Johnson, and Robert Crosnoe. 2003. The Emergence and Development of Life Course Theory. In *Handbook of the Life Course*, eds. J Jeylan T. Mortimer and Michael J. Shanahan. New York: Kluwer Academic/Plenum Publishers.

- Entwisle, Barbara, Katherine Faust, Ronald R. Rindfuss, and Toshiko Kaneda. 2007. Variation in the Structure of Social Ties. *American Journal of Sociology* 112:1495-1533.
- Fagan, Jeffrey, and Ko-lin Chin. 1990. Violence as Regulation and Social Control in the Distribution of Crack. In *Drugs and Violence*, eds. Maria de la Rosa, Elizabeth Y Lambert, and Bernard Gropper. Rockville, MD : U.S. Dept. of Health and Human Services, Public Health Service, Alcohol, Drug Abuse, and Mental Health Administration, National Institute on Drug Abuse.
- Fava, Sylvia Fleis. 1956. Suburbanism as a Way of Life. *American Sociological Review* 21:34-37.
- Federal Bureau of Investigation (FBI). 2004. *Crime in the United States*. Washington D.C.: US Department of Justice.
- Federal Bureau of Investigation (FBI). 2005. *Crime in the United States*. Washington D.C.: US Department of Justice.
- Felstiner, William L. F. 1974. Influences of Social Organization on Dispute Processing. *Law and Society Review* 9:63-94.
- Felstiner, William L. F. 1975. Avoidance as dispute processing: An elaboration. *Law and Society Review* 9:695-706.
- Fields, Allen B. 1986. Weedslingers: Young Black Marijuana Dealers. In *Teen Drug Use*, eds. George Beschner and Alfred S. Friedman. Lexington, MA: Lexington Books.
- Fishman, Robert. 1987. *Bourgeois Utopias: The Rise and Fall of Suburbia*. New York: Basic Books.

- Flack, Jessica C., and Frans B.M. de Waal. 2000. 'Any Animal Whatever': Darwinian Building Blocks of Morality in Monkeys and Apes. In *Evolutionary Origins of Morality: Cross-Disciplinary Perspectives*, ed. Leonard D. Katz. Exeter, UK: Imprint Academic, Ltd.
- Fleck, Ludwik (translated by Fred Bradley and Thaddeus J. Trenn). 1979. *Genesis and Development of a Scientific Fact*, eds. Thaddeus J. Trenn and Robert K. Merton. Chicago, IL: University of Chicago Press.
- Foucault, Michel. 1984. What is Enlightenment? Pp. 32-50 in *The Foucault Reader*, ed. Paul Rainbow. New York: Pantheon Books.
- Furst, R. Terry., Christopher Herrmann, Ray Leung, John Galea, and Kristen Hunt. 2004. Heroin diffusion in the mid-Hudson region of New York State. *Addiction* 99: 431-441.
- Galileo, Galilei (translated by Stillman Drake, foreward by Albert Einstein). 1967 [1632]. *Dialogue Concerning the Two Chief World Systems—Ptolemaic & Copernican*, 2<sup>nd</sup> edition. Berkeley, CA: University of California Press.
- Garnett, Nicole Stelle. 2006. Save the Cities, Stop the Suburbs? *Yale Law Journal* 116:598-630.
- Giordano, Peggy C., Stephen A. Cernkovich, and Jennifer L. Rudolph. 2002. Gender, Crime, and Desistance: Toward a Theory of Cognitive Transformation. *American Journal of Sociology* 107:990-1064.
- Giordano, Peggy C., Ryan D. Schroeder, and Stephen A. Cernkovich. 2007. Emotions and Crime over the Life Course: A Neo-Meadian Perspective on Criminal Continuity and Change. *American Journal of Sociology* 112(6):1603-61.

- Goldstein, Paul J., Henry H. Brownstein, Patrick J. Ryan, and Patricia A. Bellucci. 1997. Crack and Homicide in New York City: A Case Study in the Epidemiology of Violence. In *Crack in America: Demon Drugs and Social Justice*, eds. Craig Reinerman and Harry G. Levine. Los Angeles, CA: University of California Press.
- Goldstein, Paul J. 1985. The Drugs/Violence Nexus: A Tripartite Conceptual Framework. *Journal of Drug Issues* 15:493-506.
- Goldstein, Paul J. 1989. Drugs and violent crime. In *Pathways to criminal violence*, eds. N.A. Weiner and Marvin E. Wolfgang. Newbury Park, CA: Sage.
- Goldstein, Paul J., Henry H. Brownstein, Patrick J. Ryan, and Patricia A. Bellucci. 1989. Crack and Homicide in New York City, 1988: A Conceptually Based Event Analysis. *Contemporary Drug Problems* 16(4):651-687.
- Goldstein, Paul J., Henry H. Brownstein, Patrick J. Ryan, and Patricia A. Bellucci. 1997. Crack and Homicide in New York City: A Case Study in the Epidemiology of Violence. In *Crack in America: Demon Drugs and Social Justice*, eds. Craig Reinerman and Harry G. Levine. Los Angeles, CA: University of California Press.
- Gottfredson, Michael R., and Travis Hirschi. 1990. *A General Theory of Crime*. Stanford, CA: Stanford University Press.
- Gottfredson, Michael R., and Travis Hirschi. 2003. Self-Control and Opportunity. In *Control Theories of Crime and Delinquency*, eds. Chester L. Britt and Michael R. Gottfredson. New Brunswick, NJ: Transaction Publishers.



- Gouldner, Alvin W. 1960. The Norm of Reciprocity: A Preliminary Statement. *American Sociological Review* 25:147-160.
- Granovetter, Mark. 1973. The Strength of Weak Ties. *American Journal of Sociology* 78:1360-1380.
- Granovetter, Mark. 1985. Economic Action and Social Structure: The Problem of Embeddedness. *American Journal of Sociology* 81(3):489-515.
- Grapendaal, Martin, Ed Leuw, and Hans Nelen. 1995. *A World of Opportunities: Lifestyle & Economic Behavior of Heroin Addicts in Amsterdam*. Albany, NY: State University of New York Press.
- Gruter, Margaret, and Roger D. Maters (eds.). 1986. *Ostracism: A Social and Biological Phenomenon*. New York: Elsevier.
- Gulliver, P. H. 1979. *Disputes and Negotiations: A Cross-Cultural Perspective*. New York: Academic Press.
- Haggård, Ulrika, Clara H. Gumpert, Martin Grann. 2001. Against All Odds: A Qualitative Follow-Up of High-Risk Violent Offenders Who Were Not Reconvicted. *Journal of Interpersonal Violence* 16(10):1048-65.
- Hakim, Simon. 1980. The attraction of property crime to suburban localities: A revised economic model. *Urban Studies* 17:451-458.
- Hawley, Amos H. 1986. *Human Ecology: A Theoretical Essay*. Chicago, IL: University of Chicago Press.
- Hinkle, Joshua C., and David Weisburd. 2008. The irony of broken windows policing: A micro-place study of the relationship between disorder, focused police crackdowns and fear of crime. *Journal of Criminal Justice* 36:503-512.

- Hirschi, Travis. 1969. *Causes of Delinquency*. Berkeley: University of California Press.
- Hirschi, Travis, and Michael R. Gottfredson. 1993. Commentary: Testing the General Theory of Crime. *Journal of Research in Crime and Delinquency* 30:47-54.
- Hirschman, Albert O. 1970. *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States*. Cambridge, MA: Harvard University Press.
- Hobbes, Thomas (introduction by C. B. MacPherson). 1985 [1651]. *Leviathan*. New York: Penguin Classics.
- Hoffer, Lee D. 2006. *Junkie Business: The Evolution of a Heroin Dealing Operation*. Belmont, CA: Wadsworth.
- Hornsby, Robert, and Richard Hobbs. 2007. A zone of ambiguity: the political economy of cigarette bootlegging. *British Journal of Criminology* 47:551-571.
- Horwitz, Allan V. 1982. *The Social Control of Mental Illness*. New York: Academic Press.
- Horwitz, Allan V. 1990. *The Logic of Social Control*. New York: Plenum Press.
- Hutcheon, Linda. 1994. *Irony's Edge: The Theory and Politics of Irony*. New York: Routledge.
- Jackson, Kenneth T. 1985. *Crabgrass Frontier: The Suburbanization of the United States*. New York: Oxford University Press.
- Jacobs, Bruce A. 1996. Crack Dealers and Restrictive Deterrence: Identifying Narcs. *Criminology* 34(3):409-431.
- Jacobs, Bruce A. 1998a. Researching Crack Dealers: Dilemmas and Contradictions. In *Ethnography at the Edge: Crime, Deviance, and Field Research*, eds. J. Ferrell and M. S. Hamm. Boston, MA: Northeastern University Press.

- Jacobs, Bruce A. 1998b. Drug Dealing and Negative Reciprocity. *Deviant Behavior* 19(1):29-43.
- Jacobs, Bruce A. 1999. *Dealing Crack*. Boston, MA: Northeastern University Press.
- Jacobs, Bruce A. 2000. *Robbing Drug Dealers*. New York: Aldine de Gruyter.
- Jacobs, Bruce A. 2006. The Case for Dangerous Fieldwork. In *The Sage Handbook of Fieldwork*, edited by D. Hobbs and R. Wright. Thousand Oaks, CA: Sage Publications.
- Jacobs, Bruce A. 2010. Serendipity in Robbery Target Selection. *British Journal of Criminology* 50:514-529.
- Jacobs, Bruce A., Volkan Topalli, and Richard Wright. 2000. Managing Retaliation: Drug Robbery and Informal Sanction Threats. *Criminology* 38: 171-198.
- Jacobs, Bruce A., Volkan Topalli, and Richard Wright. 2003. Carjacking, Streetlife, and Offender Motivation. *British Journal of Criminology* 43:19-34.
- Jacobs, Bruce, and Richard Wright. 1999. Stick-up, Street Culture, and Offender Motivation. *Criminology* 37:149-173.
- Jacobs, Bruce A., and Richard Wright. 2000. Researching Drug Robbery. In *Robbing Drug Dealers*, by Bruce Jacobs. New York: Aldine de Gruyter.
- Jacobs, Bruce A., and Richard Wright. 2006. *Street Justice: Retaliation in the Criminal Underworld*. New York: Cambridge University Press.
- Jacobs, Bruce A., and Richard Wright. 2008. Moralistic Drug Robber. *Crime & Delinquency* 54:511-531.

- Jacques, Scott, and Richard Wright. 2010. Criminology as Social Control: Discriminatory Research and Its Role in the Reproduction of Social Inequalities. *Crime, Law, & Social Change* 53(4):383-396.
- Jensen, Gary F. 2000. Prohibition, Alcohol, and Murder: Untangling Countervailing Mechanisms. *Homicide Studies* 4:18-36.
- Johnson, Bruce D., Paul J. Goldstein, Edward Preble, James Schmeidler, Douglas S. Lipton, Barry Spunt, and Thomas Miller. 1985. *Taking Care of Business: The Economics of Crime by Heroin Abusers*. Lexington, MA: Lexington Books.
- Kant, Immanuel (translated by David L. Colclasure). 2006 [1784]. What is Enlightenment? 17-23 in *Toward Perpetual Peace and Other Writings*, ed. Pauline Kleingeld. New York: Princeton University Press.
- Katz, Jack. 1988. *Seductions of Crime*. New York: Basic Books.
- Kavieff, Paul R. 2000. *The Purple Gang: Organized Crime in Detroit, 1910-1945*. Fort Lee, NJ: Barricade Books.
- Kierkegaard, Soren. (edited and translated by Howard V. Hong and Edna H. Hong). 1989 [1841]. *The Concept of Irony/Schelling Lecture Notes: Kierkegaard Writings*, vol. 2. Princeton University Press.
- King, Gary, Robert O. Keohane, and Sidney Verba. 1994. *Designing Social Inquiry: Scientific Inference in Qualitative Research*. Princeton, NJ: Princeton University Press.
- Klinger, David A. 1997. Negotiating Order in Patrol Work: An Ecological Theory of Police Response to Deviance. *Criminology* 35:277-306.

- Knox, Norman. 1961. *The Word "Irony" and Its Contexts: 1500-1755*. Durham, NC: Duke University Press.
- Kornhauser, Ruth Rosner. 1978. *Social Sources of Delinquency*. Chicago, IL: University of Chicago Press.
- Kotkin, Joel. 2005. *The City: A Global History*. New York: Modern Library.
- Kubrin, Charis E., and Ronald Weitzer. 2003. Retaliatory Homicide: Concentrated Disadvantage and Neighborhood Culture. *Social Problems* 50(2):157-180.
- Kuhn, Thomas S. 1962. *The Structure of Scientific Revolutions*. Chicago, IL: University of Chicago Press.
- Kuhn, Thomas S. 1977. *The Essential Tension*. Chicago, IL: The University of Chicago Press.
- Kurlansky, Mark. 2006. *Non-Violence: The History of a Dangerous Idea*. New York: Modern Library.
- Laub, John H., and Robert J. Sampson. 1993. Turning Points in the Life Course: Why Change Matters to the Study of Crime. *Criminology* 31:301-25.
- Laub, John H., and Robert J. Sampson. 2001. Understanding Desistance from Crime. In *Crime and Justice: A Review of Research*, vol. 28, ed. Michael Tonry. Chicago, IL: University of Chicago Press.
- Laub, John H., and Robert J. Sampson. 2003. *Shared Beginnings, Divergent Lives: Delinquent Boys to Age 70*. Cambridge, MA: Harvard University Press.
- Laub, John H., Robert J. Sampson, and Gary A. Sweeten. 2006. Assessing Sampson and Laub's Life-Course Theory of Crime. In *Taking Stock: The Status of Criminological Theory*, vol. 15, *Advances in Criminological Theory*, eds. Francis

- T. Cullen, John Paul Wright, and Kristie R. Blevins. New Brunswick, NJ: Transaction Publishers.
- Lauritsen, Janet L., and John H. Laub. 2007. Understanding the Link Between Victimization and Offending: New Reflections on an Old Idea. In *Crime Prevention Studies*, vol. 22, eds. Mike Hough and Mike Maxfield. Monsey, NY: Criminal Justice Press.
- Lazarsfeld, Paul, and Allen Barton. 1951. Qualitative measurement in the social sciences: Classification, typologies, and indices. In *The Policy Sciences*, eds. Daniel Lerner and H.D. Laswell. Stanford, CA: Stanford University Press.
- Leverick, Fiona. 2007. *Killing in Self-Defense*. New York: Oxford University Press.
- Levitt, Steven D., and Sudhir A. Venkatesh, 2000. An Economic Analysis of a Drug-Selling Gang's Finances. *Quarterly Journal of Economics* 115:755-789.
- Lofland, John. 1969. *Deviance and Identity*. Englewood Cliffs, NJ: Prentice-Hall.
- Logan, John R., and Brian J. Stults. 1999. Racial Differences in Exposure to Crime: The City and Suburbs of Cleveland in 1990. *Criminology* 37:251-276.
- Loth, David. 1967. *Crime in the Suburbs*. New York: William Morrow and Company.
- MacCoun, Robert J., and Peter Reuter. 1997. Interpreting Dutch Cannabis Policy: Reasoning by Analogy in the Legalization Debate. *Science* 278 (5335):47-52.
- MacCoun, Robert J., and Peter Reuter. 2001. *Drug War Heresies: Learning from Other Vices, Times, and Places*. New York: Cambridge University Press.
- Machiavelli, Niccolo. 2003 [1532]. *The Prince*. New York: Penguin Classics.
- Mandeville, Bernard. 2007 [1724]. *The Fable of the Bees: or, Private Vices, Publick Benefits*. New York: Penguin Classics.

- Maruna, Shadd. 2001. *Making Good: How Ex-Convicts Reform and Rebuild Their Lives*. Washington, D.C.: American Psychological Association.
- Marx, Gary T. 1981. Ironies of Social Control: Authorities as Contributors to Deviance through Escalation, Nonenforcement and Covert Facilitation. *Social Problems* 28:221-246.
- Marx, Karl. 1990 [1867]. *Capital*, vol. 1. New York: Penguin Classics.
- Matrix Knowledge Group. 2007. The Illicit Drug Trade in the United Kingdom. London, UK: Home Office Online Report. Available at:  
<<http://www.homeoffice.gov.uk/rds/pdfs07/rdsolr2007.pdf>>.
- Mauss, Marcel. 1990 [1922]. *The Gift: Forms and Functions of Exchange in Archaic Societies*. New York: Routledge Classics.
- McCall, George. 1978. *Observing the Law*. New York: Free Press.
- McCausland, John L. 1972. Crime in the suburbs. In *The End of Innocence: A Suburban Reader*, ed. Charles M. Haar. Glenview, IL: Scott, Foresman, and Company.
- McKinney, John C. 1966. *Constructive Typology and Social Theory*. New York: Appleton-Century-Crofts.
- Merry, Sally Engle. 1984. Rethinking gossip and scandal. In *Toward a General Theory of Social Control*, Volume 1: Fundamentals, ed. Donald Black. Orlando, FL: Academic Press.
- Merton, Robert K. 1936. The Unanticipated Consequences of Purposive Social Action. *American Sociological Review* 1:894-904.
- Merton, Robert K. 1938. Social Structure and Anomie. *American Sociological Review* 3:672-682.

- Messner, Steven F., and Richard Rosenfeld. 2006. *Crime and the American Dream*. Belmont, CA: Wadsworth.
- Michalski, Joseph H. 2003. Financial Altruism or Unilateral Resource Exchanges? Toward a Pure Sociology of Welfare. *Sociological Theory* 21(4):341-358.
- Mieczkowski, Thomas. 1988. Studying heroin retailers: A research note. *Criminal Justice Review* 13:39-44.
- Mohamed, A. Rafik, and Erik Fritsvold. 2006. Damn, It Feels Good to be a Gangsta: the Social Organization of the Illicit Drug Trade Servicing a Private College Campus. *Deviant Behavior* 27:97-125.
- Moffitt, Terrie E. 1993. "Life-Course-Persistent" and "Adolescence-Limited" Antisocial Behavior: A Developmental Taxonomy. *Psychological Review* 100:674-701.
- Moffitt, Terrie E. 2006. A Review of Research on the Taxonomy of Life-Course Persistent Versus Adolescence-Limited Antisocial Behavior. In *Taking Stock: The Status of Criminological Theory*, vol. 15, eds. Francis T. Cullen, John Paul Wright, and Kristie R. Blevins. New Brunswick, NJ: Transaction Publishers.
- Mortimer, Jeylan T., and Michael J. Shanahan (eds). 2003. *Handbook of the Life Course*. New York: Kluwer Academic/Plenum Publishers.
- Muecke, Douglas Colin. 1982. *Irony and the Ironic*. New York: Routledge.
- Miller, Jody. 1998. Up It Up: Gender and the Accomplishment of Street Robbery. *Criminology* 36:37-66.
- Miron, Jeffrey A. 2004. *Drug War Crimes: The Consequence of Prohibition*. Oakland, CA: The Independent Institute.



- Mullins, Christopher, and Richard Wright. 2003. Gender, Social Networks, and Residential Burglary. *Criminology* 41:1601-1628.
- Mullins, Christopher, Richard Wright, and Bruce A. Jacobs. 2004. Gender, Streetlife, and Criminal Retaliation. *Criminology* 42:911-940.
- Murphy, Sheigla, Paloma Sales, Micheline Duterte, and Camille Jacinto. 2005. *A Qualitative Study of Ecstasy Sellers in the San Francisco Bay Area*. Washington, DC: US Department of Justice.
- Nagin, Daniel S. 1998. Criminal Deterrence Research at the Outset of the Twenty-First Century. in *Crime and Justice: A Review of Research*, vol. 23, ed. Michael Tonry. Chicago, IL: University of Chicago Press.
- Nagin, Daniel S. 2007. Moving Choice to Center Stage in Criminological Research and Theory. *Criminology* 45(2):259-72.
- National Research Council 2001. *Informing America's Policy on Illegal Drugs: What We Don't Know Keeps Hurting Us*. Committee on Data and Research for Policy on Illegal Drugs. Eds. Charles F. Manski, John V. Pepper, and Carol V. Petrie. Committee on Law and Justice and Committee on National Statistics. Commission on Behavioral and Social Science and Education. Washington, DC: National Academy Press.
- Niebuhr, Reinhold 1952. *The Irony of American History*. New York: Charles Scribner's Sons.
- Ousey, Graham C., and Matthew R. Lee. 2002. Examining the Conditional Nature of the Illicit Drug Market-Homicide Relationship: A Partial Test of the Theory of Contingent Causation. *Criminology* 40:73-102.

- Ousey, Graham C., and Matthew R. Lee. 2004. Investigating the Connections Between Race, Illicit Drug Markets, and Lethal Violence, 1984-1997. *Journal of Research in Crime and Delinquency* 41:352-383.
- Ousey, Graham C., and Matthew R. Lee. 2007. Homicide Trends and Illicit Drug Markets: Exploring Differences Across Time. *Justice Quarterly* 24(1):48-79.
- Park, Robert, Ernest W. Burgess, and Roderick D. McKenzie. 1925. *The City*. Chicago, IL: University of Chicago Press.
- Parsons, Talcott. 1951. *The Social System*. Glencoe, IL: The Free Press.
- Paternoster, Raymond. 1987. The Deterrent effect of the Perceived Certainty and Severity of Punishment: A Review of the Evidence and Issues. *Justice Quarterly* 4:173-217.
- Paternoster, Raymond, and Alex Piquero. 1995. Reconceptualizing Deterrence: An Empirical Test of Personal and Vicarious Experiences. *Journal of Research in Crime and Delinquency* 32 (3): 251-86.
- Pearson, Geoffrey, and Dick Hobbs. 2001. *Middle Market Drug Distribution*. London, UK: Home Office.
- Phillips, Scott. 2003. The Social Structure of Vengeance: A Test of Black's Model. *Criminology* 41:673-708.
- Phillips, Scott, and Mark Cooney. 2005. Aiding Peace, Abetting Violence: Third Parties and the Management of Conflict. *American Sociological Review* 70:334-354.
- Piquero, Alex R., David P. Farrington, and Alfred Blumstein. 2003. The Criminal Career Paradigm. In *Crime and Justice: A review of Research*, vol. 30, ed. Michael Tonry. Chicago, IL: University of Chicago Press.

- Piquero, Alex R., Randall MacIntosh, and Matthew Hickman. 2000. Does self-control affect survey response? Applying explanatory, confirmatory, and item response theory analysis to Grasmick et al.'s self-control scale. *Criminology* 38:897-929.
- Plato (translated by Lane Cooper). 1941. *The Death & Trial of Socrates*. Ithaca, NY: Cornell University Press.
- Pogarsky, Greg, and Alex R. Piquero. 2003. Can Punishment Encourage Offending? Investigating the "resetting" Effect. *Journal of Research in Crime and Delinquency* 40(1):95-120.
- Polsky, Ned. 1969. *Hustlers, Beats, and Others*. Garden City, NY: Anchor Books.
- Popper, Karl. 2002 [1934]. *The Logic of Scientific Discovery*. New York: Routledge Classics.
- Popper, Karl. 2002 [1963]. *Conjectures and Refutations*. New York: Routledge Classics.
- Popper, Karl. 2002 [1976]. *Unended Quest*. New York: Routledge Classics.
- Portes, Alejandro, and William Haller. 2005. The Informal Economy. In *The Handbook of Economic Sociology*, 2<sup>nd</sup> edition, eds. Neil J. Smelser and Richard Swedberg. New York: Russell Sage Foundation.
- Pratt, Travis C., Francis T. Cullen, Kristie R. Blevins, Leah E. Daigle, and Tamara D. Madensen. 2006. The Empirical Status of Deterrence Theory: A Meta-Analysis. In *Taking Stock: The Status of Criminological Theory*, vol. 15, *Advances in Criminological Theory*, eds. Francis T. Cullen, John Paul Wright, and Kristie R. Blevins. New Brunswick, NJ: Transaction Publishers.
- Purdy, Jedediah 1999. *For Common Things: Irony, Trust, and Commitment in America Today*.

- Reid, John Phillip. 1980. *Law for the Elephant: Property and Social Behavior on the Overland Trail*. San Marino, CA: Huntington Library.
- Rengert, George F., and John Wasilchick. 2000. *Suburban Burglary: A Tale of Two Suburbs*. Springfield, IL: Charles Thomas.
- Reuter, Peter. 1983. *Disorganized Crime: Illegal Markets and the Mafia*. Cambridge, MA: MIT Press.
- Reuter, Peter. 1984. Social Control in Illegal Markets. In *Toward a General Theory of Social Control*, Volume 2: Selected Problems, ed. Donald Black. Orlando, FL: Academic Press.
- Reuter, Peter, Robert MacCoun, and Patrick Murphy. 1990. *Money from Crime: A Study of the Economics of Drug Dealing in Washington, D.C.* Santa Monica, CA: The RAND Corporation.
- Ridley, Matt. 1998. *The Origins of Virtue*. New York: Penguin Books.
- Robbins, Lionel. 1952. *An Essay on the Nature and Significance of Economic Science*, 2<sup>nd</sup> edition. London, UK: MacMillan.
- Rosenfeld, Richard, Bruce Jacobs, and Richard Wright. 2003. Snitching and the Code of the Street. *British Journal of Criminology* 43(2):291-309.
- Ross, Edward A. 1901. *Social Control: A Survey of the Foundations of Order*. New York: Macmillan.
- Sahlins, Marshall. 1972. *Stone Age Economics*. Hawthorne, NY: Aldine de Gruyter.
- Sampson, Robert J. 1986. Crime in Cities: The Effects of Formal and Informal Social Control. In *Crime and Justice: Communities and Crime*, vol. 8, eds. Albert J. Reiss, Jr., and Michael Tonry. Chicago, IL: University of Chicago Press.

- Sampson, Robert J., and John H. Laub. 1993. *Crime in the Making: Pathways and Turning Points Through Life*. Cambridge, MA: Harvard University Press.
- Sampson, Robert J., and John H. Laub. 1997. A Life-Course Theory of Cumulative Disadvantage and the Stability of Delinquency. In *Developmental Theories of Crime and Delinquency*, vol. 7, ed. Terence P. Thornberry. New Brunswick, NJ: Transaction Publishers.
- Sampson, Robert J., and John H. Laub. 2005. A General Age-Graded Theory of Crime: Lessons Learned and the Future of Life-Course Criminology. In *Integrated Developmental & Life-Course Theories of Offending*, ed. David P. Farrington. New Brunswick, NJ: Transaction Publishers.
- Sampson, Robert J., Stephen Raudenbush, and Felton Earls. 1997. Neighborhoods and Violent Crime: A Multilevel Study of Collective Efficacy. *Science* 277: 918-24.
- Sampson, Robert J., and William Julius Wilson. 1995. Toward a Theory of Race, Crime, and Urban Inequality. In *Crime and Inequality*, eds. John Hagan and Ruth Peterson. Stanford, CA: Stanford University Press.
- Schneider, Louis. 1975. Ironic Perspective and Sociological Thought. In *The Idea of Social Structure: Papers in Honor of Robert K. Merton*, ed. Lewis A. Coser. New York: Harcourt Brace Jovanovich.
- Senechal de la Roche, Roberta. 1997. The sociogenesis of lynching. Pp. 48-76 in *Under Sentence of Death: Lynching in the South*, edited by W. F. Brundage. Chapel Hill, NC: University of North Carolina Press.

- Shadish, William R., Thomas D. Cook, and Donald T. Campbell. 2002. *Experimental and Quasi-Experimental Designs for Generalized Causal Inference*. Boston, MA: Houghton Mifflin Company.
- Shakur, Sanyika (AKA Monster Kody Scott). 1993. *Monster: The Autobiography of an L.A. Gang Member*. New York: Atlantic Monthly Press.
- Shaw, Clifford R. 1930. *The Jack-Roller: A Delinquent Boy's Own Story*. Chicago, IL: University of Chicago Press.
- Shaw, Clifford R. 1931. *The Natural History of a Delinquent Career*. Chicago, IL: University of Chicago Press.
- Shaw, Clifford R. 1938. *Brothers in Crime*. Chicago, IL: University of Chicago Press.
- Shaw, Clifford R., and McKay, Henry D. 1969. *Juvenile Delinquency and Urban Areas*. Chicago, IL: The University of Chicago Press.
- Shover, Neal. 1996. *Great Pretenders: Pursuits and Careers of Persistent Thieves*. Boulder, CO: Westview Press.
- Sieber, Sam D. 1981. *Fatal Remedies: The Ironies of Social Intervention*. New York: Plenum Press.
- Sifaneck, Stephen J., Geoffrey L. Ream, Bruce D. Johnson, and Eloise Dunlap. 2007. Retail marijuana purchases in designer and commercial markets in New York City: Sales units, weights, and prices per gram. *Drug and Alcohol Dependence* 90(Supplement 1):S40-S51.
- Sober, Elliot, and David Sloan Wilson. 1998. *Unto Others: The Evolution and Psychology of Unselfish Behavior*. Cambridge, MA: Harvard University Press.

- Sparks, Richard F. 1982. *Research on Victims of Crime: Accomplishments, Issues, and New Directions*. Rockville, MD: National Institute of Mental Health.
- Spradley, James P. 1979. *The Ethnographic Interview*. New York: Harcourt Brace Jovanovich.
- Stanko, Elizabeth Anne. 1981-1982. The Impact of Victim Assessment on Prosecutors' Screening Decisions: The Case of the New York County District Attorney's Office. *Law & Society Review* 16(2):225-240.
- St. Jean, Peter K. B. 2007. *Pockets of Crime: Broken Windows, Collective Efficacy, and the Criminal Point of View*. Chicago, IL: University of Chicago Press.
- Stafford, Mark C., and Mark Warr. 1993. A Reconceptualization of General and Specific Deterrence. *Journal of Research in Crime and Delinquency* 30:123-35.
- Stauder, Jack. 1972. Anarchy and Ecology: Political Society among the Majangir. *Southwestern Journal of Anthropology* 28:153-168.
- Stewart, Eric, Christopher J. Schreck, and Ronald L. Simons. 2006. "I ain't gonna let no one disrespect me": Does the Code of the Street Reduce or Increase Violent Victimization among African American Adolescents? *Journal of Research in Crime and Delinquency* 43:427-458.
- Stewart, Eric and Ronald Simons. 2006. Structure and Culture in African American Adolescent Violence: A Partial Test of the "Code of the Street" Thesis. *Justice Quarterly* 23:1-23.
- Sutherland, Edwin H. 1934. *Principles of Criminology*, 2<sup>nd</sup> ed. Chicago: J.B. Lippincott Company.

- Sutherland, Edwin Hardin. 1937. *The Professional Thief*. Chicago, IL: University of Chicago Press.
- Sykes, Gresham, and David Matza. 1957. Techniques of Neutralization. *American Sociological Review* 22:664-670.
- Tannenbaum, Frank. 1938. *Crime and the Community*. New York: Columbia University Press.
- Tavuchis, Nicholas. 1991. *Mea Culpa: A Sociology of Apology and Reconciliation*. Stanford, CA: Stanford University Press.
- Taylor, Angela P. 2007. *How Drug Dealers Settle Disputes: Violent and Nonviolent Outcomes*. Monsey, NY: Criminal Justice Press.
- Thomas, William I., and Florian Znaniecki. 1918-20. *The Polish Peasant in Europe and America*, vols. 1-5. New York: Knopf.
- Tonry, Michael, and David P. Farrington (eds.). 2005. *Crime and Punishment in Western Countries, 1980-1999*. Chicago, IL: University of Chicago Press.
- Topalli, Volkan. 2005. When Being Good is Bad: An Expansion of Neutralization Theory. *Criminology* 43:797-836.
- Topalli, Volkan, Richard Wright, and Robert Fornango. 2002. Drug Dealers, Robbery and Retaliation: Vulnerability, Deterrence, and the Contagion of Violence. *British Journal of Criminology* 42:337-351.
- Tucker, James. 1999. *The Therapeutic Corporation*. New York: Oxford University Press.
- Tufte, Edward. 2006. *Beautiful Evidence*. Cheshire, CT: Graphics Press LLC.
- Uniacke, Suzanne. 1996. *Permissible Killing: The Self-Defense Justification of Homicide*. New York: Cambridge University Press.



- United States Department of Justice (USDOJ). 1998. *What is the sequence of events in the criminal justice system?* Available at:  
<<http://www.ojp.usdoj.gov/bjs/pub/pdf/cjsflowco.pdf>>.
- Useem, Bert, and Michael D. Reisig. 1999. Collective Action in Prisons: Protests, Disturbances, and Riots. *Criminology* 37(4):735-760.
- Venkatesh, Sudhir A. 2003. Review of *Ethnography at the Edge: Crime, Deviance, and Field Research* edited by Jeff Ferrell and Mark S. Hamm. *American Journal of Sociology* 105(1):284-6.
- Venkatesh, Sudhir A. 2006. *Off the Books: The Underground Economy of the Urban Poor*. Cambridge, MA, Harvard University Press.
- Venkatesh, Sudhir. 2008. *Gang Leader for a Day*. New York: Penguin Press.
- de Waal, Frans. 1989. *Peacemaking among Primates*. Cambridge, MA: Harvard University Press.
- Waldorf, Dan, Craig Reinerman, and Sheila Murphy. 1991. *Cocaine Changes*. Philadelphia, PA: Temple University Press.
- Watkins, Adam M., and Chris Melde. 2007. The Effect of Self-Control on Unit and Item Nonresponse in an Adolescent Sample. *Journal of Research in Crime and Delinquency* 44:267
- Watters, John, and Patrick Biernacki. 1989. Targeted Sampling: Options for the Study of Hidden Populations. *Social Problems* 36:416-430.
- Weber, Max. 1964. *The Theory of Social and Economic Organization*. New York: Free Press.

- Weinreb, Alex. 2006. Limitations of Stranger-Interviewers in Rural Kenya. *American Sociological Review* 71:1014-39.
- Wenseelers, Tom, and Francis L. W. Ratnieks. 2006. Enforced Altruism in Insect Societies. *Nature* 444(7115):50.
- Williams, Terry. 1989. *The Cocaine Kids*. New York: Addison-Wesley.
- Williams, Terry, Eloise Dunlap, Bruce D. Johnson, and Ansley Hamid. 1992. Personal Safety in Dangerous Places. *Journal of Contemporary Ethnography* 21(3):343-374.
- Wilson, Edward O. 2000. *Sociobiology: The New Synthesis*, 25<sup>th</sup> anniversary edition. Cambridge, MA: Harvard University Press.
- Wilson, William Julius. 1987. *The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy*. Chicago, IL: University of Chicago Press.
- Wilson, William Julius. 1996. *When Work Disappears: The World of the New Urban Poor*. New York: Vintage.
- Woodburn, James. 1979. Minimal Politics: The Political Organization of the Hadza of North Tanzania. In *Politics in Leadership: A Comparative Perspective*, eds. William A. Shack and Perry S. Cohen. Oxford, UK: Clarendon Press.
- Wright, Richard, and Trevor Bennett. 1990. Exploring the Offender's Perspective: Observing and Interviewing Criminals. In *Measurement Issues in Criminology*, ed. Kimberly Kempf. New York: Springer-Verlag.
- Wright, Richard, and Scott Decker. 1994. *Burglars on the Job*. Boston, MA: Northeastern University Press.

Wright, Richard, and Scott Decker. 1997. *Armed Robbers in Action*. Boston, MA: Northeastern University Press.

Wright, Richard, Scott Decker, Allison Redfern, and Dietrich Smith. 1992. A Snowball's Chance in Hell: Doing Fieldwork with Active Residential Burglars. *Journal of Research in Crime and Delinquency* 29:148-161.

Wright, Richard, and Michael Stein. 2005. Snowball Sampling. In *The Encyclopedia of Social Measurement*, ed. Kimberly Kempf-Leonard. San Diego, CA: Elsevier.

Young, Jock. 2002. Critical criminology in the twenty-first century: Critique, irony, and the always unfinished. Chapter 11 in *Critical Criminology: Issues, Debates, and Challenges*, eds. Russell Hogg and Kerry Carrington. Cullompton, UK: Willan Publishing.

Zaitch, Damián. 2002. *Trafficking Cocaine: Colombian Entrepreneurs in the Netherlands*. New York: Kluwer Law International.

Zaitch, Damián. 2005. The Ambiguity of Violence, Secrecy, and Trust Among Colombian Drug Entrepreneurs. *Journal of Drug Issues* 35(1):201-228.

Zimring, Franklin E. 2007. *The Great American Crime Decline*. New York: Oxford University Press.

Zimring, Franklin E., and Gordon J. Hawkins. 1973. *Deterrence: The Legal Threat in Crime Control*. Chicago, IL: University of Chicago Press.

Zimring, Franklin, and Gordon Hawkins. 1992. *The Search for Rational Drug Control*. New York: Cambridge University Press.

Zimring, Franklin E., and Gordon Hawkins. 1997. Only in America? Illicit Drugs and the Death Rate from Violence. Chapter 9 in *Crime is not the Problem: Lethal Violence in America*. New York: Oxford University Press.