

BOOK REVIEW

John Irwin. *The Felon*. Englewood Cliffs, New Jersey: Prentice-Hall Inc., 1970, 211 pp.

This book, based on interviews and participant observation of California felons, attempts to examine the "career" of the felon. Irwin approaches the study in four general areas: Criminal Identities, Prison Experience, Reentry, and Parole Systems. The book is well-organized and follows this sequential pattern from arrest to release and supervision.

Irwin's section on Criminal Identities is very understandable, but perhaps a bit over simplistic. Irwin contends that the first stage of criminal behavior is the acquisition of criminal perspective and identity. He specifies eight criminal systems and describes them in their ideal-typical form. The Thief system (pp.8-12) is described as having the major themes of "the big score", "character or solidness", and "skill". A person in this system believes that the world is basically corrupt and unjust. The Hustler system (pp. 12-15) is described as having the basic theme of "sharpness". Irwin attributes hustling as a system to predominantly black cultures. The Dope Fiend system (pp. 15-23) has as its central theme the concept of using drugs or "being hooked". Drug Fiends, according to Irwin, generally feel life is dull and mundane, and seek either escape or "expansion". The Disorganized Criminal system (pp. 23-26), according to Irwin, make up the bulk of convicted felons. These felons are individuals who believe they cannot avoid trouble and therefore approach "trouble" in an indifferent manner. It would appear that Irwin has overlooked an important aspect of the Disorganized Criminal system: that of "fast living". "Fast living" means getting as much partying and "hell raising" done and acquiring as many status possessions (e.g., big car, fancy clothes, expensive jewelry, large rolls of money, etc.) as is possible in the shortest amount of time. It seems that this is the central theme of the Disorganized Criminal system. In general, however, Irwin concludes that the Disorganized Criminal system is full of unskilled, careless criminals who live a

chaotic and purposeless life. The State Raised Youth system (pp. 26-29) has the major theme of "toughness". These youth emerge as adult felons after one or more commitments to state correctional facilities as minors. The Lower Class system (pp. 29-32) approximates Walter Miller's findings in his article "Lower-Class Culture as a Generating Milieu of Gang Delinquency" (*Journal of Social Issues*, 1958). The Square John system (pp. 32-34) is comprised of individuals who have not assimilated a deviant lifestyle, but who are convicted and imprisoned for a particular act.

In general, Irwin's presentation of the criminal systems is clear and informative to anyone who has had no or limited contact with felons. His use of quoted interview material helps the reader to understand the themes of the various systems. As with most ideal-typical presentations, the section leaves a great deal out and seems to oversimplify the criminal systems. Anyone having dealt with felons to a substantial degree would probably find the section somewhat simplistic and stereotypic, but for beginning students the section should be informative.

The section on Prison Experience covers three general areas: entry into the prison system, in-prison social systems, and the in-prison constructs of the "outside world". This section examines the felons progression from classification to institutionalization through parole planning while still in prison. Again, Irwin's use of quoted interview material makes this section clear and easy reading. Irwin has done what appears to be a very good job of conveying to the reader the pressures and perceptions of prison life.

The section on Reentry is excellent. Irwin uses quoted interview materials and a fine commentary to encapsulate for the reader the problems confronting the parolee. Irwin breaks reentry into three areas: "getting settled down and on your feet", doing better than "getting by", and supervision by a parole agency. The latter is discussed in a separate section of the book. "Getting settled down" (pp. 112-130) has several stages. Irwin breaks the stages into two areas: initial impact, and living as a civilian. The initial impact on the returning felon is tremendous; they suffer from strangeness and disorganization, and are ill-prepared to

function smoothly due to forgotten interaction rituals. In general, they suffer from "anomie". Irwin examines the areas of Employment problems, Housing problems, Clothing problems, Transportation problems, and Personal adjustment problems in this section of the book. The section on "Doing Good" (pp. 131-148) expands these problem areas with regard to the ex-con attempting to do more than "get by". A section on meeting sexual goals is also included in this section.

Irwin seems to have a real in-depth understanding of the reentry problem and has used his writing style well to convey this knowledge to the reader. Even those well acquainted with reentry problems should find this section informative and incisive.

Irwin states that his book began as a study of Parole. This may explain the "jump" to a more formal methodology in the last section covering Parole systems. In this section Irwin studies three concepts: Parolee-Agent system variables, Parole Failure variables, and Parole Success variables. After an introduction to the Parolee-Agent system, Irwin focuses on the Parolee-Agent variables of Control, Assistance, Tolerance, and "Rightness". This section is primarily commentary with little or no interview material quoted. The Parole Failure system is examined using the variables of Agency or Court initiation, and "Straight" or "Crooked" Lifestyles. A mixture of commentary and case histories are used to examine this aspect of parole. The Success of Parole is also dealt with through commentary and case history examination. Parole Success is viewed using the variables "Doing good" versus "Doing poor", and "Straight", "Marginal", and "Crooked" lifestyles. In all, this section should be informative to those not exposed to the parole system previously. The "jump" in methodology is at first distracting and seems to make the book fall into two segments, but it is not totally destructive to the overall flow of the book.

In conclusion, I found the book *The Felon* to be easy reading and, for the most part, informative. As a beginning reader in criminology, it seems to have great value. It appears to be limited by its ideal-typical presentation, however, and the author comments on this from time to time throughout the book to remind the reader of the ideal-typical orientation. As a reader for

anyone who is familiar with the criminal system, it seems to have limited value save the excellent section on reentry. Overall, Irwin has done what appears to be a good job of outlining a highly divergent social system, that of the felon.

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Tigar, Michael E. and Madeline R. Levy. *Law and the Rise of Capitalism*. New York: Monthly Review Press, 1977, 346 pp.

“St. Yves is from Brittany
a lawyer but not a thief
Such a thing is beyond belief”

(13th century poem written for an exceptional lawyer)

Law and the Rise of Capitalism represents the most recent theoretical contribution of legal scholars associated with the National Lawyer's Guild. The central focus of the book is adequately captioned by W.I. Emerson who provides an introduction to the text. “How does a group challenging the old order begin to formulate its own jurisprudence?” (ix). Tigar and Levy contribute an historical perspective on this question, and utilize the rise of contract law to illustrate the ascendancy to state power of the bourgeoisie. “With a perspective of eight centuries, we hope to identify the forces and events which doomed the friar's movement to failure, which labeled the brigands as no more than bandits, and which brought the bourgeois revolutionaries to eventual victory” (xvi). Tigar and Levy combine a penetrating historiographical account of the rise of legal ideology with a theory of “insurgent jurisprudence.” This review provides an overview of their historiography, and critically evaluates the heuristic concept of *Law and the Rise of Capitalism*, “insurgent jurisprudence,” to the rise of legal ideology.

The development of bourgeois ideology proceeded from the initial communes of the urban centers as serfs, seeking freedom, created a social space for equality. Urban communes embodied an attractive conception of life for the serf and, as a result, feudal ties were weakened. The communes, originally formed to provide equitable monetary and political protection, became bitter disappointments. Municipal institutions of legality drifted into the hands of the rich, and the urban collective slowly lost the solidarity it had originally exercised.

In the shift towards centralization of authority, the practice of law became a tremendously powerful device. Lawyers spoke