Crime and the treatment of criminals have been pervasive themes of American legal history. ‘Criminal law’ shows that in contrast to the early conceptions of crime and punishment as largely private activities, diagnosing and responding to crime has become a distinctly public activity, as susceptible to changing public attitudes as other sectors of American political life. Americans have been responsive to the idea that individual citizens have rights not to be subjected to arbitrary criminal process by the state; but also they have rarely been opposed to the prospect of criminals being locked up for a long time. Balancing those attitudes has not been easy, and at present the balance seems tipped toward incarceration.

Justice has to do with punishment and reward, and also with equality, but how should we define it? ‘Justice’ examines what justice really means and what principles we apply to decide when outcomes are fair. One principle of just distribution is equality, and some political philosophers have claimed that it is the only principle — all justice is a kind of equality. However, need and desert give us two very basic reasons why justice can require us to treat people differently. One good reason for not treating people in the same way is that they have different needs. Doing justice is a complex matter, and what counts as giving someone his or her due is to a large extent contextually determined.

5. Containing deviancy and liberating work

Colin Ward
Anarchists are against imprisonment and have an impressive history of releasing the confined. Kropotkin claimed in 1886 that a society built around cooperation rather than competition would suffer less anti-social activity: time spent in prison is time to think and learn more sophisticated criminal techniques. ‘Containing deviancy and liberating work’ looks at the anarchists’ views on dealing with crime and imprisonment and also at their ideas with respect to the world of work. Anarchist aspirations in relation to work vary but for some they are close to realising the dreams of a vast number of citizens who feel trapped by the culture of employment.

7. How do we control crime?
Tim Newburn

‘How do we control crime?’ discusses the formal and less formal means thought to control crime. The formal means refer to the use of the criminal justice system: the police, courts, and prison system. Arising from what we know to be the limitations of organized criminal justice in relation to crime control, the less formal means to control crime are considered as the processes of socialization, whereby social norms and values are learned, reinforced by what is often referred to as informal social control. Recent trends in the use of punishment, from incarceration in prisons to the use of non-custodial, community-based penalties are also discussed.

6. Understanding the crime drop
Tim Newburn

‘Understanding the crime drop’ explains that the downward trend has not been confined to particular countries. Nor is it a short-term blip, but has been sustained over a significant period of time, even during periods of great economic turbulence. There is no simple explanation for the rise or fall of crime. It is a combination of factors, including matters of political economy, social inequality, changes in our routine activities, and, more recently, greater attention given to security and crime prevention, which most likely explains the observed trends. However, the role of the Internet is also explored. Do our main measures of crime underestimate just how much crime is taking place?

1. Meanings and entitlements
William Doyle
'Meanings and entitlements' considers the shifting definition of aristocracy and the components of aristocratic status. The classical definition of aristocracy was ‘rule by the best’, but it always carried a social connotation too. Roman precedents and Latin terms dominate aristocratic theory. Aristocracy came to mean the power of a particular social group and its supporters, sharing meaning with ‘nobility’. Nobility was usually inherited, and gained in prestige through heredity, but could also be purchased or created by monarchs. Hierarchy existed within aristocracy, with many ranks of title. Aristocrats enjoyed privileges, such as hunting rights and tax exemptions, granted in exchange for military and civil service.

1. Beginnings
Gary Thomas

Education comes naturally to us. The clever part of our ability to crystallize and store knowledge is that we can share it, build on it, and pass it on. ‘Beginnings’ defines education, looks at how we view education, and charts the history of education from Ancient Greek times to the present day. What do we go to school for? Compulsory schooling was instrumental in shaping education as we know it today: its rationale was that it would lead to industrial, and perhaps even military, success. Education has become standardized. Teachers often state that their aim is to engender a critical, thinking disposition in their students. How far can they achieve this in today's system of education?

8. Crime and punishment
Gary Gutting

What was Foucault's view on punishment? He discusses modern punishment's demands of an inner transformation, a conversion of the heart. Is this modern control of the soul a means to a more subtle and pervasive control of the body? The point of changing psychological attitudes is as a way to control bodily behaviour. ‘Crime and punishment’ describes Foucault's views on contemporary ideas on crime, punishment, and discipline and looks at his suggestions for alternative ways of thinking. Foucault's Discipline and Punish analysed modern society's allegedly humanitarian treatment of a marginalized group and shows how this treatment involves its own form of domination. It focuses on the institutional structures rather than systems of thought. It is more of a genealogical work than an archaeological one.
8. Tolstoy cannot be silent

Liza Knapp

For his last thirty years, from Confession to ‘I Cannot Be Silent’, Tolstoy often spoke out in the first person, dispensing with the veil of fiction. These late works were widely disseminated. In ‘I Cannot Be Silent’, Tolstoy spoke out with the intention of inspiring and provoking everyone, from the tsar to readers around the globe. This felt more urgent to him as he approached death. ‘Tolstoy cannot be silent’ considers how in ‘I Cannot Be Silent’, Tolstoy shows—in a highly concentrated form—the devices, techniques, and subject matter that give his fiction its power. Tolstoy returned to the questions about love, death, brotherhood, and the pain of others that he had posed from the start.

5. Vocation

Henry Chadwick

Augustine did not find that he could provide answers to all the questions that troubled him while at Thagaste. In 391, on a visit to Hippo Regius, he was forcibly ordained presbyter for a small Catholic congregation. ‘Vocation’ charts Augustine's time at the Hippo house and how his views were shaped by the people he met there. The Hippo house proved to be a magnet for some of the most unfortunate casualties of life. People who became monks or nuns but who left the monastery were a deep disappointment to him. Augustine regarded penitence of heart as part of the regular pattern of all authentic spiritual life. Discipline became a strong force in his life at this point.

Aristocracy: A Very Short Introduction

William Doyle

Aristocracy: A Very Short Introduction shows how ideas of aristocracy originated in ancient times, were transformed in the middle ages, and have only fallen apart over the last two centuries. The myths in which aristocracies have always sought to shroud themselves are stripped away, but the true sources of their enduring power are also revealed. Their outlook and behaviour affected the rest of society in innumerable and sometimes surprising ways, but perhaps most surprising was the way in which a centuries-old aristocratic hegemony has crumbled away over the last two hundred years. This VSI considers why this happened and what remains today.
Law has played a central role in American history. From colonial times to the present, law has reflected the changing society in which legal decisions have been made and has played a powerful role in shaping that society, though not always in positive ways. American Legal History: A Very Short Introduction sheds light on the impact of law on several key social issues: Native American affairs, slavery, business, home life, and criminal and civil offences. The expansion of laws regarding property rights is also considered, as well as the evolution of criminal punishment, the rise of tort law after the Civil War; and the progress in legal education.

8. The Court and the world
Linda Greenhouse

American attitudes towards foreign law was initially ambivalent. The same can be said about foreign opinions towards American law. ‘The Court and the world’ looks at the extent the American experience with the operation of the Supreme Court has influenced other countries' and supranational developing political and legal structures and vice versa. No other country has chosen to bestow life tenure on its judges. Another difference is that European courts, for example, tend to observe a norm of unanimity. What is clear, however, is that even though most people know little about the Supreme Court, it occupies a place in the public imagination.

7. The Court and the public
Linda Greenhouse

What is the relationship between the Supreme Court and the public? Justices rely on public trust to put force behind their decisions. ‘The Court and the public’ considers the role of the public in the decisions of the Supreme Court. To what extent are justices influenced by public opinion? A judge's awareness of public opinion is regarded as necessary. Scholars regard the relationship between the Supreme Court and public opinion as elusive. Does the relationship run both ways? While the public may influence the Court, can the Court influence the public? Over time, the Court and the public seem to maintain a certain
equilibrium. The public seem to approve of the institutions in general, rather than of particular actions.