41
Black criminology

Coretta Phillips

Twenty, thirty white boys outside a youth club [doing] smack [heroin] – they was doing, they was doing some stuff, like. And it was, there was, **they was just being white lads, they were just being young lads. Black people cannot do that**.

(Jack, black British Jamaican)

[when I was a small child] one time my Dad got arrested. Erm, they put him in a police car, and I was like, "Oh, can I go with him?" You know, with the lights on, and speeding, and stuff like that, you know. They turned round to me, and said, "**Oh, you will one day** […] that was something that stuck with me […] my Dad had to bite his lip.

(Tyrone, Black British Jamaican)

So, I'll be dressed nice, in a suit […] I'll be on the train, for example, like on a really busy train with people going to work […]. You'll see some white people just holding their bags to themselves. Sometimes it's strong, sometimes it's weak, **but I can still feel it. There's always that sense of fear** […].

(James, White French and Black Congolese and Gabonian)

What does that bring to your mind when you look at that image?

(Coretta)

(The image shows a young black man who is being arrested during the London riots in 2011. He is standing upright with his hands behind his body, surrounded by seven white police officers. One officer has his hand on top of his head, another one is touching his neck with both hands, another is photographing him, and the remaining four hold him on his shoulders and arms from the sides and behind. The arrestee is holding up his head and smiles.

(see San Francisco Bay View, 2011)

They're scared of him.

(H., Black British Gambian and Sierra Leonian, Muslim)

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> I kind of see a **sense of humiliation** with this man. Obviously, I don't know what he's done, he could have done something really bad, er, but, erm, yeah, I mean, I just kind of feel, it's not necessary to have that many people on one man, and handling him this way.
>
> (Ashad, Pakistani British, Muslim)

These quotes from interviews with five young minority ethnic Londoners in 2017[1] encapsulate the value of Black Criminology (Russell, 1992). Jack provides insight into the profound ways in which black lives are curtailed, constrained, and conflicted. The simplicity of his statement of what young white and black men can do in twenty-first century London is both familiar and yet still shocking. Engaging in illegal, recreational drug use en masse in a public space is a feature of youthful behaviour that can be done with ease – but only if you are white. Tyrone learned police expectations of him and witnessed the racialized humiliation of his father. James' brownness does not protect him from the fear of the Other as he feels the stereotype of the young black man who can be nothing other than criminal, no matter how well-dressed. The reaction to his presence is conditioned by historical representations that limit his capacity to live freely – to inhabit public space without creating anxiety among majority ethnic white people. Like me at his age, our brownness can only be seen in a binary of non-whiteness. H.'s reflection on being shown the image of a black man being arrested and photographed during the London riots of 2011 is also revealing. Despite the man being surrounded by seven police officers, including one with a riot shield, H. interprets this as the terror white police officers feel in their contact with young black men. Viewing the same image, Ashad pointedly sees a brutal display of power, perceiving the interaction as one of shaming and exerting control. In different ways, these quotes all convey what is captured in an equally simple statement by Cameroonian philosopher, Achille Mbembe: "[t]he Black Man is also the name of a wound" (Mbembe, 2017, p. 18). This chapter underlines the contribution that Black Criminology can make in light of such experiences. It begins by examining the originating call for Black Criminology in the US. It then turns to consider the implications of Black Criminology for theoretical understanding and the conduct of empirical research. The chapter then reflects briefly on Black Criminological representation in the academy.

Russell's clarion call (1992)

In her seminal paper, written 30 years ago, Russell (1992) called out criminology's whiteness – the whiteness of its theories and the whiteness of its scholars. Russell took to task mainstream criminology for documenting the 'fact' of elevated rates of offending among African Americans but not comprehensively examining *why* these longstanding patterns existed. In staking the claim for (US) Black Criminology, she asserted the importance of incorporating the voices of black people into criminological research, to fully document variation in experiences of crime and justice. Russell envisaged refining existing theoretical ideas to the whole realm of black lives, whilst also opening up new ways of thinking. In the beginning, she saw this subfield being the preserve of black criminologists only, drawing on their holistic understandings of black lives, free from unfounded myths and errors.

Similar ideas have been expressed in postcolonial and settler-colonial contexts. In the UK, Phillips and Bowling (2003) sought to promote minority perspectives that could reconcile the lived experiences and subjectivities of minority ethnic groups with the criminological data which consistently purports an unbiased overrepresentation of who gets stopped and searched by the police, arrested, convicted, incarcerated, and against whom force is disproportionately

exercised. In Canada, Kitossa's (2012) work emphasized the role of colonialism in decimating First Nation, Metis, and Inuit communities. Indigenous scholars' critique of Australasian criminology has exposed the complicity of positivist criminology which avoids engaging with "messy structural determinants such as racist policing, racist court processes, racist Government policy and legislation" (Tauri, 2012, p. 3). In all such variations of Black Criminology, there is an acknowledgement that such efforts risk reifying the fusing of pathological blackness with criminality and therefore require maximum care and sensitivity.

At the heart of conceptions of Black Criminology in Russell's (1992) paper is the call to operationalize racism (about which, more later), but also to pay due attention to racial inequalities in education, housing, and employment. These are, of course, domains that we recognize can heighten the risks of offending (and victimization). There must be explicit recognition, then, that lower levels of educational attainment can result from access to poorly performing schools in the neoliberal education market, negative teacher perceptions of possible learning outcomes, and institutional racism in curriculum design, teacher assessments, and disciplinary procedures (Gillborn, 2008; Strand, 2021). Furthermore, audit and correspondence studies that send in a job or rental application, matched on all relevant criteria except the racialized names of the applicant, consistently demonstrate a bias against black and other minority ethnic applicants. Being called Anthony Olukayode/Mariam Namagembe (traditional Black African names) or Latoya Williams/Erroll Griffiths (traditional Black Caribbean names), for example, required the sending in of between one-third and one-half more job applications than was the case for white applicants to generate a positive response from UK employers (Wood et al., 2009). Such perceptions of discrimination are are vividly captured here by H. and Tyrone – two of the minority ethnic Londoners whose voices were included at the start of the chapter:

> So as a black boy, like, growing up, growing up in this country and things are tight for you like that, you can't get a job […]. People are giving you stereotypes because of the way you look or because of your hair or the way you dress or the way you talk. It's like you can't be normal with normal people because they don't see you as normal.
>
> (H., Black British Gambian and Sierra Leonian, Muslim)

> I was the only black guy in the area [working for a lift maintenance company]. Erm, a new guy came, don't know if it's because he was white, but he got promoted before me […]. He can't fix a lift. He can't get no one out […]. They made me get people, you know, that was trapped in the lift on my own […].
>
> (Tyrone, Black British Dominican and Jamaican)

Similarly, in one further example of such approaches, Fang et al. (2019) found applying for rented housing in New York City was less likely to lead to a positive outcome if you were named Nevin Stovall/Myles Celestine (traditional African American names). Thus, racial inequalities in education, employment, and housing are not solely the result of lower socio-economic status; racism plays a part in black lives long before encounters with the criminal justice system.

Thirty years on

The recent volume *Building a Black Criminology: Race theory and crime*, edited by Unnever et al. (2019), tackles multiple dimensions of criminological study to set out what a Black Criminology has to offer. Chapters cover omissions in existing criminological theories (White Criminology)

and gaps in the empirical study of race and crime, particularly in assessing experiences of policing, courts, probation, and prisons. Included too is the work of Unnever and Gabbidon (2011) on African American offending. Its starting point is that general theories of crime have limited utility for understanding black offending because they insufficiently engage with historical and contemporary racism. According to Unnever and Gabbidon (2011), African Americans (and other minorities) experience their present in light of their past with collective memories of derogatory stereotyping and unfair and inhumane treatment. This produces a unique worldview and negative emotions and results in weak bonds to educational and workplace institutions, which increases the likelihood of offending. Contact with the criminal justice system and subsequent disenfranchisement then amplifies this spiral.

Despite this refreshing intellectual intervention and other advances, for Russell-Brown (2019), Black Criminology has still not penetrated the centre of the discipline of criminology. Likewise, Phillips et al.'s (2020) examination of British criminology finds the same lacuna. The loud silence of the exclusion of Black (and minority ethnic) experiences can be seen in the historical trajectory of theoretical developments. With few exceptions, the case can certainly be made for Marxist, radical, and control theories, and to a degree labelling perspectives, the new penology, and even critical criminology with its preference to privilege social class and economic inequality in understandings of offending. In part, Phillips et al. (2020) argue, this is because there has been a tendency to accept the "illusion that the conjunction of racism and criminal justice is a singularly US construct" and that this "all too often provides other states with an alibi for neglecting their own racial differentials and accounting for their own specific racial histories" (p. 435).

It is also true that there have been other relevant advances such as the emergence of Critical Race Criminology, which rejects criminological notions of race as a singular, measurable status variable, without socio-political contextualization, and with a colourblind framing. Instead, Critical Race Criminology holds onto the idea that racism exists in multiple domains in society (Glover, 2019). Critical Whiteness Studies are still in their infancy in criminology but they also centre white privilege in the social construction of law and its enforcement in reproducing racial inequalities and racist harms (Earle, this volume; León, 2021; Smith, 2014). Developing the importance of intersectional criminology, Potter (2015) has also advocated for the unpacking of multiple identities (such as class, gender, and sexualities) and their braiding (interweaving) in criminological research, and, in particular, in how power dynamics mediate racialized experiences (see also Parmar, 2017).

Theorizing the history of the present

A particular strength of Russell-Brown's (2019) work, building on her earlier piece, has been recognizing the central significance of a historical framework for understanding the race–crime link. Along with Phillips and Bowling (2003), there has been a call for socio-political histories to inform the study of race and crime in recognition of the formation and institutionalization of racial hierarchies that place white people at the pinnacle, and typically, black people at the bottom, categorized as inferior in terms of civilization, intellect, and morality (Eze 1997). Together, such perspectives do not countenance the myopic view that the past is of limited relevance to understanding patterns of race, racism, crime, and criminality now, and, in so doing, they refute claims that these are best explained by individual proclivities (Glover, 2019; Tauri, 2012). Racism is simply a given. As Mbembe (2017) puts it, "we cannot act as if slavery and colonisation never took place or as if we are completely rid of the legacies of such an unhappy period" (p. 177).

The absence of engagement with colonialization in 'bourgeois' criminology has long been highlighted by Agozino (2003) but has only recently been responded to. The (now popular) decolonizing agenda has come to contend with how legal codes and treaties provided the official mechanism for European territorial expansion that legitimized violent dispossession and subjugation of black and brown people (Agozino, 2003). This sets out how race was constitutively constructed through processes of policing, punishment, and border control in postcolonial and settler-colonial states (Cunneen, 2011; Gilroy, 1982; Tauri, 2014). Elliott-Cooper's (2021) work also shows how the traditions of anti-colonial resistance in the Caribbean have informed activism against racist policing in Britain (see also Lawrence, 1982; Nijjar, 2015).

The absence of race in mainstream scholarship, documented by Russell-Brown (1992, 2019) and others, is perhaps surprising, given that questions of race and crime seemingly have popular resonance. In the US, the publishing phenomenon of Michelle Alexander's (2010) crossover book, *The New Jim Crow*, likens the racist socio-legal regime of the pre-civil rights period to mass incarceration in the present. Likewise, here are selected lyrics from the song 'Black', eloquently performed by Dave (2020), a Black British Nigerian rap artist, at the 2020 Brit Awards[2] ceremony. This captures the specific historical and contemporary contours of British blackness and representations of race and crime:

> Black is pain, black is joy, black is evident
> Workin' twice as hard as the people you know you're better than
> 'Cause you need to do double what they do so you can level them
> Black is so much deeper than just African American
>
> Kid dies, the blacker the killer, the sweeter the news
> And if he's white, you give him a chance, he's ill and confused
> If he's black he's probably armed, you see him and shoot, look
>
> Black is people namin' your countries on what they trade most
> Coast of Ivory, Gold Coast, and the Grain Coast
> But most importantly to show how deep all this pain goes
> West Africa, Benin, they called it slave coast
>
> Poverty made me a beast, I battled the law in the streets
> We all struggled, but your struggle ain't a struggle like me
>
> The truth is our Prime Minister is a real racist
> They say, "You should be grateful we're the least racist"
> *I say the least racist is still racist*
> Equality is a right, it doesn't deserve credit
> *Giving tougher sentences, it's just papering cracks* (n.p.)

Dave picks up multiple threads – racist media coverage, police violence, racialized poverty, political complicity in ongoing state discrimination – but also the uniqueness of the Black British historical perspective, in light of Britain's direct involvement in, and wealth accumulation from, the transatlantic slave trade.

Empirical research

We now turn to the value of Black Criminology to empirical research.

Epistemology and methodology

Turning now to the value of a Black Criminology to empirical research. This can bring to the fore claims of bias (Russell-Brown, 2019), but these are so easily refuted: white criminologists study white offenders, victims, witnesses, police officers, sentencers, prison officers, and fellow criminologists without facing accusations of partiality. Yet, as Tauri (2012) has repeatedly made clear, such equivalence is rarely extended to minority ethnic and Indigenous scholars. More common is the negation of the quality of such research, which is regarded as overly subjective. Legitimate knowledge within Anglo Criminology, according to Cunneen and Tauri (2017, 2019), is positioned as superior, particularly when it adheres to positivist principles. But we should be reminded that these positivist traditions go back to the foundational thinkers in the discipline that started with Lombroso's racist phrenology. And, as scholars such as Agozino (2003) have long argued, biological and cultural theories of race and crime facilitated systemic state violence and subjugation by European nations through the disciplining of (former colonial) subjects using agents of the criminal justice, immigration, and military systems (see also Tauri, 2012). And, as already noted, the assumption that race can be neatly contained as a status or demographic variable is mistaken.

These epistemological and methodological concerns have been repeatedly rehearsed in Merton's (1972) classic paper on *Insiders and outsiders: A chapter in the sociology of knowledge*. The insider perspective assumes that black scholars have monopolistic and privileged access to empathic knowledge about the socially shared realities of black lives because of their continued (segregated) socialization. Indeed, as Jhappan (1996) convincingly argues, "our material situations, life opportunities, social positionality, and dominant discourses do profoundly mould our experiences and understanding of the world and our places in it" (p. 30). This offers a measure of authenticity to minority ethnic scholars' articulation of fellow minority experiences. One increasingly common way to do this is through autoethnography. Gunter's (2008, 2017) and Reid's (2022) work, for example, illustrate some of the tensions and ethical dilemmas that arise when researchers' lives become enmeshed with real lives, researching people you have grown up with. Such work can also throw up a kind of occupational trauma. As Russell-Brown (2021) recently noted, in reflecting on images of police brutality, "[t]here is psychological trauma associated with seeing images of people and in particular people who look like you being tortured in public by agents of the state" (pp. 328–329).

In contrast, Merton's (1972) outsider position argues that knowledge is most accessible to non-members of minority groups. These are perceived as being untainted by prejudice and therefore more objective, while also being able to ask questions about behaviour that an 'ethnically matched' researcher may take for granted and then not interpret as important to the study (Young Jr, 2004). Distance may be trumped by familiarity if it exposes researchers to participants' social worlds and stimulates meaningful communication. And we must also accept that there are multiple selves in the foreground and background of any given research interaction – most obviously but not only in relation to social class and gender. Thus, all researchers must be willing to self-critically examine any biases which can influence interpretations of the lived experience of those whose lives may or may not bear any relation to their own. Such a reflexive stance is, as Parmar et al. (2022) note, "an uneasy compromise position between Insider and Outsider discourses" (p. 4), not least because reflexivity is challenging to accomplish and can risk its own forms of exploitation if engaged in superficially through "reflexivity-by-rote" (Alexander, 2004, p. 138).

Operationalizing racisms

For Russell (1992), it is key in Black Criminology to conceptualize racism as reality and racism as perception and to consider how this impacts patterns of offending. Relatedly, Phillips

and Bowling (2003) – making efforts to incorporate minority perspectives into criminology – argued for a means by which to reconcile the criminological data on criminal justice over-representation with the lived experiences of minority ethnic groups, whose emphasis often lies with concerns about police racism, but also discriminatory actions by the courts, probation, and prisons. Data on perceptions of experienced discrimination are, therefore, invaluable. Threats to and assaults on a person's racial, ethnic, or cultural integrity can produce psychological symptoms of depression, anxiety, distress, and even trauma, as well as having a detrimental effect on physical health (Paradies et al., 2015), but they are also essential for understanding causal pathways into offending. Typical measures that use standardized scales, such as the Everyday Discrimination Scale, may not always be sensitive enough to record the multitude of subjective reactions to racial microaggressions, violent racism, and everything in between.

Qualitative research can offer a means to powerfully describe the essence of subjective experiences and their meaning. Returning to two of the young black Londoners cited at the start of this chapter, Jack and H., their talk illuminates the brutal essence of being positioned as inherently criminal. Jack remembered observing police officers on the other side of the road to him while he waited for a bus, knowing they would cross over and stop and search him:

> [Police officers said] "We think that you're going to rob this big white van opp- opposite you" in the middle of Mc like, at, right next to McDonald's […]. You're standing, you're being suspicious." […]. [To which Jack replies] "Hurry up and search me so I can get on my bus". Like, literally I was like, "Hurry up and search me because you can blatantly see that, like, I'm not dressed to steal".
>
> *(Jack, Black British Jamaican, Christian)*

H. recalls an incident where his sister sent him to the local shops to buy a paintbrush:

> I go to the shop and this one said they don't have it, so I jumped back on the bike, go to another one. So, er, just, like, let's say for, like, 10 minutes I was just going in and out of shops on the same road. Before I get to the end of the road just the undercovers [police] just stopped me, like, searched me, put their hands in my trousers […]. They was, like, I look like I'm selling drugs […] they asked me, "Whose bike is it?".
>
> *(H., Black British Gambian and Sierra Leonian, Muslim)*

For H., these kinds of incidents can lead to a fatalistic acceptance of the certainty of inferiorization. H. goes on to reflect how such regular infringements can lead black boys to 'lose hope' and to feel edged into criminal offending because they will always be stereotyped as criminals regardless of their actual behaviour (Phillips, 2020). H. suggests they may be provoked into drug dealing as they reflect that "I might as well be like that if I'm gonna – they're gonna stop me every day, search me, ask me about things that I didn't do". Guilt is judged *a priori*, attached to any black body, denying dignity and self-worth and projecting immorality and criminality. It is this toxic omnipresence which creates an ongoing stressor for minorities – what Russell (1998) calls the myth of *criminalblackman*. As black philosopher George Yancy (2017) observes, "White people stereotype us; they ontologically truncate and police us; and, they do violence to our sense of integrity" (p. 592). Similarly, for Jack, there were clear instances when his blackness so clearly connoted 'violent criminal' to police officers that he was certain about his under-protection and overpolicing. In the interview he described being

racially abused and then physically assaulted by a white man but seeing the outcome of the altercation as a foregone conclusion:

> Yeah, I know. It's a white man and a black guy […]. Even though he admitted to calling me a n***** and he admitted to putting his hands on me first I was still arrested [and he was not].
>
> *(Jack, black British Jamaican)*

Culturally intelligent methodologies

In addition to storytelling through qualitative research, various cultural forms speak to lived experiences of racism and discrimination and complement the data we collect through traditional means. Glynn's (2019) work calls for 're-storying the past' using the techniques of rhyming 'data verbalization' in spoken word, theatre performances, podcasts, and screenplays, to disseminate qualitative research findings.

Describing the value of Afrobeats (Nigeria), reggae (Jamaica), and hip hop (US) for analyses of historical-contemporary connected state violence, for example, Saleh-Hanna (2010) maintains music lyrics provide the creative expression of political resistance to racism and the articulation of black liberation and self-determination (see also Elliott-Cooper, 2021). "Empowered manifestations of blackness in musicianship symbolize survival and dignity despite immense attempts at annihilation" is how Saleh-Hanna puts it (2010, p. 149), and the Dave (2020) performance noted above exemplifies this. Not dissimilarly, Phillips et al. (2020) referenced, across the authors' generations, Linton Kwesi Johnson's (1979) 'Sonny's Lettah', Macka B's (1984) 'We've had enough', and P Money's (2016) 'Stereotype' as vivid orations of the violence of police power, capturing the essence of how policing can be felt, endured, and defied. Perhaps then it is no surprise that the policing of black music forms – hip hop, grime, and drill – is part of the panoply of devices that the state uses to surveil and criminalize black men (Fatsis, 2019a, 2019b; Owusu-Bempah, 2022).

According to Russell-Brown (2018), visual arts can help us tell stories of how race drives individual and structural decisions in the criminal justice system, but perhaps even more importantly it can serve to humanize black lives through the senses. Images of lynching victims can penetrate in a way that 'mind-numbing statistics' of racial disparity cannot, Russell-Brown (2018) suggests. Glynn's (2021) recent book, *Reimagining black art and criminology: A new criminological imagination*, looks to novels, letters, film, theatre, and music to infuse disciplinary understanding through counternarratives not confined by the academic conventions of peer-reviewed journals and conferences. Implicit in these forms is the accurate historicizing of the present through black performance that presents blackness as dynamic and multidimensional, and not only as inferior representations without humanity. What inspires all these culturally intelligent methodologies is the rejection of positivist chauvinism that assumes meaningful understanding can only come from hard scientific approaches that isolate race as a one-dimensional, decontextualized variable.

Practising criminology

In Russell-Brown's (1992) earlier piece, the call for Black Criminology assumed that – at least at first – it would be the preserve of African-American criminologists. Thirty years on, underrepresentation in the discipline seems somewhat less of an issue than it was then. However, Russell-Brown (2018) cites the work of Chesney-Lind and Chagnon (2016) that still finds some

underrepresentation and that this is most marked in the more prestigious and senior positions within the academy. They find higher rankings among more positivist journals, which, given earlier discussion, immediately positions minority ethnic scholars at risk of their work not being published in top-tier US journals such as *Criminology*. Representation of 'non-white' authors was higher in the journal *Theoretical Criminology* which, at the time of writing, *would* be considered a Q1 journal. However, it is unclear how many of the non-white authors were of African American/black heritage. Within the officer ranks of the American Society of Criminology, black criminologists have rarely been seen and neither have they proportionately won research awards. For Chesney-Lind and Chagnon (2016), "people of color are almost a nonpresence in criminology", noting that "it would be intellectually dishonest to overlook how limited the presence of non-White criminologists remains" (p. 327). Taylor Greene et al. (2018) similarly find that African Americans made up 5 percent of faculty in the top five criminology doctoral programmes in the US, which is below their representation in both the US population as a whole and the faculty population (see also Kitossa, 2012). As a small gesture, this paper lists minority ethnic scholars first in the list of references to signify the value of our contributions to the field.

In their piece on minority perspectives, Phillips and Bowling (2003) argued that representation is not the only issue. There must also be a public duty for criminologists whose work is informed by a minority perspective to be vigilant in critically assessing and monitoring policy developments that might have a specific detrimental effect on minorities, either as victims, offenders, or practitioners. This responsibility, they maintained, should also extend to being responsible for research claims put into the public domain and to rebutting inaccurate or false representations (see also Russell, 1992). Taken further – and more broadly pitched as anti-racist scholar-activism rather than the actions of public intellectuals – there are some pointers from Joseph-Salisbury and Connelly's (2021) manifesto that urges researching, teaching, and organizing around analyses of racism operating at structural, institutional, and micro levels, being in the mix of communities of resistance, and being reflexive about our roles within the neoliberal university. Black Criminology must surely adhere to these principles too.

Conclusion

The notion of Black Criminology, first advocated in 1992, has yet to secure a place in mainstream academic criminology. It promises a scholarly intervention that is sensitive to the historical forms of white state violence that continue to pattern black and minority ethnic experiences of crime and justice. It urges theoretical developments that do not individualize the experiences of young minority ethnic Londoners like Jack, Tyrone, James, H., and others, holding them to account for individual failings. Black Criminology centres structural dimensions of racialized inequality and it also interrogates the multiple layers of racism that exist in contemporary postcolonial and settler-colonial societies. Black Criminology cannot endorse an epistemological approach which assumes race can be reduced to a mono-dimensional status, devoid of what African American philosopher George Yancy (2017) calls the "many daily manifestations of black racialized trauma" (p. 587). Instead, it supports the more politically meaningful means of generating understanding that comes from the spoken word, music, and the visual arts. And the 'wound' (Mbembe, 2017) – referred to at the start of this chapter – supports Black Criminology, which exposes systematic stigmatization that is painfully felt, analyzes the continuities of European (white) imperialism, and interrogates the new technologies through which black populations are managed and controlled using algorithms, artificial intelligence, and genomic techniques.

Notes

1 From a purposive sample of 20 young, minority ethnic Londoners drawn from community, religious and sports organizations, in research examining the mobilization of racial orders in everyday life (Phillips, 2020).
2 The prestigious British Phonographic Industry's annual popular music awards.

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