

## CONTENTS

<i>List of Figures and Tables</i>	<i>page</i> ix
<i>Preface and Acknowledgments</i>	xi
<b>1 Introduction: The Punishment Response</b>	1
Punishment and Types of Sanctions	2
The Functions of Punishment	4
The Nature of Punishment and Societal Complexity	6
Effectiveness of Criminal and Civil Sanctions	8
Disparities in Criminal and Civil Sanctions	9
The Value of a Comparative Historical Approach	10
The Current Approach	11
Suggested Readings	14
<b>2 Punishment Philosophies and Types of Sanctions</b>	15
Philosophies of Punishment	15
Retribution	15
Incapacitation	17
Deterrence	20
Rehabilitation	22
Restoration	23
Types of Formal and Informal Sanctions	24
Economic Sanctions	25
Monetary Fines, 25 • Financial Sanctions in Civil Litigation, 26 • Other Economic Sanctions, 27	
Incapacitative Sanctions	30
Banishment and Exile, 30 • Incapacitative Devices, 31 • Incapacitative Structures, 32 • Other Types of Incapacitation, 33	

Corporal Punishment	33
Flogging, 34 • Branding, 35 • Mutilations, 36 • Capital Punishment, 37	
Summary	44
Suggested Readings	49
<b>3 Contemporary Punishments in Comparative Perspective</b>	<b>50</b>
Basic Problems in Comparative Studies	50
Economic Sanctions	53
Incapacitative Sanctions	55
Corporal Punishment	58
Geographical Differences in Capital Punishment	58
The Middle East, 63 • Caribbean Countries, 64 • Asian Countries, 65 • Africa, 69 • North America, 70 • Central America, 71 • South America, 72 • Europe, 72 • Oceania, 73	
Level of Economic Development	73
State-Sponsored Violence and Civil Unrest	74
Summary	75
Suggested Readings	80
<b>4 Punishment in American History</b>	<b>82</b>
Overview of Structural Features	82
Historical Context for Sanctions	85
Colonial America	85
Economic Punishment, 88 • Incapacitative Sanctions, 90 • Corporal Punishment in Colonial Times, 91	
Statehood, Slavery, and the Western Frontier	94
Capital Punishment, 96 • Lynchings in the Nineteenth and Early Twentieth Centuries, 97 • Social Control on the American Frontier, 99	
Twentieth-Century Practices	100
Economic Sanctions, 101 • Incapacitative Sanctions, 102 • Corporal Punishment, 104	
Comparative Analysis with Other Western Societies	106
Similarities with Western European Traditions	106
Differences with Western European Practices	107
Summary	109
Suggested Readings	114

## CONTENTS

vii

<b>5</b>	<b>The History of Punishment in China</b>	115
	Overview of Structural Features	116
	Historical Context for Sanctions	118
	The Feudal Tradition up to the Late Qing Dynasty	118
	Economic Punishment, 121 • Incapacitative Punishment, 123 • Corporal Punishment, 124	
	Nineteenth Century and Early Twentieth Century (1840s to the 1940s)	128
	Economic Sanctions, 130 • Corporal Punishment, 130 • Incapacitative Punishment, 132	
	Socialist China from 1949 to the Twenty-first Century	133
	Economic Sanctions, 135 • Incapacitative Sanctions, 138 • Corporal Punishment, 141	
	Comparative Analysis with Other Asian and Socialist Societies	143
	Summary	145
	Suggested Readings	153
<b>6</b>	<b>Punishment Under Islamic Law</b>	155
	Overview of Islamic Faith and Law	155
	Historical Development of Islam and Islamic Law	158
	The Early History of Islam	158
	Islamic Rule and Law, 632 A.D. to the Mid-twentieth Century	160
	The Resurgence of Islamic Fundamentalism in the Twentieth Century	162
	Social Control in Islamic Societies	163
	Punishments Under Islamic Law: Their Purpose and Nature	164
	<i>Hudud</i> Offenses, 165 • <i>Qesas</i> Offenses, 171 • <i>Ta'azir</i> Offenses, 172	
	Procedural Rules and Evidentiary Requirements	174
	Other Control Mechanisms and Sanctioning Bodies	175
	Saudi Arabia	176
	Crime Trends in Saudi Arabia and Other Islamic Countries	178
	Criminal Punishments in Saudi Arabia and Other Islamic Countries	180
	Corporal Sanctions, 180 • Incapacitative and Economic Sanctions, 183	
	Summary	185
	Suggested Readings	193

<b>7 Issues in the Sociology of Punishments</b>	194
Theories of Law and Society	194
Consensus and Conflict Views of Social Order	195
Legal Evolution and Societal Complexity	197
The Effectiveness of State-Sponsored Punishments	199
Social Engineering	199
Punishment and Minority Group Threat	200
The Deterrent Value of Punishment	204
Socioeconomic Disparities and Punishment	206
Cultural Values and Perceptions of “Evil” Societies	208
Universal and Context-Specific Patterns	210
Summary and Conclusions	212
<i>References</i>	217
<i>Author Index</i>	231
<i>Subject Index</i>	235