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How to commit a perfect murder[☆]

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Abstract

The perfect murder is a recurring theme in many works of art, high and popular. Scientific inquiry has generally overlooked the issue, though a considerable body of cross-disciplinary evidence documents wide variation in the handling of homicide in human societies. At one extreme lie those intentional homicides that result in no legal sanctions and popular praise for the killer, homicides that may be fairly termed perfect murders. But when will killers get away with murder? The present paper draws upon pure sociology to specify the conditions under which the combination of maximal legal and popular leniency for homicide occurs. Data on the killing of civilians by police in the United States and Brazil illustrates the continuum of murder perfection, with those in Brazil providing an especially close fit with the theoretical model.

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Few things are as intriguing as murder; fewer still are as intriguing as a “perfect” murder — one for which the killer avoids all penalties. Witness our collective fascination with the murder mystery — as film, poem, play, opera, documentary, and novel. Protean though the plots and motifs of the murder mystery are, the form generally utilizes a conventional conception of lethal violence: murder is wrong and ought to be punished. Secrecy is generally the murderer's best friend: kill without being identified, even if only for as long as it takes to escape beyond the long arm of the law. To be known or even suspected as the perpetrator but without the

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authorities being able to prove their case is more risky. For greater safety, the killer might make it look like a suicide. Or, better yet, shift the blame by setting someone else up – an innocent dupe or, best of all, an enemy, to be caught and punished as the culprit. But no matter how clever the murder, the truth may seep out. Exceptional powers of detection can solve even the deepest puzzle. Hence the artistic tension that fuels the genre: who will win the battle of wits? Can the sleuth – Sherlock Holmes, Hercule Poirot, Phillip Marlowe, Easy Rawlins, Precious Ramotswe or some lesser known investigator – unravel the knot of deceit, deception, and dissembling to discover the killer's identity and see justice done? Or will evil ultimately triumph over good, wrong over right?

Curiously, social science has ignored the problem of the perfect murder. Perhaps the issue seems trivial (too redolent of mass culture) or morally incorrect (too sympathetic to wrongdoers). Whatever the reason, the neglect is not justified as the topic harbors an important scientific question: when will people get away with murder? Moreover, the data for answering the question already exist. A large body of research conducted by criminologists, anthropologists, historians, sociologists, human rights activists and others provides a wealth of detail about the handling of real-life homicide cases across a broad range of human societies (Cooney, 2009). Most of the work seeks to explain variation in case severity, such as why some homicides result in the death penalty and others in life imprisonment (see, e.g., Gross and Mauro, 1989). Less attention has been paid to the other end of the spectrum: leniency. Yet bring the available information together and for once the cliché is true: fact really is stranger than fiction. Where artistic treatments of murder tend to assume that murder is evil, empirical investigation reveals that some murders are, in fact, good (see e.g., Wilson, 1996). When a killer truly gets away with murder he does not merely escape punishment but receives the acclaim of his peers, regardless of how he kills. (Since most murderers are male, I use the masculine pronoun, though the analysis applies equally to females.) In the real world, the perfect murder is not a whodunit.

Many examples of perfect murders can be found in human societies, including the killing of rebellious underlings, murder for reasons of honor, and the elimination of persistently dangerous persons. In modern societies, the most frequent instances of homicides that rarely result in legal penalties are, paradoxically, those committed by the very individuals charged with ensuring that people do not get away with murder: police officers. Why do police homicides generate such mild outcomes? The first explanation likely to present itself – that killings by police are, in general, legally innocuous – turns out to be unsatisfactory. The contention of this paper is that the roots of the leniency are primarily sociological, found in what Black (2000, 2002, 2007) calls the “social geometry” of the case – the location and direction of police shootings in social space, particularly organizational space. The critical importance of organizational geometry is revealed by comparing the response to police homicide in Brazil and the United States. But, first, a few words about the theoretical paradigm from which the concept of social geometry is derived: pure sociology.

1. Pure sociology

Pure sociology is a general explanatory paradigm applicable to every form of social behavior. Black (1976) invented the paradigm, first applying it to explain variation in the distribution of law or governmental authority. Subsequently he and others have employed pure sociology to address a variety of topics, most notably the myriad ways social actors respond to conflict (see Campbell, 2011).

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