

4-1-1970

A Thief's Primer. by Bruce Jackson.

Al Katz

University at Buffalo School of Law

Follow this and additional works at: <https://digitalcommons.law.buffalo.edu/buffalolawreview>



Part of the [Criminal Law Commons](#)

Recommended Citation

Al Katz, *A Thief's Primer. by Bruce Jackson.*, 19 Buff. L. Rev. 701 (1970).

Available at: <https://digitalcommons.law.buffalo.edu/buffalolawreview/vol19/iss3/18>

This Book Review is brought to you for free and open access by the Law Journals at Digital Commons @ University at Buffalo School of Law. It has been accepted for inclusion in Buffalo Law Review by an authorized editor of Digital Commons @ University at Buffalo School of Law. For more information, please contact lawscholar@buffalo.edu.

AL KATZ**

This book is composed of statements by a moderately successful thief who was, when I first met him, midway in a five-year residency in a Texas state prison. He had done time once before, a two-year sentence that terminated a ten-year career as a check-forgery; between the two prison terms he had supported himself by opening other people's safes.

Sam's story presents neither a theoretical discussion of the general category of behavior our society accepts as criminal nor a portrait of a perfect representative of that category. No single career could be adequate for such a portrait. His statements form, rather, an attempt by one kind of thief to describe the kind of world in which he thinks he moved, and the relationships he thinks he had with it and its actors. The statements try to describe what he did, but more important, they try to put into a balance satisfactory for *him* the roles he enacted and the roles to which he aspired.¹

Sam sees himself as a professional thief, a *character*, "whereas the rest of them are on-again, off-again, hooligans-mulligans. Something. They're just not professional. I guess we frown on them as much as a doctor would a chiropractor. It's the same thing."² Sam's conception of a professional thief is a status conscious, value laden, style-snobbish thing. It excludes the great mass of criminal types as well as the entire "free" (square) world. As Sam puts it: "Probably we're more class conscious here [in prison] than you are on the streets. Probably much more, because that's all we have."³ But when he is on the streets that is still all he has—apart from money (stolen and quickly spent), and freedom (more or less temporary). What do the people on the streets have that Sam doesn't or couldn't have? Sam doesn't ask himself the question, but the answer seems to be—nothing. Sam's perception of the character's world and his role in it is frighteningly similar to the square's perception of the free world and his role in it.

From Sam's point of view the character is the criminal analogue of the most successful high-status businessman. His construction of the American pecking order, criminal and non-criminal, is the core of his story and Bruce Jackson's perception of it:⁴ he sees money and "style" as *the* core values

* Associate Professor of English, State University of New York at Buffalo.

** Assistant Professor of Law, State University of New York at Buffalo.

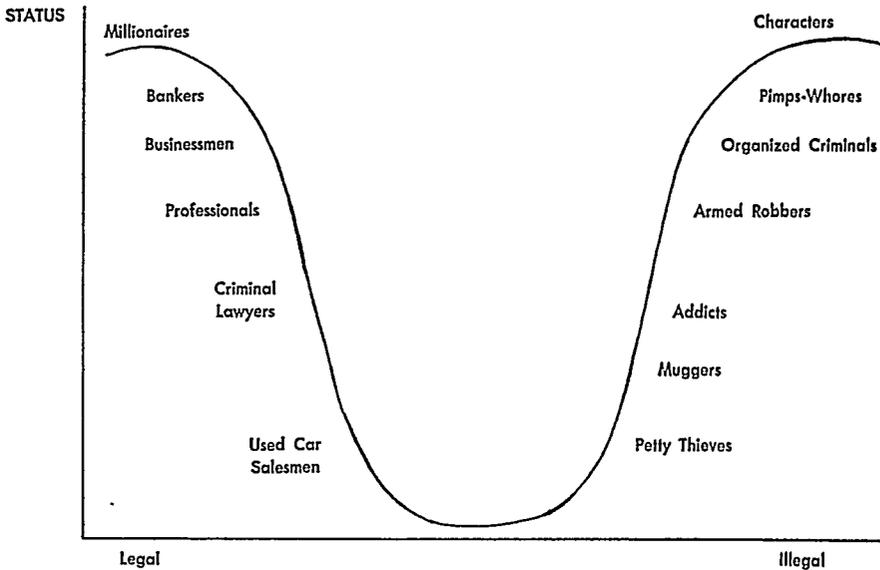
1. Pp. 15-16.

2. P. 144.

3. P. 155.

4. P. 26: "In the world of the career criminal, as in the middle class, the *sine qua non* of status is the ability to make money. In both, there are secondary qualifications by which the individual is evaluated, but before he is eligible for the evaluation process, he must pass the income test. Without the income qualification, one can not play the social game at all. The career thief, remember, has referents in our world as much as his, and for some the incentive to steal is acquisitive purely: they want things or the status things seem to represent. Other values are subsumed in the quest, sometimes quite consciously."

which arrange status roles along an inverted bell curve which ought to look something like this:



Sam respects those nearest the peaks regardless of which side of the valley they are on.

Once one gets used to the notion that Sam shares the core values of square society the natural question is why has he chosen crime? Of course, if an individual holds to the going values but can not make it in the free world, crime makes some sense. But as Jackson notes early in the book:

Many of the better thieves one meets are agile enough to make as much money legally. And they often know it. One said to me, only half joking, "I bet you wonder why a cleancut kid like me from a good family turned to crime." I said I had indeed wondered about that. "I like the life," he said, meaning the romantic business of spending big, carrying an automatic pistol in a special shoulder holster, moving in two worlds at once.

He likes the life. And so does Sam.⁵

Is Sam's choice of occupation therefore purely a matter of taste? or is there still something pathological about it? or is it some mixture of both?

The case for rationality is not hard to make and should go something like this. Sam has chosen the path of least resistance to the top of the status-money scale. He has, in terms of primary social values, maximized his potential. A man should work hard, and Sam certainly does. A man should take pride in the rewards his work brings (in the twentieth century it would be merely

5. P. 31.

charming to state this as “take pride in his work”), and Sam does. Sam manifestly enjoys his work, as he should. A man should discriminate in selecting social and professional associates, and Sam’s habits here are quite elegant.⁶ A man should be attractive to women and have a full sex life without resorting to whores, and Sam is bemused by the evidence of his attractiveness while his social role prohibits *paying* (but not using) whores for their services (being a “trick”).⁷ Finally, a man should always have at least one woman to help make life more efficient, successful and comfortable (preferably two, one at home and one at the office) and Sam never seems lacking in this respect. So far Sam is doing fine, but what about those years in prison and lawyers’ fees and occasional beatings by police?

In his career Sam seemed capable of making between \$5,000-\$15,000 in a weekend passing bad checks or cracking safes—a decent yearly income in middle-class America. So if you add up his years in prison and consider them as part of the time spent earning the money, Sam is still considerably ahead of most of the square world. Lawyers’ fees and travel costs, which are considerable for Sam, are readily offset by the fact that his earnings are tax-free. The beatings by the police are severe but not frequent (Sam seems to think the *Escobedo-Miranda*⁸ rules help or will help considerably). In many respects he is more free of police harassment than squares (particularly black squares), and he apparently does not fear mugging, assault or house burglary. After all he is the predator, not the prey.

Sam works (steals) in order to “party,” buy expensive clothes and get high. When he has money he spends most of it until it is gone or he is. He crams a lot of two-hour cocktail parties, Saturday night movies-theatres-dinners, and office “affairs” into binges of high living. Sam is a conspicuous consumer: the difference is he consumes mostly non-durable goods and those durables he does collect come and go as frequently as his women. Sam has no attachment to things or people.

This brings me to his pathology, if it be such. In his introduction Jackson observes that for thieves like Sam “work is separated from the goal of work; it is as anomic as college sociology.”⁹ A nice point, and I take it to mean (though I’m not sure this is Jackson’s point) that Sam’s anomie¹⁰ does not distinguish him from a great part of the square world. Sam is not involved in work-as-task any more than he is attached to things. “Money [to Sam] is strictly a medium of exchange for freedom, not for any value the money has itself” observes Jack Heard, now Assistant Director of the Texas Department of Corrections. This is an odd statement (which Jackson lets stand without comment);¹¹ what kind of value can money “itself” have other than as a

6. Pp. 153-57.

7. Pp. 148, 190, 192 n.1.

8. *Escobedo v. Illinois*, 378 U.S. 478 (1964); *Miranda v. Arizona*, 384 U.S. 436 (1966).

9. P. 31.

10. E. Durkheim’s term. See *THE DIVISION OF LABOUR IN SOCIETY* (1933).

11. Apart from an Introduction and Postscript Jackson only comments on Sam’s text

“medium of exchange” either for freedom or goods and services? Furthermore, from what Sam says it is not having money but being able to spend it lavishly that counts. However, if Heard is opposing retention (money as value itself) with an almost disinterested spending he may have identified a symptom of Sam’s putative pathology: he is no more interested in hoarding or retaining money than he is in stockpiling durable goods.

Sam’s relations with people follow the same pattern. Jackson’s way of putting it in his Postscript cannot be improved:

In the character world, we have the same sort of [role playing] drama; the only difference is there is more of it. The life style is even less real because the half-life of the various articulations of role are so brief and intermittent. Almost no relationship survives its own exercise. Residence, save in prison, is highly transitory; business relationships are ephemeral; personal involvements are assiduously avoided. Women are to be rented, to be fucked, to be loaned, to be used. Characters deal with one another in a surface world that offers one splendid advantage: if you deal with someone that way, he is compelled to deal with you in that way also, and you are both safe from each other.¹²

The syndrome is familiar, often labeled sociopathological, and presents the greatest challenge to deviant rehabilitation.¹³ But in the context of *A Thief’s Primer* the behavior pattern makes me most uncomfortable. Contrasting Sam’s conspicuous detachment with the square world’s conspicuous possessiveness one wonders whether the pathology lies in Sam’s detachment from things and people or in the anal-retentive modality that pervades square society. Is Sam society’s child refusing to accept toilet training? On the other hand, one wonders whether the free world’s emphatic pattern is not more apparent than real—a few hours with a career diplomat, Wall Street lawyer or the evening newspaper is sufficient to raise the question.¹⁴ If this question is properly put then it may be that Sam is merely acting out the latent social pathology otherwise hidden behind the romantic rhetoric of love and democracy. One can, in short, make a case for the proposition that Sam’s criminal role is the consequence of a character disorder, but it is an uneasy case.

If *A Thief’s Primer* is consistent with academic learning on the subject of deviance, it also confirms academic ignorance without lessening its burden. For example, Sam has a better than fair idea of what the law is, and he does what he can to avoid violating those provisions which (1) carry particularly severe penalties, (2) can be technically obeyed and substantively broken, and (3) are not essential to his trade.¹⁵ Sam’s attitude toward the penal law is no different

in footnotes at the end of each chapter. The footnotes also contain comments on Sam’s text by other convicts as well as Jack Heard—rather like a marriage between Will Cuppy (*The Decline and Fall of Practically Everybody*) and Gore Vidal (*Julian*).

12. Pp. 238-39.

13. G. STÜRUP, *TREATING THE UNTREATABLE* (1968).

14. See B. DEMOTT, *SUPERGROW* (1969) for an attempt to deal with this phenomenon.

15. P. 92.

BOOK REVIEWS

from that of a businessman toward the tax regulations: it is a matter of calculation and relative risk. But since Sam knows what the risks are, the criminal law "controls" his behavior to some extent. Not so, however, with the criminal sanction as such. To Sam prison is to be avoided not because it's a horror show but because it's sort of a pain in the ass interruption of his work and good time. There is no observable connection between the *experience* of prison and the avoidance of criminal behavior. Some further digging at this question by either Jackson or Sam would have been most welcome.

