

Part I: Police Powers

“Street Stops and Broken Windows: Terry, Race, and Disorder in New York City,” Jeffrey Fagan and Garth Davies, *Fordham Urban Law Journal*, December 2000, 28 (457, 34 pages).

“Theorizing Policing: The Drama and Myth of Crime Control in the NYPD,” Peter Manning, *Theoretical Criminology*, 2001, v5n3, pp. 315-344.

“The Role of Procedural Justice and Legitimacy in Shaping Public Support for Policing,” Jason Sunshine and Tom Tyler, *Law & Society Review*, v37n3 (2003), pp. 513-547.

“Schools as Communities: The Relationships Among Communal School Organization, Student Bonding, and School Disorder,” Allison Payne, Denise Gottfredson, Gary Gottfredson, *Criminology*, August 2003, v41n3, pp. 749-778.

“Legal Cynicism and (Subcultural?) Tolerance of Deviance: The Neighborhood Context of Racial Differences,” Robert Sampson and Dawn Bartusch, *Law & Society Review* v32n4 (1998), pp. 777-804.

Part II: Racial Profiling

“Deadly Symbiosis: When Ghetto and Prison Meet and Mesh.” Loic Wacquant *Punishment & Society*, v3n1 (2001), pp. 95-134.

“Race and Place: The Ecology of Racial Profiling African American Motorists,” Albert Meehan and Michael Ponder, *Justice Quarterly*, v19 n3, September 2002, pp. 399-430

“Narratives of the Death Sentence: Toward a Theory of Legal Narrativity,” Benjamin Fluery-Steiner, *Law & Society Review*, v36n3 (2002), pp. 549-576.

“Executing Hortons: Racial Crime in the 1988 Presidential Campaign,” Tali Mendelberg, *Public Opinion Quarterly*, v61, 1997, pp. 134-157.

“Racial Typification of Crime and Support for Punitive Measures,” Ted Chiricos and Kelly Welch, *Criminology* May 2004, v42n, pp. 359-390.

Part III: Incarceration Explosion

“Ballot Manipulation and the “Menace of Negro Domination”: Racial Threat and Felon Disenfranchisement in the United States, 1850-2002,” Angela Behrens, Christopher Uggen, and Jeff Manza, *American Journal of Sociology*, November 2003, v109n3, pp. 559-606.

“The Impact of Incarceration on Wage Mobility and Inequality,” Bruce Western, *American Sociological Review*, 2002, v67 August, pp. 526-546.

“The Mark of a Criminal Record,” Devah Pager, *American Journal of Sociology*, March 2003, v108n5 pp. 937-976.

“Coercive Mobility and Crime: A Preliminary Examination of Concentrated Incarceration and Social Disorganization,” Todd Clear, Dina Rose, Elin Waring, Kristen Scully, *Justice Quarterly*, v20n1, March 2003, pp. 33-64.

“Why Are Incarceration Rates So High?” Michael Tonry, *Crime & Delinquency* v45 n4 October 1999, pp. 419-437.

Part IV: Political Challenges

“The Politics of Punishment Across Time and Space: A Pooled Time-Series Analysis of Imprisonment Rates,” David Jacobs and Jason Carmichael, *Social Forces*, September 2001 v80n1, pp. 61-90.

“The Politics of Punishing: How Institutionalized Power, Activist Governance and Citizen Participation Matters to the Rise and Fall of Incarceration,” Vanessa Barker, *Punishment & Society*, forthcoming 2005.

“The Political Response to Black Insurgency: A Critical Test of Competing Theories of the State,” Richard Fording, *American Political Science Review*, v95n1 March 2001, pp. 115-130.

“Megan’s Law: Crime and Democracy in Late Modern America,” Jonathan Simon, *Law and Social Inquiry*, fall 2000, v25n4, pp. 1111-1151.

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Introductory Essay

I. When I was conducting my research for *The Politics of Community Policing*, the first thing a leading citizen activist handed to me was a copy of the ‘Broken Windows’ essay (Lyons, 1999). With nearly no empirical evidence at the time to support the notion popularized in this essay that the more aggressive policing of minor disorders would reduce serious crime, I was struck then, by the fact that this simple metaphor, circulating in the form of a familiar sounding parable, was able to mobilize such enormous persuasive power. Today, as our conversations about crime, punishment, and politics tend to focus, in part, on competing explanations for crime rate fluctuations in New York City, it is still remarkable that what is now frequently upgraded to the ‘broken windows theory’ remains at the center of policy and political debates. This volume will begin with a section on policing, and include sections on racial profiling, the incarceration explosion, and the political challenges we face in an attempt to make some sense out of the unusually long life of this simple metaphor, familiar fable, and popularized justification for the NYPD’s zero tolerance approach to community policing. Since this approach has become a model for policing reform nationwide, institutionalizing in our deployment of local police powers the racially disparate and excessively punitive forms of social control seen in our incarceration explosions at the state and national levels.

Wilson and Kelling (1982) begin their analysis with data showing that an experimental return to foot patrol in Newark did not reduce crime rates and conclude that because the residents of the target neighborhood “seemed to feel more secure” and “had a more favorable opinion of the police” it was justified to conclude that foot patrol did make neighborhoods safer (29). Their logic was

simple: residents were afraid of “being bothered by disorderly people” and foot patrol elevated the level of public order by keeping “an eye on strangers” and making “certain that the disreputable regulars observed some informal but widely understood rules (30).

“Drunks and addicts could sit on the stoops, but could not lie down. People could drink on side streets, but not on the main intersection. Bottles had to be in paper bags. Talking to, bothering, or begging from people waiting at the bus stop was forbidden. If a dispute erupted between a businessman and a customer, the businessman was assumed to be right, especially if the customer was a stranger.... Persons who broke the informal rules, especially those who bothered people waiting at bus stops, were arrested for vagrancy. Noisy teenagers were told to keep quiet” (Wilson and Kelling, 30).

Wilson and Kelling assert that these informal rules were enforced through a police-community collaboration, though they provide no evidence that these unstated rules were ever agreed upon by anyone and no evidence of any citizen role in enforcement, other than calling the police and “ridiculing the violator” (31). Given their own account it should come as no surprise that a zero tolerance approach to community policing that deploys traditional (neither innovative, community-driven, nor reintegrative, see Lyons, 1999 and Braithwaite, 1989) law enforcement tools and citizen participation is structurally limited to providing the police with information (Lyons, 2000). The moral Wilson and Kelling draw from their largely fictional account of collaboration, where there is not even an effort to actually ask residents what their concerns and priorities might be for their neighborhood, is the central theme of the essay: “disorder and crime are usually inextricably linked in a kind of developmental sequence. Social psychologists and police officers tend to agree that if a window in a building is broken and left unrepaired, all the rest of the windows will soon be broken...one unrepaired broken window is a signal that no one cares.” (31). At this point, even based on imaging collaboration, the central claim (social disorganization matters) has both common sense appeal and social scientific support.

But, Wilson and Kelling are not interested in the social disorganizing messages sent by levels of untended public or private property. Instead, they ignore what Skogan (1990) calls the physical disorder of our most victimized communities, what Sampson and Bartusch analyze as the social disorders rooted in systematic public and private disinvestment, and the political-economic disorders highlighted by Clear and Western, in favor of narrowing the scope of the conflict to the unarticulated discomfort of residents about sharing public space with rowdy teenagers. Wilson and Kelling reduce their observations regarding ongoing, often minor but festering physical, social, political and economic disorders captured in the image of untended broken windows to a metaphor that suggests the most thoughtful response to the plight observed is for the police to more aggressively target strangers who do not know their place for more extreme punishment according to a set of informal rules more likely reflecting the fears driving Wilson and Kelling than representing any serious effort to find out what the actual residents in the neighborhood cared about. In this way, the target Wilson and Kelling prefer, the “unchecked panhandler” is transformed into “the first broken window” (34) in a classic bait-and-switch.

“Until recently, theorists of social disorganization have not regarded the effects of public policies as important considerations for their models of public safety. Public policies were generally thought of as responses to crime, not antecedents of it, so these theorists tended to concentrate on informal social control, rather than formal social control.” (35) This is an oversight encouraged by framing actual broken windows as a metaphor to justify the more aggressive policing of the homeless. But

research that takes the observation of broken windows seriously is increasingly providing us with an alternative, sober, and policy-relevant literature on the relationship between formal approaches to social control (public policy, institutions, bureaucratic routines, campaign strategies, and the messages sent by the windows public and private leaders tend to leave untended) and less formal approaches (informal social controls, social capital, or collective efficacy). And the data presented in this volume powerfully illustrates that literature, showing that social disorganization weakens both formal and informal mechanisms of social control and that the excessively punitive formal mechanisms currently popularized by scholars like Wilson and Kelling have measurably criminogenic impacts on the informal social controls assumed to exist within communities increasingly being sought after to partner with police, prison administrators, or prosecutors.

Several articles in this volume will treat the initial observation of untended broken windows as evidence that disadvantage concentrates at the neighborhood level, can be traced directly to formal elite (state and corporate) actions as well as to the indirect impact of these actions on less formal cultural practices and social norms, and the ways that these impact both crime rates and our capacity to prevent—even to understand—crime. When Wilson and Kelling reduce broken windows to a metaphor that justifies the more aggressive policing of the most disadvantaged, it turns their argument into a fable that asserts what must be achieved—the social bonding or social capital or collective efficacy or reciprocal relational networks that might become the foundation for the kind of police-community collaboration they imagine already exists. This unfortunate choice underlies the resilience of ‘broken windows’ as a powerful sound-bite, implicitly mobilizing a nostalgic image of neighborhood standards that is both historically inaccurate (Walker, 1984) and continues to misdirect policing reform, with particularly negative impacts on how we think about deterrence (Harcourt, 1998) and on the possibility of a sober analysis of crime, punishment, and politics.

The first selection of articles in this volume provide an opportunity to examine the relevant empirical evidence from the NYPD and beyond. Fagan and Davies argue that there is a political conflict within policing, made salient by the rediscovery of police-community collaboration, between the policing of place and the policing of persons. “Police were reluctant to adhere to a new set of markers for performance and competence based on social interactions with law-abiding citizens. By emphasizing the aggressive pursuit of social disorder, or disorderly persons, police returned to the more comfortable performance indicators of stops and arrests, while restoring to the workplace their traditional cultural dichotomy of ‘disorderly people and law abiders’” (Fagan and Davies:4; see also Thatcher, 2001:779).

They find that “the NYPD version of disorder policing rejected the emphasis on alternatives to arrest” (5), favoring instead a “strategy focused on policing poor people” (9), replacing place-based policing with person-focused tactics such that race replaced place. Stop rates were 10 times higher for blacks on violence and weapons stops and the ratio of arrests to stops was 18.7% higher for blacks on weapons stops producing a “style of racial policing” (10-12). Further, “community standards were no longer identified through structured and systematic interactions between police and community leaders. Instead, the NYPD turned to its sophisticated data-driven management accountability system—Compstat—to identify community needs” (5), blocking the decentralization necessary for effective police-community partnerships that might identify actual broken windows (see Weisburg et al, 2003, for a detailed analysis of Compstat that similarly concludes it is driven more by bureaucratic control imperatives than by responsive place-based policing; see also Fagan, 1994, for a critical analysis of the deterrence effects of policing strategies in New York City; and Nagin, 2003).

Finally, while Fagan and Davies find that “the relationship between public disorder and crime is spurious,” in a context where a popularized misunderstanding of this relationship justifies more aggressive and less accountable forms of traditional police work, the “punitive component of the declined prosecutions and dismissed arrests—being taken into custody, handcuffed, transported, booked, often strip-searched, and jailed overnight—impregnates these events with its own social meaning quite different from the origins of Broken Windows theory” (6-7). As Thatcher (2001:779) noted, the “broken windows metaphor synthesizes police and community values in the minds of individual officers,” as managers use it to reassure officers that community policing is not soft on crime.

In the second selection, Peter Manning provides a detailed discursive and historical analysis of the symbolic communication strategies deployed by NYPD and city leaders to make salient their ‘good-policing of broken windows’ explanation of crime rate declines. He argues that the “police, like other occupations, manage uncertainties by manipulating symbols [because] imagery is crucial to retaining market share, public trust, and funding,” (318) often leading top managers to prefer dramatizing events. Reframing the meaning of observed broken windows, as they struggle to control their image in the news. “While the rhetoric of police-community partnerships and reduced social distance is publicized widely, punitive crime control tactics are more widely adopted” (Manning, 310; see Skogan and Hartnett, 1997:126-128 on the tendency to continue using the same techniques in community policing programs and for perhaps the most thoughtful empirical analysis of community policing to date), confusing residents interested in better managing the conflicts that cause the greatest harm in their lives by making salient other, bureaucratically and politically driven conflicts that “dissipate public energies,” as Schattschneider (1975:137) warned against, by focusing them on fears that distract attention from leadership and onto the dangerous classes (Glassner, 1999; Davis and Silver, 2004; Lyons and Drew, 2006).

Manning describes the evolution of policing in NY under Mayor Guiliani and Police Commissioner Bratton as a combination of zero tolerance crime-fighting justified with increasing reference to militaristic metaphors and a “words that succeed for policies that fail” (Edelman, 1977), and a rhetorical representation of this as community policing made possible because, “while the ‘broken windows’ perspective made arrest a last solution, absent changes in social disorder, arrest was elevated in the NYPD to its central weapon in the war against ‘street crime’” (321). Taken together, this combination make the police more aggressive, less accountable, and more insulated from critical public scrutiny. “‘Zero tolerance’ crime-control tactics, encouraged and supported by Bratton, were fused with a rhetorical strategy called ‘taking back the streets,’ a war-tinged metaphor following the ‘broken windows’ theory” (321).

Not only has a narrowing of the scope of ‘broken windows’ to the more aggressive policing of disorderly strangers prevented the development of what is genuinely promising about reforms like community policing, it has also mobilized formal and informal approaches to public safety that further concentrate disadvantage within our already most victimized communities in ways that fail to deter deviance because they fail to encourage the kind of public support for state deployment of police powers that makes democratic policing possible and cost effective.

In their 2003 *Law & Society Review* article, Sunshine and Tyler (2003) build on Tyler’s other work (Tyler 2000, 2001, 2004) to examine the relationship between police legitimacy and public support for the police department and their “findings reinforce the argument that over time, the police can

best regulate public behavior by focusing on engaging the social values, such as legitimacy, that lead to self-regulation on the part of most of the public, most of the time. If the public generally view the police as legitimate, much of their everyday behavior will conform to the law, freeing the police up to deal with problematic people and situations. Further, the efforts of the police to manage such problematic people and situations will be aided by cooperation from the public. Finally, when the police need discretionary authority, their use of such authority will be supported by the public. Hence, a procedural justice-based approach to regulation creates social order by engaging public cooperation with law and legal authority. Such cooperation is engaged when people in the communities being policed experience the police as exercising their authority fairly.” (535).

The process-based, relational regulation model provided by Sunshine and Tyler “seeks to manage the relationships between legal authorities and the communities they police through self-regulation that flows from the activation of people’s own feelings of responsibility and obligation” (515), thus linking formal and informal social control through attentiveness to political struggle, legitimacy, and the processes through which we achieve the shared values constitutive of resilient communities. It turns out that policing with respect is not only something that police have more control over than crime rates (535), it also has a significant impact on their ability to reduce crime (see Mastrofski and Reisig, 2002; Seron, Pereira, and Kovath, 2004; Heyman, 2002; see Tyler 2001 and Tiersma and Salon, 2002 for similar data on courts). The strong connections between the structure and routine practices of state institutions, citizen identities, collective solidarities, social bonding, and disorder highlighted in these policing studies also suggests that the most effective approach to deploying police powers is one that understands these relationships as embedded within particular relational networks, including schools.

Payne, Gottfredson, and Gottfredson (2003) expand our examination of police powers to the school context and found that communally organized schools had less disorder because the relationships enabled by these particular formal structures and routine practices increased student commitment to the school and internalization of norms. Like collective efficacy at the neighborhood level, achieving shared expectations and valuing cross-cutting forms of supportive engagement increase the resilience and deterrent power of informal social controls, reducing deviance and the cost of crime control, while also improving teacher efficacy and morale, reducing dropout rates, and improving academic achievement. Further, students or citizens in these contexts became more empathetic, socially well-adjusted, altruistic, and better able to prevent, resolve or reduce the harms associated with the routine conflicts in their everyday lives. In short, tending to actual broken windows can reduce crime in ways that also revitalizes communities, enabling them to effectively partner with more formal agents in the production of public safety (see also Colvin, Cullen and Vander Ven, 2002).

The final selection in Part I provides a suggested way to utilize all this information to reframe the original observations about unintended broken windows. Sampson and Bartusch (1998) illustrate the power of taking actual broken windows seriously to frame our analysis of police powers and deterrence. This particular version of Sampson’s extensive research agenda focuses on dispelling the myth that there is a violent black subculture, a them dramatically unlike us, and therefore appropriately targeted for more extreme punishment. This selection was chosen because it provides useful connections between the emerging literature on collective efficacy, social capital, the work of Tom Tyler (above), Lawrence Sherman (1993) Michael Tonry (1995), Meares and Kahan (1998) and others, that all focus on “encouraging policymakers to attend to the unintended consequences of get-tough policies and heavy-handed enforcement practices on a community’s ability to contribute

to crime-reduction efforts” (Sampson and Bartusch: 801). This selection helps us understand the multiple layers of conflict that concentrate in power-poor communities and prevent self governance at local level in ways that invite state-privileging solutions to collective action problems, further encouraging the atrophy of alternatives to state agency (Sennett, 1970; see also Rosenfeld, Messner, and Baumer (2001) on social capital and homicide).

Since areas of concentrated disadvantage have a higher tolerance for deviance, other than violent deviance (795), this is additional evidence that proximity to crime turns out to produce less punitive, rather than more punitive and vengeful citizens. At the same time, “Blacks appear more cynical because they are disproportionately likely to live in residential environments of concentrated disadvantage” (797). And whites rush to judge this experience-based cynicism as evidence in support of negative stereotypes about blacks as violent and lazy, which are themselves important attitudinal and cultural sources for white support of more punitive approaches to conflict (Peffley and Hurwitz, 2002). But the ideological and cultural foundations for legal cynicism, a willingness to voluntarily comply with the law, or a readiness to collaborate with the police reflect neighborhood experiences, not race (Sampson and Bartusch, 798), and the authors “suggest that inner-city contexts of racial segregation and concentrated disadvantage, where inability to influence the structures of power that constrain lives is greatest...breeds cynicism and perceptions of legal injustice” (783). These political, economic, and physical disorders made visible in untended broken windows provide a neighborhood context for policing that demands a serious examination of race, the blackening of our prison system, and fear-driven politics before we can begin to understand the dimensions of the various, overlapping and competing conflicts we face.

II. One way to think about the disadvantages concentrated within those communities most victimized by crime is to observe their actual broken windows and conclude that these are one powerful sign of the multiple forms of disorder concentrating in power-poor, blackening, inner-city communities. These untended broken windows are concrete manifestations of physical disorders linked to the unequal distribution of resources and employment opportunities; economic disorders linked to absentee landlords, redlining, or neighborhood disinvestment; and political disorders linked to representation, citizenship, fear mongering, and race baiting, which is what we begin to examine in the next section.

We begin Part II with Wacquant’s powerful argument that the explosion of imprisonment and the blackening nature of our prison population are best explained as two aspects of a larger evolution in our ‘peculiar institutions,’ from slavery to Jim Crow to the ghetto to the hyperghetto. As Wacquant (2001:95) argues, “the recent upsurge in black incarceration results from the crisis of the ghetto as a device for caste control and correlative need for a substitute apparatus for the containment of lower-class African Americans.” In this piece, the author provides a broad historical framework for making sense of current and ongoing developments in both inner city neighborhoods and in the criminal justice system. In fact, he argues that these developments cannot be intelligently examined in isolation of each other, because they are two central and integrated mechanisms for the distribution of the physical, political, economic, and social disorders that are increasingly concentrating in those inner city neighborhoods whose residents cycle and recycle from prisons that look more like ghettos to the communities that look more like prisons and back.

One of the more important micro-mechanisms for the creation and maintenance of this blackening carceral system is the court sanctioned and police deployed tactic of racial profiling. Meehan and Ponder (2002) analyze racial profiling and argue that “society expects police officers to preserve the

boundaries of place” (424), and like Fagan and Davies above, when tending broken windows is reframed as punishing rowdy teenagers, place becomes more easily confused with race (Black, 1971). In this study, comparing roadway data to the data collected automatically by police cruiser Mobile Data Terminals they found that the most significant factor for explaining variations in which drivers were profiled was race: “African-American drivers are twice as likely as are white drivers to be queried.... As African-American drivers move from these border sectors to the farthest sectors of the white community, their chances of being the subject of a query increase dramatically...[with] query rates that are 325% and 383% greater than their number in the driver population” (415-7). Similarly, Kane (2002), in a study also done in NYC, found that “communities characterized by structural disadvantages and increases in Latino populations may have experienced processes that both attenuated informal social control mechanism while providing a source of conflict necessary to encourage police misconduct” (884).

Terrill and Mastrofski (2002) also find, in their study of the situational determinants of police use of force, that “male, nonwhite, poor, and younger suspect were all treated more forcefully, irrespective of their behavior” (215). If policing without being attentive to respect and fairness undermines support for the police, that effect is multiplied many times over when we consider the legacy established by persistently disrespectful social control practices like racial profiling on the streets or students on the prison track in our public schools (see Ferguson, 2000) or the even more insidious ways that unexamined, and inaccurate, folk knowledge about race, crime, and punishment can have “a substantial influence on juror decisionmaking during sentencing deliberations.... So pervasive is the folk knowledge about early release that some jurors regard any contrary belief as frivolous” (Steiner, Bowers, and Sarat, 1999:485 and 481).

Fluery-Steiner (2002) provides a powerful narrative analysis of juror reasoning over death penalty cases that investigates the various ways race is mobilized as a hegemonic narrative and offers three related critical findings. First, “findings among white jurors reveal a hegemonic tale of racial inferiority” (549). Second, stories about racial inferiority are articulated by white jurors in one of four frames, reflecting the profound impact of extra-legal factors, such as their personal experiences, on constructing the meaning of the law and legal institutions. Third, black jurors, similarly influenced by their own experiences, employ two distinct frames in response to the racism of their white counterparts.

As Fleury-Steiner puts it, these “stories...frame and impart meanings” to the law, legal institutions, race, and the “racial discourses [that] constitute taken-for-granted understandings and practices” (549) operating as an implicit and often unexamined or only partially examined background consensus upon which those making life and death decisions decide when, how, and upon whom to deploy law’s violence (see Sarat and Kearns, 1995, on law’s violence). “They serve as ‘mechanisms of social control’ because they assert and instantiate a differentiation but do not reveal the basis for those distinctions—do not bring them to the surface for examination and resistance—and thus ‘conceal the social organization of their production and plausibility’” (550). Like the metaphoric reformulation of broken windows as a call for punishing disorderly people, these frames narrow the scope of sentencing conflicts to often contradictory personal anecdotes that reflect an inattentiveness to power cultivated by the messages from public and private officials delivered by formal mechanisms of social control like zero tolerance policing, racial profiling, and police disrespect.

This article provides a powerful empirical explanation for how it is that ordinary citizens, mobilizing a prevailing punitive approach to conflict management, can appear to be taking structure into account in their analysis, even as they dismiss it in favor of volitional explanations in constructing their preferred response. Scheingold (1991:8-10) pointed out that both liberals and conservatives tend to mix structural and volitional explanations, even as “dichotomous interpretations [and] symbolic shortcuts [like ‘structural’ or ‘volitional’] dominate political discourse” to screen out “criminological complexity.” We see that in each of the four story frames highlighted by Fluery-Steiner the white juror begins with some sort of structural analysis only to conclude with a strictly volitional and punitive response. Stories about individual responsibility begin as anecdotes about growing up in or knowing about poor communities. Stories about the racial concentration of disadvantage begin with recognition of the tragedy, angry stories expressing indignation that this kid got lost in the system, but conclude that once he has become a street thug he no longer knows right from wrong like the rest of us and only understands severe punishment. And, finally, frightening stories mobilizing fears about serious harms move easily from more generalized anxiety to its unexamined volitional source in white fear of young black men (560-2; see also Rosenfeld, Messner, and Baumer, 2003).

And this fear does not come out of nowhere. In *Public Opinion Quarterly*, Mendelberg (1998) analyzed the now infamous Willie Horton ads to argue persuasively that “racial campaigns affect far more than voters’ behavior at the ballot box” (134). In a controlled experiment, Mendelberg found that “exposure to Horton coverage increases the effect of prejudice, activates prejudice where it was nearly dormant, inclines prejudiced whites to reject the legitimacy of welfare programs and endorse the idea that African Americans can do without them (145-147).” Further, “without Horton exposure, prejudiced individuals are 25 percentage points more likely than unprejudiced people to oppose racially egalitarian policies; with exposure to Horton, prejudiced individuals are 40 percentage points more likely to do so than unprejudiced people” (145). Testing the alternative hypothesis, that Horton activated people’s concerns about crime, the author found that “Horton did not bring out the power of crime salience [and] did not move perceptions of the importance of crime as a problem” (151).

Horton was about race, the mobilization of which increased resistance to policy focusing on redressing racial inequalities and “heightened perceptions of racial conflict” (151). Horton also represents, homologous to Wacquant, an evolution in the ways we deploy race, from a more explicit to a more plausibly deniable, implicit form of the race card: race-coded appeals to law and order. Chiricos and Welch (2004) conclude that the “racial typification of crime is a significant predictor of punitive attitudes toward crime, even with controls for various demographic factors, crime salience variables and attitudinal dimensions. In addition, we found that this relationship exists only for white respondents, and more particularly, whites who are less concerned about crime...” (374). According to Chiricos and Welch,

“The relationship demonstrated here between the racial typification of crime and punitiveness is consistent with the mechanism of ‘essentialism’ that Young (1999) has shown to be an instrumental moment in the politics of ‘exclusion.’ The belief that ‘others’ are essentially different from oneself or one’s own group ‘allows people to believe in their own superiority while being able to demonize the other, as essentially wicked, stupid or criminal’. Indeed, racial typification of crime essentializes race in terms of crime and crime in terms of race, thereby ‘demonizing’ blacks as the locus of threat. In other historical contexts, such demonizing has been a precursor to the most extraordinary atrocities. Today, it energizes

the mechanisms of social exclusion that include, but are surely not limited to, what Young has called ‘the great penal gulag’ that has been created in this country during the past twenty years” (375).

Expanding our discussion of more implicit, deadly, and symbiotic forms of modern racism, the authors conclude that “in some ways ‘modern racism’ may be more pernicious than the ‘traditional’ overt expressions of racial antipathy, because of its oblique character. Consider James Q. Wilson’s assertion that ‘it is not racism that makes white uneasy about blacks moving into their neighborhoods... it is fear. Fear of crime, of drugs, of gangs, of violence. Such an assertion, in one short sentence, simultaneously disavows white racism while equating blacks with a list of negative attributes. There may be no more apposite expression of what has been called ‘modern racism’ than the simple equation of violence, gangs, drugs and crime with blacks” (376).

And this simple equation, articulated most often in the approach to broken windows that narrows the conflicts to how to more aggressively punish power-poor minorities, will be further unpacked in the third set of selections, focusing directly on the political utility and social costs associated with our incarceration explosion.

III. Behren, Uggen, and Manza argue that “the racial composition of state prisons is firmly associated with the adoption of state felon disenfranchisement laws. States with greater nonwhite prison populations have been more likely to ban convicted felons from voting.... In many Southern states, the percentage of nonwhite prison inmates nearly doubled between 1850 and 1870. Whereas 2% of the Alabama prison population was nonwhite in 1850, 74% was nonwhite in 1870, though the total nonwhite population increased only 3%” (596-8). The explanation of this middle-nineteenth-century “astounding over-representation of blacks behind bars” (Wacquant, 95) draws our attention again to policy decisions by public officials that articulate with market decisions by private leaders, in this case the decision to distribute disintegrative forms of retribution (Braithwaite, 1989) in policies to disenfranchise particular citizens, grouped by a discourse about crime coded to punish on the basis of race.

As Behrens, Uggen, and Manza put it, the political utility for leaders willing to create a “shadowy form of citizenship as punishment for criminal behavior” is that “...felon disenfranchisement laws persist [because of] their compatibility with modern racial ideologies. The laws are neutral on their face.... [And] a strong anticrime consensus allows contemporary political actors to disenfranchise racial minorities without making explicit the implications for minority suffrage” (598-9). And, while the selection included here focuses on ballot manipulation as a form of racial subordination that reaches beyond the electoral arena, we also know from Uggen and Manza (2002:777) that, focusing more narrowly, these decisions have been far from electorally benign.

“Analysis shows that felon disenfranchisement played a decisive role in US Senate elections in recent years. Moreover, at least one Republican presidential victory would have been reversed if former felons had been allowed to vote, and at least one Democratic presidential victory would have been jeopardized had contemporary rates of disenfranchisement prevailed during that time.”

Incarcerating more of those already most victimized by crime, and then disempowering them within a shadowy form of citizenship upon release, mobilizes blackness to win elections and concentrate additional disadvantages within the families and communities least able to subject public and private

forms of unaccountable power to critical scrutiny. Continuing to document the unequal distributions of costs associated with a “penal expansion [that] has deepened racial inequality” (542) and is unlikely to deter criminal behavior, Bruce Western (2002) argues persuasively that “there is strong evidence that incarceration reduces the wages of ex-inmates by 10 to 20 percent...[and] incarceration was also found to reduce the rate of wage growth by about 30 percent” (541). Western finds that the negative, lifelong, and community-level effect of incarceration on African Americans is double the effect on white Americans and it is the “low wages earned by ex-inmates” that is “associated with further crime after release from prison” (541-2).

Pager (2003) provides a powerful experimental analysis that measures directly the impact of a criminal record on employment to identify a mechanism of “carceral channeling” (Wacquant). These findings further confirm that incarceration has an enormous impact on employment, and that this impact is larger on blacks than whites. “The effect of race on these findings is strikingly large. Among blacks without criminal records, only 14% received callbacks, relative to 34% of white noncriminals ($P < .01$). In fact, even whites with criminal records received more favorable treatment (17%) than blacks without criminal records (14%).... The effect of a criminal record is thus 40% larger for blacks than for whites” (953-4). Pager concludes that

“In our frenzy of locking people up, our ‘crime control’ policies may in fact exacerbate the very conditions that lead to crime in the first place. Research consistently shows that finding quality employment is one of the strongest predictors of desistance from crime. The fact that a criminal record severely limits employment opportunities—particularly among blacks—suggests that these individuals are left with few viable alternatives.... No longer a peripheral institution, the criminal justice system has become a dominant presence in the lives of young disadvantaged men, playing a key role in the sorting and stratifying of labor market opportunities” (956).

Framing our crime control efforts this way is a clear link to Wacquant, Sampson and Bartusch, Clear et al, Western and others in this volume searching to explain the puzzle of our incarceration explosion in terms of the consequences and costs of massive—and massively racialized—incarceration. According to Pager (939), the recent period is one in which “incarceration changed from a punishment reserved primarily for the most heinous offenders to one extended to a much greater range of crimes and a much larger segment of the population.” Arguing that “[w]hile stratification researchers typically focus on schools, labor markets, and the family as primary institutions affecting inequality, a new institution has emerged as central to the sorting and stratifying of young and disadvantaged men: the criminal justice system” (938).

Clear, Rose, Waring, and Scully continue this line of inquiry, by examining the impact of growing incarceration rates at the neighborhood level. In short, the unequally distributed incarceration explosion weakens community, because “high concentrations of incarceration” (like poverty, heterogeneity, residential mobility, single-parent families, structural density, and urbanization) operate as an additional “disorganizing factor” to undermine the family, occupational, and political resources that enable informal social control (34). Studying incarceration as a form of “coercive mobility” that has various negative impacts on community stability, this article explicitly highlights the role of elite decision making—public and private leadership—in our ongoing failure to deter criminal behavior.

The US prison population has risen every year since 1972 without regard to crime rates, unemployment, or other factors we would expect incarceration to be responsive to and this massive removal is inescapably linked to the ongoing re-entry of these shadowy citizens into the communities they were forcibly removed from, at a rate of over 600,000 per year (Clear, et al., 37). The prevailing explanations focus on incapacitation and deterrence, that is, they highlight an expectation that the removal of these broken windows sends a message that will deter future crime by changing the decision making calculus of those incarcerated and others in their communities. But, a sober analysis of the communities in question reveals that the removal creates a job opening for another drug dealer, failing to remove crime. And the harsh treatment and diminished life chances associated with their punishment encourages more, not less criminal behavior upon release.

Prevailing explanations miss how community safety is maintained: crafting formal approaches to crime control that support and invest in the neighborhood-level informal social controls that make cost-effective crime control in a democratic society possible. This means investing in the human capital (individuals with a quality education, conflict management and other skills, lifetime earning capacity, mobility) of those who live and work in those communities most victimized by crime to build the reciprocal relational networks that generate social capital (achieving, in practice, the shared values that produce resilient communities and collective efficacy). In this study of 80 Tallahassee neighborhoods, Clear et al., find prison releases and high levels of prison admissions were a strong predictor of increases in crime (50)—incarceration is a form of neighborhood disinvestment. When increases in imprisonment exceed a ‘tipping point’ (36) and the re-entry of individuals from prison into these communities reduces the level of human capital and disables the social networks that contribute to public safety it contributes to the creation and exacerbation of places of concentrated disadvantage, constituting an attack on the stability of poor neighborhoods—an attack on family values—with foreseeably disparate racial impacts (Tonry, 1995).

“The result of an emergent underclass is a kind of permanent system of urbanized social disorganization for the most destitute areas of inner-city life. In today’s world of entrenched poverty, the processes of heterogeneity and mobility may no longer work as they once did....The inner-city areas that are dominated by the underclass have the greatest levels of crime, as well as little racial heterogeneity and little upward mobility. They also have the greatest concentrations of cycling into and out of prison, and our data suggest that these processes of coercive mobility compound problems of informal social control for the neighborhoods that start out with depleted collective efficacy” (58).

Contrary to popularized support for increasing formal and punitive attention to minor incivilities as a way to revitalize informal social controls, this study “shows that growing formal social control has a negative impact on the capacity for informal social control, especially when that growth is concentrated among certain groups” (59). Colvin, Cullen, and Vander Ven (2002:27) similarly argue that coercive approaches cause crime, because coercion, like coercive mobility, invests in criminal capital that intimidates the already weak to be even more desperately driven by fear and anxiety, while supportive approaches invest in social capital, “*creating* the context” in which the strong social bonds that provide resources useful in preventing or resolving conflicts can emerge.

Given the data presented here, what is driving our rush to punish? According to Smith (2004) in the *Journal of Politics*, growth in imprisonment is neither related to crime rates nor to public opinion. “Instead, it is the most basic elements of the political environment (partisanship and elections) and the continuing legacy of racial social cleavages that explain why incarceration rates have increased”

(925; see also Beckett and Sasson, 2000; Tonry, 1995). In the final selection of this section, Michael Tonry (1999), provides a detailed examination of precisely this question, and his findings lead us to consider more seriously the politics of crime and punishment in Part IV.

Tonry organizes his investigation as an assessment, from a more internationalist perspective, of several increasingly complex explanations for our incarceration explosion. First, the claim that it has been a response to high crime “has virtually no validity” (421). The evidence in support of the related claim that it has been in response to rising crime is more mixed, but still weak, because the most drastically punitive responses were put in place as many as 15 years after crime rates has already peaked and settled into a steady decline (422; see also Savelsberg, 1994).

Second, the claim that the public demanded it is misleading because public opinion is more ambivalent and as often follows rather than precedes elite political initiatives (Beckett, 1997). As Tonry (425) puts it, “this leads to the third explanation for American exceptionalism—politicians for partisan advantage have persistently banked on the fires of public fear of crime, and then offered harsh policies to dampen those fires. Assessing this explanation requires a look back at how and why crime control became a focal issue in American politics.”

While Tonry’s argument that before Barry Goldwater ran for president in 1964 crime control “debates were seldom partisan or ideological” (425) begs an explanation for our vigilante tradition (Brown, 1969), the Salem witch trials, or McCarthyism and the Red Scare that does not involve partisan and ideological struggles over the political and criminological “forces that determine how, why and with what consequences societies choose to deal with crime and criminals” (Scheingold, 1998:4), his claim that recent decades are marked by the increased salience of more politicized ways of framing crime control remains persuasive. “Crime’s role as a wedge issue has important consequences” (427), including the oversimplification of complex issues to make them fit into familiar sound-bites that will allow a candidate to better control his or her image in the news. “Matters judges and prosecutors agonize over in individual cases are addressed in slogans and symbols, which often leads to the adoption of ham-fisted and poorly considered policies” (427) that polarize and divide the public in ways that make them less able to understand the nature of crime and more dependent on formal state intervention as a consequence.

Concluding with a focus on larger political trends fragmenting the public into single-issue groups as one way to explore why crime serves so well as a wedge issue, Tonry draws heavily on Caplow and Simon (1999) to argue that the nationalization of governance and crime control has lead to dramatically reduced confidence in government for failing in its excessively formal and punitive approaches to these new tasks, and failing in ways that hasten the atrophy of alternatives, namely less formal approaches that depend on resilient communities rich in social capital.

In this context, marked by “political balkanization” as the elite-led roots of our culture of fear (Glassner, 1999), “harsh policies on crime and welfare can be debated in moral terms, respond to broad-based anxieties and empathies, and affront no powerful constituency” (430). And this leads to the final piece of Tonry’s explanation: our historically contingent political and cultural struggles over how tolerant our collective responses to crime and deviance ought to be. Following the work of David Musto (1987), Tyler and Boeckman (1997), and Stuart Scheingold (1984; 1991), Tonry argues that in our current contexts, “people do not really care about the effectiveness of crime and drug-abuse policies but, instead, support harsh policies for expressive reasons” (433). This is an explanation that highlights both the cultural resonance of punitive approaches to crime control and

the ability of public and private elites to prime public sentiments to amplify the salience of punitive responses to crime, which brings us to our final section: the political challenges of crime control in a free society.

IV. Stuart Scheingold (1998) argues that there is an emerging field of inquiry examining many of the questions posed in this volume: political criminology. “It is criminology in that it is rooted in conceptions of, and concerns about, the ramifications of street crime; It is political in that its focus is on the way in which crime control strategies both reflect and influence the distribution of power within the polity” (1). While all the selections so far offer valuable contributions to the “study of forces that determine how, why and with what consequences societies choose to deal with crime and criminals,” (4) this final five selections focus much more explicitly on the politics of crime and punishment.

Jacobs and Carmichael (2001) conduct an analysis of the political determinants of punishment that finds that “expansions in the strength of the Republican party and stronger conservative values produce subsequent increases in the prison population” (84), that (after controlling for violent crime) incarceration rates were higher in states with larger black populations and that this relationship was stronger in states where leaders focused “increased political emphasis on black street crime” (84). Their findings contradict previous analysis suggesting that Republican party strength can be read as a democratic response to pre-existing conservative views by demonstrating that “the strength of the Republican party continues to explain the imprisonment rates after citizen ideology and membership in fundamentalist Protestant churches have been held constant” (87). Finally, over the time-series, the strength of the primary predictor, Republican strength, increased (88) and the authors conclude that their findings support the position that “incarceration is one method the modern state uses to manage latent political conflicts created by racial and ethnic divisions,” (89) that this method involves “conservative shifts in political climates” that are measured at the state level here as local political entrepreneurial activities taking electoral advantage of the larger symbolic and policy making environment associated with national shifts.

Jacobs and Helms (1999) demonstrate further “that punishment is intrinsically political” and partisan, since “correctional expenditures grow after expansions in the political strength of the Republican Party” (11). Both studies suggest a politics of dependency and the continued analytical force contained in Ira Katznelson’s 1976 observation that “most of the ‘social problems’ of contemporary cities are the result of the uneven development of American capitalism.... All have to be dealt with by city governments, yet all are quite obviously generated by causes *external* to the cities in which their impact is felt.... Their dependency places urban political elites in a situation analogous to the role indigenous rulers performed in classic colonial situations of indirect rule. The ‘arbiter governments’ they lead must *manage the consequences of their inability to solve urban problems*” (218-20, italics in original).

In a detailed historical analysis of state-level politics, Barker (2005) combines quantitative and qualitative data, to argue that “political structures and political cultural practices channel collective action in ways that account for state policy outcomes” such as the sub-national variations in imprisonment examined (2). In a period of transition from one governing coalition to another, in this case from the New Deal coalition and culture and into an emerging Zero Tolerance coalition and culture (Lyons and Drew, 2006), fear and uncertainty strain existing political arrangements as culture wars and moral panics are made more salient features of the political landscape (Franks, 2004). Barker argues that it has been in these moments of “political crisis,” that American states

have “transformed the nature of governance” (34) in ways that demonstrate an additional aspect of the politics of crime and punishment.

While changes in state imprisonment policy were central indicators of state political transformation, these changes varied according to the structure and routine bureaucratic practices characteristic of different state political-cultures. One centrally relevant characteristic institutionalized in each state political-culture—an animating characteristic of each state’s political structures, bureaucratic routines, and how these determined the state’s unique approach to incarceration—was how each state had responded differently to the civil rights movement and black demands for political participation. Those states that worked harder to include blacks, supporting civil rights and black political participation rhetorically, institutionally, in policy and bureaucratic practice created formal mechanisms that enabled, enriched, and invested in informal mechanisms—in a political-culture—that reduced racial conflict, racial hostility, and provided “a crucial buffer against the use of incarceration as a blunt instrument of social control” (35). Those states that did not include, or actively sought to continue and expand the exclusion of blacks, remaining hostile to civil rights and blocking black political participation, created a formal state apparatus that enabled and encouraged a rancid populism, “resurgent anti-statism, and intensified reliance on confinement in order to bring about a new social order based on exclusion” (35).

Stucky (2003) similarly “offers more evidence for the notion that certain local political arrangements enhance or inhibit the accessibility of local officials in ways that affect crime. In addition, the effects of structural indicators of deprivation, such as poverty and family disruption, on violent crime were lower in cities with mayor-council forms of government and as the number of traditional local governmental structures increased. Thus, there appears to be something about certain local government structures that weakens the relationship between deprivation and crime....[and] cities with African-American mayors had lower violent crime rates” (1122-3).

While Barker’s analysis builds on work throughout this volume, arguing that “imprisonment [policy] structures the life chances of millions of people, particularly black Americans, their families, and neighbors, and it does so in ways that exacerbates rather than alleviates inequality and stratification” (6), this selection adds another dimension to our understanding. “Race and economic marginality matter to state reliance on confinement, but these social factors matter differently in different political contexts with varying impacts on imprisonment” (8). This article is about the unexpected but foreseeable long-term consequences of routine practices and policy structures. When actual broken windows are tended, citizens support effective, non-punitive approaches to conflict management. When leaders “diffuse and fracture political authority” to amplify expressive fears about broken windows as a metaphor providing only superficial coherence to a collection of moral panics designed to realign the electorate (rather than prevent crime), then citizens learn to direct their frustration at government itself and demand a government limited to punishment.

According to Barker, this approach to leadership “amplifies anti-statist political cultural practices...[that] tend to atomize and frustrate political participants...heighten conflict, decrease compromise, and increase animosity,” encouraging “ideological battles rather than pragmatic politics of compromise and coalition” (20-1). The structures and routine practices in states whose leadership chose to rely on “high levels of state repression” (incarceration) atomized and frustrated citizens, *constructing* compromise as unthinkable, as irresolute, as weak and permissive, and encouraging citizens to instead feel “sincerely threatened by opposing views, values, and ideas” (22). Conversely, when state leaders institutionalize inclusion, “routines of debate, discussion, open

exchange of ideas and opinions—in other words, the habits of communicative action” the political culture in these states tends to develop in ways that strengthen “reciprocal and trusting networks that then enable cooperation and trust between the state and civil society,” (25) weakening both the crime control and the political forces that might otherwise demand more punitive approaches to crime.

Fording (2001) provides further evidence of the importance of leadership in tending to actual broken windows, including attending to the critical relationship between formal and informal mechanisms of social control—political, economic, cultural—when he argues that “in the absence of electoral power, insurgency is likely to receive only a coercive response from the state” (124). In a pooled cross-sectional time-series analysis of the relationship between welfare recipient rates, incarceration rates, and black political unrest Fording finds that unrest correlated with both increased welfare and increased incarceration, though only for the immediate period and only when blacks had electoral access. When blacks did not have electoral access, insurgency resulted in only a coercive response: incarceration rates rose without a concomitant rise in welfare recipient rates.

“States are the most important actors in the American federal system, at least with respect to these two policy areas. States are generally responsible for about half the welfare expenditures in the country. In the case of criminal justice, most arrests are made by local law enforcement agencies, but criminal courts are under state control, and nearly all convicted offenders are sent to state prisons.” (118) Fording argues that at the state level there is a “welfare-incarceration tradeoff” (125), that is, “a decline in welfare generosity by states is related to an increase in incarceration levels” (128) and that in the ongoing debate about the motivations of New Deal reformers “extra-institutional politics” was found to be important, but so were “conventional electoral channels” in conditioning the response to insurgency (127).

“It appears that many states were unsuccessful in reducing AFDC in the years immediately after unrest subsided. If the social control model is correct, however, labor market imperatives, coupled with the mobilization of the business community, eventually would motivate policymakers to reduce welfare generosity.... If this dynamic at least partly explains recent contraction of the welfare rolls, then this research may explain a second important policy trend in recent years. If a welfare-incarceration tradeoff exists, then efforts to reduce welfare throughout the 1980s and 1990s should have been matched by some increase in incarceration” (128).

Aggregate national trend data, and Fording’s state-level analysis, support the claim that declining welfare generosity is related to rising use of incarceration, and the combination illustrates both continuities and new trends in the complex relationship between governance and crime control in America. Simon (2000) analyzes the role of criminal law in governance traced from our revolutionary roots to Megan’s Law, arguing that “criminal law...[has] served as the definitive grammar of American democratic governance” (1114). “Deterrence is both a penal and political theory. It is here that penal strategy and liberal government rationality most perfectly correlate. It is here that the penal machinery seems to operate directly on the cumulative rationality of the democratic body politic. Deterrence has been the original and most enduring way of governing people through their freedom (i.e., through their capacity to make choices). Perhaps for this reason, deterrence has been so frequently reinvented and rediscovered as a penal rationale” (1115).

When deterrence was married to rehabilitation it continued to operate as both penal and political theory, seeking to “transform those too unsettled by the Revolution and its aftermath to fully take up its invitation to self-government.... Deterrence operated like a communicative system ‘broadcasting’ its message of norm compliance across society as a whole, while disciplinary normalization was rooted in particular locations....” (1116). Wilson and Kelling’s bait-and-switch suggestion that we ought to tend to metaphorical broken windows in order to justify ignoring actual broken windows is a particularly odd mixture of broadcasting one script to mobilize citizen support for a national and symbolic commitment to deterrence and narrowcasting another script to simultaneously mobilize professional support for a localized and expressive punishing of the disadvantaged.

“Like deterrence, the rehabilitative project has failed many times without disappearing.... [because] politicians have incentives to make crime a central focus in campaigning. Promises of sweeping economic reforms could yield immediate problems on the markets. Promising to strike hard against crime is likely to offend no important interests.... Governing through crime in this sense is attractive to people because it permits popular fears and experiences to be valorized in the strongest and most public terms” (1116).

And it is made all the more attractive when metaphorical broken windows underwrite scripts that mobilize more aggressively punitive approaches to both expanding social control and diminishing social welfare efforts. “The historical deposit of power in the scripts and metaphors of crime control has several consequences.... [They] enable political actors to express commitment to the security of the people while avoiding debate on the difficult questions of how to manage the major forms of modern public security (pensions, insurance, public education). It also makes it possible to criticize more elaborate measures of government social policy (whether funding for the arts or fighting poverty) as undervaluing and even undercutting the strength of government’s primary commitment to physical safety” (1117), with particularly disastrous consequences for the power-poor, African Americans, and the survival of our traditional mechanisms of collective risk sharing (public schools, insurance, government loans and policy preference, pensions). Today, as economic uncertainty accompanied by “a widespread rollback in the institutions of collective risk sharing” recode racial divisions as the benign struggle between law breakers and the law abiding, we are further constructed as even less able to understand the relationship between crime, punishment, race, and politics.

“Seen from the governance perspective, this hybrid of race and crime poses a serious threat to democracy in its tendency to intensify the disaggregation of those collective opportunity and risk structures of modern government that American democracy has always relied on to resolve group conflicts in civil society” (1120), dividing publics in ways that dissipate their democratic energies in the “extreme terms of moral outrage that make resolution through negotiation less likely” (1122).

“Identities based on victimization,” [ironically in more inclusive form when based on being a potential victim of crime]... “produce subjects that are increasingly less capable of defining their interests in terms that can be effectively resolved within the boundaries of democratic politics. The astounding political success of recent punitive legislation like 3-strikes and Megan’s Law shows that crime is not necessarily a wedge issue. Almost all demographic segments of the population, and both political parties, supported these measures. On the other hand, one may fear that they produce a kind of false unity around narratives whose compelling facts provide potent political mobilization but little mandate to govern....

Megan's Law describes a kind of political community that may incorporate nearly everybody but in an inert and passive form that is anything but self-governing" (1124-6).

And it transforms political interactions into much more of a zero sum game, weakening the political, cultural and economic foundations upon which we might deliberate about risk sharing, constructing resilient communities where individual liberty strengthens families and catalyzes the best minds—white or black, male or female—to innovatively address the complex challenges we face as a nation. Instead, a zero sum calculus focuses our fears on our neighbors as threatening strangers rather than potential partners, diverting our resources from innovation to imprisonment, and “insulating government from failure.” Those without the private resources to live in affluent areas are constructed as targets for punishment and “their plight can now only look more like a kind of irresponsibility on their part” (1129), while even those who do escape to suburban fortress communities are increasingly punishing their children in schools that look more like prisons producing passive and dependent consumers in place of active democratic citizens empowered with the skills necessary to innovate, lead, and prosper.

In the final selection, Lyons and Scheingold (2000) provide an essay that brings together many of the political themes highlighted in this volume, arguing that crime control policy, like all law making, emerges from a complex, ongoing, overlapping, sometimes data-conscious but always electorally driven, political process. Their essay explores the ways that good data can be marginalized by this political process, particularly the ways that in the current political climate it is marginalized to encourage excessively punitive and less-than-effective approaches to crime control that inescapably impose additional costs upon family and community life, particularly within those communities already most victimized by crime.

After reviewing the politically contested debates over the relationship between our incarceration explosion and deterrence, Lyons and Scheingold focus on three costs of our current political fascination with increasingly severe, disproportionately punitive, and racially discriminatory approaches to crime control. This approach represents a retreat from our commitment to the rule of law; it is weakening inner-city families and communities; and it is undermining the possibility of rational public deliberations about crime and punishment. Given the costs associated with ineffective approaches to crime control, how can we explain the creation and maintenance of these policies in a democratic society?

“A substantial, and in our view convincing, body of data indicates that the politics of crime and punishment are a classic instance of what Murray Edelman (1977) refers to as ‘words that succeed and policies that fail.’ Winning and holding public office, not crime control, are driving the policy making process.... Our reading of the data indicates that punitive policies are driven from above as well as from below. The *top-down* explanations are much closer to the mark and, at the very least, provide insightful correctives to the *bottom-up* mainstream narratives. Political leaders are not, however, free agents in this process. And although there is a punitive impulse from below, it is neither as insistent nor as decisive as the conventional wisdom suggests. Finally, the available data fail to establish a reliable association between crime, fear of crime, or criminal victimization and either punitive initiatives from above or punitive impulses from below. Instead, the politics of punishment draw sustenance from other more fundamental problems—many of which might reasonably be seen as root causes of crime” (116).

And the remainder of the essay provides a detailed examination of the complex and contingent, cross-cutting and indeterminate political struggles that center around crime and punishment, play out within and without those communities most victimized by crime, and continue to derail the effective deployment of our police powers to prevent, resolve or reduce the harms associated with crime and criminal violence.

In this volume you will find twenty of the best articles published in fourteen different leading scholarly journals over the past five years and deploying a wide variety of approaches to the study of crime, punishment, and politics. The selections included here provide readers with a detailed examination of the political struggles surrounding crime and punishment today, focused for analytical purposes around a critical deconstruction of Wilson and Kelling's broken windows metaphor. This introduction is only one reader's assessment of the insights contained in these articles and the ways that they cohere into stories about crime, punishment, and politics. While I hope you find it to be a thoughtful assessment, the selections are also so rich and varied—both substantively and methodologically—that readers should also be able to draw their own insights and conclusions. I enjoyed the work involved in putting together a volume like this and appreciate being offered the opportunity to do so; now it is up to you to take it from here.

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