

Violence and the Politics of Law and Order

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Katherine Beckett, *Making Crime Pay: Law and Order in Contemporary American Politics*. New York: Oxford University Press, 1997. Pp. vi+158. \$14.95 paper.

Franklin Zimring and Gordon Hawkins, *Crime Is Not the Problem: Lethal Violence in America*. New York: Oxford University Press, 1997. Pp. xii+272. \$15.95 paper.

C*Crime Is Not the Problem* makes a case for prioritizing violence reduction as a separate and distinct problem from crime more generally. Zimring and Hawkins persuasively argue that we live with distinctively high levels of lethal violence, within a high-gun-use environment, where the most lethal forms of violence are concentrated in the least-advantaged inner-city communities. Their analysis suggests important questions that may indeed change the subject from crime to violence, as the authors hope.

What kinds of violence are responsible for the greatest harm? How can we reduce the harms associated with violence in ways that will strengthen those communities most victimized by crime and violence? But the analysis of Zimring and Hawkins depends on a peculiar set of assertions about fear that shifts their policy focus away from these broad questions about violence and community. Instead of focusing on policies to reduce the most common forms of violence, Zimring and Hawkins choose a much more narrow and problematic focus on stranger homicides associated with armed robberies. And instead of a focus on violence reduction that will strengthen those communities most victimized by crime, Zimring and Hawkins favor targeting the punitive power of the state on inner-city neighborhoods and African American men.

Making Crime Pay demonstrates that citizen fears have an observable and complex political history that complicates efforts to justify excessively punitive policy on the basis of public opinion without a rigorous and persuasive empirical analysis of the complex political dynamics only hinted at by Zimring and Hawkins. Understanding that history shows that the further weakening of inner-city communities associated with the kinds of extremely punitive approaches to violence advocated by Zimring and Hawkins is a foreseeable consequence of responding to only the most politically salient citizen fears. Further, the political forces responsible for amplifying the fears used to justify excessive punishment are also those seeking to dismantle the social welfare state, to reassert traditional family values in place of investing in the quality of life for actual families, and to consistently block gun control legislation. This more complete analysis of the politics central to debates about reducing violence could not be more important or timely. It demonstrates that a failure to account for the politics of law and order will likely block progressive reform efforts and lead to support for the existing menu of punitive (and ineffective) approaches, as seen even in an otherwise important book like *Crime Is Not the Problem*. Taken together, then, these two books offer a critically important foundation for constructing more effective alternatives to the excessively punitive approaches to crime control that currently prevail in the United States.

I. Crime is Not the Problem: Lethal Violence in America

According to Zimring and Hawkins, there are three reasons for changing the subject from crime to lethal violence. First, since lethal violence is what distinguishes the U.S. public safety problem from the problems experienced by our closest allies, reducing lethal violence first ought to distinguish our policy priorities. Second, since we know more about the proximate causes of lethal violence than we know about the root causes of crime or violence, a focus on lethal violence is the most prudent and promising way to invest our criminal justice resources. And finally, more punitive action is the democratic response to the citizen fears associated with lethal violence.

Lethal Violence Is a Distinctively U.S. Problem

When compared to other G7 countries, neither the crime nor the non-lethal violence rates in the United States are distinctively high. International comparison of aggregate national-level data, however, demonstrates that U.S. homicide rates are much higher than the rates of our closest allies. In 1989, the homicide rate in the United States (9.4 per 100,000) was three to ten times

Western European rates (Zimring & Hawkins 1997:53–54). Homicide has also increased dramatically as a proportion of all causes of death in the United States (60). A comparison of a 20 nation victimization survey (van Dijk and Mayhew 1993) with data on death from assaults collected by the World Health Organization further shows that “[n]either overall crime rates nor the rates of broadly measured and defined violent crime turn out to be good explanations for rates of lethal violence” (35). Lethal violence, then, is not “merely the most serious part of a larger crime problem,” but “a distinct set of social behaviors” (21) that distinguish the United States internationally.

International City-to-City Comparisons

Both Sydney and Los Angeles had populations of 3.6 million in 1992. Both cities had very similar theft and burglary (theft with a break-in) rates, but their robbery (theft by force or threat of force) and homicide rates differed dramatically (see Table 1). In 1992, the citizens of Los Angeles reported 39,508 robberies to the police and 1,094 homicides; Sydney reported 4,492 robberies and only 53 homicides. While overall crime, theft, and burglary rates were similar, rates for the more violent crimes of robbery and homicide were “vastly dissimilar.” New York City and London—with populations of 7 million and 6.6 million respectively—also shared very similar levels of crime and dissimilar levels of violence (see Table 1). London’s overall crime, theft, and burglary rates all exceeded the rates in New York City, but for the more violent crimes of robbery and homicide, the rates in New York were far higher.

Table 1. Two-City Comparisons

	Theft	Burglary	Robbery	Homicide
Sydney (as % of LA incidents)	73%	110.5%	12.5%	4.8%
London (as % of NYC rates)	166.5%	157%	19.4%	8.9%

SOURCE: Zimring & Hawkins (1997) Figs. 1.1 & 1.2, pp. 5–6.

If total crime rates were the problem, Londoners should live in fear or New Yorkers in relative complacency. They have the same magnitude of crime. But with death rates eleven times as high as London, the population of New York City is far from comfortable. Lethal violence is New York City’s distinctive problem, not crime, and lower rates of general theft are no consolation for huge death toll differences. (Zimring & Hawkins 1997: 6–7).

From this data Zimring & Hawkins conclude that it is not the amount of crime but the character of crime that differentiates these two cities; it is not crime but violence that is a distinctively U.S. problem (5–6).

Causes and Circumstances

A second reason to change the subject from crime to violence is that we know more about the proximate causes of lethal violence than we know about the structural factors or root causes (circumstances) of criminal behavior. As a consequence, proximate causes are used to determine prevention strategies (for Zimring and Hawkins prevention means punishment, deterrence, and incapacitation) and circumstances are used to determine where to target the punitive power of the state.

Circumstances

Police data show that “the bulk of homicides stem from conflicts that emerge from social relations” rather than as a consequence of other criminal activity (which accounts for only 15% of homicides). “In one sense, then,” according to Zimring & Hawkins, “social conflict is a cause of lethal violence” (61). But the authors do not pursue this line of argument for two reasons, one intuitive and one methodological. They suspect that the rates of “domestic . . . [or] barroom argument” are as high in the United States as elsewhere (61–62). And social conflict—which the authors (sometimes) distinguish from criminal offenses—is too diffuse an analytical category to support precise predictions.

The contingencies between conflict and lethal outcome are too numerous for predictions of homicidal behavior to be based on rates of conflict at either the individual or societal level. Indeed, the comparison of New York City and London crime outcomes . . . shows that the volume of offenses is not an efficient predictor of lethal violence rates from burglary and robbery. (Zimring & Hawkins 1997:62)

Social conflict and the relationship of the victim to the offender are both significantly associated with lethal violence. “Where the relationship is known, the offender and the victim were acquainted in more than half the cases and were connected by family ties in an *additional* 15.3 percent of all homicides” (62, italics added). To construct a more accurate estimate of violence by relationship, the authors recommend distributing those homicides in which the relationship is not known to the police according to the proportion of known cases (other than those involving family members) (63). See Table 2 for the total distribution of violence according to prior relationship—one key circumstance of lethal violence.

Table 2. Distribution of Lethal Violence (Homicide) by Relationship of Offender to Victim, 1992

Victims killed by family members or offenders they knew	74.1%
Victims killed by strangers	25.5%

SOURCE: Zimring & Hawkins (1997) Fig. 4.8, p. 62.

Class and race are also associated with the distribution of violence in the United States. “[T]he most lethal subtypes of violence are also the most concentrated in pockets of social disadvantage, while the less lethal forms of violence are more evenly distributed” (Zimring & Hawkins 1997:63–64). Children are the most vulnerable, especially if they live in an urban inner-city neighborhood. The average rate of lethal violence in the 20 largest U.S. cities was 27 per 100,000 in 1992, compared to the national rate of 9.7 per 100,000 (65).

As this concentration in the big cities implies, rates in the suburbs, towns, and rural areas are all lower than the aggregate national rate—in many cases very much lower. . . . Homicide rates are highest in the slum neighborhoods of big cities that exclusively house the black poor. The race of the residents, the socioeconomic status of the neighborhood, and city size are all associated with elevated rates of homicide victimization. (65–66)

Comparing patterns of victimization also shows that as crimes become more violent, the gap between black and white rates of victimization grows even larger, and there is “little doubt that . . . the poor pay more” (Zimring & Hawkins 1997:85). Finally, the authors show that for whites violence falls as income rises, but for blacks “rates of violence are higher at all levels and do not drop consistently as income increases” (86).

Social conflict and assaults are, however, excluded from the list of proximate causes because they are too difficult to measure. Domestic violence and gender subordination are excluded because the authors suggest these are not a source of significant citizen fear. Racism and class-bias are also excluded from the list of causes, though they are used to determine the targets for the more punitive policies recommended—inner-city communities and African American males.

Proximate Causes of Lethal Violence

What factors do Zimring & Hawkins focus on to determine how to best prevent violence, if not the structural factors (circumstances) they identify above as contributing to the concentrated disadvantages characteristic of those communities most victimized by violence? They focus on two proximate causes—factors with a measurably close and precise association to violent behavior—guns and armed robberies. According to the type of criminal activity, the risk of death correlates most highly with assaults, which accounted for 85 percent of all 1992 killings in the United States (68) (see Table 3).

Table 3. U.S. Death Rates (per 100,000 offenses), 1992

Aggravated assault	184
Robbery	34
Rape	14
Burglary	0.7

SOURCE: Zimring & Hawkins 1997, Fig. 4.11, p. 69.

But the authors present three reasons to focus on robbery instead of assault. First, the assault category is a “residual that includes all attacks not associated with other forms of crime” (67). This makes it less clear what assault figures measure, and encourages a focus on the relative risk of lethal violence associated with robbery, because of the “15 percent or so of U.S. homicides that are classified as felony murders, the vast majority are the result of robbery” (68). Second, an assault involves intent to harm, while other crimes on the list do not.

In robbery, there is no unconditional intention to injure a victim, and the force that must be applied for rape to occur need not be life-threatening in most cases to achieve the offender’s sexual objective. In crimes like robbery and burglary, life-threatening attacks most frequently occur when the interaction between victim and offender veers out of the offender’s exclusive control. (69)

Third, comparing New York and London, Zimring & Hawkins find that “the combination of a high propensity of robbers to use guns and a much higher proportion of offenders choosing to commit robbery” explains the dramatic differences in homicide rates (1997:46). The New York mix has more robberies for each burglary and both “robbery and burglary are more deadly in New York City” (45). “[T]he use of guns in robbery in New York City alone seems to be responsible for more than three-quarters of all the deaths that result from robbery and burglary” (46–47).

The most important correlate that is highlighted by changing the subject from crime to lethal violence is gun use. Assault and general levels of violence are spread evenly across G7 countries, but there are “patterns of violence particularly associated with high death rates” in New York City (Zimring & Hawkins 1997: 49). These patterns are greater use of guns in assaults and robberies, a propensity to more often choose robbery (higher robbery to burglary ratios), and a higher death rate for all types of assault and robbery. The comparison of New York City and London shows that, unlike trying to use crime rates or violent crime rates to predict lethal violence, the best “predictor of differential death rate from robbery is weapon use” (70).

Current evidence suggests that a combination of the ready availability of guns and the willingness to use maximum force in interpersonal conflict is the most important single contribution to the high U.S. death rate from violence. . . . The role of

gun use as a contributing cause means that the net effect of firearms on violence will depend on the interaction of gun availability with other factors that influence the rate of violent assaults in a society and the willingness of people to use guns in such assaults. So the precise contribution of firearms to the death toll from violence is contingent on many other factors that may influence the number and character of violent attacks. (122–123)

For street and commercial robberies, where the intent of the offender may not be to harm, “the death rate for every 1000 gun robberies is about three times that generated by robberies at knife point and about ten times the death rate from robberies involving personal force” (114). Zimring and Hawkins conclude that “a social environment of high gun use” is a strong contributor to increased killings, and that more research is needed in this area (119–121).

Policy Implications: Guns and Punishment

Zimring and Hawkins conclude we need tougher enforcement of new and existing laws, targeting lethal violence according to its concentration in particular areas (inner-city neighborhoods), among particularly high-risk populations (poor, young, black males), in particular activities (robbery), and in association with particular weapons (guns). The authors focus on three mechanisms to prevent lethal violence: punishment as public education; the threat of punishment as deterrence; and punishments that incapacitate (162–163). As the authors themselves note, this policy agenda “merely restates the implicit goals of the present system” (183).

While the circumstances they outline do not lead to policies that address the concentrated disadvantages they document, they do lead to policies that add more punitive law enforcement into that concentrated mix. A public health approach, as applied here, suggests any level of state intervention that reduces violence—even levels that further weaken inner-city communities—can be justified.

The higher the base rate of lethal violence, the more likely it is that *any program* that reduces levels of violence will generate benefits greater than the costs of intervention. The higher the costs currently suffered, the larger the benefits a successful intervention can produce. In this sense, the measurement of programmatic effects in high violent death-rate communities provides a sensitive barometer of the potential value of countermeasures in lower-rate environments. (Zimring & Hawkins 1997:202, italics added)

A secondary benefit of targeting the “distribution of non-negotiable coercive force” (Bittner 1980:46) on the least-advantaged communities is that these experiments can provide excellent

data to use in more finely calibrating violence prevention efforts in more affluent neighborhoods.

While this application of a public health approach appears to disregard the health of inner-city publics, the approach also highlights violence and guns in ways that challenge existing policy makers to set more realistic expectations (reduce the harm associated with violence). The authors challenge the public to expect a long, time-consuming series of trial-and-error experiments to be the best way to advance policy incrementally (rather than splashy but ineffective wars on crime). And they challenge leaders to specify priorities (lethal violence rather than broken windows) and to develop approaches that address multiple factors (rather than searching in vain for a single cause and its silver-bullet solution) (195).

II. Making Crime Pay: Law and Order in Contemporary American Politics

Zimring and Hawkins argue that citizen fears create a clear mandate to focus on punishments expected to reduce inner-city armed robbery. This assertion is problematic in two ways. First, it lacks empirical support. In her 1997 work, *Making Crime Pay*, Katherine Beckett shows that determining the meaning of public concerns about crime or violence requires attention to politics. In recent wars on crime, for instance, public concern did not precede policymaking, but followed political initiatives designed to mobilize precisely these concerns. Second, to the extent that Zimring and Hawkins intend their assertion to express a normative expectation that violence prevention policy *ought* to be in response to articulated public concerns, their formulation remains incomplete. They fail to fully understand how and why political leaders amplify, excite, and provoke particular citizen concerns, contributing to the construction of citizen fears. Where Zimring and Hawkins simply see a political bait and switch, Beckett finds a complex process of elite manipulation of citizen fears designed to mobilize electoral coalitions around support for excessively punitive approaches to crime and violence.

Mobilizing Fear as a Political Resource

Beckett begins by demonstrating that public concerns about crime or drugs (or violence) at any particular time have a political history. Analyzing this history, Beckett demonstrates the electoral, bureaucratic, and commercial interests associated with provoking citizen fears of crime and violence. Understanding these processes makes it difficult for one to read public opinion polls that register elevated levels of fear as simply justifications of a

“whatever works” approach to violence—concentrating more punitive law enforcement in inner-city neighborhoods. For a serious violence reduction effort to succeed, the more complex political dynamics suggested by the social construction of public opinion and political mobilization of particular citizen fears must inform our analysis.

Crime and drug use are not naturally or inherently “social control” issues but are constructed as such by social actors; the institutionalization of the get tough approach reflects the ascendance of this interpretation of their causes and solutions. Recognizing the importance of the symbolic dimensions of the crime issue does not imply that crime is not a “real” problem; particularly for the poor and nonwhite, the threat of criminal victimization and the harm associated with drug abuse are all too real. At the same time, the extent to which members of the public express concern about these social problems and, more importantly, become more supportive of punitive anticrime policies is clearly linked to the pervasiveness of imagery and rhetoric that depict these problems as the consequence of excessive lenience. (Beckett 1997:14)

Measuring Fear

There is no single, commonly accepted way to measure citizen fear. There are measures of respondents’ perceptions of the level of crime in their city, the degree to which they feel safe walking alone in their neighborhood, or their perceptions of their risk of being victimized. But, since the most common of these measures (fear of walking alone in your neighborhood) has remained stable over time (Beckett & Sasson 2000:120), it cannot account for the rising crime, violence, or punitiveness central to the argument presented by Zimring and Hawkins. There are also standard polling questions that seek to measure respondents’ levels of concern about crime as a problem facing the nation, which have recently become less stable. A more rigorous analysis of public opinion polling data paints a more complex picture than that offered in *Crime Is Not the Problem*. Survey research has shown, for instance, that the risk of victimization (higher among blacks) does not correlate with punitive attitudes (higher among whites). And even among whites, survey data show that those with higher risk of victimization are not more punitive.

Concern about crime and fear of criminal victimization (independent of one’s actual risk) appears to be unrelated to support for tough anticrime measures. . . . [F]ear of crime is low but support for tough policies strong among rural and southern white men. Conversely, those most fearful of criminal victimization—blacks and women in particular—are less rather than more supportive of punitive policies. Thus, while those

who are at greater risk of victimization (blacks) or are more vulnerable (women and the elderly) do tend to be more anxious about the prospect of being victimized, those who are more fearful are not necessarily more punitive. It is clear that one's risk of or anxiety about criminal victimization cannot explain support for tough anticrime policies. (Beckete 1997:26)

Tyler and Boeckman (1997), in an analysis of public support for the "three strikes" initiative in California, found that fear of violence was not one of the factors that explained voter support. "Instead, the source of people's concern lies primarily in their evaluations of social conditions, including the decline in morality and discipline within the family and increases in the diversity of society" (237). The relationship between fear, crime control policy, and politics is complex, requiring the kind of careful empirical analysis of political efforts to provoke and amplify particular citizen fears conducted by Katherine Beckett.

Democracy-At-Work?

Beckett's analysis seeks to measure the relationships between reported crime, reported drug use, levels of public concern about crime and drug use, media coverage, and political efforts to direct public attention to crime or drug use. She finds that

levels of public concern are largely unrelated to the reported incidence of crime and drug use but are strongly associated with the extent to which elites highlight these issues in political discourse. . . . While the increased incidence of crime-related problems may facilitate their politicization and contribute to growing support for getting-tough, complex cultural processes—in which political elites play a crucial role—clearly shape the formation and expression of popular sentiments regarding crime and punishment. (Beckett 1997:15)

Zimring and Hawkins describe these complex processes as linked to a high-gun-use environment that transforms a propensity to resolve conflicts with force into distinctive levels of lethal violence. This is surely one piece of the puzzle. But that piece alone fails to generate more innovative or effective public policy. Beckett's analysis shows how partisan and elite interests are linked to the continuation of a high-gun-use environment and a violent political culture, in part through elite access to public opinion. "Its apparent popularity notwithstanding, the democracy-at-work thesis is in tension with a growing body of literature that stresses the socially constructed nature of social problems such as crime and drug use" (16). According to Beckett, this literature "anticipates that the public's assessment of the causes and seriousness of social problems will be shaped by the public discourse around them" (16), and both political and media leaders exert a powerful influence over the construction of this larger discourse.

Waging Wars on Public Opinion

Beckett divides her analysis of the relationship between fear, crime, and politics into two periods to examine two political initiatives—the war on crime (1964–1974) and the more recent war on drugs (1985–1992). Her first finding is that “while reported rates of crime and drug use shifted slowly and gradually, public concern about these problems fluctuated quickly and dramatically” (16) in both periods. Changes in crime rates (UCR data) or drug use (NIDA data) did not correspond with changes in public concern about crime (as measured in 29 public opinion polls) or drugs (as measured in 25 public opinion polls). Beckett hypothesized that the observed changes in public concern did, however, correspond with “prior political initiatives on the crime and drug issues” (16).

Using regression analysis to examine her hypothesis, Beckett persuasively demonstrates that increases in public concern about crime followed—and were consistently and significantly associated with—*prior* political initiatives and the increased media coverage associated with these. Increased public concern about drug use was similarly found to be consistently and significantly associated with prior political initiatives. In neither case were changes in public concern associated with changes in crime rates or drug use (Beckett 1997:22).

In both cases, public concern was more a reflection of elite political preferences than a basis for democratic responsiveness by policy makers. “These results indicate that the extent to which political elites highlight crime and drug problems is closely linked to subsequent levels of public concern about them and thus suggests that political initiatives played a crucial role in generating public concern about crime and drugs” (Beckett 1997:23). Further analysis also shows that, at the other end of the cycle, political initiatives drop off before any drop in public concern. And finally, the initial decision by political leaders to highlight the problem of crime or drugs cannot be shown to be in response to public concern. Barry Goldwater put law and order on the political agenda at a time when public concern was low. President Reagan’s war on drugs was started when less than 2 percent of Americans expressed concern about drug use (25).

Nor is the most recent incarnation of the crime issue a response to popular concern. . . . Only 7% of those polled identified crime as the nation’s most important problem in June 1993, just before the legislative debates over anticrime legislation began. Six months later, in response to the high levels of publicity these legislative activities received, that percentage had increased to 30%. By August 1994, a record high of 52% of those polled were most concerned about crime. (25)

During this same period, crime rates, victimization rates, and lethal violence rates all decreased as public concern increased.

Finally, Beckett shows that even if public concern did follow changes in crime and victimization rates (which it does not), there is no reason to assume, as Zimring and Hawkins do, that this amounts to a public mandate for increasingly punitive approaches to crime or violence prevention. Analyzing polling data over time shows that Americans are much more ambivalent about punishment than the Zimring and Hawkins discussion of fear would suggest.

Most people believe that a deprived background is the primary cause of criminality. According to Julian Roberts of the University of Ottawa, the leading North American authority on research on public opinion about crime, "Gross economic factors predominate in public explanations of crime." A 1989 Gallup survey found that when asked to choose between improving law enforcement and "attacking social and economic problems that lead to crime," 61 percent of the representative national sample of adults would rather attack social problems. Thirty-two percent preferred law enforcement measures. (Tonry 1995:9)

The question, then, is not how to calibrate and graduate punitive sanctions in response to the unambiguous fears expressed by Americans. The question is how to know what will prevent violence in ways that are consistent with the articulated priorities and preferences of Americans, most particularly those living in our most victimized communities. And this remains a complex set of political and cultural questions not addressed by Zimring and Hawkins but central to Beckett's analysis in *Making Crime Pay*.

Although the relationship between the incidence of crime-related problems and the sociopolitical response to them is complicated, it is clear that popular attitudes about crime and drugs have been shaped to an important extent by the definitional activities of political elites. These actors have drawn attention to crime and drug use and framed them as the consequence of insufficient punishment and control. (Beckett 1997:27)

For Beckett, there are multiple historical and political factors that help explain this tendency to campaign on fear. In short, raising the salience of crime as a political issue turns out to be "a particularly effective vehicle" for achieving a number of other political objectives. These objectives include "promoting the view that poverty and crime are freely chosen by dangerous and undeserving individuals" (28) to support political efforts to roll back welfare and redirect public attention from failed leadership to the criminally poor. They also include identifying the criminal justice system as permissive to support increasing investments in the prison-industrial complex. Finally, identifying urban corrup-

tion, political protest, or the immoral effect of substance abuse has been used to support militarizing the police, the weakening of urban party machines, and investments in a growing federal law enforcement infrastructure. The common theme is political—particularly electoral—utility and a disregard for inner-city communities.

Beckett's findings suggest two ways to improve our capacity to reduce violence, particularly gun violence, by enhancing our understanding of the political trends driving crime control policy. First, if citizen fears are provoked for electoral advantage, then defending exclusively punitive responses based on unexamined citizen fears will always be less persuasive when more rigorous analysis supports less punitive alternatives. Second, as the remainder of *Making Crime Pay* reveals, a more detailed analysis of the politics of law and order supports a focus on violence and guns, but does this without precluding a focus on assault, domestic violence, or policies that strengthen those communities most victimized by violence.

III. Fear, Violence, and Politics

Zimring and Hawkins present a very persuasive—and critically important—case for prioritizing attention to violence, guns, and armed robbery. They provide a powerful description of violence in the United States as a widespread, multifaceted, contingent, culturally encouraged and politically tolerated social phenomenon. But, because they overlook the social construction of crime and the political mobilization of fear, their policy recommendations are far less persuasive. They choose to address a category far narrower than violence or even lethal violence: stranger homicides associated with armed robberies in inner-city neighborhoods and among African American men (Zimring & Hawkins 1997:199–205). In making this choice, Zimring and Hawkins leave out factors that, like gun use and lethal violence, also distinguish the United States. And they exclude common factors strongly associated with violence, on the grounds that these factors neither distinguish the United States nor provide a basis for precise prediction. I applaud their powerful and persuasive arguments for prioritizing the regulation of guns to prevent violence. But to do so in a way that makes it more difficult to prioritize the prevention of other forms of violence and is likely to further weaken inner-city communities cannot be justified. Understanding how they come to these conclusions, and how we might avoid them, requires contrasting their approach to analyzing politics with that in *Making Crime Pay*.

If crime is not the problem, then why is it that U.S. public policy focuses on crime rather than on lethal violence? Here, Zimring and Hawkins provide a version of the “democracy-in-ac-

tion” thesis. Citizen fear of crime is driving current policy, but a political “bait and switch” is misdirecting citizen fear to focus on crime rather than on lethal violence. Zimring and Hawkins are correct to identify political struggle as a key explanatory factor, and their initial instincts are good.

The “bait-and-switch” character of anticrime crusades occurs in the contrast between the kind of crime that is featured in the appeals to “get tough” and the type of offender who is usually on the receiving end of the more severe sanctions. The “bait” for anticrime crusades is citizen fear of violent crime. . . . But the number of convicted violent predators who are not already sent to prison is rather small. . . . The only available targets for escalation in imprisonment policy are the marginal offenders and offense categories. If an increase in the severity is to be accomplished, the target of the policy must be “switched.” (Zimring & Hawkins 1997:19)

But, upon closer examination, their punitive policy package is less-than-persuasive as a consequence of their incomplete analysis of the politics of law and order, particularly with reference to their treatment of fear and community.

Distinctively High U.S. Fear?

Evidence that high U.S. violence is associated with high U.S. fear is drawn from the Zimring and Hawkins comparison of Sydney and Los Angeles. For Los Angeles, the authors used public opinion data to argue that the “fear of crime and criminals is arguably the single most important social and political issue for the majority of citizens,” making crime a “fundamental threat to social life” (11). This is contrasted with Sydney, where the authors conclude—without citing any public opinion data—that violence and fear are low and therefore crime is only a minor annoyance.

But comparative data show that levels of fear in the United States are very close to the average for industrial democracies (Alvazzi del Frate et al. 1993:40). A United Nations study comparing victimization internationally found that fear varied with income (Alvazzi del Frate 1997), a factor that Zimring and Hawkins do not address. In a study of the fear of crime in Australia, Grabosky (1995:1) found that “levels of fear of crime in Australian neighbourhoods are about average for western industrial democracies,” and that gender and income were strongly associated with fear. Gender, in particular, was “consistently and strongly associated with fear” because the kinds of offenses women suffer “in the family, are particularly likely to induce fear . . . [and] less likely to be called to the attention of the police” (Grabosky 1995:2). In none of the studies in which comparative data on fear were scrutinized did the researchers highlight a fear of stranger homicides in public places.

Fear of Strangers

According to Zimring and Hawkins, “a common-sense calculus” identifies stranger violence as the most fear-provoking social activity, because it threatens to harm loved ones in ways that can neither be avoided (because the incidents are random and the perpetrators are predatory) nor compensated. Random and predatory violence “suggests that there is no set of precautions” to avoid life-altering forms of victimization. For this reason, “citizens fear stranger violence more than they fear being killed by friends or family,” as Zimring and Hawkins put it, “because they feel more control over their choice of personal acquaintances, while the strangers they encounter are not as easy to choose or to reject” (1997:10). They conclude that a “lack of power to modify risk” makes stranger violence more threatening and therefore a source of fear that policy makers ought to focus on—even when available social science data would direct their attention elsewhere. “Any citizen comfortable in the presence of his own circle of acquaintances *need not be concerned about general statistical patterns* of acquaintance homicide. People tend to feel safe in the presence of those they choose to associate with in all but wildly dysfunctional circumstances” (203, italics added).

We know, however, that in the case of domestic violence there is evidence of a repeat victimization cycle (Farrell 1995) in which less-serious violence often leads to more, and more serious, violence. The Centers for Disease Control list domestic violence as the number one cause of injury to women, a risk of violence greater than “all muggings, car accidents, and rapes combined” (Donzinger 1996:146). “Fear at home,” more than fear of stranger violence in public places, “has the greatest impact on life satisfactions” (Harris & Jensen 1998:2). Polling data before 1980 show consistent and stable public concern about economic issues, such as unemployment (Beckett & Sasson 2000:125), which a recent study found to be a condition under which punitive approaches to domestic violence (arrest) *increased* the likelihood of future domestic violence (Sherman et al. 1992).

There is compelling evidence that the analysis Zimring and Hawkins use to defend their exclusive focus on stranger homicides associated with armed robberies involving African Americans in inner-city neighborhoods is—like the crime-fighting policies they criticize—a product of political struggle and not an entirely accurate reflection of citizen fears. Experts from inside and outside the U.S. government have routinely given exaggerated estimates of violent crimes committed by strangers—from child abductions, to serial murders, to tainted Halloween candy—and in each case these fear-provoking figures proved to be wildly inaccurate (Kappeler, Blumberg, & Potter 1993; Donzinger 1996:67–82). But Zimring and Hawkins continue to read

these fears as simply an expression of public opinion that ought to be the foundation of public policy.

Yet, the literature and research on both sexual abuse of children and child abduction indicates that children are more often victimized by acquaintances rather than strangers. As children are taught to run from unfamiliar persons, they are also being taught to run into the arms of those most often engaged in child abuse. (Kappeler, Blumberg, & Potter 1993:27)

The myth that it is strangers we ought most to fear overlooks both crime data and the role of elected officials and “news doctors” (Bennett 1996) in amplifying our awareness of random violence and fear of strangers for electoral, bureaucratic, or commercial advantage. This myth also overlooks the role of interest groups, like the National Rifle Association, that lobby Congress to cut crime prevention spending (Donzinger 1996:82), that shift attention away from gun violence, and that prefer investing in prison expansion. At the same time, for the coalition of public and private interests encouraging an expansion of the prison-industrial complex, “fear of crime drives investment and crime control is a source of profit” (Donzinger 1996:85; Schlosser 1998). But Zimring and Hawkins continue to read public fears as simply an expression of public opinion that ought to be the foundation of increasingly punitive approaches to public policy.

Fears of Inner-City Communities

Their incomplete political analysis of fear and public opinion accounts for Zimring and Hawkins’s decision to ignore assaults and domestic violence. It also accounts for their insensitivity to the foreseeable consequences (Tonry 1995) of their choice to target all available punitive resources on inner-city black males and their already weakened families and communities (Lyons 1999). The most persuasive aspect of their analysis—the focus on guns—remains persuasive even when their incomplete analysis is replaced with a more rigorous understanding of fear and politics. But their approach to fear obscures other distinguishing factors that would support less punitive approaches. This cannot be justified.

Beckett and Sasson (2000) focus on distinctly high levels of violence in the United States. Making policy recommendations concerning gun use and availability is critical, as is responding to the lethal violence associated with illegal drug markets. But, Beckett and Sasson give equal weight to two other factors that also distinguish the United States internationally and that are closely associated with violence: inequality and extreme punitiveness.

The high levels of economic and racial inequality that characterize the United States, particularly in the form of concentrated urban poverty, create an ecological context that encourages lethal violence. . . . [H]omicide rates are much lower in other Western Democracies that treat violent criminals less punitively than the United States. (Beckett & Sasson 2000:28)

Atkinson, Rainwater, and Smeeding (1995) found a “consensus that the incidence of homicide is higher in countries with greater income inequality” (cited in Beckett & Sasson 2000:32–33). Zimring and Hawkins, however, overlook these distinguishing characteristics and use the threshold of distinctiveness to exclude other forms of violence from policy attention. “Since the dependent variable [lethal violence] is so heavily concentrated on American soil, the search for proximate causes of lethal violence favors proposed causes that exhibit a similar skewed distribution” (Zimring & Hawkins 1997:126). Gun availability and use are similarly skewed. But increasing income inequality, racism, and a vigilante tradition (Brown 1969) are also examples of similarly skewed distributions. Further, this approach excludes common problems, such as aggravated assaults and domestic violence, simply because we share these problems with our allies (they are not similarly skewed or distinctive). Finally, while not a distinguishing characteristic of industrialized nations, in the United States “more people die from pollution than from homicide.” And we experience “six times as many work-related deaths as homicides” (Donzinger 1996:66).

In a high-gun-use environment, changing the subject from crime to violence ought to include policies to break the cycle of violence that traps women who become too afraid to leave. In a high-gun-use environment—where, studies show, children raised in violent households are more likely to engage in crime and violent behavior as adults (Donzinger 1996:156; Farrell 1995; Tremblay & Craig 1995)—targeting gun use, assaults, and domestic violence are all prudent investments in violence prevention. Demonstrating that lethal violence distinguishes the United States from our closest allies does not justify dismissing policy attention to the 85 percent of total U.S. homicides that result from assaults. And there is no reason to believe that other distinguishing characteristics—growing inequality, festering racism, a tradition of tolerance for violent problem solving, police and corporate violence—can be safely excluded from a violence prevention agenda.

Punishing Those Communities Most Victimized by Violence

The division of the causes of violence into root causes and proximate causes is critically important for understanding Zimring and Hawkins here. What are often treated as structural factors (root causes) that contribute to violence are recast by Zim-

ring and Hawkins as simply “circumstances,” removing these from the list of factors that policy makers need to take into account in determining how to best prevent violence. Their reasoning is that, while the circumstances they identify strongly correlate with violence, these circumstances are too complex to measure accurately. “Social conflict causes crime,” but it is contingent on too many factors to allow for precise prediction. As a consequence, these factors do not inform their policy recommendations on *how to prevent crime*. They do, however, inform their policy suggestions on *where to target punishment* (according to geography and group risk characteristics).

For Zimring and Hawkins prevention means to punish more severely—with more finely calibrated gradations of sanctions—those behaviors that are closest (proximate) to a violent event. This leads to a focus on gun use, the transfer of guns to minors, and robbery. In this sense, a public health approach to violence adds little that is new to crime policy debates, beyond additional support for existing system priorities and pressure for more attention to guns. What the approach does add, however, is a politically significant twist on targeting. A public health approach, in this case, uses an analysis of structural factors not to support ameliorating these factors, but to support targeting the punitive power of the state against those populations identified by these factors: inner-city, young, black males.

It is this desire to more precisely target that accounts for the dismissal of assaults from Zimring and Hawkins’s violence prevention agenda. Assault measures preclude precise targeting of specific subpopulations according to their risk profiles, because both lethal and nonlethal assaults are included in that data. Domestic violence is also neither distinctive nor easily targeted. Without reference to any comparative data on fear, Zimring and Hawkins dismiss this significant violence problem because they presume that higher lethal violence in the United States is associated with higher fear of stranger, predator homicide. Fear, in this case, justifies ignoring “general statistical patterns of acquaintance homicide,” and, by extension, domestic violence in general. Further, the logic of proximate causes, as applied here, could construct attempts to leave a violent abuser as a proximate cause of lethal violence, since attempting to leave or challenging an abuser are often catalysts for an escalation of violence (Donzinger 1996:156).

While they suggest a “contingent causation model,” Zimring and Hawkins fail to account for contingency or the interactive construction of citizen fears. They fail to analyze the privileged position of public and private leaders in this process or the power of cultural myths surrounding stranger, predator violence. And they fail to include in their “common sense calculus” of fears that the experiences of those living in communities or fami-

lies where violence is routine are all the more frightening because this violence is commonplace, often lethal, and difficult to separate from less-serious violence. As a result, this incomplete and skewed analysis of fear and the politics of law and order suggests policies that fail to highlight the importance of preventing crime or violence *in ways that will strengthen our most victimized communities* (Lyons 1999). In *Making Crime Pay*, we see both a more rigorous political analysis and how this analysis leads to a focus on crime control policies that strengthen families and communities.

Reconceptualizing the Problem

In the end, Zimring and Hawkins demonstrate that a risk-assessment approach can easily support an excessively punitive strategy for dividing the supervision of citizens, families, and communities according to their relative risk of offending. That is, a strategy “aimed at the efficient management (rather than elimination or reduction) of criminal behavior” (Beckett 1997:103).

The get-tough and managerial discourses on crime are thus two sides of a remarkably cynical coin: both are fundamentally uninterested in the social causes of criminality or in reintegrating offenders and assume instead that punishment, surveillance, and control are the best response to deviant behavior. (Beckett 1997:107)

Beckett argues that, since citizen fears are provoked for political reasons, it is critical to examine the political interests driving this process. She demonstrates the electoral utility of provoking, mobilizing, and then responding to citizen fear. Beginning with the reactions of Southern officials to the civil rights movement through the most recent war on drugs, Beckett believes that political concerns (not concerns about crime or violence) are behind decisions to increase dramatically the salience of crime as a policy issue.

Those who attribute poverty to lifestyle choices and behaviors of the impoverished often use crime and delinquency to illustrate their argument. . . . Those who argued that poverty is a product of personal immorality also insisted that crime and unrest originate in individual choices (shaped by “excessive lenience”) rather than social conditions. (Beckett 1997:33–34)

And “the racial subtext of these arguments was not lost on the public: those most opposed to social and racial reform were also most receptive to calls for law and order” (32). Efforts by political elites to narrowly define drug use and crime as social control issues mobilize public support for investing in police before teachers, prisons instead of schools, and fear reduction rather than violence prevention.

Not surprisingly, there is a particular subset of citizen fears that are being mobilized. A 1994 study “found that racial attitudes were an important predictor of support for law and order rhetoric.” A study in the early 1970s found that opposition to civil rights was associated with concern about crime. A 1981 study found that those opposed to busing also favored more punitive approaches to crime. And a 1991 study “found that white support for punitive policies . . . is highly associated with prejudice against blacks” (all cited in Beckett 1997:84). Strategies to mobilize these segments of public opinion construct crime control as a political mechanism for safely expressing ethnic, racial, or class fears and antagonisms.

This criminalization of undesirables on the basis of their lifestyles and a further weakening of communities is a consequence of the unique access political leaders have to constructing public opinion and of trends in the evolution of governance-through-fear in the United States. While official messages do not always succeed in framing crime debates, Beckett’s analysis found that journalists relied on official sources more than three-quarters of the time on drug stories and 65 percent of the time on crime stories (75). These dominant official voices framed the crime issue in terms of “respect for authority” 77 percent of the time, while other sources only framed the issue this way one-third of the time. Competing analytical frames (balance needs, civil liberties under attack, and poverty causes crime) were each used by state sources less than 10 percent of the time. While for other sources the single most common framing (40 percent) of the crime issue was “poverty causes crime” (75).

These findings further demonstrate a political bias in sources of crime news that likely contributes significantly to defining which private citizen fears will make it to public policy agendas. According to Beckett, this official bias is more insulated from public scrutiny as a result of a series of political reforms since the turn of the twentieth century that reflect a distrust of mass-party organizations, a partisan press, and other “unruly expressions of mass opinion.” These trends have changed the focus of political campaigning “from mass mobilization and toward advertising,” from loose networks of ward-based exchange relationships to professional attempts to proactively sculpt public opinion (64).

But public opinion polls show that Americans are ambivalent about crime control policy. Certainly, Americans are violent and punitive. However, even among those who initially expressed *strong* support for the death penalty—when given the choice between the death penalty and life in prison without the possibility of parole—more than half preferred the non-lethal alternative (Bowers et al. 1994:144). Given the choice of investing in prisons and police or education and job training, two-thirds of Americans selected the non-punitive alternative (Beckett 1997:80). We

are receptive to punitive promises “This receptivity,” however, “is not the inevitable consequence of an unchanging and monolithic political culture, but reflects the ability of the conservative discourse on crime to address social and personal troubles in a compelling manner” (Beckett 1997:79).

This receptivity to the promise of a “violent sanctification of the deeply cherished values of life and property” has a political history reaching back to our vigilante tradition, where excessively violent punishment was also defended as fiscally prudent democratic action in defense of community (Brown 1969:156). More recently, as the federal role in law enforcement has grown, this tradition is expressed in public and private political activism to support expanding punitive approaches to social control and investments in the prison-industrial complex (Beckett 1997:90–101).

The irony, of course, is that the current criminal justice policy as well as the ideology that justifies it is typically depicted as a direct expression of popular values—that is, of democracy-at-work. But the ascendance of the rhetoric and policies of law and order is not an expression of democracy in action. Rather, this ideological framework was a component of the conservative project of state reconstruction: the effort to replace social welfare with social control as the principle of state policy. (106)

Zimring and Hawkins show weakened families and communities to be strongly associated with violence. Beckett argues that this finding should support approaches to violence that will strengthen those families and communities most victimized by violence. Where Zimring and Hawkins see ideological rigidity as an obstacle to a more narrow focus on proximate causes, Beckett suggests that both prevailing policies and Zimring and Hawkins’s alternatives extend our tradition of excessive punishment—defended as efficient democratic action—as the single solution for crime and violence. Rather than policies that simply assert what must be achieved (community and family values) to target the punitive power of the state on the already disadvantaged, the data in both volumes are most persuasively read to support investing in improving the life chances of these individuals, families, and communities.

There is reason to believe that alternative crime frames might enjoy support from “experts” and the public alike. The view that crime has social causes and that certain kinds of rehabilitative programs are an effective means of responding to crime, for example, enjoys a significant degree of academic and popular support. The notion that “family life” is an important dimension of the crime problem is also wide-spread, but has served primarily as a resource for advocates of the “culture of welfare” explanation of “underclass” behavior. But this need not be the case: one potentially fruitful strategy for progressives would be to stress the ways in which structural forces such as

unemployment, low wages, inadequate medical care, and limited access to child care diminish the capacity of parents to care for their young. Highlighting the impact of high rates of incarceration on individuals, families, and communities, might also be a way of channeling concern about “social breakdown” in more progressive directions. . . . This debate is not a peripheral one, but involves the very central question of whether state and social policy should emphasize and seek to promote inclusion or exclusion, reintegration or stigmatization. Nothing less than the true meaning of democracy is at stake. (Beckett 1997:108–109)

Families and Communities

The conservative discourse, manifest in an official preference for framing crime as an issue of collective permissiveness and individual failure, succeeds in mobilizing citizen fear because, according to Beckett, it resonates with two central values in American political culture: individual responsibility and family. Framing crime as “respect for authority” or drugs in terms of “zero tolerance” both highlight accountability for individual offenders who choose to ignore the law, without regard for structural factors known to be associated with criminal behavior. Similarly, framing crime as a “respect for authority” issue invites an understanding of crime (and poverty) as an illustration of a frightening spread of anomie. Traditional family values are being threatened by the immorality of poor criminals, who are seen to signal a larger atrophy of “traditional authority structures” (Beckett 1997:81). Beckett goes on to say that

[t]hese findings suggest that the conservative focus on street crime and the heightened fear that discussions of violent crime seem to engender . . . may also help account for growing popular punitiveness. *Under these conditions*, it is quite possible that fear of violent crime—like American individualism and concern about social and familial breakdown—enhances the acceptability of the conservative discourse on crime. (82, italics added)

Lethal violence is a distinctively U.S. problem. Other distinguishing characteristics include gun use and availability, the geographic concentration of violence in neighborhoods of concentrated disadvantage, extreme income inequality, and the racial coding of fear within the politics of law and order. One of the most powerful aspects of Beckett’s analysis is her illustration of how the conservative discourse incorporates these as lifestyle choices, justifying concentrating the punitive power of the state against inner-city black males, rather than as evidence of structural disadvantages beyond their individual or collective control. But delivered within this dominant discourse on fear, family, and community are potential resources for resistance to it. Crime, vi-

olence, unemployment, pollution, and police misconduct are all concentrated in particular communities in ways that “diminish the capacity of parents to care for their young” (Beckett 1997:109). A failure to address these as structural factors contributing to levels of violence accounts for prevention efforts that fail to strengthen those communities and families most victimized by crime and violence—policies that generate political utility for some at the expense of public safety for others.

References

- Alvazzi del Frate, Anna (1997) “Preventing Crime: Citizens’ Experience Across the World.” Issues and Reports No. 9. Rome: United Nations Interregional Crime and Justice Research Institute.
- Alvazzi del Frate, Anna, Ugljesa Zvekic, & Jan JM van Dijk, eds., (1993) *Understanding Crime, Experiences of Crime, and Crime Control*. Publication No. 49. Rome: United Nations Interregional Crime and Justice Research Institute, Aug.
- Atkinson, Anthony, Lee Rainwater, & Timothy Smeeding (1995) *Income Distribution in OECD Countries: Evidence from the Luxembourg Income Study*. Paris: Organization for Economic Cooperation and Development.
- Beckett, Katherine, & Theodore Sasson (2000) *The Politics of Injustice: Crime and Punishment in America*. Thousand Oaks, CA: Pine Forge Press.
- Bennett, Lance (1996) *News: The Politics of Illusion*. New York: Longman.
- Bittner, Egon (1980) *The Functions of Police in Modern Society*. Cambridge, MA: Olegeschlager, Gunn, & Hain.
- Brown, Richard Maxwell (1969) “The American Vigilante Tradition,” in H. Davis & T. Gurr, eds., *The History of Violence in America: Historical and Comparative Perspectives*. A report submitted to the National Commission on the Causes and Prevention of Violence. New York: Praeger.
- Bowers, William, Margaret Vandiver, & Patricia Dugan (1994) “A New Look at Public Opinion on Capital Punishment: What Citizens and Legislators Prefer,” 22 *American J. of Criminology* 77–150.
- Donzinger, Steven, ed. (1996) *The Real War on Crime: The Report of the National Criminal Justice Commission*. New York: Harper.
- Farrell, Graham (1995) “Preventing Repeat Victimization,” In M. Tonry & D. Farrington, eds., *Building a Safer Society: Strategic Approaches to Crime Prevention*. Chicago: Univ. of Chicago Press.
- Grabosky, P.N. (1995) “Fear of Crime and Fear Reduction Strategies.” *Trends and Issues in Crime and Criminal Justice*, Australian Institute of Criminology (May) 1–6.
- Harris, Michael, & Ben Jensen (1998) “Fear of Crime and Perceptions of Safety.” 1 *Australian Social Monitor* 8–10 Sept.
- Kappeler, Victor, Mark Blumberg & Gary Potter (1993) *The Mythology of Crime and Criminal Justice*. Prospect Heights, IL: Waveland Press.
- Lyons, William (1999) *The Politics of Community Policing: Rearranging the Power to Punish*. Ann Arbor: Univ. of Michigan Press.
- Schlosser, Eric (1998) “The Prison-Industrial Complex,” *Atlantic Monthly*, (Dec.) 51–77.
- Sherman, Lawrence, Douglas Smith, Janell Schmidt, & Dennis Rogan (1992) “Crime, Punishment, and Stake in Conformity: Legal and Informal Control of Domestic Violence,” 57 *American Sociological Rev.* 680–90.
- Tonry, Michael (1995) *Malign Neglect: Race, Crime, and Punishment in America*. New York: Oxford Univ. Press.

- (1999) "Why Are U.S. Incarceration Rates So High?" 45 *Crime and Delinquency* 419–37.
- Tremblay, Richard, & Wendy Craig (1995) "Developmental Crime Prevention," in M. Tonry & D. Farrington, eds., *Building a Safer Society: Strategic Approaches to Crime Prevention*. Chicago: Univ. of Chicago Press.
- Tyler, Tom, & Robert Boeckman (1997) "Three Strikes and You Are Out, But Why? The Psychology of Public Support for Punishing Rule Breakers," 31 *Law and Society Rev.* 237–65.
- Van Dijk, Jan, & Pat Mayhew (1993) "Criminal Victimization in the Industrialized World: Key Findings of the 1989 and 1992 International Crime Surveys," in A. Alavazzi del Frate, U. Zvekic, & J.J.M. van Dijk, eds., *Understanding Crime: Experiences of Crime and Crime Control*. Rome: United Nations Interregional Crime and Justice Research Institute.