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Banished: The New Social Control in American Cities. By Katherine Beckett and Steve Herbert. New York: Oxford University Press, 2010. 207 pp. \$29.95 cloth.

Reviewed by Rossella Selmini, University of Modena & Reggio Emilia

Banished examines Seattle's experience with a new set of control tools targeting urban poverty and social marginality. Beckett and Herbert, on the basis of interviews, case files, official documents, and municipal and court orders, show how these new forms of social control are applied, against what kinds of people, and with what results. They provide the first major American contribution to an emerging international literature on new techniques aimed at responding to disorder and social marginality. Fusing civil and criminal laws, these techniques, illustrated elsewhere by antisocial behavior orders in England and Wales and municipal ordinances in other European countries, forbid behaviors by means of civil laws backed up by criminal sanctions.

In the United States, these "legal hybrids" appear in diverse forms—as trespass orders, or Stay Out of Drug or Prostitution

Areas Orders, or juvenile curfews. Though the book is based mostly on research in Seattle, the authors show how the use of legal hybrids is becoming increasingly common in American cities, and how they effectively recriminalize behaviors that have long been considered social rather than criminal problems.

Some of these orders affect mostly homeless people and replace laws forbidding vagrancy and drug addiction that were long ago struck down by the courts. Vagrancy is once again being criminalized, but through processes that start out as civil: "Indeed, the deployment of the new control tools—touted by proponents as alternatives to arrest and punishment—has a 'net-widening' effect: it creates crimes and criminal cases that would not otherwise exist. Taken together, these techniques represent a dramatic extension of the state's authority and surveillance capacity throughout the urban landscape" (11).

There are three distinctive features of Beckett and Herbert's work. The first is the decision to tell a local story of banishment. This allows them to offer a detailed account of how these techniques work and to show how they reconfigure the use of urban spaces. The second is their methodological choice to combine document analyses (including of texts of the orders) with qualitative inquiry that listens to the "voices" of the people targeted and hears how they are affected.

The third is the cogency of their demonstration that these new strategies of social control disrupt vulnerable people's lives, fail in the attempt to exclude them from particular areas (the orders' main goal), and cost much more to administer than would social or communitarian measures. Violation of the orders commonly leads to criminal charges and time in jails. "Even if the criminal offenses that banishment creates are minor, the costs of arrest, prosecuting, and jailing are anything but small. Indeed, banishment," they observe, "costs Seattle many millions of dollars" (101).

Beckett and Herbert show that these new tools have emerged at the same time as different but related phenomena: increasing social inequality of the U.S. social system, shrinkage and disappearance of welfare state protections for vulnerable people, and increasing political success of crime-control approaches based on punitiveness and zero tolerance. They show that the consequences displace people from their settings, increase urban social segregation, and increase social control. Beckett and Herbert, drawing upon the Seattle experience, describe a "fresco" of the exclusionary strategies that gave David Garland's book *The Culture of Control* its name.

Banished does not discuss these issues from a comparative perspective, but illustrates a general tendency, occurring in many Western democracies, to criminalize social problems through the

use of civil and administrative tools. The legal details differ—some differences are more important than others—but the general process is the same. The Antisocial Behaviour Orders in England and Wales and administrative orders used in many European cities, especially in Italy, Spain, and Germany, have much in common with Seattle's banishment orders. Administrative laws are used to recriminalize behaviors once decriminalized (like vagrancy and prostitution), to anticipate future new crime offenses, and to make criminal consequences more probable or harsher. Civil laws addressing social marginality, poverty, soft crimes, and other undesirable behaviors are playing an increasingly important role in redesigning urban social control in many countries.

Banished is an important book. With passionate arguments that never stray far from the solid research the book presents, Beckett and Herbert demonstrate the drift in late modern urban life toward increasingly repressive and intrusive forms of social control that potentially threaten the liberty and autonomy that have long been said—even for the disadvantaged and dispossessed—to be the most desirable and distinctive features of life in advanced democratic states.

Banishment orders in Seattle accomplished little of what their proponents hoped to achieve. Instead, they diminished the lives of the people they targeted and cost more than more inclusive approaches would have. According to Beckett and Herber, there must be a better way: "A more inclusive and proactive approach to the problems facing many of those deemed disorderly would not only more effectively address those issues but also avoid contributing to the stigmatization and marginalization of those deemed disorderly" (139).

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Comparative Criminal Justice: Making Sense of Difference. By David Nelken. Los Angeles: Sage, 2010. 136 pp. \$24.95 paper.

Reviewed by James L. Nolan Jr., Williams College

In *Comparative Criminal Justice*, David Nelken asks important questions of, and offers helpful insights into, the enterprise of comparative legal studies. In Geertzian fashion, he endorses an analytical focus emphasizing depth in cultural knowledge over breadth in scope. A sustained concentration on local knowledge and the cultural determinants of law allows the researcher, says Nelken, to