The Howard Journal of Crime and Justice
The Howard League for Penal Reform

The Howard Journal Vol 57 No 1. March 2018 *DOI: 10.1111/hojo.12246*
ISSN 2059-1098, pp. 124–134

Review Symposium

co-ordinated by
VANESSA BARKER

The Myth of Mob Rule: Violent Crime and Democratic Politics. Lisa L. Miller. New York: Oxford University Press (2016). 272pp. £26.49hb ISBN 9780190228705

The Myth of Mob Rule or the Myth of Democracy? An Anthropological Take

The threat of the tyrannical mob looms large in the liberal imagination. Whether we go back to 19th Century writings on democracy or current debates on punishment, political thinkers from Alexis de Tocqueville to criminal justice scholars today have warned of the dangers of an authoritarian and punitive mob. Yet, what happens if we take this mob seriously on its own terms? In *TheMyth of Mob Rule*, Lisa L. Miller has addressed precisely this question. Her argument turns the liberal narrative of an irrational and retributive public on its head. The book argues that when punitive demands for 'law and order' become salient as political and public issues, then this tends to follow periods of high victimisation and crime. People's perceptions of crime are more closely linked to reality than frequently assumed. And when politicians listen to the people, crime not only directs attention to security as an essential public good, but to a range of other policy interventions that address the root causes of crime.

The Myth of Mob Rule is based on a comparison of three case studies: the US, the UK and the Netherlands. Each of these countries has experienced a substantial increase in violent crime over the past 50 years, though each represents a very different set of institutional forms with implications for citizens' ability to participate in democratic processes: a fragmented federal system in the US; a Westminster-style system in the UK; and proportional representation in the Netherlands. It is through this comparison that we encounter the book's central claim: the US system is characterised by a system of racialised state failure produced by democratic deficits rather than an excess of political accountability. The term 'state failure' refers to the high levels of double exposure to violence (from fellow citizens and from the state) that is an extreme outlier among democracies). This state failure is racialised because it disproportionately disadvantages 'the most needy across racial groups, as well as underscores the deliberate use of these institutions to deny the securities of the modern state to African Americans'(p.100).

By introducing the case of American exceptionalism, the book offers a powerful reminder of US democracy's failures to extend its claims to protection to some of its most marginalised citizens. It extends existing commentary on the racialised nature of American criminal justice by shedding light on citizens' lived realities of actual victimisation and crime. But there is also a tension at the heart of the book that goes somewhat unexplored: despite Miller's plea for more direct democratic participation, we learn comparatively little about how citizens think of, and conceptualise, state failure on their own terms. As a consequence, we do not learn much about what kinds of policing citizens consider appropriate or desirable and how everyday experiences of policing sit alongside other

© 2018 The Howard League and John Wiley & Sons Ltd
Published by John Wiley & Sons Ltd, 9600 Garsington Road, Oxford OX4 2DQ, UK

kinds of coercive measures that extend beyond the criminal justice state. However, an ethnographic perspective on state failure that starts with these more mundane, situational, and often overlooked, experiences brings into focus a range of concerns that cut across the question of race and hence question the narrative of US exceptionalism that the book puts forward.

Let us turn more closely to the 'law and order' policies that governments across a range of countries came to implement at the turn of the 21st Century. Through her comparative study of three jurisdictions, Miller shows that the punitive turn acted as an important democratic corrective to the failures of previous governments to respond to rising levels of violent crime. Take the example of Britain, one of the case studies presented in the book that are said to highlight US exceptionalism: the New Labour government's turn to a 'tough on crime and tough on the causes of crime' policy in the late 1990s followed decades of rising crime rates, particularly among Britain's most marginalised neighbourhoods – its formerly industrial working-class communities. What is more, Miller argues that the New Labour government's turn to tough on crime policies did not exclude a focus on welfare solutions as tough on crime policies have done in the US. On the contrary, attention to 'law and order' was also closely linked to a refocusing on social policy issues, including education, increased welfare support and regeneration.

As an anthropologist who has been carrying out ethnographic research with both white and non-white British-born citizens since 2009 in some of Britain's most marginalised neighbourhoods – its council estates (or social projects in US parlance) – I have great sympathy for Miller's analysis that attention to crime draws attention to the State's responsibilities for protection. The people with whom I have lived and worked, have been disproportionately affected by growing inequality and exclusion. As the residents on the estates have been hit by industrial decline, decades of neoliberal policy making, and the economic and political dispossession that have accompanied it, feelings of abandonment and neglect on the part of the State have become strongly pronounced. Crime, particularly if it is of a violent nature, is one area where such feelings are articulated with heightened force: residents often complain about the elitism of what they sometimes disparagingly call 'liberal' politicians and government officials who do not understand about the need to go tough on crime (Koch 2017).

Yet, an ethnographic focus on the most mundane daily encounters with State officials and institutions reveals a more complex picture: the same people who might advocate for more 'law and order' in some situations also critique the State for its routine enactment of legal coercion in others. This is for good reasons. Liberal democracy falls short of its own image of freedom, often in the most intimate spheres of people's lives. The expansion of policing under the New Labour government has resulted in heightened monitoring and surveillance of daily life, as young men find that their movements and social relations are closely policed. Just like in the case of the US, policies of 'law and order' are frequently used to distract from structural problems, such as when complaints over badly-insulated homes are narrowly reconstructed by the authorities as matters of nuisance and 'anti-social behaviour'. Meanwhile, residents complain that the police are not interested in addressing more serious problems of crime that affect their daily lives.

Miller rightly points out that policy responses ought to move beyond the criminal law to encompass a range of solutions that tackle the root causes of crime. Yet, as I argue in my book manuscript, for the most marginalised citizens of both white and ethnic minority backgrounds, the line between 'law and order' and 'welfare' is porous and thin. Housing officers, social workers, and benefit officials, are known to people not in their redistributive or caring capacities. Rather, they represent institutions defined by their capacity to dispossess people of their benefits, homes, and even their children, who can forcibly be removed into care. Regeneration agendas are all too frequently used as an excuse to authorise gentrification, a process that pushes local people out of their

© 2018 The Howard League and John Wiley & Sons Ltd

20591101, 2018, 1, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/hojo.12246 by Universität St. Gallen Bibliothek, Wiley Online Library on [07/05/2025]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

The Howard Journal Vol 57 No 1. March 2018
ISSN 2059-1098, pp. 124–134

20591101, 2018, 1, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/hojo.12246 by Universität St. Gallen Bibliothek, Wiley Online Library on [07/05/2025]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

community. And shifts to ever stricter means-tested assistance, first under neoliberal policies in the 1990s, then under third way politics in the 1990s and 2000s, and most recently, under the auspice of 'austerity politics' (Bear and Knight 2017), expose those who depend on welfare to heightened monitoring and surveillance.

The Myth of Mob Rule makes an original intervention into debates on punishment and crime by going where most criminal justice scholars and theorists of punishment have tended to stop short: to the actual and lived experiences of violence and crime, particularly among the most marginalised sectors of society. In so doing, it foregrounds what political thinkers since Thomas Hobbes have seen as a centrepiece of theories of the State: security from violence as a collective public good. But Miller's work also places us squarely in front of another problem, whether or not she intended to do so: that the liberal democratic State is in fact incapable of responding to those demands in a way which is truly democratic. This is not a question of American exceptionalism. Rather, as comparative work from the UK shows, there too, the expansion of criminal justice tools in the most marginalised neighbourhoods has not translated into humane policing for those at the receiving end. And advocating for more social policy and welfare does not by itself guarantee lesser forms of punitive control in the lives of the most marginalised.

If Miller's book identifies a myth of one kind – the myth of the irrational mob – then an ethnographic perspective on State failure identifies a myth of a different kind: the myth of liberal democracy which claims to protect its citizens from the coercive potential of the State. But this leaves us with lingering questions, questions which go beyond the scope of Miller's book, let alone this review: What can be done? How can liberal democracy's claims to freedom become true for the most vulnerable members of the population? What kinds of policies and political frameworks are needed to ensure that the mob can genuinely rule? Asking these questions shifts our analytical gaze from an abstracted notion of security towards a debate on how (if ever) policing can be more in line with bottom-up social justice, or what Barker (2016) has referred to as 'duty of care' demands. It also directs our attention from calls for more 'welfare' towards a critical investigation of what genuinely redistributive policies can look like. And perhaps most importantly, it points towards the need for a fuller social contract between citizens and the State, one which acknowledges, and moves beyond, the legacy of State coercion in the lives of the most marginalised.

References

Barker, V. (2016) 'Policing difference', in: B. Bradford, B. Jauregui, I. Loader and J. Steinberg (Eds.), *The SAGE Handbook of Global Policing*, Los Angeles, CA.: Sage.

Bear, L. and Knight, D.M. (2017) 'Alternatives to austerity', *Anthropology Today*, *33*(5), 1–2.

Koch, I. (2017) 'Moving beyond punitivism: punishment, state failure and democracy at the margins', *Punishment & Society*, *19*(2), 203–20.

Assistant Professor in Law
and Anthropology,
London School of Economics.

Insa Koch

****

In this fascinating and provocative book, Lisa L. Miller follows up her earlier work on crime control and American federalism by again returning to the issue of democratic politics and, in this case, questioning some of widespread academic assumptions regarding mass public views about crime and justice. In short, she challenges simplistic claims

© 2018 The Howard League and John Wiley & Sons Ltd

20591101, 2018, 1, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/hojo.12246 by Universität St. Gallen Bibliothek, Wiley Online Library on [07/05/2025]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

that increased public involvement in matters relating to crime necessarily, or at least frequently, leads to greater punitiveness or, in the shorthand of the book's title, *mob rule*.

As this is not a stand-alone review, but one of several in a symposium, I do not propose to offer an overview of the book as a whole or attempt any form of thoroughgoing critique. Rather, I simply want to begin by singling out a couple of features of the book which seem to me to be especially laudable, before offering a few mildly critical thoughts on what Miller has to say about developments in England and Wales – one of the three countries in her comparative analysis (the others being the US and the Netherlands).

There is now a developing, some might say burgeoning, literature on the subject of the politics of contemporary crime control policy. Though a great deal of this work is both very impressive and highly persuasive, much of it also displays two significant shortcomings, both of which are clearly and deliberately avoided in *The Myth of Mob Rule*. First, Miller seeks to put crime back at the centre, or close to the centre, of the analysis of recent trends. This might seem an odd thing to say, but in truth, crime, and what is actually happening to crime, is often underplayed, and sometimes ignored, in much academic discussion of trends in penal policy. Second, and hence my use of the phrase 'actually happening', the arguments in this volume are consistently underpinned by data, and an impressive array and variety at that. The approach is one that Miller herself describes as 'systematic empiricism'. Now, this may not be unusual for political scientists (Miller's discipline) but, sad to say, this is less the case for criminology where, all too often, argumentation is privileged over evidence.

In her chapter on post-war Britain, Miller advances three main arguments. First, she suggests that crime does not appear to be an irresistible political opportunity, citing 'a puzzling quiescence on the part of both parties as serious crime marched forward', prior to its significant politicisation in the early 1990s (pp.94–5). Second, public opinion is much more attentive to shifts in violent crime than is often supposed, and this helps to explain why crime worked its way onto the political agenda when it did. Finally, even when crime did come fully on to the political agenda, post-1993, it still did not dominate.

Now while I concur with much of this argument – as indeed Miller notes – there are, nevertheless, elements of the analysis and argument that raise some questions. Notwithstanding what I said earlier, my first concern is about the way in which the term 'crime' is operationalised in the book. As an example, one significant strand of the analysis centres on the extent of the focus on crime as represented by the amount of parliamentary time devoted to it in major speeches, the quantity of legislation, and annual spending by government on measures to tackle it. But the measures that are used, I would argue, cover both 'crime' and the administration of justice. The difficulty is that these are different matters with potentially rather different relationships to popular opinion and concern. Introducing a victim compensation scheme is not the same order of activity as passing a 'three strikes' sentencing initiative; increasing police pay is rather different from a prison building programme. Eliding all such matters under a single rubric is potentially misleading when it comes to charting the public and political salience of *crime*. My second, albeit minor, concern relates to crime measurement itself. Throughout the book, and for reasons which are understandable, there is a reliance on homicide statistics as the primary index against which other changes are measured. But is homicide a good indicator of crime trends or crime salience? Do rises and falls in homicide mirror broader trends? Is homicide a good guide to public concerns about crime and security? I think there are reasons to be cautious on both counts, perhaps particularly in countries such as Britain and the Netherlands which have much lower homicide rates than the US. Arguably, the account presented in *The Myth of Mob Rule* would suggest that it was based on slightly safer ground with a broader set of crime measures.

Finally, to the book's first major conclusion: that 'dramatically rising or sustained high violence is a necessary but not sufficient condition for sustained politicisation' (p.193). This is undoubtedly right, as is Miller's linked assertion that there can be periods of high

© 2018 The Howard League and John Wiley & Sons Ltd

The Howard Journal Vol 57 No 1. March 2018
ISSN 2059-1098, pp. 124–134

crime but low political salience. Though the broad arguments are perfectly defensible, there is, arguably, something of an over-reading in the particular case cited: the decades leading to the rise of bipartisan populist punitiveness in Britain in the early 1990s. The issue here is that the absence of party political dispute is not entirely the same as low political salience. Both the Republicans in the US and the Conservative Party in Britain made much political capital out of law and order long before the issue became one of specific electoral contestation with the rise of the New Democrats and New Labour under Clinton and Blair respectively, and it seems to me wrong to characterise the pre-1993 period in Britain as one of *a generalised* lack of responsiveness to high and rising violence. With hindsight, given what was to come, this may seem the case. At the time, it certainly did not.

Beyond its generally careful and imaginative use of data, and very timely reinsertion of crime into accounts of the politics of crime control, this book's greatest attribute lies in Miller's willingness to challenge received wisdoms, not least patronising assumptions about public attitudes toward crime and security. Just as we have long since developed much more subtle models of crowd and other collective behaviour than indicated by the term 'mob' so, as Miller argues, we need to develop a more nuanced understanding of the ways in which mass publics deal with matters such as crime and punishment. *The Myth of Mob Rule* offers numerous fruitful avenues for further exploration.

Professor of Criminology and Social Policy,
London School of Economics.

Tim Newburn

****

Lisa L. Miller is probably (I hope I do not misrepresent her) one of those people who spends a good deal of time at criminology conferences or in and around criminology departments but who would strongly and quite justifiably disclaim the title 'criminologist', preferring to self-identify via a distinct 'anchor' discipline, in this instance, political science. For this reviewer at least, it is for this very reason that she is one of those whose work offers the greatest refreshment and insight to criminologists. One should think of this as a generous gift – if those working in a field that is in the process of over-consolidating, as criminology seems to be at present, can pay sufficient attention to wisdom originating beyond the boundaries they are so busy erecting, how many errors might they avoid?

Among such errors in Miller's account is the persistent failure of most mainstream criminology to deal adequately – or on many occasions, one might add, even at all interestingly – with the vexed question of public opinion about crime and punishment. In *The Myth of Mob Rule* Miller argues persuasively and in detail that much scholarship has repeatedly represented public fears and feelings about crime as excessive and irrational, largely unmoored from any intelligible relationship to the scale and distribution of crime in the world, and hence as easy prey to demagogic exploitation. In this sense, the commonplace conceptualisation of 'fear of crime' as a distinct problem and the identification of 'populism' as the most urgent consequent danger are essentially a couplet – they travel together as diagnosis and prescription.

Miller argues – among much else – that if we give proper consideration to the risk of serious life-threatening violence in the US (and the Netherlands and the UK), and its dynamic changes over time and between places, then much of the apparent arbitrariness in the 'salience' of crime as an issue disappears. On this view we should engage more in

© 2018 The Howard League and John Wiley & Sons Ltd

20591101, 2018, 1, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/hojo.12246 by Universität St. Gallen Bibliothek, Wiley Online Library on [07/05/2026]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

earnest with popular perceptions and demands rather than treating them as inherently dubious and suspect – the 'mob rule' of the book's title refers to this elite perception that popular fears and feelings only ever lead to repression, misdirection and penal excess. In other words – at the risk of going somewhat further than Miller might wish her argument to be pressed – some allegations of the irrational basis of fear or anger are themselves symptomatic of a chronic anxiety, namely respectable fears of the untutored masses.

I interpret Miller as seeking to encourage the fields that interest her (political science and criminology) towards a more careful rethinking of the nature of relations between crime and politics – a more political criminology properly so-called – and in particular of the relations between the politics of crime control and questions of democratisation. The outcomes of any such reappraisal are unlikely to be simple or all to tend in one direction. In the first instance, Miller addresses her critique mainly in the direction of 'mainstream', technocratic, American social science and its political associates. If one reflex view in that quarter is, roughly speaking, that all politicisation of crime portends a slippery slope to demagoguery and repression, then only a thin, defensive interpretation of the politics of crime control is really possible (a 'liberalism of fear' (Shklar 1989) at best). Such a censorious view of popular sentiment tends naturally to favour the stance that Loader and I term 'insulation' (Loader and Sparks 2011, p.111). Good outcomes, insulationists hold, are achieved largely in the comparative peace and quiet of seminar and committee rooms, with press and public at arm's length, and under conditions of low visibility – the traditional posture of 'doing good by stealth'. Indeed, if Miller is right, much orthodox opinion seems to have persuaded itself that the mob already has the whip hand and that to give it any more democratic say can only make matters worse.

In this, Miller argues, we are prone to confuse the existence of many elections, elected law officers, referendums and so on, with either the democratic quality of public discourse or the democratic texture of everyday life. Moreover, people living in contemporary democracies (or perhaps post-democracies (Crouch 2004)) – she thinks perhaps especially the US – may have many reasons to doubt the capacity of the criminal justice state actually to address their problems, including their physical safety, other than by the crude and familiar means of locking up yet more people.

I think this is a powerful analysis. Miller argues convincingly that violence is necessarily a concern for both governments and publics (a 'first order political problem'). She is also persuasive in proposing that greater responsiveness to public concern about it may often be justified, while also showing that merely ratcheting up the quotient of law enforcement is relatively ineffective, subdues the search for social policy alternatives, and tends to further marginalise those who are already most marginal.

I have three suggestions, for future reference. First, Miller tends in my view to mis-apply the term 'moral panic', conflating it with the view that she (more plausibly) attributes to the criminological mainstream that crime fear is more or less 'untethered' from context and a symptom for what she, rather dismissively, sometimes terms 'generalized angst'. Clearly, these two views are not the same, and Miller's surprising misuse of the term is unhelpful. Moral panics, classically understood, are usually stimulated by something specific. They betoken a sequence of events unfolding in time, sometimes gelling into campaigns, sometimes leading to durable change: and, as the term implies, they involve moral contention and they engage passions. While this imprecision seems a fairly small thing, it raises the question of whether 'salience' alone, as Miller uses the term, is conceptually sufficient. What Cohen's treatment of moral panic brought into focus was the place of crime and punishment in a politics of representation. *How* and in what terms are issues activated? *How* do publics mobilise around them? In what terms exactly do we debate and struggle over specific questions? In other words, 'salience' is never simply a question of more or less because crime is also always already constituted as an arena of ideological contestation.

© 2018 The Howard League and John Wiley & Sons Ltd

20591101, 2018, 1, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/hojo.12246 by Universität St. Gallen Bibliothek, Wiley Online Library on [07/05/2025]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

The Howard Journal Vol 57 No 1. March 2018
ISSN 2059-1098, pp. 124–134

Second, for all its careful and informative comparative work, this remains in many of its preoccupations and reference points quite an American book. I was struck at numerous points by the similarity between Miller's position and that of Left Realism as it emerged initially in British criminology in the 1980s – the critique of the 'great denial' for example; Young's (1991) idea of the crime survey as a 'democratic instrument' (p,148); the articulation between Left Realist criminology and local democratic politics. Yet this is never mentioned, any more than are comparable traditions of engaged work elsewhere in the world, especially Latin America. I wonder whether exploring some of these traditions outside the problem-space of the American mainstream would furnish a richer, and perhaps more substantial, sense of policy alternatives and political possibilities than those to which Miller alludes in her final chapter.

I suspect then, third and relatedly, that there is a wider world of democratic theory and practice on which to draw, perhaps to more hopeful and searching conclusions. Perhaps it will prove possible in future work for Miller to look beyond the prospectus of alternatives laid out in dominant discourse now (more punishment or more social policy?). Beyond the notion of mob rule (on which I am happy to join her in giving two cheers), there lies a wealth of opportunities to consider more closely the scope for (and indeed existence of) more deliberative and participatory forms of politics, local innovations, and municipal experimentation, both in, and beyond, the countries of the metropolitan 'core'.

References

Crouch, C. (2004) *Post-Democracy*, Cambridge: Polity Press.
Loader, I. and Sparks, R. (2011) *Public Criminology?*, Abingdon: Routledge.
Shklar, J. (1989) 'The liberalism of fear', in: N. Rosenblum (Ed.), *Liberalism and the Moral Life*, Cambridge. MA.: Harvard University Press.
Young, J. (1991) 'Left realism and the priorities of crime control', in: K. Stenson and D. Cowell (Eds.), *The Politics of Crime Control*, London: Sage.

Professor of Criminology,
University of Edinburgh.

RICHARD SPARKS

****

In her exciting new book *The Myth of Mob Rule*, Lisa L. Miller argues for a radical reconceptualisation of violent crime and democratic politics. She brings crime rates to the centre of her analysis and by doing so she shows how the prevalence and prevention of crime are central to the democratic project. How well do democratic states protect their citizens? How well do democratic states provide for safety and security? By shifting the analytical frame, Miller makes criminal victimisation palpable as a *social* risk and political priority rather than an individual problem. This is a critical move as it allows her to directly connect crime rates to collective goods and State responsibility. How and why can democratic societies allow for such high risks? What is the State's responsibility to provide and protect against social risks?

By way of comparative case studies, an impressive array of descriptive statistics on violent crime, and an analysis of crime politics in the US, UK, and the Netherlands, Miller develops her persuasive account, with emphasis on the American case. She shows how the US maintains exceptionally high rates of violence as compared with its European counterparts, with US homicide rates peaking at five to ten times the rates of Spain,

© 2018 The Howard League and John Wiley & Sons Ltd

20591101, 2018, 1, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/hojo.12246 by Universität St. Gallen Bibliothek, Wiley Online Library on [07/05/2025]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

Italy, the Netherlands, Canada, and Scotland (*Table 4.1*, p.102). She goes on to show how high rates of violence are unevenly distributed across the US population. High rates of victimisation, specifically homicide rates, disparately impact African American men and women at six to eight times the rates of whites (*Table 4.3*, p.107; see also Threadcraft and Miller 2017). Black men and women have substantially higher rates of exposure to violence than all other Americans across their lifetimes. Why is that, Miller asks?

By carefully analysing democratic state responses to high rates of violence, Miller weaves together an account of crime politics and social provision, particularly their racial dynamics and political salience. Miller finds that when an engaged public demands crime control as a collective good, less punitive policies follow, contrary to more conventional populist accounts. Additionally, in the US case, Miller highlights how crime and victimisation are decoupled from broader social conditions, leading to more narrow punishing/punishment policies rather than to social provision (p.9). She argues that the particular set of American political institutions and its history of racialised inequalities (p.100) tend to drive down social provision and increase insecurity, particularly for the most vulnerable racial minorities. What fills its place is an excess of criminal justice measures aimed at punishing, rather than preventing, crime. Miller then draws the conclusion that it is state failure, *racialised state failure* in particular, that explains US exceptionalism in this domain. Miller explains, it is the 'broader political economy and institutional dynamics of American politics that perpetuate high and racially disproportionate rates of violence *and* punishment, as well as social inequality between blacks and whites more broadly' (p.100). The state has failed to provide safety and security for its citizens, its central obligation in a democratic polity.

As an appreciative reader, particularly of how Miller brings together the empirical reality of crime and violence with a nuanced understanding of democratic politics, I nevertheless raise one critical point, with implications for the analysis and future research. How can Miller's analysis integrate the historic crime decline in the US since the 1990s? Does it matter?

On this point, the US has experienced a massive crime decline since the 1990s, across all crime categories, including violent crime, and across all space, including big cities and rural areas, and it has been long-lasting (see review in Barker 2010). By 2000, the homicide rate had reached 1960s levels. Homicide rates declined from 9.3 homicides per 100,000 in 1992 to 4.8 homicides per 100,000 by 2010 (Bureau of Justice Statistics 2011). This trend is evident in *Figure 4.1* (p.103). What is striking about the crime decline in the US, particularly violent crime, is the significant drop in offending and victimisation of young African American men. This fact is of major social import. Yet, it is not discussed on empirical or conceptual grounds in the text. Miller might say that the absolute and relative figures are high in comparative context and that state failure is still at work. Even so, I think the crime decline raises questions for further reflection.

While the experience of crime and violence are taken seriously in the text as well as the state's role in perpetuating insecurity, the analysis provides fewer answers about why Americans have such high crime rates in the first place – is this because of inequality, racism, distrust, or political fragmentation? Or why crime rates fell dramatically without changes or increases in welfare state provision, which are factors, Miller argues, that buffer against crime in stronger European welfare states. Can state failure explain both the prevalence of high crime and its demise? How can we incorporate or account for change in an analytical framework that privileges stable and enduring political institutions? In the US context, there were significant changes in the social fabric, including improvements in the urban ecology, collective efficacy and shifts in youth culture that may have changed the dynamics of crime and violence on a local level (Barker 2010). These are bottom-up factors that fit with Miller's broad concerns about democratic

© 2018 The Howard League and John Wiley & Sons Ltd

20591101, 2018, 1, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/hojo.12246 by Universität St. Gallen Bibliothek, Wiley Online Library on [07/05/2025]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

The Howard Journal Vol 57 No 1. March 2018
ISSN 2059-1098, pp. 124–134

politics but would bring them into another level of analysis. I think a theory of crime would make Miller's strong claims even more robust.

That said, Lisa L. Miller has produced a compelling book with widespread appeal as evidenced by the range of events and commentary by political scientists, criminologists, sociologists, critical race scholars, historians, and anthropologists, among others. It stands as a major turning point in the field.

References

Barker, V. (2010) 'Explaining the great American crime decline: a review of Blumstein and Wallman, Goldberg and Rosenfeld, and Zimring', *Law & Social Inquiry*, *35*(2), 489–516.

Bureau of Justice Statistics (2011) *Homicide Trends in the United States, 1980–2008*. Available at: *https://www.bjs.gov/content/pub/pdf/htus8008.pdf* (accessed 15 November 2017).

Threadcraft, S. and Miller, L.L. (2017) 'Black women, victimization and the limits of the liberal state', *Theoretical Criminology*, *21*(4), 478–93.

Docent and Associate Professor of Sociology,
Stockholm University,
Sweden.

VANESSA BARKER

****

Lisa L. Miller's Response to Reviewers

I first want to offer my deep gratitude to Vanessa Barker for putting together the Author Meets Reader panel for the Law and Society Association (LSA) Meetings in June 2017, and to the outstanding scholars who so carefully read and commented on the book: Insa Koch, Tim Newburn, Richard Sparks, Chuck Epp, Megan Ming Francis, and Naomi Murakawa. I am a long admirer of all of their work and I am humbled by their laudatory comments and thoughtful critiques.

While I would enjoy engaging in a lengthy response to, and discussion with, each reviewer, space constraints require me to be brief. I find myself largely agreeing with the general, if not always the precise, critiques offered here, which is probably testament to my hyperawareness of the pitfalls of cross-disciplinary research. Richard Sparks very generously refers to my work as offering among 'the greatest refreshment and insights to criminologists'. This, he says, is because it emerges from a political scientist who does not really consider herself a criminologist (true) and can, therefore, see some of the shortcomings and limitations of extant criminological work on politics, crime and punishment.

But Sparks is kind enough not to state plainly what is also clearly true: that my grounding in political science leaves me with quite a few shortcomings of my own, namely, the lack of engagement with a long tradition of scholarly work on moral panics and Left Realism in criminology. Sparks argues that I misapply the term 'moral panic' in the book, and he has accurately identified the fact that I am not particularly well-versed in that literature. His larger point is that my measures of crime's salience do not take account of the *manner* in which crime issues are salient – that is, the terminology deployed, the types of crimes emphasised, the nature of the debates about crime problems and solutions. In other words, I engage in very little analysis of how crime is characterised, who is cast as blameworthy, and who is treated as victim, and so on.

Sparks is right on this point, and my response, while true, is not likely to satisfy: the book is not primarily aimed at analysis of discourse or issue-framing but, rather, testing

© *2018 The Howard League and John Wiley & Sons Ltd*

20591101, 2018, 1, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/hojo.12246 by Universität St. Gallen Bibliothek, Wiley Online Library on [07/05/2026]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

20591101, 2018, 1, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/hojo.12246 by Universität St. Gallen Bibliothek, Wiley Online Library on [07/05/2025]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

the widely-shared assumptions about the relationship between crime and salience and how institutional variation channels the politicisation of crime into more or less punitive outcomes. Having said that, Sparks's point, that crime is never a neutral issue, but one that is always the subject of ideological contestation and representation, is well taken.

Newburn also has concerns about the salience measures used in the book. He is correct to note that the measures include a wide range of issues related to crime and criminal justice, including specific crimes such as violence and theft, as well as issues related to policing, prisons, the criminal code, and so on. Newburn is concerned that if crime's salience leads to increasing police pay, for example, this is quite a different agenda from one that is focused on building more prisons.

This is surely right, and I take Newburn's point that such differences are important for crime's salience. I do think that the book attempts to make some of these distinctions by examining specific crime Acts passed in Britain, as well as substantive crime issues that are distinct from policing and prisons (*Figure 3.5* and *Table 3.4*), and a disaggregation of political platform topics and a more in-depth discussion of guns and drugs in the US (*Figure 4.8* and *Table 4.4*).

But this point is related to a broader concern of Newburn's, which is that I may mistakenly equate low party conflict around crime with low political salience. Newborn argues that the Conservative Party in Britain 'made much political capital out of law and order long before the issue became one of specific electoral contestation'. I do not doubt that the Conservatives politicised crime (by which I simply mean, brought it onto the political agenda) before it was a major topic of political contestation in the early 1990s, and I think that it is fair to say that the book does not sufficiently consider how crime is framed and utilised to ideological ends (per Sparks's comments), especially in Britain. But I am not entirely convinced that such an analysis would substantially alter the fundamental findings of the book – that violence is an important precursor to political attention to crime, that political institutions shape policy outcomes, and that the US is an outliner not only on imprisonment, but on lethal violence, institutional fragmentation, and democratic deficits – though I agree that such an analysis would provide essential insights.

Insa Koch goes one step further and suggests that the book's framework entirely overlooks one of the major causes of crime, punitiveness, and limited social welfare policy. Rather than seeing this as primarily a case of US exceptionalism, Koch argues that the problem is with liberalism itself. The liberal democratic State, she notes, 'is in fact incapable of responding to those demands in a way which is truly democratic'.

Koch may be right, and I am grateful to her for expanding the lens such that liberalism, not simply various institutional differences across liberal democracies, becomes an important factor in understanding the politics of crime and punishment. This has been pointed out to me elsewhere (see Threadcraft and Miller (2017); also Peter Ramsey's comments at the annual meetings of the American Society of Criminology in Philadelphia, 2017), and I confess that some of this is beyond my expertise. But it is also true that, whatever the limitations of the liberal state may be, the intensive use of the veto points of American politics, by whites, to block social benefits of any kind to blacks, is a crucial part of the crime and punishment story in US politics and one that cannot be reduced to liberalism alone (comments which were echoed by Naomi Murakawa and Megan Ming Francis at LSA).

Finally, Vanessa Barker notes, rightly, that while I allude to various types of social policies that might reduce serious violence – welfare, education, and so on – I offer no causal theory of lethal violence and, therefore, cannot account for the great crime decline of the late 1990s in the US. This is right, of course. Did the US state become marginally more successful, particularly in black communities where violent crime plummeted during this period? We cannot explain change with a constant.

© 2018 The Howard League and John Wiley & Sons Ltd

The Howard Journal Vol 57 No 1. March 2018
ISSN 2059-1098, pp. 124–134

I have two responses. First, it is true that I studiously avoided making any specific claims about the causes of serious violence, and I did so because the book's aims were about salience and alternatives, not the causes of crime. By highlighting the fact that virtually all theories of serious violence involve some type of action (or inaction) by the state, I was able to keep the focus of the research and analysis on the key relationships that the book pursues, namely the relationship between serious crime and the political salience of crime, the nature of the policy issues and alternatives that result, and the relative levels of responsiveness to public concern about crime in different democratic institutional settings.

But my second response is that I have been persuaded by Barker, and I accept the challenge. My new book project, *Can't Stop Killing You: The Political Origins of Lethal Violence in the Americas* is a comparison of the US and Latin America, and is aimed at understanding the specifically political causes of serious violence. I agree with Sparks that getting even further outside of the US case, and Europe, too, for that matter, offers a promising opportunity to more thoroughly understand the origins of criminal violence, as well as its politicisation and ensuing policy outcomes. Latin America provides a particularly fruitful region for this analysis because it shares far more institutional and racial history, specifically slavery, with the US, than does Europe.

I once again want to thank these distinguished scholars for taking the time to read and comment on the book. I look forward to much more debate and discussion in the coming years.

Professor of Political Science,
Rutgers University,
New Brunswick, NJ.,
USA.

LISA L. MILLER

© 2018 The Howard League and John Wiley & Sons Ltd

20591101, 2018, 1, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/hojo.12246 by Universität St. Gallen Bibliothek, Wiley Online Library on [07/05/2025]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License