



Crime and Punishment in the US: Political Systems and Technology Regime Change

Nicola Lacey and David Soskice

LSE Law, Society and Economy Working Papers 22/2019
London School of Economics and Political Science
Law Department

This paper can be downloaded without charge from LSE Law, Society and Economy Working Papers at: www.lse.ac.uk/collections/law/wps/wps.htm and the Social Sciences Research Network electronic library at: <https://ssrn.com/abstract=3492701>
© Nicola Lacey and David Soskice. Users may download and/or print one copy to facilitate their private study or for non-commercial research. Users may not engage in further distribution of this material or use it for any profit-making activities or any other form of commercial gain.

Crime and Punishment in the US: Political Systems and Technology Regime Change

Nicola Lacey and David Soskice*

Abstract: One of the most extraordinary social science phenomena of the postwar period has been the rise in violent crime in large American cities from the 1970s to the mid 1990s and the consequent rise in incarceration; and then its subsequent dramatic decline in most of those cities and the correspondingly decisive decline in the increase in imprisonment. An echo of these ‘waves’ occurred in almost all advanced economies; but their amplitude in the US case is quite exceptional. We seek to explain: why the waves, and why the exceptional American amplitude? Comparative political economy has had little to say in recent decades about American exceptionalism in general and about American crime and punishment in particular. We take the UK as comparator, with a common liberal market economy framework, a non-consensus based political system and a broadly similar welfare state. The American exceptionalism in crime and punishment is generated institutionally by the exceptional local democratic autonomy over key relevant policy areas – education, zoning and law and order; and hence, we argue, the domination of the preferences of ‘homevoters’. We see the waves as reflecting the massive changes in technology regime: the postwar stable Fordist system through the 1960s; its collapse especially felt in the large cities through the 1970s and 1980s; and the knowledge economy from the early 1990s on.

Keywords: crime; punishment; United States; political systems; technology regimes

* Nicola Lacey, Professor of Law Gender and Social Policy, London School of Economics and Political Science; David Soskice Professor of Political Science and Economics, London School of Economics and Political Science.

I. INTRODUCTION

One of the most extraordinary social science phenomena of the postwar period has been the rise in violent crime in large American cities from the 1970s to the mid 1990s and the consequent rise in incarceration; and then its subsequent dramatic decline in most of those cities and the correspondingly decisive decline in the increase in imprisonment (the relevant policy variable: Enns 2016). An echo of these ‘waves’ occurred in almost all advanced economies; but their amplitude in the US case is quite exceptional. In this paper we seek to explain: why the waves, and why the exceptional American amplitude?

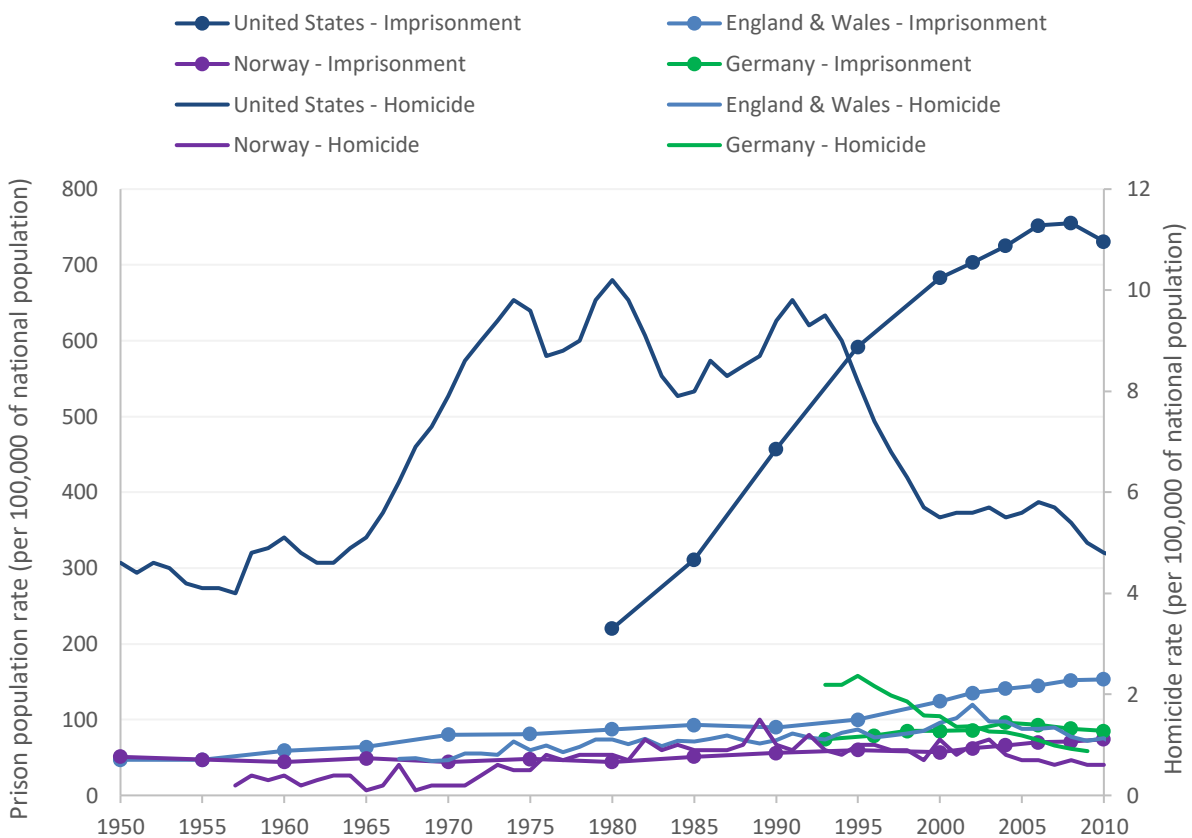
Notwithstanding the extent of states’ criminal justice powers, and the electoral salience of crime and punishment in many jurisdictions in the latter part of the 20th Century, criminal justice has, with a few honourable exceptions (Enns 2016; Gottschalk, 2006, 2016; Lerman and Weaver 2014; Miller, 2008, 2016, 2018; Rueda and Stegmüller 2016; Skarbek 2014), attracted remarkably little interest from political scientists. Specifically, comparative political economy has had little to say in recent decades about American exceptionalism in general and about American crime and punishment in particular. We take the UK as comparator, with a common liberal market economy framework, a non-consensus based political system and a broadly similar welfare state. We take the massive technological regime change associated with the ICT revolution and the consequent collapse of Fordism in both the US and the UK as an ‘exogenous’ shock. In both economies this threw up many losers; and in both economies crime (in particular violent crime) rose. It rose from the late 1970s to the mid 1990s before falling back. Critically, as is well known, this was dramatically greater in the US than in the UK (Gallo et al 2018). In addition it led to a vast rise in incarceration in the US, again of a different order of magnitude to that in the UK or other broadly comparable countries (Figure 1).

Our argument proceeds as follows. In the second section of the paper, we set out the comparative political economy framework which we have developed in previous work, explaining how it may be brought to bear on the analysis of crime and punishment, and the specific questions which it raises in relation to the US. Drawing on the distinction between liberal and co-ordinated market economies, we explain why the latter have generated less violent crime and less harsh penal regimes, integrating Esping-Andersen’s worlds of welfare analysis with the varieties of capitalism framework, and paying particular attention to the education and training systems and the so-called school-to-work transition for young men. We also pay attention to Lijphart’s distinction between ‘negotiated’ political systems (in co-ordinated market economies) and ‘competitive majoritarian’ political systems (in liberal market economies) in which ‘winner takes all’ and minority groups have little say.¹ By way of illustration, and in preparation for the more concrete analysis of section three, we then focus specifically on a comparison between the US and the UK. We set out the logic of

¹ There are, of course, telling differences between the US and UK political systems, as we discuss in Section II. However, for the purposes of an analysis of crime and punishment, electoral competition for roles involved in the formulation or implementation of criminal justice and other relevant social policies within a ‘winner takes all’ framework – central to Lijphart’s characterisation of competitive systems – is the crucial characteristic.

our argument, summarising our analysis of the ways in which the US system differs, historically and institutionally, from other liberal market economies, and underlining the difference this made to both the realities and the politics of crime and punishment in late 20th Century America. We ask how the American system came about historically, as a system in which cities had an exceptionally high level of democratic autonomy (including over zoning, K-12 education, policing and the justice system)² (Lacey and Soskice forthcoming). In addition we ask how this relates to the distinctive role of race in the US. Our analysis goes back to the institutional rebuilding of the American political economy by the Republican Ascendancy presidents in the 1870s on, after the failure of Reconstruction, when most administrative capacity lay in the northern cities; to the northward Black migration in the context of tight anti-Southern European immigration laws of the early 1920s; and to the failure of the Northern cities to build social contracts with the Black migrants (Gerstle, 2001, 2015; Bensel 2000).

Figure 1: Homicide and Imprisonment trends, 1950-2010



² Though we take varieties of capitalism as exogenous.

Source: International Centre for Prison Studies, *World Prison Brief*, 2016; United States Federal Bureau of Investigation, Uniform Crime Reporting (accessed Jan 2017); United Kingdom Office for National Statistics (accessed Jan 2017); Von Hofer, H., Lappi-Seppälä, T., & Westfelt, L. (2012). Nordic Criminal Statistics 1950-2010: Summary of a Report. Stockholm University; Bundeskriminalamt, Police Crime Statistics; Birkel, C., & Dern, H. (2012). Homicide in Germany. In *Handbook of European Homicide Research* (pp. 313-328). Springer New York.

This historical and comparative analysis of the distinctiveness of the US among liberal market economies sets up a key question: given that massive technological changes – and significant welfare state retrenchments – affected both the US and the UK in relatively similar ways, what can we learn from trends in crime and punishment in the two countries about the relative influence of production regime, welfare state and political system? In the third section, we accordingly draw out the lessons which can be learned from an analysis of the evolution of crime, punishment and welfare in the US and the UK in the turbulent period associated with the drastic collapse of Fordist production and of the industrial economy and the gradual emergence of a new technology of production associated with the ‘knowledge economy’. We analyse the unhappy consequences of the collapse of Fordist industrialisation from the mid 1970s to the 1990s, with its rise in violent crime and consequent punishment, especially for poor younger (and, in many cities, disproportionately black or Hispanic) men, aggravated by local police and justice, as a result of local ‘homevoter’ democracy (Fischel 2001; Peterson and Krivo 2010; Lacey and Soskice 2015; Enns 2016; Farrell et al 2019). We emphasise here the macroeconomic collapse of inner cities – the type of macroeconomic shock with which welfare states elsewhere can deal at least partially through social services, retraining and unemployment benefits: features which are themselves products of countries’ broader political-economic structures.³

Having set out the logic of the argument, justified empirically, showing how it works in the context of large American cities, we move on to focus in particular on differential patterns of the decline in crime (Blumstein and Wallman 2006; Zimring 2006; Sharkey 2018) and the rate of increase in punishment since the mid 1990s in terms of the cities which have benefitted from the knowledge economy. The gradual shift to a knowledge economy has produced key economic and geographical shifts, particularly in some of the largest cities, with a decisive impact on crime and on life chances – but also with some polarising effects (Sharkey 2018). We argue that the subsequent differential decline in violent crime and levelling off of punishment is related directly and indirectly to the IT Revolution, with its differentiated effects on the labour markets of ‘agglomerating’ cities. This has the equivalent effect of a positive macroeconomic shock, with a movement of population into the inner cities. Here again, no comparably significant social policy changes in either country over the relevant period were involved; rather, against the

³ To be clear: Our argument is not that the welfare state does not exist in the US. On the contrary, the US welfare state – broadly defined - works reasonably well for the middle classes through social security and medicare, as well as through public K-12 education in middle class school districts (Jacoby 1998). But for the poor in large cities it is quite limited.

background of a decisive move towards ‘workfare’ welfare policies in both countries, the impact of technology regime transition has been both more acute and more spatially differentiated in the US. This, we suggest, is largely because of the distinctive operation of the US political system.

In the next two sections, we develop the framework for this analysis, turning, first, to a consideration of the distinctive qualities of the US liberal market system; and second, to a more granular examination of the US in comparison with a relatively similar country, the UK.

II. THE COLLAPSE OF FORDISM AND THE EXCEPTIONAL AMERICAN RISE IN VIOLENT CRIME AND PUNISHMENT

In recent years, comparative scholarship has made some progress in illuminating the ways in which political-economic institutional arrangements foster or provide resources to promote – or to counter - social integration and inclusionary criminal justice systems. In particular, it seems that the flexibilised, individualistic labour markets, the relatively ungenerous welfare states, and the adversarial, competitive political systems of the liberal market economies have, under the socio-economic conditions prevailing in advanced democracies since the 1970s, fostered exclusionary and punitive dynamics (Lacey 2008, 2010, 2012; Garland 2001). But there are, of course, important differences among countries belonging to the same ‘families’ of political economy. The exceptionally high ‘violence’ of the US, in terms of crime and punishment as compared with the UK, hence controlling for varieties of capitalism, therefore presents itself as an opportunity to refine our understanding of the relative contribution of different aspects of political-economic institutional structure to patterns of crime and penalty.

Crime and punishment rose in almost all advanced states during the period from the mid to late 1970s through to the mid 1990s. We assume in this paper that this was caused by the slow collapse of Fordism, and the corresponding collapse of semi-skilled male manual employment. The rise in both was massively higher in the US. In this section the exceptionally high ‘violence’ of the US, in terms of crime and punishment is compared with the UK where violent crime and punishment also rose but much less dramatically; this controls (very broadly) for variety of capitalism – Liberal Market Economy, welfare state type – Liberal, and political system – competitive. Thus, the exceptional American performance is not the simple consequence of neo-liberalism – since this occurred in the UK during the heyday of Thatcherism. We argue that, by sharp contrast to the UK (and other advanced countries), this can be explained by the exceptional political autonomy of American cities and the preferences of their decisive, typically home-owning, voters (Lacey and Soskice 2015, 2018; Trounstein 2018). This ‘homevoter’ political system (Fischel, 2001) led during much of the 20th Century to the zoning of the poor, notably poor black families – the ‘truly disadvantaged’ (Wilson 1987) – into dense inner city tracts, with poor education and limited social policies. The US is not only a liberal market economy and liberal welfare state with a competitive/majoritarian rather than negotiated/ proportional

representation political system (Lipjhardt 1984; 1999). In addition – critically and specifically – the US is a radical outlier in the degree of local democracy, with policies on residential zoning, public education (kindergarten to year 12), policing, prosecution, justice and transportation, all decided directly or indirectly by local voters (Lacey & Soskice 2015; 2018; Fischel 2001; 2004; Trounstine 2018; Hacker et al 2019).

What are the mechanisms through which local autonomy led in the large cities to such an upsurge in violent crime and punishment?

Our explanation is inevitably oversimplified. While there is a spectrum of neighbourhoods, American cities have long been at least partially zoned into middle-class neighbourhoods with single family households, typically home owners, and poorer more disadvantaged ones. We look at the behaviour in turn of middle class families and then disadvantaged ones.

For American middle-class home owners, particularly in the 1980s, a house was their main financial asset, on which they could borrow and perhaps to use to supplement social security pension. Maintaining and increasing their house value was seen as of high importance in their lives. Four major factors were key to the value of their house if they wanted to sell it, each of which depended on voting:

- 1) Access to good public schools and being in the right catchment area. This raises house prices and so is independent of having school age children. It is underlined if you have school age children in state schools. Homeowners are happy to vote high school taxes to maintain the standard of their K-12 schools – but to minimise spending on other schools in the school district for less advantaged communities to keep down property taxes overall.
- 2) Policing and keeping your residential tract safe. You are prepared to vote a higher property tax if your own tract is well policed. Regular police patrols keep ‘suspicious’ characters off your tract. But you do not want your municipality to spend money on policing less advantaged areas, since most victims of crime in those areas live in those areas. Moreover, the more dangerous an area becomes, the greater the cost of effective policing; if city government (mayors) are responsive to this type of voting, then there will likely be a tipping point dividing effectively policed ‘nice’ areas from ‘dangerous’ ones.
- 3) Prosecution and justice. You are concerned that violence and violent crime does not spread into your residential tract, and you have a strong concern that violent offenders should be imprisoned, ‘put out of circulation’. You therefore vote for strong public prosecutors who are not soft on crime. And you vote for judges who pass longer sentences on those found guilty of violence; even in states where district judges are appointed by governors and not locally elected, governors are conscious that they need to be elected and therefore sensitive to local concerns in their appointments.
- 4) Zoning and neighbourhood associations. Perhaps most important is that zoning ordinances are voted on. These define the rules of the minimum size of plot and the maximum number of households per plot in a tract. A middle class tract

might require plot size of a third of an acre with a maximum of one family per slot. The likelihood is that such tracts would consist largely of homeowners, who would then have strong interests in maintaining the safety and environment, etc., of the tract and oppose any change in the ordinance (e.g. organising to prevent a large house becoming multi-occupancy). A corollary of this is well-organised neighbourhood associations fulfilling a 'watchful' role over 'incursions' into the tract.

- 5) In these tracts, home owners have strong incentive to organise and to persuade each other to vote. Renters have little such incentive since they can always move out of a deteriorating neighbourhood. This is shown using a large data set drawn from the GSS. The first column shows that home owners are vastly more likely to vote in local elections than any other class of occupier. (Just as they are much more likely to get involved in the solution of local problems, as the second column shows.)

Table 1: Voting and residential status

Glaser and Sacerdote (2000)

	(1)	(2)	(3)
	<i>Votes in</i>	<i>Works</i>	<i>Voted in</i>
	<i>local</i>	<i>to</i>	<i>most</i>
	<i>elections</i>	<i>solve</i>	<i>recent</i>
	<i>GSS</i>	<i>local</i>	<i>Pres.</i>
<i>data set</i>		<i>problems</i>	<i>election</i>
	<i>GSS</i>	<i>GSS</i>	<i>GSS</i>
<i>estimation procedure</i>	<i>probit</i>	<i>probit</i>	<i>probit</i>
big apartment (10+ units in bldg)	-0.168 (0.076)	-0.066 (0.063)	0.011 (0.025)
apartment (5-9 units in bldg)	-0.033 (0.040)	-0.075 (0.037)	0.009 (0.014)
mobile home	-0.149 (0.058)	-0.035 (0.051)	-0.081 (0.019)
2-4 family bldg, misc.	0.013 (0.044)	-0.099 (0.042)	0.002 (0.017)
own home	0.118 (0.034)	0.069 (0.033)	0.118 (0.013)

The other set of actors (in this inevitably oversimplified framework) are those from disadvantaged backgrounds, including but not necessarily confined to high school dropouts. Most violent crime and gang activities were/are committed by disadvantaged young men from their mid-teens to their mid or late twenties. In the Fordist era these young men could get employment on the assembly line or in labouring or transportation which would ensure a steady income and self-discipline at work. There was both a strong incentive not to engage in violent crime nor to have a police record. During the Fordist period from the end of the 2nd World War to the late 1960s homicides ran at 300 per 100,000 of the population, before doubling from the early 1970s to the early 1990s to 600 per 100,000. Fordism (in a period of high employment) was a system which could absorb even those young men without high school degrees, since they had a clear incentive to behave in a disciplined way.

The gradual collapse of Fordism meant that opportunity to get out of disadvantage dropped away. A number of factors then came into play which radically changed the equilibrium, and which took sharply into account the behaviour of the middle classes and their home owning concerns:

- 1) In disadvantaged communities, the absence of effective policing for the reasons stated above and the presence of many young unemployed men implied the environment was dangerous; it made sense to do two things: to carry guns or knives, and to join gangs as self-defence collectivities.
- 2) As the gang phenomenon developed gangs became increasingly concerned to defend their own territory (a set of streets or blocks) so as to make that area safe for (poor) residents as well as gang members, and safe from other gangs. With legal employment opportunities sharply diminished for disadvantaged male school leavers; with limited possibilities for further education; and with few long-term legal prospects, drug-dealing through gang-membership was not a stupid choice. Prisons, often controlled by gangs, became a rite of passage (Skarbek 2014). Violent crime increased as gang-territory areas were established and defended; and metagames emerged. To repeat this was all facilitated by the absence of effective policing.
- 3) Violent crime as well as thefts split out of disadvantaged communities and into middle class areas. This activated the concern of middle-class residents to protect their property to protect the value of their homes. Returning to (ii) to (v) above, it reinforced concern with maintaining the zoning system and preventing exceptions; it reinforced neighbourhood associations and effective policing; and above all it reinforced concerns to put and keep violent offenders in prison. Voting in relation to zoning boards, to the election of public prosecutors and district judges, as well as of the mayor and council members (to make 'correct' choices of police chiefs and police priorities), and also of members of School Boards to maintain the de facto segregation of high schools, constituted the political underpinnings of the system.

Our broad argument is that violent crime came from the poverty, lack of welfare, limited education, and lack of effective policing, in the tracts into which zoning policies segregated the disadvantaged losers – a group which is moreover strongly racially patterned⁴ - from the collapse of Fordism. These policies favoured median local voters by bolstering house prices and reducing property taxation (Lacey & Soskice 2015; 2018; Gallo *et al.* 2018), as well as distributing local public goods in radically unequal ways (Trounstone 2018). These very same dynamics shaped a distinctive, and toxic, politics of punishment, particularly from the 1970s on. In particular, electorally driven patterns of residential segregation reinforced and aggravated the stark racial inequality which is a further and striking feature of American history. And while the over-representation of Black and Hispanic Americans in the criminal justice system echoes with comparable levels of racial disproportion in the prison systems of countries like New Zealand or England and Wales (Pratt and Clark 2005), there remain important differences in the American racial politics of crime and punishment which, we argue, relate specifically to the power of American local politics (Peterson & Krivo 2010; Schneider & Turney 2015). For this radical degree of local autonomy, organised as it is in terms of a plethora of electoral competitions, exaggerates the ‘arms race’ effect to which all competitive majoritarian systems are vulnerable, further exacerbating it through accountability gaps attendant on responsibility for the development, upshot and cost of the relevant policies being fragmented and misaligned; a skewed electoral demographic at the local level; distinctively weak party discipline; and an intensified concern about crime and security in the post-Fordist context (Lacey and Soskice 2015).

Recent research in a number of disciplines has contributed to an accumulating evidential and theoretical base for our thesis. The tendency of American political fragmentation to unleash ‘centrifugal’, polarising forces has been identified by historians and political scientists (Gerstle 2015: 154-5; Miller 2016; King & Smith 2005; 2011; King 2000; 2005; 2017; Gottschalk 2006); and the key impact of local democracy and locally based criminal justice institutions on the development of criminal justice policy has been confirmed in a range of broadly criminological work (Appleman 2017; Brown 2016; Campbell 2014; 2016; 2018; Verma 2016). More specifically, many recent studies have confirmed the decisive impact of electoral cycles on both judicial and prosecutorial decision-making (Berdejó & Chen 2017; Nadel *et al.* 2017; Park 2017). In most of these studies, the finding is that, under the conditions prevailing from the collapse of Fordism from the 1970s on, these electoral dynamics have fed an upward trajectory in punitiveness: indeed Pfaff (2017) has gone so far as to claim that the single most important reform needed to make progress in dismantling mass imprisonment would be a move away from the election of prosecutors (which takes place at the local level). The impact, and changing patterns, of America’s exceptional levels of residential segregation (Massey and Denton 1993; Johnston *et al.* 2005, 2007; Nickerson and Deenihan 2003; Trounstone 2018), which we identified as a key mechanism through which local democracy had produced and

⁴ Miller (2016) has diagnosed in these facially neutral processes a form of ‘racialised state failure’; while both Alexander (2012) and Trounstone (2018) speak in terms of ‘institutionalised’ racism. However we label the process, the upshot has undoubtedly been what Soss and Weaver (2017) have called ‘race-class subjugated communities’.

maintained inequality in educational, economic and criminal justice spheres, continues to attract a great deal of notice in the social sciences (Ellen and Steil (eds.) 2019; Sampson 2019; Smith 2012; Schneider & Turney 2015; Douglas 2005; Charles 2006; Pattillo 2007; Katznelson 1981; Johnston et al 2005, 2007; Nickerson and Deenihan 2003).

We do not want to claim that the *only* key institutional difference between the US and the UK (as well as other advanced economies) lies in the exceptional degree of local autonomy in democratic decision-making in the areas of zoning, K-12 education, police, public prosecution and the courts. The welfare state and labour market rules are largely set at the national or Federal/state levels in both countries, but it might well be thought that, despite similarities, they operate in the US less beneficially for the seriously disadvantaged. While the UK and the US welfare states are both classified as Liberal in Esping-Andersen's scheme, there were and are differences between them: Welfare (pensions, health, unemployment benefits) in the US depends more strongly on employers and in the past on collective bargaining; and it also benefits the middle classes to a greater extent than the poor. On the other hand, it is a mistake to think the UK welfare state is greatly more generous than the American. With respect to labour markets, employment in the US is 'at will' (of the employer), in contrast to the more contractual UK approach and 'unfair dismissal' rights. But in the Fordist period, even disadvantaged school leavers once employed in industry were generally protected by unions in both the US and the UK. And with the collapse of Fordism through the 1970s and 1980s, unionism was significantly weakened in both countries for semi-skilled workers. In a fairly qualified way then, we want to maintain our focus on local autonomy as the key institutional difference between the US and the UK.

It might even so be objected that this distinct local autonomy developed in the US in response to the collapse of Fordism, that it is an *endogenous* and not an *exogenous* institution. We argue elsewhere that the distinctive US system has deep historical roots which have as much to do with its path to the establishment of industrial capitalism as with its political history (Lacey and Soskice forthcoming). To summarise very briefly, the evolution of the US political system was fundamentally different from that of the political systems of the UK and of Northern Europe in key ways: negatively, in terms of the absence of disciplined political parties driving national policy; positively, in the painful wake of the Civil War and the failure of Reconstruction, Republican Ascendancy presidents and compliant Supreme Courts with limited administrative capacities vested *de facto* power in localities – in particular major cities – and in corporations as drivers of economic development. Industrialisation was effected via the power of corporations and the cities in which they operated, with the political representation of both being guaranteed at federal level via elections at local level. Both industrialisation and state development proceeded on a two-region basis, and had to manage without the central state institutions and systems which characterised modern state formation in Europe, including Britain (Bensel 2000; Gerstle 2001, 2015; Novak 1996)⁵. Crucially, these differences were decisively shaped by the history and politics of race, with black Americans left to their fate in the South, and the

⁵ Gary Cox describes the centralisation of power and administration in the Prime Minister and Cabinet in *The Efficient Secret* (Cox 1987)

longer term legacy of the civil war and of slavery, which shaped the political and cultural world of the South, following them north as a result (Muller 2012; Lacey and Soskice 2018). In the regionally bifurcated equilibrium, in terms of both politics and economy, which emerged in the US, local autonomy was not driven by race in the straightforward, causally proximate way which is sometimes implied (Alexander 2012; Tonry 2011); rather, and in a sense yet more fundamentally, the very shape of state development was shaped by the history of racial oppression (King 2000, 2005; King and Smith 2005). Decentralisation was indirectly tied to race, but race was mediated by class/political economy, and vice versa, in that it was the racial politics of the South which pushed industrialisation north.

By contrast, the UK has a far more centralised political system: one in which not only legislative decisions, but a whole range of policy decision-making and implementation within or relevant to the criminal justice system is either made at national level or proceeds within a set of standards set at national level (Table 2). The UK and the US saw broadly similar upward and, from the 1990s, downward trends in serious crime (Newburn 2018: 52-82); both countries also saw significant policies of welfare state retrenchment from the 1980s on, albeit from a lower base in the United States. The UK also saw a decisive upswing in punishment (Figure 1 above), albeit of a less dramatic scale than that seen in the US. And it is these astonishing differences of scale, in both violent crime and punishment, which suggest that the distinctive structure of the US political system has been mediating the exogenous economic shocks and social strains associated with technological regime change in particularly polarising ways.

Table 2: Locus of power relevant to criminal justice: US and UK

	Police	Prosecutors	Local judges	Zoning	Schools
US	City/municipal app by mayor (sometimes elected)	DA elected county or multi-county district	Most states elected on county or multi-county district	Zoning Boards appointed by locally elected Council/Mayor	Property tax by elected School Board at School District
England and Wales	Home Office appoints Chief Constables	Attorney-General/ Director of Public Prosecutions/ Crown Prosecution Service (government agency)	Lord Chancellor / Judicial Appointments Commission (Ministry of Justice)	Min Housing rules, right of appeal to Minister	National govt policies

To sum up: The contrast between the United States' long-standing decentralization and the national frameworks within which planning, education, and criminal justice policy proceed in other liberal market economies has been of key importance to the capacity to absorb the social stress associated with technological regime change. Significantly and

sharply rising crime rates from the 1960s fostered an increasing sense of insecurity and concern about crime which, through its particular impact on swing voters, itself helped to move crime and punishment up the political agenda. The decentralization and penetration to localities and to a vast variety of roles of competitive electoral politics or political appointment in the American system, along with the homevoter dynamic in local elections in which homeowners concerned about protecting their investments dominate in low-turnout elections (as in other forms of civic activism; Pattillo 2007), help to explain the radical way in which the increasing political salience of crime led to an upswing in punitiveness and in residential segregation. As Sampson and Wilson (1995), Wilson (1987) and Peterson and Krivo (2010) have shown, the consequent concentration of poverty and disadvantage has in turn been associated with rising violence (see also Sampson 1987 a and b, 2012; Sharkey 2013), whose own spatial distribution gives further impetus to the centrifugal dynamic implicit in local autonomy. American democratic local autonomy puts *de facto* into the hands of local median voters power over policy and taxation in the areas of public education, zoning, police strategy, prosecution, and sentencing. Homeowners, who, as Fischel (2001, 2004) and Trounstein (2018) have noted, have a sharp incentive to participate in local politics, are overrepresented in the ranks of median voters at the local level. Particularly up to 1970, these dynamics were reinforced by white homeowners' willingness to pay a premium to live in segregated areas (Cutler, Glaeser, and Vigdor 1999). This led to a set of policy and tax choices profoundly inimical to the poor: to the residential segregation of the racially patterned poor; to inadequate policing, particularly of poor black areas; and to their weak provision of educational opportunity or chances of social mobility (Lacey and Soskice 2015, 2018).

III. FALLING VIOLENT CRIME AND REVERSAL OF THE IMPRISONMENT TREND: THE KNOWLEDGE ECONOMY AND THE MOVE BACK TO THE BIG CITIES

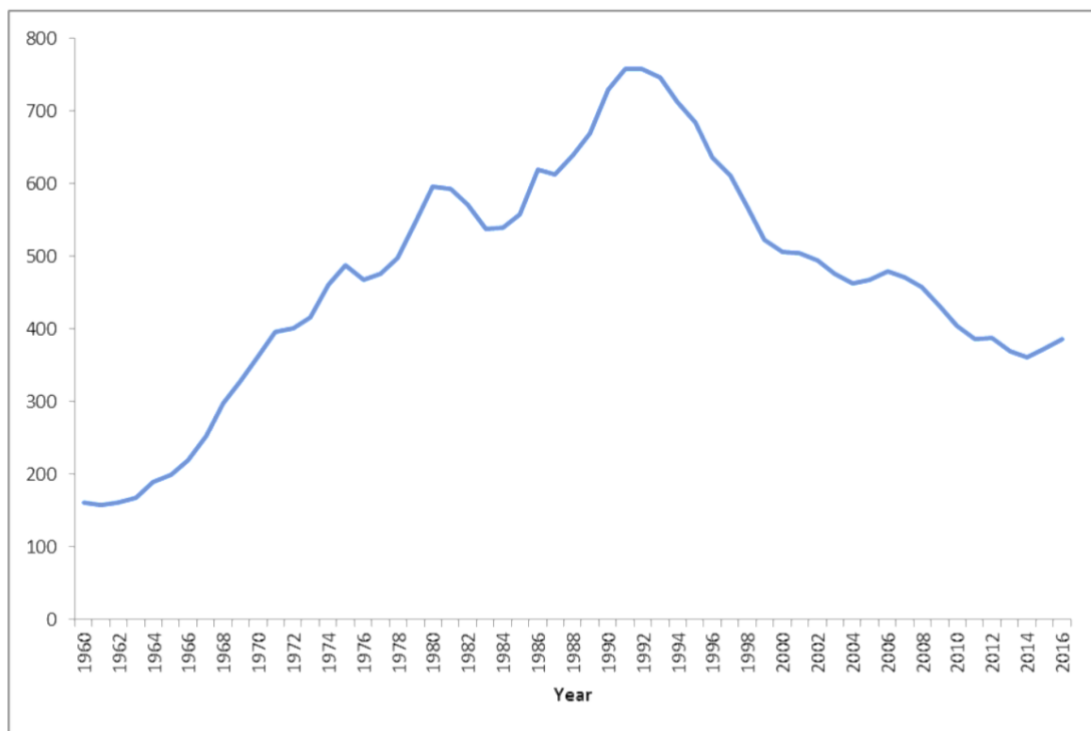
In this section our aim is to explain the very marked decline in violent crime in the US which began in the early 1990s. It was accompanied by a corresponding decline in the rate of increase in imprisonment. We argue in this section that another major change of technological regime, namely the ICT revolution and the development of a knowledge economy – given the US institutional environment of local democracy in cities – was the key driver in both the decline in violent crime and the decline in the rate of imprisonment.

In summary, the argument is this (it will be expanded below): the extraordinary levels of violent crime in the US in the 1970s and 1980s were primarily a phenomenon of large cities. They reflected the gradual collapse of Fordism and the disappearance of semi-skilled male employment combined with a middle class homeownership voting local democracy in the large cities which in effect bottled up disadvantaged young males into poor inadequately policed areas; large city economies and labour markets were worsened as this was made worse by middle class flight to the suburbs and beyond. The knowledge economy reversed these trends: centred as we will see in large agglomerating cities, young

professionals and technologists moved back in increasing numbers, reinforced by assortative mating; gentrification and the repopulation of city centres led directly and indirectly to a reduction in violent crime, as significant increases in less skilled employment and real wages occurred, and home owner voting preferences changed, including with respect to punitiveness; this led to a reduction in the change in the rate of incarceration. In the two following figures we show first the data for violent crime per capita through the whole period (Fig 2.1) and then Enns' corresponding data for punitiveness and the rate of change of imprisonment (Fig 2.2).

As Enns' work shows (Enns, 2014) the fall in violent crime was followed by a sharp fall-off in the punitiveness index he derived from American public opinion data. It was also followed by a sharp decline in the change in the incarceration rate index. This is probably the best simple measure of current incarceration policy since it measures the number of new prisoners (reflecting current judicial decisions) less the number of those whose have left prison (reflecting the weighted average of many past years).

Figure 2.1 Violent crime in US per 100,000 population



Source: *Sourcebook of Criminal Justice Statistics, Table 3.106.2012; Federal Bureau of Investigation, Crime in the United States 2016, Table I.*

Notes: The violent crime rate includes the total number of reported homicides, rapes, robberies, and aggravated assaults per 100,000 people. Violent crime rates for 1960-2016 include data using the "legacy" rape definition. See the text box on "UCR Offense Definitions" for more details.

Fig 2.2 Violent crime, punitiveness and the change in the incarceration rate (Emms)

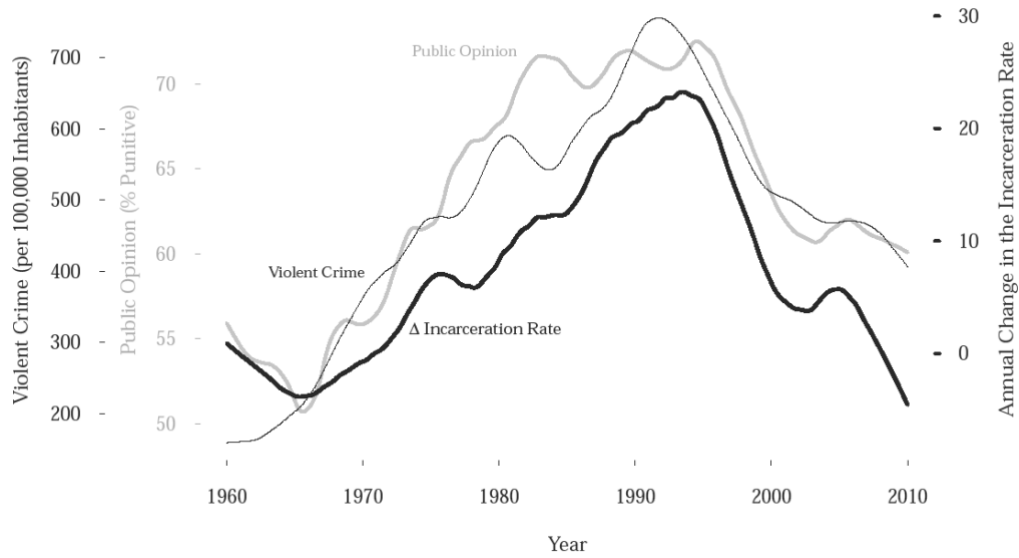
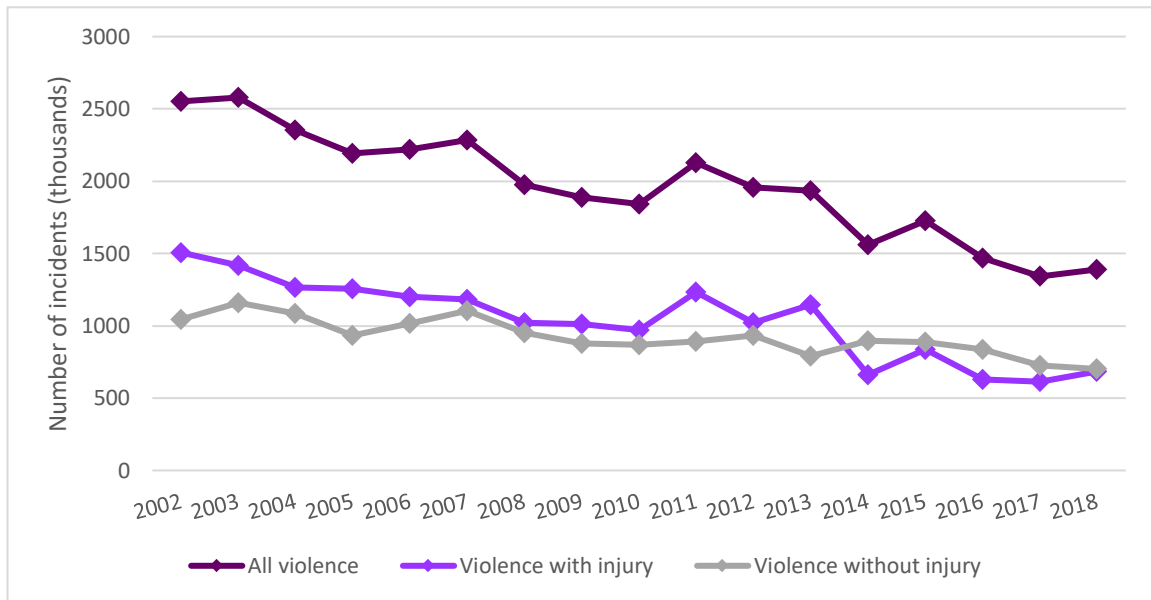


Figure 2.3: Trends in overall violent crime as measured by Crime Survey for England and Wales 2002 – 2018



Source: ONS (2019) Crime in England and Wales: year ending September 2018 produced using data for Figure 6

Note: All years are ending in March apart from 2017 and 2018 which are to the year ending September.

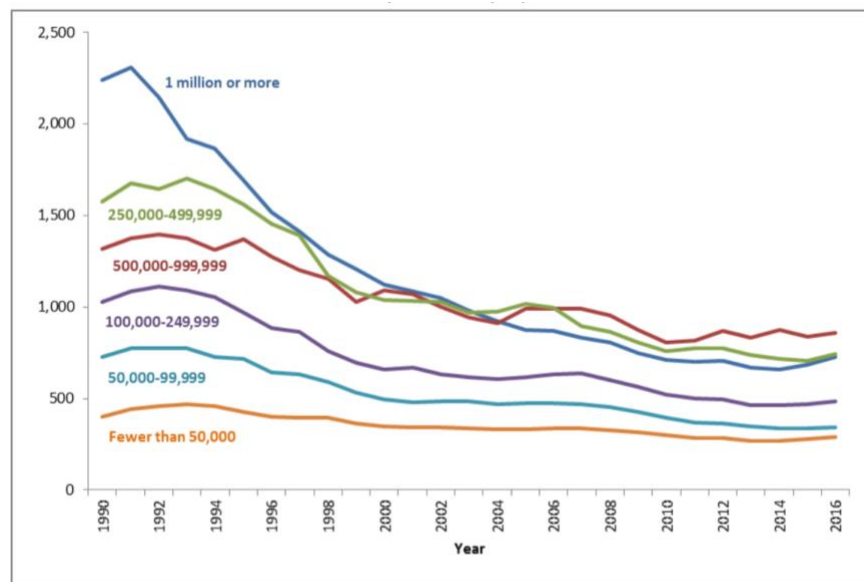
As in the US, the fall in violent crime in the UK started in the mid 1990s (Newburn 2018: 55) and has continued – with a partial, very recent reversal in knife crime, which appears to be associated with drug-related gang activity – through an era which has seen both continuous welfare state retrenchment and a very serious economic recession.

The key to the argument in this section is that many large cities reversed their decline of 1970s and 1980s associated with the collapse of Fordism. This recovery came with the appearance of the knowledge economy. Along with the general emphasis of this paper on the powerful role of technological regime change, and given the continuing underlying institutions of local democracy, we will argue here that violent crime fell as a direct and indirect result of this growth of the ‘knowledge economy’. The dynamic centres of the knowledge economy were major cities across the advanced democracies in the 1990s.

As can be seen in Figure 2.4, violent crime in 1990 was much more marked in the large cities with populations of more than 1 million people, and which had suffered from the decline in industrial employment. And if we look, in Figure 2.5, at homicides over the same period in large cities the same disproportion is true.

These large cities by and large felt disproportionately the benefits of the growth of the knowledge economy from the early 1990s on, and we can see the corresponding disproportionate decline in both violent crime and homicides in comparison to smaller urban areas.

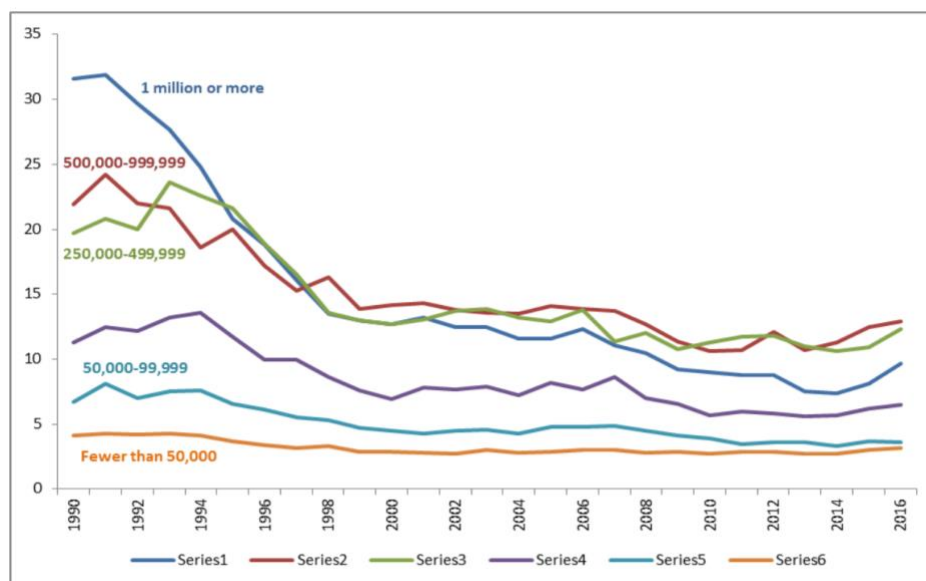
Figure 2.4 Violent crime rates in US by city size per 100,000 population



Source: Federal Bureau of Investigation, *Crime in the United States, 1990-2016*.

Notes: Violent crime rates for 1990-2012 include data using the “legacy” rape definition. Violent crime rates for 2014-2016 were calculated using the total number of rapes reported using both the legacy and revised rape definition. See the text box on “UCR Offense Definitions” for more details.

Figure 2.5 Homicide rates in US by city size per 100,000 population



Source: Federal Bureau of Investigation, *Crime in the United States, 1990-2016*.

The knowledge economy was in turn a consequence of the ICT revolution, the technological regime changes which had played a large role in the collapse of Fordist manufacturing employment in the US. (The collapse in manufacturing employment in the US was caused by computerisation directly – in the running of plants through IT systems, through robotisation and an increasing use of artificial intelligence. And in combination with globalisation computerisation made possible through global value chains the spreading out of production to new sources of labour supply.)

For our purposes in this section the ICT revolution brought a major change in the social economies of large cities. In the prolonged post-war Fordist period, and particularly during the gradual and then accelerating collapse of Fordism, middle class families had left the large cities and moved to the suburbs or contiguous areas. These were the decades (1970s and 1980s) when city revenue fell, and declining city employment added to the decline in well-paid manufacturing employment, to produce the ‘crisis of the city’. As we argued in Section II, the fall in manufacturing employment – ‘bottling’ unemployed young males into ghetto areas of big cities – played a large role in the rise in crime and the consequent rise in imprisonment. On the homevoter hypothesis, decisive voters were unprepared to vote the type of policing, educational provision, or change in zoning regulations which might have mitigated this situation; indeed the reverse; and this was likely aggravated by reduction in public transport provision, as well as other services, implied by the fiscal crisis of the cities.

In areas which have seen the development of the knowledge economy, the opposite occurred: in the large (especially most of the largest) cities there was a very significant demographic move of young professionals into the city centres. Why did this demographic

change of direction happen? The knowledge economy changed the role of the co-location of highly skilled workers in large cities (Florida 2012; Glaeser 2012; Iversen and Soskice 2019; Moretti 2012). Behind this are three developments: First is the phenomenon of skill clusters. Over several decades the return to college participation has greatly increased as a result of IT (even if it has slowed during the Great Recession). Cognitive (analytic) ability is complementary to internet access to information and computing power; and social skills (ability to negotiate, emotional intelligence, persuasiveness, leadership, reliability) are necessary for working together with other workers with cognitive ability. Both are complex skill sets acquired through high education. Their use requires graduates, specialising in particular high level sectors (new technologies, finance, law, business services, culture, media, etc) to co-locate in their work. Thus so-called skill clusters form, and knowledge competences become ‘geographically-embedded’: companies (including multinationals) who want to tap into the relevant knowledge area have little choice but to locate themselves (or their knowledge-based subsidiaries) in the relevant geographically embedded knowledge cluster (Iversen and Soskice 2019: 135-215). Second is the increasingly important phenomenon of assortative mating (Greenwood et al 2014), whereby partnering is increasingly between those with similar educational levels, especially for graduates. Since different graduates will often have different career specialities and hence need different skill clusters, it is only the largest and most successful cities, with multiple skill clusters, that are attractive to graduates – either already ‘partnered’ or wishing to find partners. Third, as more and varied high level services become clustered in large city centres, these locations become increasingly attractive locations for company headquarters, and the regional headquarters for multinationals.

The implication of this is thus an increasing move of well-educated younger people and their families into close to the centre areas of a number of large cities.

In at least three ways, this would have been likely to lead to a reduction in violent crime: directly and indirectly through gentrification; because of the increase in low skilled employment and (arguably) wages; and finally, because city centres became widely populated areas. Moreover, these developments would have been likely to make ‘community’ policing more feasible, less costly and more effective.

A. GENTRIFICATION

A major correlate of the move of young professionals into the central areas of large cities has been gentrification. There is a large urban studies literature on gentrification, and its impact – particularly in terms of the potential displacement of the relatively less advantaged within gentrifying areas due to rising rents – remains controversial. There is also some disagreement on the overall impact on residential segregation.⁶ But evidence is

⁶ For example, while both Trounstine (2018: 186-204) and Glaeser and Vigdor (2012) note that racial segregation has declined, Trounstine argues that economic segregation continues to rise. There is also an ongoing and lively debate about the true extent and impact of geographical, as well as cultural, displacement: see Sharkey 2018 104ff; Freeman; Freeman and Braconi 2004; Freeman 2011; cf. Hyra 2008); Institute on Metropolitan Opportunity 2019.

accumulating that this process, stimulated by the development of the knowledge economy in large cities, has had a number of related effects, with a significant impact on crime:

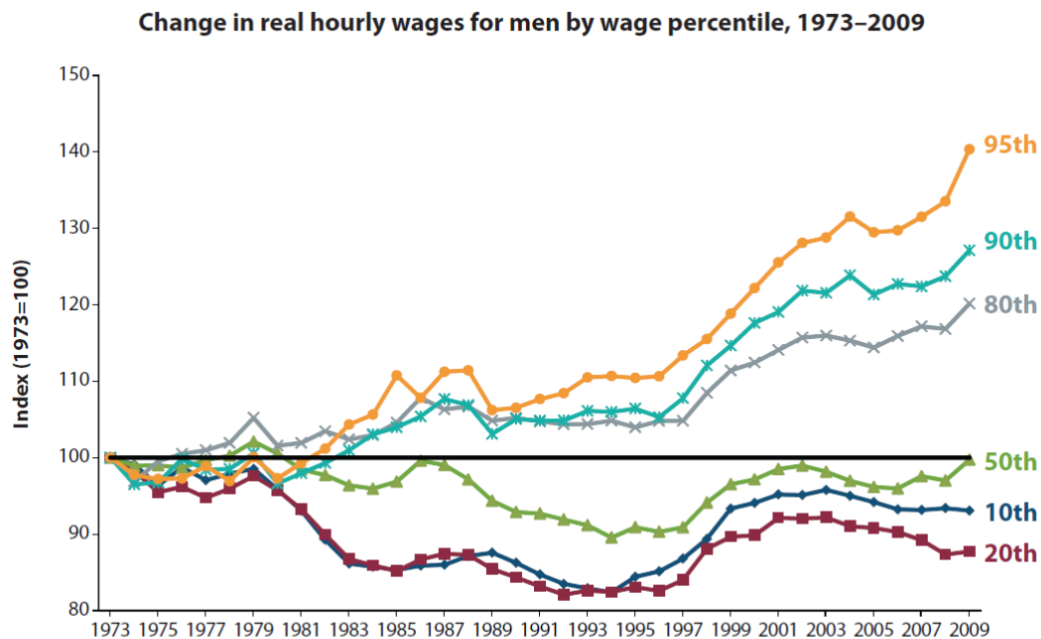
- (1) Rising house prices have led to the displacement of existing residents. Much of this has been the displacement of lower middle classes to peripheral areas and towns outside the big cities, a process which has arguably increased populist sentiments and which carries risks of further political polarisation. It has also led to the displacement of the poor to denser and nastier places within city.
- (2) But it has also been associated with desegregation within the big cities.
- (3) Street crime has likely been reduced by the presence of more people on the streets in gentrified neighbourhoods.
- (4) Police presence increased on streets both directly (political pressure by new educated voters) and indirectly (more people on streets makes cost of police presence lower and less dangerous).
- (5) There has been some effect via consequential improvements in the education system.
- (6) As gentrifiers move into areas shunned by traditional 'homevoters' we would expect a decline in the importance homevoters attach to tight zoning, for less (expensive) policing of poorer areas, for greater punitiveness, for better public transport and so on, as these gentrified areas become less threatening to them.

B. INCREASED DEMAND FOR LOW SKILLED LABOUR

In a different literature Moretti (2012) and others have argued that the influx of graduates into cities increases the demand for less skilled work in a range of ways, including construction, housework, entertainment, transport and a range of higher skilled sheltered sector employees from health and medical to caring services. Moretti estimated that one new 'innovation' job created five new sheltered jobs. This direct increase in the demand at least partially for low skilled labour would be likely to have changed the incentive structure to engage in criminal activities.

The knowledge economy has not been the only driver of the recovery of the US economy from 1990s on, as successive Presidents have relaxed credit rules to encourage household borrowing in part via the housing market. But the knowledge economy has played the major part in very large cities. By looking at the 10th percentile of real wages for men over a longer period, it is clear how in the period from the early 1990s on, unskilled labour could earn considerably more than in the 1980s, thus reinforcing the incentive to work legally.

Figure 3:1



SOURCE: EPI analysis of U.S. Census Bureau, Current Population Survey, Outgoing rotations group. Adapted from EPI's online State of Working America series, <http://www.stateofworkingamerica.org/charts/views/235>.

C. POPULATION OF CITY CENTRES AND PUBLIC AREAS

The much wider use of city centres, including the entertainment areas and central business districts, would be likely to have reduced violent crime including robbery and also violent crime associated with drug dealing.

Taken together, we would have reason to expect that these factors would have in effect shifted the voting equilibrium in regenerating city centres from a vicious 'low cost, abandonment' cycle of incentives to a virtuous 'high cost, investment' cycle.

Recent empirical research findings have provided evidence in support of each of these propositions. In particular, Sharkey's important analysis of the crime decline and its spatial impact strongly confirms the direct causal link between inner city regeneration and falling crime (Sharkey 2018). In his analysis, the impact has come about by means of an influx of new employment, new residents, and hence new business and services, implying a more mixed population and a reduction in concentrations of poverty. And this in turn has brought a raft of further positive effects deriving from more intelligent and constructive policing informed by a detailed understanding of localities and their populations, as well as decisive public health and educational benefits deriving from the lessening of violence and the anxiety and cognitive impairment which the fear of violence generates (Sharkey 2018: 76-112). Sharkey's analysis is also instructive in unravelling what might be thought of as the puzzle that the crime decline in the US has happened alongside continuing welfare state retrenchments: for the urban renewal which he documents has been accompanied by

a new generation of ‘urban guardians’ in the form of both privately funded security and what are in effect private welfare services created as offshoots of business improvement districts, often working alongside traditional criminal justice agents and also non-profit community organisations such as block clubs (Sharkey 2018: 39-60). Indeed his focus on the upshot of broad investment in urban regeneration – public, private and third sector – underlines the importance of setting patterns of welfare provision within this broader institutional context: as Sharkey argues (2018: 115-61), recent patterns of urban renewal have in some sense turned the clock on the fateful decision of Lyndon Johnson and subsequent presidents to place their faith in a punitive policy of ‘abandonment’ as distinct from a positive social investment strategy in tackling urban unrest and deprivation.

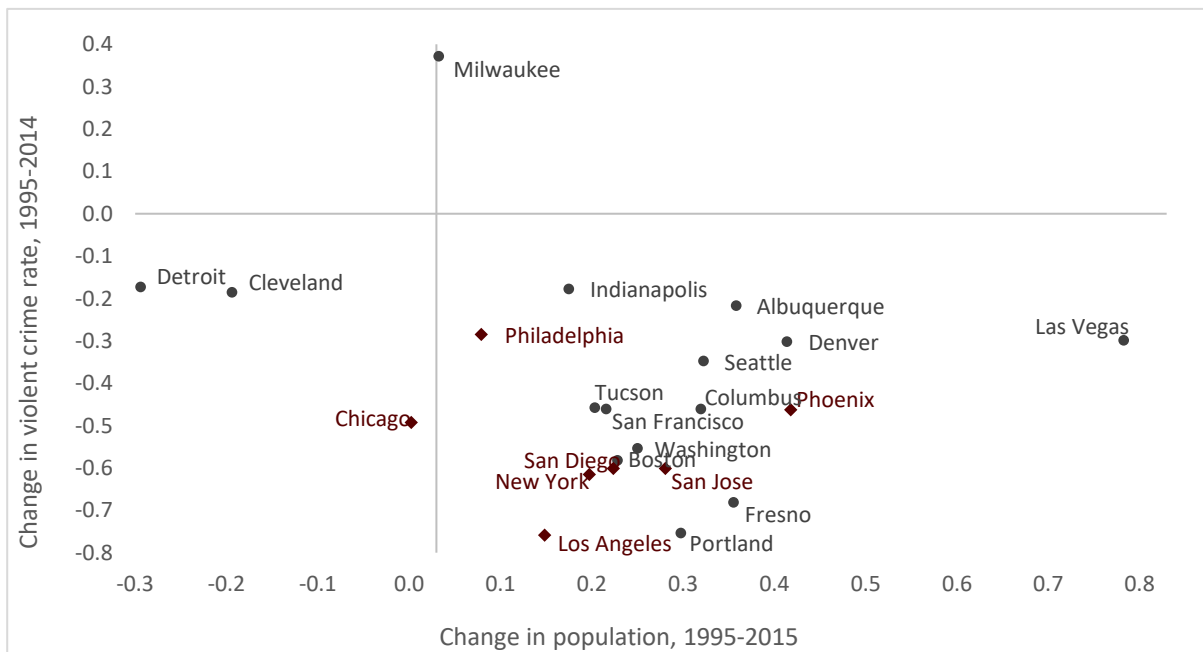
Indirectly, Trounstine’s analysis of patterns and conditions of residential segregation in the US across the 20th Century also underlines the implications of these spatial developments. Positively, Trounstine’s evidence shows that higher levels of – strongly racially patterned - segregation lead to polarised politics in which local government has a diminishing capacity to raise revenue for public services (Trounstine 2018: 143-66). Hence her analysis fits with Sharkey’s finding that inner city renewal has created better services, notably in terms of higher quality policing as well as the wider benefits associated with greater public safety that more diverse/less segregated cities may experience. More worryingly, however, both Sharkey and Trounstine present evidence of the socially damaging effects of polarisation, on both racial and economic lines (see also Beckett and Herbert 2009). To the extent that the knowledge economy does produce economic as well as cultural displacement in the cities in which it flourishes, as well as increasing polarisation between those cities and the cities and regions in which it does not, the longer term impact for a society’s ability to contain the social stresses created by technological regime change may yet turn out to be negative overall, or at least mixed, given the very dynamics of local democracy analysed in Section III. Obvious dangers include the risk of increased disadvantage and social immobility at the lower end of the socio-economic scale, exacerbating racial inequality, resentment among those without real opportunity, and an elevated risk of populism and/or a spatially embedded conservatism which sees any attempt at redistribution as a violation of rights (Iversen and Soskice 2019: 216-256; Trounstine 2018: 186-204).

Our analysis sets the important findings of Sharkey, Trounstine and others within a broader political-economic context. While Trounstine pays close attention to the institutional context of decentralised local government in the US, she does not pay close attention to patterns of crime: and while the context of the collapse of Fordist production features as a backcloth to both Trounstine’s and Sharkey accounts, neither of them focuses specifically on the possible impact of emerging technological regime change on recent patterns of urban segregation, development or crime. Our account would suggest that both the specific dynamics of local politics *and* the impact of technological regime change have been key to producing the crime decline and urban renewal. In particular, we cannot agree with Sharkey that the crime decline he analyses was endogenous, an upshot of the forces confronting violence at a local level (Sharkey 2018: 57 ff.). Of course, there is a sense in which this is quite obviously true. But the deeper question is why the configuration of those forces changed when it did, given that levels of violence had been strikingly high

in historic terms (Pinker 2011) for more than two decades. Moreover, Sharkey's explanation does not fully account for the fact that violence has declined markedly more in some cities than in others. Whatever the precise mechanisms, our thesis about the impact on urban space of the rise of the knowledge economy derives further support from the fact that violent crime dropped markedly more in the biggest cities.

The decline of violent crime took place across the United States from the early to mid 1990s on. As shown in Figure 4.6 there is a clear inverse relation across large cities (US cities with a population of > 500,000 in either 1995 or 2005) between the change in violent crime and in population. The knowledge economy effect was not uniform across large cities. Violent crime has fallen in each large city apart from Milwaukee. But it fell relatively little in Detroit and Cleveland, neither of which has benefitted from the knowledge economy to any great extent. Philadelphia only began to grow during the 2000s and had suffered both rising violent crime and falling population between 1995 and 2005. Chicago has had a significant fall in violent crime, and is more complicated: very much a beneficiary of the knowledge economy, population grew between 1995 and 2005 and it only fell off in the late 2000s. In general however, growth in knowledge economy cities has gone with declining violent crime.

Figure 3.2 Population and violent crime changes 1995-2015 in large US cities



Comparative research suggests that the characteristics which underpinned the renewal of ‘Phoenix Cities’ (Power et al 2011) are equally applicable in other countries, including the UK, with technological change, investment, and the availability of skills underpinning recovery (Power and Katz 2016). These patterns open up a promising research agenda geared to helping us better understand not only the precise mechanisms driving the impact on crime, but more generally what determines how cities attract the investment associated with the growth of the knowledge economy; how national, city and regional governments can best support this; and how, conversely, they can minimise and manage the stressful upshot of the marginalisation and polarisation which these developments also undoubtedly imply for those unable to benefit from them. On the basis of what we know so far, it seems reasonable to conclude that while local autonomy in the US may accelerate the regenerative effect of technological change in the largest and most successful cities, the capacity for national and regional planning and coordination of the UK provides – where the political will to use it is present – important tools in countering the polarisation which is the risk of these developments.

IV. CONCLUSION

It has become clear in a whole number of areas in comparative political economy, that the American political economy is exceptional. But remarkably, neither political science nor political economy has paid much attention to this. American Politics is a leading sub-discipline of political science, yet – preoccupied with parties, voting, elections and courts, the Presidency, Congress and the Supreme Court, as well as state government - it has shown little interest in understanding the American political economy. Likewise the Comparative Political Economy of advanced economies has been largely engaged analytically in classificatory and typological arguments. There are important exceptions to this⁷, and a striking Manifesto (2019) by Hacker, Hertel-Fernandez, Pierson and Thelen is a call to action. In the area of crime and punishment, this paper can be seen as one initial response.

What we argue here is that to understand change in the American political economy, a useful approach is to identify relatively long-standing institutions and to see the outcomes when they are buffeted by major external forces. What we have found, working for some time on crime and punishment in the US, is that the autonomy of large cities in the relevant policy areas (education, law and order and zoning in particular) and the degree of local democracy has given middle class (generally white) home owners a pivotal role. This ‘local autonomy’ institution makes American cities quite different from those in any other advanced economy, and is a keystone of American exceptionalism in crime and punishment at least during the last century or so.

We then examine the interaction between this stable institution and major (indeed massive) changes in the technological regimes of advanced capitalism. First, we examine

⁷ Peter Hall, Ira Katznelson, Margaret Levi are high profile names.

the shift from the Fordist regime of the postwar decades, when crime and punishment remained relatively low, to the hugely disruptive period of the 1970s and 1980s during which Fordism and well-paid employment for semi-skilled and unskilled males were gradually and painfully collapsing. This latter period saw a significant upsurge in violent crime in major northern cities in the 1970s and 1980s, which has been shown to have been closely linked to a fall in industrial employment (Petersen and Krivo 2010). Much of this crime was among a demographic group already disadvantaged by a combination of political-economic history, the centrifugal dynamics of local electoral systems, and, alas, racism – particularly directed towards young Black men with low educational qualifications. Most recently, we examine the emergence of the knowledge economy, in which large cities beginning to grow again, and violent crime and the rate of increase in punishment decline. Wacquant and others have inverted the causation, arguing that far from being driven by crime, the US penal response was driven by the electoral advantages of racism (Wacquant 2009; cf. Beckett 1997). The purported disarticulation of crime, insecurity and punishment is however undermined by the meticulous analysis of Enns (2016).

The technological regime change-violent crime/penalty relationship and trajectory held, but was not the case to anything like the same degree, in UK as in the US. The UK had both a much smaller rise in violent crime, and in imprisonment, notwithstanding significant welfare retrenchments and a comparable experience of radical deindustrialisation. In both countries, the impact of the transition to the knowledge economy has led to a crime decline, yet also to polarisation for those with the lowest levels of education. But the institutional structure of the American political economy has meant that these polarities are both more acute and more spatially embedded in the US than in the UK. This, we argue, is largely due to the ways in which the decentralised US political system has filtered the effects of technological change in comparison to the centralised structure of UK institutions in the relative domains of education, law and order and zoning.

References

- Alexander, M. (2012), *The New Jim Crow: Mass Incarceration in the Age of Colourblindness* (New York: The New Press).
- Appleman, L.I. (2017), 'Local Democracy, Community Adjudication, and Criminal Justice', *Northwestern University Law Review*, 111: 1413-27.
- Barker V. (2009), *The Politics of Punishment: How the Democratic Process Shapes the Way America Punishes Offenders* (New York: Oxford University Press).
- Barker V. (2013), 'Nordic Exceptionalism revisited: Explaining the paradox of a Janus-faced penal regime', *Theoretical Criminology*, 17(1):5-25.
- Barker, V. (2018), *Nordic Nationalism and Penal Order: Walling the Welfare State* (New York: Routledge).
- Beckett K. (1997), *Making Crime Pay* (New York: Oxford University Press).
- Beckett K, Western B. (2001), 'Governing Social Marginality', in *Mass Imprisonment: Social Causes and Consequences*, ed. D Garland, pp. 35-50 (London: Sage).
- Beckett K, Herbert S. (2009), *Banished: The New Social Control in Urban America* (New York: Oxford University Press).
- Bensel, R.F. (2000), *The Political Economy of American Industrialization, 1877-1900* (Cambridge: Cambridge University Press).
- Berdejó, C. & Chen, D.L. (2017), 'Electoral Cycles among US Courts of Appeals Judges', *The Journal of Law and Economics*, 60, 479-96. <https://doi.org/10.1086/696237>
- Blumstein, A. and J. Wallman (2006), *The Crime Drop in America* (Cambridge University Press).
- Brown, D.K. (2016), *Free Market Criminal Justice: How Democracy and Laissez Faire Undermined the Rule of Law* (New York: Oxford University Press).
- Bureau of Justice Statistics (2018), 'Prisoners in 2016', accessed 11 March 2019, <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=6187>
- Campbell, M.C. (2014), 'The Emergence of Penal Extremism in California: A Dynamic View of Institutional Structures and Political Processes', *Law and Society Review*, 45, 377-409. <https://doi.org/10.1111/lasr.12072>
- Campbell, M. C. (2016), 'Are All Politics Local? A Case Study of Local Conditions in a Period of "Law and Order" Politics', *The ANNALS of the American Academy of Political and Social Science*, 664, 43-61. <https://doi.org/10.1177/0002716215602702>
- Campbell, M.C. (2018), 'Varieties of Mass Incarceration: What We Learn From State Histories', *Annual Review of Criminology*, 1, 219-34. <https://doi.org/10.1146/annurev-criminol-032317-091957>
- Charles, C.Z. (2006), *Won't You Be My Neighbour? Race, Class and Residence in Los Angeles* (New York: Russell Sage Foundation).
- Cox, G. (1987), *The Efficient Secret: the Cabinet and the Development of Parties in Victorian England* (Cambridge: Cambridge University Press).
- Cutler, D.M., Glaeser, E.L. and Vigdor, J.L. (1999), 'The Rise and Decline of the American Ghetto', *107 Journal of Political Economy* 455-506.

- De Giorgi A. (2006), *Rethinking the Political Economy of Punishment* (Aldershot: Ashgate).
- Douglas, D.M. (2005), *Jim Crow Moves North: The Battle over Northern School Segregation, 1865-1954* (New York, Cambridge University Press).
- Downes, D. and Hansen, K. (2006), 'Welfare and Punishment in Comparative Perspective', in S. Armstrong and L. McAra (eds.) *Perspectives on Punishment* (Oxford University Press) 133-54.
- Ellen, I.G. & Steil, J.P. (eds.) (2019), *The Dream Revisited: Contemporary Debates About Housing, Segregation, and Opportunity in the Twenty-First Century* (New York: Columbia University Press).
- Ellis, M.J. (2012), 'The Origins of the Elected Prosecutor' 121 *Yale Law Journal* 1528-1569.
- Enns, P.K. (2016), *Incarceration Nation: How the United States Became the Most Punitive Democracy in the World* (New York, Cambridge University Press).
- Esping-Andersen, G. (1990), *The Three Worlds of Welfare Capitalism* (Cambridge, Polity Press).
- Esping-Andersen G. (1996), *Welfare States in Transition* (London: Sage).
- Farrall, S., Jones, P. & Gray, E. (2019), Politics, Social and Economic Change and Crime: Exploring the Impact of Contextual Effects on Offending Trajectories, Unpublished Manuscript.
- Firebaugh, G. and Farrell, C.R. (2016) 'Still Large, but Narrowing: The Sizable Decline in Racial Neighbourhood Inequality in Metropolitan America, 1980-2010' *Demography* 53:139-64.
- Fischel, W.A. (2001), *The Homevoter Hypothesis: How Home Values Influence Local Government Taxation, School Finance, and Land-Use Policies* (Cambridge: Harvard University Press).
- Fischel, W.A. (2004), 'An Economic History of Zoning and a Cure for its Exclusionary Effects', *Urban Studies*, **41**, 317-40. <https://doi.org/10.1080/0042098032000165271>
- Florida, R. (2012), *The Rise of the Creative Class, Revisited* (New York: Basic Books).
- Freeman, C. and Louca, F. (2001), *As Time Goes By: From the Industrial Revolutions to the Information Revolution* (New York: Oxford University Press).
- Freeman, L. (2011), *'There Goes the Hood': View of Gentrification from the Ground Up* (Philadelphia: Temple University Press).
- Freeman, L. and F. Braconi (2004), 'Gentrification and Displacement in New York City' 70 *Journal of American Planning Association* 39-52.
- Gallo, Z., Lacey, N. & Soskice, D. (2018), 'Comparing Serious Violent Crime in the U.S. and England and Wales: Why It Matters, and How It Can Be Done', in K.R. Reitz (ed.), *American Exceptionalism in Crime and Punishment* (Oxford: Oxford University Press), 332-64.
- Garland, D. (2017), 'Penal power in America: Forms, functions and foundations' *Journal of the British Academy*, **5**, 1-35. <https://doi.org/10.5871/jba/005.001>
- Garland, D. (2018), 'The Concept of American Exceptionalism and the Case of Capital Punishment', in K.R. Reitz (ed.), *American Exceptionalism in Crime and Punishment* (Oxford: Oxford University Press), 103-20.
- Gerstle, G. (2001), *American Crucible: Race and Nation in the Twentieth Century*, (Princeton University Press).
- Gerstle, G. (2015), *Liberty and Coercion: The Paradox of American Government from the Founding to the Present* (Princeton: Princeton University Press).

- Glaeser, E. (2012), *Triumph of the City: How our greatest invention makes us richer, smarter, greener, healthier, and happier* (London and New York: Penguin/Random House).
- Glaeser, E. and Sacerdote, B. (2000), 'The Social Consequences of Housing' *NBER Working Paper no. 8034*.
- Glaeser, E. and Vigdor, J. (2012) 'The end of the segregated century: Racial separation in America's neighbourhoods, 1890-2010' Manhattan Institute Report no. 66.
- Gottschalk, M. (2006), *The Prison and the Gallows: The Politics of Mass Incarceration in America* (Cambridge: Cambridge University Press).
- Gottschalk, M. (2015), *Caught: The Prison State and the Lockdown of American Politics* (Princeton: Princeton University Press).
- Greenwood, J., Gunder, N., Kocharkov, G. and Santos, C. (2014) 'Marry Your Like: Assortative Mating and Income Inequality', *NBER Working Paper No. 19829*.
- Hacker, J.S., Hertel-Fernandez, A., Pierson, P. and K. Thelen (2019) *In Search of American Political Economy: A Framework and Agenda for Research* (Draft on file with the authors).
- Hall, P. & Soskice, D. (2001), 'An Introduction to the Varieties of Capitalism' in P. Hall & D. Soskice (eds.), *Varieties of Capitalism: The Institutional Foundations of Comparative Advantage* (Oxford: Oxford University Press), 1-68.
- Hinton, E.K. (2016), *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America* (Cambridge: Harvard University Press).
- Hyra, D. (2008), *The New Urban Renewal: The Economic Transformation of Harlem and Bronzeville* (University of Chicago Press).
- Iversen, T. & Soskice, D. (2006), 'Electoral Institutions and the Politics of Coalitions: Why Some Democracies Redistribute More Than Others' *American Political Science Review* 104: 601-23.
- Iversen, T. & Soskice, D. (2009), 'Distribution and Redistribution: The Shadow of the Nineteenth Century', *World Politics*, **61**, 438-96. <https://doi.org/10.1017/S004388710900015X>
- Iversen, T. & Soskice, D. (2019), *Democracy and Prosperity: Reinventing Capitalism Through a Turbulent Century* (Princeton University Press).
- Institute on Metropolitan Opportunity, University of Minnesota Law School (2019), *American Neighbourhood Change in the 21st Century* https://www.law.umn.edu/sites/law.umn.edu/files/metro-files/american_neighborhood_change_in_the_21st_century_full_report_4-1-2019.pdf
- Jacoby, S.M. (1998), *Modern Manors: Welfare Capitalism Since the New Deal* (Princeton University Press).
- Johnston, R., Poulsen, M. & Forrest, J. (2005), 'Ethnic Residential Segregation Across an Urban System: The Maori in New Zealand, 1991-2001', *The Professional Geographer*, 57: 115-29.
- Johnston, R., Poulsen, M. & Forrest, J. (2007), 'The Geography of Ethnic Residential Segregation: A Comparative Study of Five Countries', *Annals of the Association of American Geographers*, **97**, 713-38. <https://doi.org/10.1111/j.1467-8306.2007.00579.x>
- Katznelson, I. (1981), *City Trenches: Urban Politics and the Patterning of Class in the United States* (Chicago: University of Chicago Press).

- King, D. (2000), *Making Americans: Immigration, Race, and the Origins of the Diverse Democracy* (Cambridge: Harvard University Press).
- King, D. (2005), *The Liberty of Strangers: Making the American Nation* (New York: Oxford University Press).
- King, D. (2017), 'Forceful Federalism against American Racial Inequality', *Government and Opposition*, **52**, 356-82. <https://doi.org/10.1017/gov.2016.52>
- King, D. & Smith, R.M. (2005), 'Racial Orders in American Political Development', *American Political Science Review*, **99**, 75-92. <https://doi.org/10.1017/s0003055405051506>
- King, D. & Smith, R.M. (2011), *Still a House Divided: Race and Politics in Obama's America* (Princeton: Princeton University Press).
- Lacey, N. (2008), *The prisoners' dilemma: Political economy and punishment in contemporary democracies* (Cambridge: Cambridge University Press).
- Lacey N. (2010), 'American Imprisonment in Comparative Perspective', *Daedalus*. 139(3):102-114.
- Lacey N. (2012), 'Political Systems and Criminal Justice: The Prisoners' Dilemma After the Coalition', *Current Legal Problems*. 65(1):203-239.
- Lacey, N. & Soskice, D. (2015), 'Crime, Punishment and Segregation in the United States: The Paradox of Local Democracy', *Punishment & Society*, **17**, 454–81. <https://doi.org/10.1177/1462474515604042>
- Lacey, N. & Soskice, D. (2018), 'American Exceptionalism in Crime, Punishment, and Disadvantage: Race, Federalization, and Politicization in the Perspective of Local Autonomy', in K.R. Reitz (ed.), *American Exceptionalism in Crime and Punishment* (Oxford: Oxford University Press), 53-101.
- Lacey, N., Soskice, D. & Hope, D. (2018), 'Understanding the Determinants of Penal Policy: Crime, Culture, and Comparative Political Economy', *Annual Review of Criminology*, **1**, 195-217. <https://doi.org/10.1146/annurev-criminol-032317-091942>
- Lacey, N. and D. Soskice (forthcoming), 'American Exceptionalism in Inequality and Poverty: A (Tentative) Historical Explanation', in Cheliotis, L., Lacey, N., Soskice, D. and Xenakis, S., *Tracing the Relationship between Inequality, Crime and Punishment: Space, Time and Politics* (Proceedings of the British Academy: Oxford University Press).
- Lerman, A. & Weaver, V. (2014), *Arresting Citizenship: The Democratic Consequences of American Crime Control* (Chicago: University of Chicago Press).
- Lieberson, S. (1980), *A Piece of the Pie: Blacks and White Immigrants Since 1880* (Berkeley: University of California Press).
- Lijphart, A. (1984), *Democracies: Patterns of Majoritarian and Consensus Governments in Twenty-One Countries* (New Haven: Yale University Press).
- Lijphart, A. (1999), *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries* (New Haven: Yale University Press).
- Lindert, P.H. & Williamson, J.G. (2016), *Unequal Gains: American Growth and Inequality since 1700* (Princeton: Princeton University Press).

- Massey, D.S. & Denton, N.A. (1993), *American Apartheid: Segregation and the Making of the Underclass* (Cambridge: Harvard University Press).
- Miller, L.L. (2008), *The Perils of Federalism* (New York: Oxford University Press)
- Miller, L.L. (2016), *The Myth of Mob Rule: Violent Crime and Democratic Politics* (New York: Oxford University Press).
- Miller, L.L. (2018), 'Making the State Pay: Violence and the Politicization of Crime in Comparative Perspective', in K.R. Reitz (ed.), *American Exceptionalism in Crime and Punishment* (Oxford: Oxford University Press), 298-331.
- Moretti, E. (2012), *The New Geography of Jobs* (New York: Harcourt).
- Muller, C. (2012), 'Northward Migration and the Rise of Racial Disparity in America Incarceration, 1880-1950', *American Journal of Sociology*, **118**, 281-326. <https://doi.org/10.1086/666384>
- Nadel, M., Scaggs, R. & Bales, W. (2017), 'Politics in Punishment: The Effect of the State Attorney Election Cycle on Conviction and Sentencing Outcomes in Florida', *American Journal of Criminal Justice*, **42**, 845-62. <https://doi.org/10.1007/s12103-017-9388-4>
- Newburn, T. (2018), *Criminology* (Oxford University Press).
- Nickerson, B.J. & Deenihan, G.M. (2003), 'From Equity to Adequacy: The Legal Battle for Increased State Funding of Poor School Districts in New York', *Fordham Urban Law Journal*, **30**: 1341-92.
- Novak, W.J. (1996), *The People's Welfare: Law and Regulation in Nineteenth-Century America* (London: University of North Carolina Press).
- OECD (Organisation for Economic Co-operation and Development) (2017), *How's Life? 2017: Measuring Well-being* (Paris, OECD Publishing). http://dx.doi.org/10.1787/how_life-2017-en
- OECD (Organisation for Economic Co-operation and Development) (2019), 'Income inequality', accessed 11 March 2019, <http://doi.org/10.1787/459aa7f1-en>
- Park, K.H. (2017), 'The Impact of Judicial Elections in the Sentencing of Black Crime', *Journal of Human Resources*, **52**, 998-1031. <https://doi.org/10.3368/jhr.52.4.0415-7057r1>
- Pattillo, M. (2007), *Black on the Block: The Politics of Race and Class in the City* (Chicago: University of Chicago Press).
- Peterson, R.D. & Krivo, L.J. (2010), *Divergent Social Worlds: Neighbourhood Crime and the Racial-Spatial Divide* (New York: Russell Sage Foundation).
- Pfaff, J.F. (2011), 'The Myths and Realities of Correctional Severity' *13(2) American Law and Economics Review* 499.
- Pfaff, J.F. (2012), 'The Micro and Macro Causes of Prison Growth' *28(4) Georgia State University Law Review* 1239.
- Pfaff, J.F. (2017) *Locked In: The True Causes of Mass Incarceration—and How to Achieve Real Reform*. (New York: Basic Books).
- Phelps, M. & Pager, D. (2016), 'Inequality and Punishment: A Turning Point for Mass Incarceration?', *The ANNALS of the American Academy of Political and Social Science*, **663**, 185-203. <http://doi.org/10.1177/0002716215596972>

- Pinker, S. (2011) *The Better Angels of Our Nature: Why Violence Has Declined* (New York: Viking 2011).
- Power, A., Ploeger J., Winkler, A. (2010), *Phoenix Cities: The fall and rise of great industrial cities* (Bristol: Policy Press).
- Power, A. with B. Katz (2016), *Cities for a Small Continent: International handbook of city recovery* (Bristol: Policy Press).
- Pratt, J. & Clark, M.C. (2005), 'Penal populism in New Zealand', *Punishment & Society*, **7**, 303-22. <https://doi.org/10.1177/1462474505053831>
- Reitz, K.R. (2018), 'American Exceptionalism in Crime and Punishment: Broadly Defined', in K.R. Reitz (ed.), *American Exceptionalism in Crime and Punishment* (Oxford: Oxford University Press), 1-49.
- Reitz, K.R. (ed.) (2018), *American Exceptionalism in Crime and Punishment* (Oxford: Oxford University Press).
- Roth, R. (2009), *American Homicide* (Cambridge: Belknap Press of Harvard University Press).
- Roth, R. (2018), 'How Exceptional is the History of Violence and Criminal Justice in the United States?', in K.R. Reitz (ed.), *American Exceptionalism in Crime and Punishment* (Oxford: Oxford University Press), 272-97.
- Rueda, D. and D. Stegmueller (2016), 'The Externalities of Inequality: Fear of Crime and Preferences for Redistribution in Western Europe' 60(2) *American Journal of Political Science* 472-89.
- Rusche G, Kirchheimer O. (1968) [1939, in German]. *Punishment and Social Structure* (New York: Russell Sage).
- Sampson, R.J. (1987a), 'Urban Black Violence: The Effect of Male Joblessness and Family Disruption', *American Journal of Sociology*, 93(2):348-83.
- Sampson, R.J. (1987b), *Great American City: Chicago and the Enduring Neighbourhood Effect* (Chicago University Press 2012).
- Sampson, R.J. and Wilson, W.J. (1995), 'Toward a Theory of Race, Crime and Urban Inequality', in J. Hagan and R.D. Peterson (eds.) *Crime and Inequality* (Palo Alto: Stanford University Press) 37-54.
- Sampson, R.J. (2019), 'Neighbourhood Effects and Beyond: Explaining the Paradoxes of Inequality in the Changing American Metropolis', *Urban Studies*, **56**, 3-32. <https://doi.org/10.1177/0042098018795363>
- Savage, J.R., Bennett, R., Danner M. (2008), 'Economic Assistance and Crime: A Cross-National Investigation', *European Journal of Criminology*, 5(2):217-38.
- Scharff Smith, P., & Barker, V. (2019), 'Nordic Noir: Reexamining the Penal-welfare Nexus in the Age of Migration'. Unpublished Manuscript.
- Schneider, D. & Turney, K. (2015), 'Incarceration and Black-White Inequality in Homeownership: A State-Level Analysis', *Social Science Research*, **53**, 403-14. <https://doi.org/10.1016/j.ssresearch.2015.06.007>
- Schoenfeld, H. (2018), *Building the Prison State: Race & the Politics of Mass Incarceration* (London: The University of Chicago Press).
- Schumpeter, J. A. (1942), *Capitalism, Socialism and Democracy* (London: Harper).

- Sharkey, P. (2013), *Stuck in Place: Urban Neighbourhoods and the End of Progress Toward Racial Equality* (University of Chicago Press).
- Sharkey, P. (2018), *Uneasy Peace: The Great Crime Decline, The Renewal of City Life, and the Next War on Violence* (New York and London: W.W. Norton).
- Skarbek, D. (2014), *The Social Order of the Underworld* (Oxford and New York: Oxford University Press).
- Smith, J.M. (2012), 'Maintaining Racial Inequality through Crime Control: Mass Incarceration and Residential Segregation', *Contemporary Justice Review*, **15**, 469-84.
<https://doi.org/10.1080/10282580.2012.734577>
- Soss, J. and Weaver, V. (2017), 'Police Are Our Government: Politics, Political Science and the Policing of Race-Class Subjugated Communities' 20 *Annual Review of Political Science* 565-91.
- Sutton J. (2004), 'The Political Economy of Imprisonment in Affluent Western Democracies, 1960-1990'. *American Sociological Review*. 69:170-89.
- Tonry M. (2007), 'Determinants of Penal Policies' in *Crime, Punishment and Politics in a Comparative Perspective. Crime and Justice: A Review of Research Vol. 36*, ed. M Tonry (Chicago: University of Chicago Press) 1-48.
- Tonry M, ed. (2007), *Crime, Punishment and Politics in a Comparative Perspective. Crime and Justice: A Review of Research Vol. 36*. (Chicago: University of Chicago Press).
- Tonry, M. (2011), *Punishing Race: A Continuing American Dilemma* (New York: Oxford University Press).
- Tonry, M. (2018), 'The President's Commission and Sentencing, Then and Now', *Criminology & Public Policy*, **17**, 341-54. <https://doi.org/10.1111/1745-9133.12368>
- Trounstine, J. (2018), *Segregation By Design: Local Politics and Inequality in American Cities* (Cambridge University Press).
- Verma A. (2016), 'A Turning Point in Mass Incarceration? Local Imprisonment Trajectories and Decarceration under California's Realignment', *The ANNALS of the American Academy of Political and Social Science*, **664**, 108-35. <https://doi.org/10.1177/0002716215614311>
- Wacquant L. (2009), *Punishing the Poor: The Neoliberal Government of Social Insecurity* (Durham: Duke University Press).
- Western, B. (2006), *Punishment and Inequality in America* (New York: Russell Sage Foundation).
- Wilson, W.J. (1987), *The Truly Disadvantaged: The Inner City, the Underclass and Public Policy* (Chicago: Chicago University Press).
- Zimring F.E., Johnson D. (2006), Public Opinion and the Governance of Punishment in Democratic Political Systems. *Annals of the American Academy of Political and Social Science*, 605:266-80.
- Zimring, F.E. (2006), *The Great American Crime Decline* (New York: Oxford University Press).

