

## Introduction: Crime in Social and Legal Context

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**T**he dimensions of America's crime problems are staggering. U.S. rates of violent crime and imprisonment far exceed those of other Western industrial nations, more than quadrupling those of neighboring Canada (Hagan 1991). While the times spent in prison per violent crime nearly tripled in the United States between 1975 and 1989, violent crime did not decline (Reiss & Roth 1992). The effects are devastating for residents of minority low-income communities. The imprisonment rate for blacks is four times that for whites (Irwin 1991), and three-quarters of black male school dropouts in the United States are under supervision of the criminal justice system by the time they reach their early 30s (Freeman 1991). The escalation of criminal sanctions has not reduced the black homicide rate. Homicide is the leading cause of death among young black males (Fingerhut & Kleinman 1990), and this death rate soared more than 50% during the "War on Drugs" of the mid-to late 1980s (Jencks 1992:183).

C. Wright Mills (2959) implored readers of an earlier era to look for the social origins of such problems. But the American ethos of individualism places the credit for success and the blame for crime on individuals. Much of more than a half-century of scholarly theorizing about crime has sought to counter this tendency by articulating how historical, political, economic, and more general social forces, including legal processes, directly and indirectly cause problems that are defined as criminal. Yet our research often has not kept pace with our theories in reconceiving the personal as social in the causation of crime and its control. This mini-symposium seeks to advance our understanding in several significant ways that involve

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a reconsideration of the social and legal contexts of crime and its control.

## Two Theories of Crime and Social Control

Two schools of thought about crime and social control, social disorganization theory and conflict theory, are relevant to our current situation. Both theories focus on community- and societal-level processes of social control, but research is more often undertaken at the level of individuals. The contributors to this symposium have played important roles in reorienting research to the community and societal levels. A reconceptualization of the role of law has played a central part in advancing and synthesizing the insights of these research traditions.

The earliest North American efforts to explain crime and delinquency in terms of social control focused on the absence of social bonds at the *community* level. Entire neighborhoods were seen as social disorganized, as lacking the cohesion and constraint that could prevent crime and delinquency. This work began in the late 1920s, when Clifford Shaw and Henry McKay (1931, 1942) sought to identify areas of Chicago that were experiencing social disorganization. They looked for processes that characterized these communities and found indications of what they took to be social disorganization—truancy, tuberculosis, infant mortality, mental disorder, economic dependency, adult crime, and juvenile delinquency. Since these problems were assumed to be contrary to the residents' shared values, they were taken as indications that these areas were unable to realize the goals of their residents. In other words, they were taken as indicators of social disorganization.

Shaw and McKay also attempted to identify the community characteristics that were correlated with delinquency, so that they could infer from these characteristics what the central components of social disorganization were and how they caused delinquency. They concluded that poverty, residential mobility, and ethnic heterogeneity led to a weakening of social bonds and, in turn, to high rates of delinquency. Recall that all this was being said of *neighborhoods*.

However, some researchers worried about what these findings meant for understanding individual behavior (Robinson 1950). As well, Shaw and McKay became doubtful of the official crime statistics they could obtain for neighborhoods, concluding that “trends in rates of delinquents for small areas are affected by variations in the definition of what constitutes delinquent behavior, changes in the compositions of the population, and changes in administrative procedures in law enforcement agencies” (cited in Schlossman & Sedlak 1983:115).

One result was a shift in both theoretical and research in-

terest to the individual level and the development of a control theory (Hirschi 1969) that focused on the bonds of *individual* youths to their families, schools, and communities, as measured through survey self-reports of youthful attitudes, experiences, and delinquent behaviors. According to control theory, the less committed, attached, involved, and believing these individuals were, the less was their bond to society; and the weaker the bond, the greater the likelihood of delinquency. This proved to be an especially productive theory for the explanation of individual delinquent behavior, but it left unaddressed how and why these bonds and behaviors vary at higher levels of aggregation, for example, across the neighborhoods where Shaw and McKay began; and it left similarly unclear the connection to law enforcement and other aggregate-level processes of social control.

Conflict theories of crime speak to the latter questions and are particularly concerned with law enforcement issues that Shaw and McKay themselves saw as problematic in the social disorganization tradition. In various forms, conflict theories of crime point to the role of economic, political, and other sources of social power in determining who is called delinquent or criminal. Chambliss and Seidman (1971:268) wrote: “discretion at every level . . . will be so exercised as to bring mainly those who are politically powerless (that is, the poor) into the purview of the law.” This theory has a tremendous impact in shifting attention from delinquent and criminal behavior to the agencies of social control—police, prosecutors, and courts—that formally defined and labeled such behavior as unlawful.

However, as successful as this reorientation was in posing new questions about the public response to crime, its representation in research again focused mainly on decisions made by the police and courts about individuals (Liska 1987:67–68). We learned a great deal about how the police treat suspects, how prosecutors negotiate with defendants, and how judges sentence convicted offenders, but issues at the community and societal level again were left unexplored. How and why were these decisions distributed across social groups and communities?

## Recent Advances

Led in important ways by contributors to this symposium, researchers have begun to answer these kinds of questions. Doing so has involved returning attention to macrolevel aspects of delinquent and criminal behavior, reconsidering how these behaviors are socially distributed at neighborhood and community levels, and reconceiving the kinds of roles that law and other social processes play in determining patterns of criminal

behavior and its control. Sometimes the explorations have required the combining of conflict and social disorganization themes.

For example, in a seminal essay Robert Bursik (1989) explored how legally mandated political decisions to locate public housing projects within neighborhoods amplified community trends in criminal behavior. His specific focus was on how changes in local delinquency rates between 1970 and 1980 in Chicago reflected the construction of new public housing units built with funds provided through section 8 of the 1974 Federal Housing and Community Development Act. Drawing from the conflict tradition, Bursik predicted and found that the politically planned new housing projects often were constructed in neighborhoods that were already unstable and therefore unable to affect the projects' location. The result, as predicted by the social disorganization approach, was to introduce a new source of neighborhood instability that decreased community capacity for social regulation and control. Bursik (p. 117) emphasizes that this is not an inevitable result of the location of subsidized housing. "Rather, it appears that only when the placement of such housing is a disvalued outcome of political decision-making that the ecological dynamics of a community may be fundamentally altered."

Broader economic and political processes also play a part in the residential patterning of delinquency and crime, and these further involve processes of conflict and social disorganization. Bursik and Grasmick's (1993) contribution to this symposium extends our understanding by drawing on the work of William Julius Wilson (1987) to consider how national changes in the economy and the concentration of poverty in minority neighborhoods of Chicago between 1960 and 1980 directly and indirectly resulted in increased neighborhood crime rates. Sampson and Wilson (1993) have argued that concentrations of ghetto poverty give rise to conditions of social isolation and engender cultural adaptations that undermine social organization. Bursik and Grasmick conceptualize this aspect of social disorganization in terms of the capacity for community-level regulation. They find that the diminished capacity that accompanies the concentration of poverty indirectly accounts for much of the effect of neighborhood economic deprivation on community crime rates. However, their finding of a remaining direct effect of community-level economic deprivation emphasizes the need to further consider the economic and political contexts in which these communities are embedded.

The latter finding leaves much room for conflict processes to operate alongside principles of social disorganization in determining macrolevel variation in crime. Bursik and Grasmick offer further insights into the forms these interconnections take

by discussing ways in which organized communities, and organized groups within communities, can sometimes negotiate with external political powers to bring resources into a community. Bursik and Grasmick describe the temporarily successful cooperation of a Chicago gang in obtaining external funding for neighborhood-based community improvement programs that reduced gang activity and fear of crime. They indicate that the many convincing accounts of the positive effects of community-based political organization point to the combined relevance of conflict and social disorganization themes to the understanding of community-level variations in crime (Erlanger 1979; see also Schlossman & Sedlak 1983).

A path-breaking study by Sampson (1986) further illustrated how the politics of policing can influence community-level rates, providing a base for Sampson and Laub's (1993) article in this symposium on national patterns of juvenile justice processing. The innovative feature of Sampson's earlier study was the introduction of a neighborhood-level measure of socioeconomic status into a literature on individual-level bias in police decisionmaking. This allowed Sampson to assess effects of police stereotypes of low-income communities on their individual decisionmaking. Sampson demonstrated a contextual effect of neighborhood status on policing that was independent of actual law-violative behavior as measured by self-reported delinquency (see also Smith 1986; Hagan et al. 1978).

In their contribution here, Sampson and Laub integrate the earlier findings into a national county-based study of the effects of racial inequality and the concentration of poverty on aggregate-level juvenile justice decisionmaking. Here they draw on conflict theory to predict that increasing concentrations of poverty and racial inequality combine with class-connected conceptions of threatening populations to focus formal processes of social control. The core of this problem is that middle-class populations view underclass black males as a threatening group. Formal control processes respond to these views, amplifying informal processes of social disorganization and augmenting the tendency for rates of crime and delinquency to be concentrated in low-income minority settings.

Both the studies by Bursik and Grasmick and by Sampson and Laub are concerned with processes of social change involving the concentration of poverty in minority communities. These studies reflect a sensitivity to processes of historical change that is also central to the third contribution by Martha Myers (1993). Like Sampson, Myers has played a leading role in directing attention to the impact of social contexts on formal social control processes (see also Hagan & Bumiller 1983). In an award-winning monograph, Myers and Talarico (1987) analyzed the contextual effects of the time periods, courts, and

community settings in which felons were convicted between 1976 and 1985 in Georgia. Their findings show that property offenders receive more punitive sanctions in counties with economic problems or large subordinate populations and that drug offenders are sentenced more severely in counties with serious property-crime problems. The findings parallel some of Sampson and Laub's results, supporting the social threat and protection hypothesis that is central to conflict theory.

However, Myers and Talarico did not find sustained evidence that in late 20th-century Georgia, minority offenders receive more severe treatment than white offenders. Perhaps more surprising, Myers reports here that her macrolevel analysis of the punishment of convicted misdemeanants in an early 20th-century Southern setting reaches the same result. In a time-series analysis in a Southern state she finds that distressed economic conditions adversely affected all punishment rates, so that bad economic times encouraged the more severe treatment of poor whites as well as blacks. Although Myers does not tie her work directly to Wilson's in the way the other two symposium contributions do, there is nonetheless a connection to Wilson's suggestion (1991:12) that the effects of concentrated poverty are not race specific and that in other times and places some of the problems that today confront urban U.S. blacks also affect other racial and ethnic groups. Consistent with Wilson's thesis, Myers shows that in the bad economic times of the early part of this century in a Southern state, poor whites encountered some of the same mistreatment by the courts as blacks.

The contributions to this symposium provide bleak historical and contemporary portraits of the American experience with crime. The messages about crime and its control are consistent with the grim statistics introduced at the outset of this discussion. However, the articles are encouraging in pressing the study of crime beyond a focus on individuals to a level of analysis that emphasizes surrounding community and societal-level processes of economic change and social control. Much past research is distinguished by one of two polarized assumptions that either problems of economic deprivation produce conditions of social disorganization, which in turn lead to increased delinquent and criminal behavior, or that patterns of economic inequality and conflict produce perceptions of threat and abuses of discretion, which in turn lead to intensified punishment of delinquent and criminal behavior. However, the macrolevel research presented in this symposium suggests that these assumptions are not mutually exclusive and instead often are mutually supportive. This work encourages a contextualized understanding of the social and legal sources of crime in America.

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