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Reframing criminology

Key propositions

- Crime control is fundamental to the constitution of freedom.
- Freedom strengthens crime control.
- Thin liberal freedom helps, but is brittle compared with thick republican freedom.
- It is freedom as nondomination that holds a key to crime control. Nondomination means the tempering of arbitrary power over others.
- Freedom from patriarchy, poverty and state and corporate tyrannies is central to nondomination.
- Freedom tempers power, making power less brittle and more responsive to justice in tackling challenges like crime.
- Macrocriminology demands a methodological pluralism of micro–meso–macro explanation that transcends methodological individualism.
- Macrocriminology reveals more when it integrates explanatory and normative theory.
- Macrocriminology reframes the referent beyond individual offenders to integrated explanation of criminalised markets, criminalised states, criminalised norms, criminal organisations, criminalised spaces–times–life–courses and macro-historical trajectories.
- The book argues for a macrocriminology that asks not only how to treat individuals, markets, states and civil society to prevent crime, but also how to be responsive to them to increase freedom and prevent domination.

- Therefore, the best solutions to crime problems are not found in the justice system. The most cost-effective solutions to crime are cost-effective partly because they help solve other deep problems like health disadvantage, suicide and environmental collapse.

Reframing crime and freedom

This chapter sets a conceptual framework for the book of broadening the relevance of criminology and mapping a bigger vision for future criminologists. It considers the above list of propositions in turn, starting with the proposition that crime control is fundamental to freedom and the wider ambition of the book to reveal something about how to realise freedom. The work can be described as a macrocriminology of freedom because it argues for a deeply structured compatibility between crime control and freedom, at least with respect to predatory crime. Societies structured and enculturated for the freedom of all citizens from domination by others tend to be low-crime societies. And societies with low levels of predatory crime are freer by virtue of that low crime rate. So, the book lays foundations for a freedom theory of crime and a criminological theory of freedom. It makes a normative case that decent crime-control policies increase freedom; bad criminal justice is a more fundamental threat to freedom than most citizens and political theorists realise. Tempering power is a key concept (Krygier 2017, 2019). Societies that temper power, it is argued, enjoy freedom, including freedom from the domination that is crime. This therefore is a book about how to weave webs to temper dangerous societies and enable liberation. Along the book's journey, it also weaves together a fresh interpretation of well-established findings about the character of crime.

The conceptualisation of freedom required for a macrocriminology that does heavy lifting is not the brittle freedom of neoliberalism. Rather, it is a thick version of civic republican freedom. It is freedom as nondomination (Pettit 1997), where citizens are freed from arbitrary impositions of power by the wise tempering of it. Nondomination also implies equality of prospects for liberty (Pettit 2012, 2014); it implies justice of a holistic kind that embraces restorative justice, procedural justice, distributive justice, justice as identity, racial justice and gender justice, among others. If all this seems difficult to grasp, think of the republican conception of thick freedom as incorporating, by definition, the ideals of *liberté*, *égalité* and feminist *fraternité*. Then you have the spirit of the basic idea.

Braithwaite and Pettit (2000) argue that a concept like domination that makes for a good normative theory of how to respond to crime has prospects of delivering a helpful explanatory theory of crime. That is, the methodological project of focusing on concepts that allow for the integration of explanatory and normative theory creates new insights about how to improve both explanatory and normative theory. If a normative ideal like nondomination is of sufficient importance and attraction to command wide allegiance, this may be because citizens can see ways that it is intimately related to concerns and capacities in their own actions and lives. If a normative ideal has a practical resonance of this kind, it might point us towards a way of explaining things that people do and the institutional patterns they create. It points us towards a useful explanatory category. If this thought is correct, any normative proposal should be subjected to the test of seeing whether it points us towards a plausible explanatory category. Indeed, if the thought is correct, equally, any explanatory category should be subjected to the corresponding test of seeing whether it directs us towards a plausible normative ideal—an ideal that people can be brought, on reflection, to find attractive.

If an ideal or category proves persuasive on both normative and explanatory fronts, it may be equipped to serve in both roles to support a political vision and transformed institutional arrangements. It will provide a basis on which to argue that such an arrangement is attractive, and it will serve at the same time to show us why the arrangement can work satisfactorily. This philosophy on integrating normative and explanatory theory is what led Braithwaite and Pettit (2000) to select domination as an explanation of crime and nondomination as a desideratum for a low-crime, low-punishment society. More modestly, their philosophy of method commends mutual adjustment between normative and explanatory categories of analysis. This proves in this book to be fertile for improving both explanatory and normative theory. To put the case negatively, any normative theory that works with an ideal category that lacks an explanatory resonance is likely to be utopian and will serve policymaking badly. Any explanatory theory that fails to connect with a normative concern risks being dangerously unguided. Chapter 9 argues that not all deterrence theory, but classical deterrence theory, is an example of a dangerous explanatory theory of this kind in its scientific, judicial and political enactments. Normative theory without explanatory theory can be empty; explanatory theory without normative theory can be blind—often dangerously so in criminology. This matters because criminology is of consequence. It is inherently a dangerous game.

The next section makes these abstractions concrete by taking crime and freedom tours to Cold War Moscow, Beijing and Washington. The following section considers why criminology must be a bird with two wings that takes the methods of both micro and macrocriminologies seriously, along with a large fuselage of meso-criminological tissue to connect them. While this sensibility is important, little depends on a clear definition of what distinguishes the micro, meso and macro. I conceive of microcriminology as being about individuals, their interactions and life-courses, or an even more micro-focus on genes or other facets of individual biology. I conceive macrocriminology as being about institutions, whole societies and international society. Meso-criminology is about a wide diversity of types of connecting tissue in between: the criminology of place and of organisational life are two kinds of meso-criminological connecting tissue that loom large in this book. The penultimate section of the chapter rejects abolitionism, finding virtue in crime as a social science topic and as a normative focus. Yet it dismisses the idea of criminology as a discipline. Finally, the chapter reframes macrocriminology's referent to see importance in the study of the criminalisation of organisations, markets, states, places, life-courses and historical eras.

Crime and freedom in Moscow, Beijing and Washington

Safe streets in Beijing and Moscow

During the Cold War, the Soviet and Chinese communist parties invited countless western leftists on study tours. They were not taken to see the ugly side of communist society. One virtue they would report back from China's communist utopia was the low crime rate. They returned to describe Chinese cities where people left their homes unlocked. This was a story that had validity for the China of the 1950s and 1960s. It was no longer true by the 1990s, when common property crime had become more widespread (Bakken 1993). The homicide rate had also gone up by the 1990s; however, it fell sharply again, according to UNODC figures, from 2.3 per 100,000 in 1996 to 0.6 in the three most recent years. There was more than a grain of truth to the low-crime narrative even in the Soviet Union in the immediate postwar decades.

China had a crime-control method based on a Communist Party-led system of enforced collective efficacy (Dutton 1992). Households were required to monitor the behaviour of households to their left, their right, the front and behind, so every household was monitored by four others. Citizens participated in local people's mediation committees. This allowed civil society to catch sight of itself and act with collective efficacy to solve the problems it saw. Reports of what was seen and mediated for a cluster of households also went to household inspectors, who were eyes for the state, allowing the state to act and 'see like a state' (Scott 1998). This had elements in common with Sampson et al.'s (1997) freely chosen collective efficacy that has been shown to reduce crime in western cities (Weisburd et al. 2021). But this was enforced collective efficacy that was entrenched authoritarianism. China has long had the most scaled-up—though hardly the best—collective efficacy programs for crime control. China has also long had the most scaled-up—but not the best—restorative justice programs in the world. People's mediation committees, police station mediation, prosecutor mediation and judicial mediation in China all embrace many central features of restorative justice, including relational victim empowerment, stakeholder empowerment, compensation, reconciliation, apology, forgiveness and reintegration. Often, however, this is also stigmatising and pursues agendas of state domination and 'harmony' infused with political quiescence, as opposed to freedom-enhancing restorative justice (Zhang 2021b; Pei 2016; Trevaskes 2009). Chinese restorative justice seems, however, to be helping to reduce imprisonment in China in a way it is not helping in the West (Zhang and Xia 2021).

Especially since the 2012 criminal reconciliation law reforms, China undoubtedly has the largest restorative justice program in the world (Braithwaite and Zhang 2017). Yet no national program of restorative justice is more disconnected from a social movement for restorative justice in civil society that can temper state domination—tempering that might have been advanced through a restorative movement and its collective efficacy. Contemporary Chinese evidence continues to indicate that voluntary individual gestures of collective efficacy, as captured by a standard western measure of collective efficacy, do not explain which Chinese communities have the lowest crime rates (Messner et al. 2017), but community solidarity does. Participation rates in *tiao-jie* (local people's mediation), *bang-jiao* (supportive community reintegration committees for offenders, when released from prison, for example) and neighbourhood

watch organised by neighbourhood committees of citizens still explain lower crime rates (Messner et al. 2017). Hong Lu (1999) and Yan Zhang (2021a) conceive of *tiao-ji* and *bang-jiao* as Chinese forms of restorative justice that pre-dated the western invention of the concept.

How did the Washington commentariat react to this claim for the superiority of communism? During the Cold War, Americans worried about rising crime rates. America was filling overflowing prisons from Richard Nixon's law and order presidency and his hot War on Drugs. Americans looked across to a China that had its drug addiction problem largely under control. What a contrast with the early 1900s, when anomic China had levels of opiate addiction many times greater than any society had seen before or since. The communists were getting something right—or so it seemed in the eyes of their admirers. The Chinese communists even had an analysis that was fundamentally right about why it had such a massive drug problem in the first half of the twentieth century and such a small one in second half. Capitalist commercial exploitation through sophisticated marketing to addicts networked through opium dens orchestrated by the British East India Company delivered China's (and the world's) opiate pandemic. Communism ended this colonial legacy.

Social democracy and freedom

A widespread narrative of American Cold War commentators was that a high crime rate was the price of freedom. In a society in which people have wide freedoms to think and act however they like, many are bound to choose the lure of a life of crime. This had a ring of plausibility. Yet this book argues that the reverse was and is the case. It seeks to build a theory of freedom and crime. A core claim of the theory is that high levels of freedom are key ingredients for low-crime societies. This was not an armchair conclusion. Throughout the 1970s, I worked on the relationship between inequality and crime, which led to my 1979 book, *Inequality, Crime and Public Policy*. It made a more complex and variegated case than previous work for the proposition that reducing inequality and reducing domination can help reduce crime. It also found that being a disadvantaged person and living in a disadvantaged community had a multiplicative rather than an additive impact on crime.

Braithwaite and Braithwaite (1980) followed up with the impact on homicide rates cross-nationally of years of incumbency of social democratic parties in parliaments. It also tested the percentage of gross

national product spent on social security. Yes, it turned out that when the kind of social democratic parties that existed before the 1980s had higher numbers of years in the corridors of power, homicide was lower in those polities. And homicide was lower when social security expenditure was higher. It was also true that the movement to Thatcherism from the social democracy of Harold Wilson, James Callaghan and Barbara Castle accelerated the rise of crime and punishment from the year our research was published (Farrall et al. 2020). This we interpreted in terms of the redistributive and welfare-state-building policies of social democratic parties of the postwar era. That interpretation may be less plausible today in the aftermath of the long incumbencies of post-Thatcher leaders of the likes of Tony Blair in the United Kingdom and Bill Clinton and Barack Obama in the United States, even though their years in power were periods of declining crime in both countries. Some might claim that these leaders were social democrats, yet they were more concerned with cultivating the interests of business elites than with building stronger, more redistributive welfare states.

Obama's 2007–08 presidential campaigning at first explicitly promised a Green New Deal, but in the end his presidency had more in common with Clinton and Blair than with Franklin D. Roosevelt or Clement Attlee. After a helpful embrace of Keynesian pump-priming during the 2008 Global Financial Crisis, western states quickly, excessively, retreated to austerity. Margaret Thatcher had succeeded in capturing the souls of social democrats with the catchcry to her acolytes that 'economics are the method: the object is to change the soul' (to acquisitive, commodified souls) (Reiner 2020: 2). The West returned in 2009 to what Robert Reiner (2020) describes as the poor-growth and poor-equality outcomes of the post-social democratic era of neoliberal ideology that followed the three decades of welfare state growth and economic growth. This growth during social democracy's heyday was twice as high from the end of World War II compared with the neoliberal decades that followed. It is hard to overstate the profundity of the shift from growth for the waged and welfare sectors to the decline in their share, and super-growth for the profit share, in the hands of the super-rich since 1975.

For the period 1901–98, however, it is not surprising that Page et al. (2002) also found an association between years of social democratic incumbency and lowered suicide rates, and between conservative governments being in power and elevated suicide rates. Female suicide rates were no less than 40 per cent higher in twentieth-century Australia when national and

state governments were both conservative rather than social democratic. Shaw et al. (2002) produced remarkably similar results for England and Wales, concluding that if Labour had been in power during the 45 years of Tory government during the twentieth century, there would have been 35,000 fewer suicides that century. I do not contend that these crime and suicide effects are as important as physical health effects; I conjecture that more than 35,000 lives would have been saved in 2020 had a social democratic administration with a strong public health system been in power in the United States instead of Donald Trump, who was a hollower of the public health state. I do not suggest that crime and suicide reduction are the most important reason for being an old-fashioned social democrat who builds public housing and welfare states. They are good extra reasons for being one.

Forty years on, I am not certain why we did it, but Braithwaite and Braithwaite (1980) also put the Political Freedom Index into that regression. To our surprise, the correlation between freedom and homicide cross-nationally was -0.7 . Perhaps our thinking was this would be a proxy for a competing liberal approach to politics to test against the social democracy effect. It turned out that social democracy, economic equality and political freedom were all associated with lower homicide rates. These empirical findings were the inductive seeds that began to grow this book in 1980. More recent analyses have supported an association between political freedom and lower homicide rates (Stringham and Levendis 2010; Stamatel 2016). Morris and LaFree (2016) report more mixed results on the relationship between political freedom and terrorism, with at least one study showing more politically free societies are more likely to be targeted by terrorist attacks (Kis-Katos et al. 2014). Others show that societies with high levels of political freedom have a lower incidence of terrorism (Kurrild-Klitgaard et al. 2006; Krueger and Malečková 2003; Dreher and Fischer 2011; Elbakidze and Jin 2012; Fleming et al. 2020). My theory is that the latter account may prevail as more data come in. But it argues that the important explanatory power of freedom, properly conceived, is more macro. This is that freedom can reduce the criminalisation of states and the criminalisation of markets.

A central argument of the theory of freedom and crime advanced here is that thin liberal freedom of the kind we measured in 1980 helps reduce crime, quite contrary to the claims of Cold War pundits that crime was a price of freedom. Furthermore, thicker, republican freedom conceived of as freedom from domination (Braithwaite and Pettit 1990; Pettit 1997)

reduces crime even more strongly. Key elements of that thicker republican freedom are a legitimate normative order that is respected by citizens as securing them from domination; a strong welfare state, labour laws and redistributive tax policies that secure the poor against domination by the rich; and strong, plural, inclusive institutions that temper the power of other institutions in a robust separation of powers. It is argued that the good society is a low-crime society because it is a republic of strong individuals, strong families, strong civil society, strong communities, strong financial capital, strong human capital, strong social capital, strong recovery capital and strong restorative capital, where each of these forms of capital tempers the others. ‘Tempered’ here evokes the metaphor of tempered steel (Krygier 2017, 2019). Tempered steel is more supple, yet stronger and less brittle, for realising its purposes; it is resilient and responsive. The tempering of institutions means mutually checking other institutions against being brittle and corrosive, enabling them to be stronger at playing their part in the project of freedom in the republic. Tempering also means checking that they do not dominate citizens. And it means that they temper other institutions, enabling rather than crushing them.

Dark figures of communist crime

The reader will wonder where this leads us with reimagining the old communist parties? They did not pursue republican power. Soviet and Chinese communist parties opted for untrammelled power to crush all other institutions. The crime-control accomplishments on the surface of the old Communist Party regimes were not totally false, yet they were substantially an illusion. At the very least, the accomplishment was not resilient. If we force people to spy on their neighbours so they can be sent to prison-like re-education camps, as soon as we lift that tyranny, the people will have the opposite of collective efficacy. That is a neglected reason why China poses a profound risk to the world from a renewed surge of terrorism as a result of its current policies of interring and ‘re-educating’ a million Muslim Uyghurs in Xinxiang Province. As soon as they escape across the border, they are more likely to become terrorists than harmoniously integrated Chinese citizens. Many have fought in Afghanistan and beyond. The biggest criminality is the initiation of this cycle by the mass enslavement and deprivation of the human rights of an entire ethnic group.

Social psychology experiments show that while laissez faire leads to disorder in classrooms, when order is enforced by authoritarian tyranny, as soon as the tyranny is lifted by the teacher leaving the room, disorder breaks out. An authoritative order that respectfully nurtures children, in which children choose to grant legitimacy to teachers or parents, delivers superior learning and more considerate behaviour than both laissez faire and authoritarian social control (Pinquart 2017). Reinterpreted in the theoretical frame of this book, the laissez-faire teacher exercises an order of thin liberalism; the authoritarian leader exercises a regime of untempered power; the authoritative teacher exercises tempered relational power that is nondomination.

The illusion of communist order was worse than an appearance of order that lacked resilience; it was disorder beneath the surface. The crushing of market institutions meant black markets were rife. Shadow economies and mafias thrived to protect these underground illicit markets (Karstedt 2003; Łoś 1990; Rose 1998). Such mafias could only survive because they enjoyed the protection of party apparatchiks who grew wealthy on their share of black-market profits. The daily thievery by communist workers from their own factories of things they had paid the mafia man or the party official to be allowed to steal actually created a society of thieves in the black markets tolerated by party bosses (Berliner 1957; Lampert 1984). None of this kind of thievery was recorded in the crime statistics. The mafias also had a licence to 'disappear' people who dared to encroach too successfully on party-sanctioned black markets. Paradoxically, in *Crime and the American Dream*, Messner and Rosenfeld (2013: 3) evocatively make this same point about how the hidden property crime of American black markets causes disputes to be resolved by violent means:

The disputes arise from economic problems that are quite conventional in origin (faulty or fraudulent merchandise, payments overdue, bad debts, common thefts). However, none of these problems or the resulting disputes can be settled through conventional (i.e. legal) means, because they all involve illegal activities. Because access to conventional dispute-resolution mechanisms (lawyers, courts, legally imposed restitution, fines, etc) is blocked in these cases, their resolution requires the innovative use of unconventional means.

This is why there is a strong relationship between the size of shadow economies and high homicide rates (that occur in the shadows) (Tuttle 2019). Communist-era official homicide rates were comparatively low, until 1960 at least, but mafia disappearances and state murders were

rarely counted in these official statistics. Party-tolerated mafia killings were unremarkable because they melted into the deeper reality that these regimes were murder machines, especially during the long reigns of Joseph Stalin (Rosefielde 1996) and Mao Zedong (Bianco 2016). The state itself disappeared millions of citizens of the Soviet and Chinese regimes; these millions of murders did not push up the official homicide rate. This must be combined with the state corruption and embezzlement that were rife in communist regimes. The theory of crime and freedom interprets this iceberg of crime below the surface as a result of unchecked party domination. Likewise, when capitalist societies are decimated by high rates of organised crime, this can be understood in terms of unchecked political machines on the take to protect mafias, shadow states (Reno 1995), deep states (Filiu 2015), crony capitalism (Haber 2013) or booty capitalism (Hutchcroft 1998). In sum, authoritarian control looks good because it can be potent in controlling crime that stands above the surface; but authoritative republican control is better at regulating crime by people with the power to keep their crime underground.

Communist domination; communist nondomination

The theory of crime and freedom is a general theory and a macro-theory. Yet erroneous narratives of Cold War commentators that high US crime rates were the price of freedom must also cause pause to caution that macro-theory of the national level is not everything. It is also important to diagnose particular societies, and particular bits of them, to learn particularistic lessons about the roots of crime. It has already been contended that there were grains of truth to the idea that communist societies were low-crime societies. We also must have the particularistic flexibility in our analyses to see the character of those grains of truth. Criminology during the Cold War was bad at recognising those truths and still is. Russians in Stalin's time, Yugoslavs in Josip Tito's, Cuba under Fidel Castro from the late 1950s to the late 1980s—all enjoyed full employment, for women as well as men. No-one needed to steal because of unemployment; everyone could get a job that paid at a rate comparable with the earnings of the majority of the population. Homelessness was abolished by government-guaranteed access to public housing. Women enjoyed more equality under Cold War communism than women in capitalist societies: more women were employed and more women were in senior political positions than in the West (Braithwaite 2017a). While inequality has widened hugely in contemporary China, the Communist

Party does remain highly committed to reducing extreme poverty, and no regime in human history has had more success at this; none has lifted larger numbers of people out of extreme poverty.

In addition, as mentioned above, there was an enforced collective efficacy that maintained a communist order on the streets. In China, people's mediation committees were often dominating agents of party tyranny, but they also had their crime-control strengths. *Bang-jiao* committees had a mandate to rehabilitate and reintegrate the wayward (Lu 1999; Messner et al. 2017; Zhang 2021a), so they did have capabilities in terms of the recovery capital and restorative capital that we discuss as being helpful to crime control in Chapter 7. Lu's (1999) research showed that citizens on local mediation committees often mobilised collective efficacy with kindness, care and reintegration. On the side of freedom, they played important roles in freeing communist societies from the tyrannies of local gangs of drug dealers. Against freedom, the tyranny of the majority in the people's courts in Cuba persecuted LGBTIQ people in the 1960s. Castro apologised for this long before he died (Crary 2014). In other words, as with western courts, to be balanced, we need to be able to see their effects in both increasing and suppressing freedom.

Women were empowered by the people's courts and by many other institutions in communist societies, especially in the Maoist people's courts of Nepal (Braithwaite and D'Costa 2018). In Cuba, 49 per cent of seats in the national legislature were held by women during the past decade—a higher proportion than for all western capitalist societies, according to the World Bank (2016). Between the two waves of the western narrative of feminism, both Soviet and Maoist communism were doing more to equalise educational, workplace, judicial and participatory rights for men and women than the West. After second-wave feminism, the West pulled ahead in certain ways. Yet that depends on where one looks. Communist women even came to break through capitalist glass ceilings more than women from the capitalist world: by 2011, half of the 14 billionaires on the *Forbes* list of the world's richest self-made women were from mainland China.¹ The theory of freedom and crime argues that

1 That remained the case in the 2016 ranking: the two richest women were mainland Chinese, with a big gap having opened between them and better-known western entries like Oprah Winfrey and Giuliana Benetton. This gap exists because the Chinese accomplishments were in core capitalist industries like information technology, as opposed to accomplishments in entertainment and fashion among some western entries (Forbes 2016). In 2020, however, Chinese women were driven down the list, with Alice Walton's Walmart holdings, Françoise Bettencourt Meyers' L'Oréal empire and MacKenzie Scott's Amazon Holdings taking the top three places. Only two Chinese women were in the top 10 for 2020—still exceeding China's share of the world economy.

gender equality is one of the forms of nondomination that helps build both freedom and low crime rates. The most fertile forms of micro–macro criminology manage to see particularities of strength among the structural weaknesses of communism, or any political system.

Communist societies, especially in Eastern Europe in the 1960s and 1970s, were ahead of the West in putting a price on carbon and other pollutants to protect the environment (Anderson et al. 1977: 40; Sand 1973; Johnson and Brown 1976: 151; Irwin and Liroff 1974: 113). Management and worker committees had responsibilities for monitoring, measuring and reporting levels of effluent from their factories' pipes and chimneys and, as they reduced them, the tax payments of the firm that paid them went down. Therefore, indirectly, employees' pay-packets went up when their plants polluted less. It would not be until this century that the West followed these environmental crime-control lessons from communist societies by putting taxes on carbon, albeit feeble ones. Communist societies did not do a good job of getting the detailed institutional design right for pricing the pollution that spewed out of control from late-socialist factories. Nor have capitalist societies yet done so. China today is at the same time the worst emitter of carbon and the biggest investor in renewable alternatives to carbon—and is still ahead of the United States in taxing carbon (Drahos 2021). Capitalist and socialist societies alike were slow to realise that freedom from gender domination and freedom from the collapse of ecosystems were important freedoms. Yet in some ways socialist thinkers were quicker with this realisation, as we see with Friedrich Engels (2010) on women's rights and Karl Marx on commodity fetishism and estranged labour as alienating human beings from nature (Ziegler 1990: 9–11).

Macrocriminologists can learn from the history of communism how to look more deeply to see the excesses of crime in a 'low-crime society' and the seeds of emergent understandings of freedom in an unfree society. As we learn to see a deeply structured relationship between unfreedom (domination) and crime, we must also learn to be more nuanced in seeing complex, paradoxical, societal particularities of crime and of freedom.

At the same time, we must see that communism was not a beautiful theory that when implemented corroded to ugly practices. Marxism was always an ugly theory because it did not take freedom seriously, nor did it empower individuals seriously or empower civil society to check the abuses of the party. It did not take seriously the separated powers and

independent rule-of-law institutions that are at the heart of the theory of crime and freedom. All communisms came to realise that markets could do some things a lot better than the state, but because communism lacked the separated powers of vibrant market regulatory institutions, the dominations of markets in communist societies involved worse excesses than in neoliberal societies. Communist markets commodified and captured souls to acquisitiveness in societies like China to a level that did Margaret Thatcher proud—even more so than in Britain, according to data discussed in future chapters.

Criminologists from the rest of the planet like to demonise capitalist America and communist China as unfree and criminogenic, tolerant of abuses of the rights of the marginalised. Yet if we look at where their strengths have resided in expanding markets in virtue, in poverty reduction and the expansion of collective efficacy for freedom, various examples of those strengths are to be found as well, and in fact are huge. This book provides the tools to diagnose the contexts in which these societies destroy freedom and where they expand it. For readers who believe in America or believe in China, you can be sure that you will be defeated by the other great geopolitical adversary if you are unable to see their strengths, and if you are unable to cooperate with them on projects that expand those strengths to create a freer, less-criminalised world system (as Chapter 12 concludes). Influenced by the thinking of Ali Wardak since the time he was a PhD student, I have been arguing since 1989 that there is so much to learn from Afghanistan about domination and nondomination, and about how to prevent crime and war (as discussed in later chapters). I wish I had been clever enough in 1989 to say that if the West is unable to see Afghanistan's strengths and to learn how to cooperate to help expand those strengths, the combined military might of the North Atlantic Treaty Organization (NATO) is as capable of defeat as the Soviet Union in a protracted war in Afghanistan. By 2001, the western will to war in Afghanistan was too strong for that view to be given a good hearing even in good US universities. Worse, the West had learnt nothing from its failure to invest in Afghanistan after the fall of communism in the way it did invest after the collapse of European communism.

Macrocriminology tempers normal science

All fields of study benefit from a macro lens that is wider than its normal science. In history, it is the historiography of the *longue durée* complemented by archaeology that takes us to a wider imagination of ourselves. Macroeconomics is the study of aggregate economies in interaction with the political economy of world systems, as opposed to microeconomics, which is the study of bits of domestic economies (particular firms or markets), and behavioural economics, which is the study of individuals' economic behaviour. Macroeconomics comprehends whole economies and economic systems, aggregated economy-wide phenomena such as changes in employment, national income and inflation, not to mention crashes of global economies occasioned by the collapse of earth systems. Criminology has never really had a Keynesian moment. Keynes in his general theory positioned macroeconomics as central and concentrated the minds of policymakers on the institutions needed (the New Deal) to prevent another crisis like that of 1929 when a herd of 'animal spirits' cascaded off a cliff (Keynes 2018).

The usage of macrocriminology herein is similar in that it involves a shift to aggregated patterns of crime, putting particular emphasis on the shift away from simply understanding why some kinds of individuals are more likely to commit crime (microcriminology's preoccupation), or why particular neighbourhoods might have more crime, or why particular situational crime-prevention techniques might work (examples of meso-criminology). This conception of macrocriminology also has much in common with macrosociology, as the study of large-scale social systems, long-term patterns and societal processes.

In 2018, 15 of the most distinguished development economists wrote an open letter (Alkire et al. 2018). They included Nobel Laureates and chief economists from national development agencies. The letter argued that relying on randomised controlled trials to guide aid spending will lead to short-term, superficial and misplaced policies that miss the macro-imperatives. Their concern was that randomistas were shifting development economics excessively towards the micro-interventions of behavioural economics, and nudges in preference to structural shifts. Randomised controlled trials were expensive; the integrity of randomisation and measurement error runs deep in data collection in developing countries.

For example, when ethnic violence, civil war or gang violence breaks out in a village, the randomista abandons data collection partway through, compromising the randomisation, or moves on to collect data from the next peaceful village, compromising external validity. Systematically, researchers tend to collect data only from the villages they can access by car. The villages cut off from transport networks that are most vulnerable to violence and poverty are ignored. In contrast, for qualitative researchers of peacebuilding, such hotspot villages are not ignored; indeed, they are attractors for qualitative researchers with a macro-imagination.

A problem with randomised controlled trials is that they focus not only on evidence-based policy down to micro-phenomena, but also on outcomes that can be measured in the short term. In their open letter, the 15 development economists argued that the beguiling appeal of the randomistas channels development assistance away from challenges of macro and long-term importance. Testing the effects of performance bonuses to teachers is less important than reversing slashed education budgets caused by the need to pay down external debt. Testing the effects of distributing water purification tablets is too little, too micro, for the challenges of countries facing droughts induced by climate change; ‘what is at stake is an emergency that demands coordinated public policy strategies’ (Alkire et al. 2018: 2). With agriculture, genuine progress depends on ending the excessive subsidies paid by rich countries to large producers, regulating food commodity derivative markets and ending land grabs that ‘dispossess the small-scale farmers who play vital roles in feeding the world’ (Alkire et al. 2018: 2). Randomised controlled trials will not help developing countries wishing to claim a share of the tax revenue from the profits that transnational corporations make in their countries. It will not stop illegal shifting of those profits to developed economies or to tax havens to benefit wealthy western investors. Labour laws and their enforcement are required to assure a living wage to factory workers paid a pittance in poor countries when they work for western brands (Marshall 2019). So, a shift of focus is needed away from micro-projects and individualised interventions towards transformative shifts in public policy platforms.

At one level, this book argues this case for criminology. At another level, the 15 development economists got their contrast with medicine wrong. It is a false dichotomy to say that randomised controlled trials are good for medicine but a distraction from the main game of development economics. Both the micro and the macro are important and, in medicine, randomised

experiments have been used to great effect to test the efficacy of treatments of individual patients. But medicine is similar to development economics in the sense that the biggest advances in human health have been about not individualised therapies but more macro-variables such as improved agricultural systems that secure communities against intermittent famine, structural reductions to tobacco consumption driven by regulation of that market, public health control of sanitation systems to guarantee clean water, sewers that separate whole human populations from their waste, regulation that keeps asbestos and multiple viruses away from our nostrils, ending wars that cut whole populations off from all medicines and all food and other macro-structural pathways to better health.

An argument of this book is that microcriminology should dispense with the claim that randomised controlled trials are the gold standard. That is a provocation to the rest of us who do bronze-medal research. Nevertheless, the work of randomistas is extremely important, even though it is hard to raise sufficient funds to do it well, because micro–macro synthesis is the foundation of the best macrocriminology. My competence has been primarily as a macrocriminologist and an ethnographic empirical researcher who deploys a pointillist ethnographic methodology to paint an ethnography of complex global systems (for example, Braithwaite and Drahos 2000; Braithwaite and D’Costa 2018). Yet at times I struggle against my comparative incompetence to do quantitative research. All macrocriminologists must take seriously the task of reviewing the evidence from quantitative criminology on everything they discuss. Yet macrocriminologists see that however hard they work at being quantitatively literate, on the broad canvas of macro-understanding there will be more holes than canvas. Methodological pluralism is imperative to painting the best canvas we can. Randomised controlled trials, historical criminology and diverse methodologies in between—all dab evocative paint on the canvas, and all have important strengths.

Crime as a research topic and an idea

Crime as a research topic is not beloved of some critical scholars. This book defends it. Many contemporary criminologists are more fundamentally interested in studying risk or punishment, for example. These are bound to be important in republican criminology. Yet one sense in which I am an old-fashioned criminologist is that I have a normatively

grounded preference for crime as the central topic of our field. Some critical criminologists prefer abolitionism or replacing criminology with the study of harms. Some corporate law scholars advocate abolishing corporate criminal liability. I do advocate a preference for a domination-prevention lens over a crime-prevention lens, while still liking the crime concept and finding rich value in crime-prevention research. The short history of criminology that follows sees it as benefiting little from the contest of other social science disciplines to dominate it. In making a case for a macrocriminology that combines the micro and the meso into a fresh holistic understanding of patterns of crime, this book rejects the idea of criminology as a discipline with its own methodological orthodoxies. Rather, criminology is at its best when it is an interdisciplinary study by communities of scholars focused on a shared topic: crime and its patterns.

The attempts of the discipline of psychology to capture criminology for much of the twentieth century left the field with an excessive focus on why some individuals do and do not commit crime. While not rejecting that individualised referent, this chapter successively reframes criminology's referent to the study of the criminalisation of interactions (microsociology), organisations (sociology), markets (economics), states (political science), places (geography), times (history) and life-courses (developmental behavioural science).

Reframing criminology's referent

Mainstream criminology in the twenty-first century has ossified as a discipline focused heavily but not exclusively on explaining why some individuals become criminals, and in which most of the macro-work is on punishment rather than crime. The discipline was even narrower in its core focus in the mid-twentieth century—the heyday of Harvard University's Sheldon and Eleanor Glueck of psychologically oriented criminology: criminology as a study of criminal minds and pathological individuals. Sociologically oriented criminologists, in a charge led by Edwin Sutherland, then transformed criminology. From the 1980s, British Home Office leaders, Pat Mayhew, Ron Clarke and others were perhaps the most influential figures in taking criminology in a meso-direction towards regulatory strategies of crime prevention that decentred individuals (Freilich and Newman 2018). By the 1970s, psychologists had begun to become marginalised in criminology, after the rise of a sequence of alternative influences: Merton and Sutherland, risk paradigms inherited

from the likes of Ulrich Beck (1992), situational crime prevention and the criminology of place, the new critical criminology of the 1970s (for example, Taylor et al. 1973), anti-psychiatry, constructivist early labelling theory, Foucauldian governmentality scholarship on diffused capillaries of power and neoliberal governmentalities, cultural studies and postmodernist thought. Though all these developments contributed to a retreat of the formerly dominant psychologists, they never went away. They fought back in the twenty-first century, rallying around themes that offered helpful new insights such as social cognitive psychology and feminist psychology; as did biologically oriented criminologists—sometimes in allegiance with neuropsychologists.

This battle of disciplines, methodologies and epistemologies to capture criminology has been at best a mixed blessing for the development of the study of crime as a topic. Many criminologists do not wish to see criminology captured by any dominant discipline or method. Most of us who attend criminology meetings find virtue in crime being a topic for interdisciplinary social science around which it is worthwhile to build theoretically and methodologically plural scholarly communities, rather than divisions into experimental criminologists, critical criminologists, life-course folk and ever more multiplications of silos. We should all bring a critical lens to work on crime; we should all grasp the important experimental research and life-course research on the topics on which we write. A reason for sharing this vision for criminology arises from the view that the current structure of the social sciences is a narrowly North Atlantic creation of late modernity that holds back all social science scholarship, especially in terms of its integrative capabilities and its ability to learn from relational holism in southern and eastern epistemologies (for example, Carrington et al. 2016).

I have repeatedly discussed that reasoning for an interdisciplinary social science of crime that is more open to the kind of revolutionary breakdowns of silos that the biological sciences have seen as they reorganised to marginalise disciplinary themes like zoology, botany and entomology that are about categories of phenomena. Research became more theoretically organised around macro-themes like evolutionary biology and ecology yet integrated with the theoretically micro of the molecular biology of DNA, for example. The social sciences need a revolution that sees the discipline of economics as a bad idea—a bad idea to privilege economic institutions (and rational choice models within them); a revolution that sees criminology as a bad idea when its focus is criminal justice institutions;

political science as a bad idea when it narrows our focus to the state; history as a bad idea when it narrows our interest to time; geography when it narrows our research to space; psychology when it narrows us to individual humans and how they interact, and so on. I have already argued that moral philosophy is a bad idea when it neglects explanatory theory. This book makes the case that the richest insights about crime and freedom are insights not about the criminal justice system, but about theorising disparate institutions with a curiosity that ranges across all these preferred disciplinary lenses.

A virtue of criminology is that it is a data-driven field. A received wisdom among criminologists, however, is that data on individuals are the easiest to collect. It is the simple way to generate a large n to aid statistical inference. That is much less true than criminologists believe it to be. For example, in the context of discussing criminalised markets as an alternative focus to criminal individuals, this book discusses a study by Choi et al. (2016) with two ns of more than 100,000 observations of Australian and New Zealand securities markets where each observation is averaged from the market judgements of many individual or corporate analysts. Because criminologists believe individuals are the primary source of data on crime and its correlates, the data-driven quality of the field drives its theoretical orientation too narrowly to the explanation of why some kinds of individuals commit more crime than others. That source of data must continue to be important, but to render criminology a more fertile field, the priority is to strengthen traditions that rely on more variegated data sources (Karstedt 2017).

The specific alternatives to the study of criminal individuals or criminal minds considered in this book for informing macrocriminology include criminalised markets, criminalised states, criminalised norms, criminal organisations and criminalised spaces, times, life-courses and macro-historical trajectories. All these lenses are alive in criminology, even if some are more marginalised than they should be. The contribution of this book is to argue for a new way of strengthening them and integrating them into a more holistic criminology. At the end of the analysis in this book, the advocacy is not of a purely macro-style of criminology, nor microcriminology, but of a micro–meso–macro criminology of which most criminologists approve in theory, but neglect in the practice of their craft. This embraces individual-level data. Yet the corrective needed for an intellectually fertile criminology is to discover how to more meaningfully

‘bring the state back in’, as Evans et al. (1985) influentially put it; how to bring organisations back in, bring markets back in and bring in space-time to reset the compass of an overly atomised social science.

It follows that this book is not the kind of critical criminology that would prefer to abandon the study of crime for harms (for example, Presser 2013). This is not to deny that harm-prevention projects will often perform better at crime prevention than crime-prevention projects (Berg and Shearing 2018). Nor is this to deny that criminologists might have some useful things to say about the prevention of harms that can be more important than crime, such as criminological insights on how to prevent climate change, war and economic crises. This book accepts that the concept of crime does useful normative work in all societies. Crime marks off certain kinds of wrongdoing as particularly harmful compared with other harms because they are acts of domination. At least that is how crime should be defined by republican lights of what should and should not be a crime (Braithwaite and Pettit 1990). For example, criminality marks a distinction between rape and distasteful forms of seduction; it marks a distinction between sharp business practices and fraud; it distinguishes wrongdoing committed intentionally or recklessly from merely negligent wrongdoing or accidental harm. Absent a law that distinguishes between rape and seduction, between war crime and legal armed conflict, between corporate homicide and accidents, the law will be less useful for preventing harms. These dangerous and devastating forms of domination will be less effectively checked by the rule of law if we fail to distinguish harms like lies or infidelity to our partners from crimes.

This book argues that if normative orders fail to secure moral clarity over these distinctions, societies will be riven with crimes of domination. Criminalisation is an evocative, culturally resonant and useful shorthand for intentional or reckless predation on people or the environment that is an act of domination. A normative justification is provided for this conception of what is crime in terms of republican criminal law jurisprudence by Braithwaite and Pettit (1990: 92–100). This is important, though perhaps less important than experience of the practical use of the crime concept in dealing with domination. With war, this goes to the potential for International Criminal Court prosecutors to write to a general to warn that a blockade that is causing mass civilian starvation, a planned bombardment or intent to fire a nuclear weapon at a civilian population would be not just an act of war, but a war crime (as discussed in Chapter 10). With business crime, those of us who do observational

research on corporate crime enforcement report in the literature the power of regulators shocking businesspeople who think of themselves as reputable with the news that they are investigating their conduct as ‘criminal’ conduct. So, good business regulators and environmental and consumer advocates find it useful to be able to assert that what they discuss with business is more than just negligence that caused harm that could occasion a lawsuit. What they are discussing is an alleged crime that might warrant prosecution—likewise, to the general who shrugs his shoulders at shooting prisoners of war, saying ‘that’s war’. We should value the concept of crime, and therefore criminology, as a field of research and teaching focused on it. This is because the concept does useful work in delivering a world with less domination than would exist without the crime concept to do that work, and indeed without criminologists.

Asking the crime-prevention question

It also follows from this that there is nothing particularly wrong with a criminology that asks what can be done to prevent individuals from committing crime or to prevent victims from victimisation. The argument is, however, that criminology does better if it transcends methodological individualism. Hence, for a particular crime problem, we might ask not only micro-questions about prevention at the level of individuals or their individual interactions; we also ask macro-questions about whether some transformations of markets, of the state, of corporate power, communal life or family cultures and structures at the meso-level might expand horizons of understanding beyond individualist crime prevention.

To summarise this step in the argument, the contention of this book is that our analytical leverage will be greater if we integrate micro with macro and meso-criminologies. More than that, the macro is constitutive of the micro and vice versa. Here a micro–meso–macro–meso–micro criminology simply takes up Anthony Giddens’ (1984) insight from the theory of structuration. Individual agency is constitutive of structures and structures shape and enable individual agency, which recursively constitute reconfigured structures. In Giddens, the interface between agency and structure becomes a central referent for social scientific inquiry.

Asking the domination question

A surprising thing about criminology is the way it plays only at the margins of the question of what should be a crime. The most influential example is Norval Morris and Gordon Hawkins' (1969) liberal tract, *The Honest Politician's Guide to Crime Control*, which so shaped the thinking of baby-boomer criminologists. Their book argued that phenomena like queer sexuality and vagrancy should not be crimes because the conduct does no harm to others. This said something important and liberal about what should not be a crime, but it did not say anything affirmative about what should be. Lying, shouting abuse at a person, infidelity in the context of a sworn commitment to monogamy—all cause harm. Should these be crimes? Braithwaite and Pettit (1990) attempted an answer to this question in *Not Just Deserts: A Republican Theory of Criminal Justice*. They argued that crime control is a dangerous game. At many points in space and time across human history, adultery, vagrancy and LGBTIQ identities have been criminalised. At these conjunctures, the criminal law has been a source of domination of the poor, of indigenous peoples, women and transgender people, among others. In Australia, for example, the criminal law and its policing are not just a small part of the domination of Indigenous people; they are absolutely central to it; arrest for criminal offences and the risk to legitimate life chances associated with this are something the majority of Indigenous Australians experience and the majority of non-Indigenous Australians do not. These facts exist against the background of colonial law that found the stealing of land from their ancestors not to be a crime. The genocidal decimation of their populations in frontier wars was not criminalised by courts as a war crime. Decolonising law and policing and enhancing Indigenous self-determination in matters of crime control therefore become central questions about freedom in such societies.

Hence, Braithwaite and Pettit identified domination as the harm done when criminal law is abused, even when it is abused in the unjust implementation of just laws, as when the alleged rapist is bashed by the police or imprisoned on fabricated evidence. Equally, we were attracted to specifying domination reduction as the benefit when criminal law serves the community with justice. Stealing property rightfully belonging to another, or physically assaulting the bodily integrity of another, should be a crime, we argued, because that is an act of domination against another person. One of the problems in the terms of our republican theory was that it advanced a humanistic theory, so it struggled to justify environmental

crime as a crime of the unjust domination of nature, when nature has value that is more than just the value it delivers to humankind. The domination of rivers as flows of life rather than as objects is something indigenous jurisprudence helps westerners to begin to theorise more meaningfully.

The essence of the republican theory of criminal justice is that we should define conduct as criminal when doing so would reduce the amount of domination in the world. Then, in deciding whether to arrest, imprison, use restorative justice or to deploy this versus that rehabilitative or preventive remedy, we should choose the response that does best by reducing the amount of domination in the world. Under this test, it is an easy call for republican criminology to conclude that assault should be a crime. Yet it is a difficult judgement to balance any deterrent or incapacitation benefit from sentencing the assailant to prison with the fact that prison time might reduce future domination of future victims but increase the domination the offender experiences. This balancing is further complicated when there is structural domination of offenders from minorities who are oppressed by the racist way the law against assault is enforced. The domination poor children might suffer if both their mother and their father are thrust into prison under no-drop policies for domestic violence must also be given equal consideration by the republican in the balancing of all justice claims for domination reduction (Burford et al. 2019: 217–18). Braithwaite and Pettit argue that this should be a difficult and complex judgement—something societies should agonise over and deliberate on carefully in advance of any rush to action. They argue for a principle of parsimony in response to its complexity: if in doubt, do not imprison. Do not imprison if there is some less-dominating pathway available to prevent further domination. Restorative justice for this reason plays a large role in republican criminology. In Chapter 9, we explain how a massively expanded use of restorative justice might at the same time soften the domination of the criminal justice system while actually increasing the effectiveness of deterrence and incapacitation in crime prevention.

Alert readers by now will have detected a logical problem with this book. Because crime is conduct that threatens freedom, it is true by definition that a society with less crime will have more freedom. The list of propositions in Appendix I, however, delves into the intricacies of how crime is causally implicated in the onset of anomie, war, the collapse of the integrity of markets and states and indeed how crime cascades to more crime. These are among the bigger explanatory claims of the book

concerning the impact of crime on freedom that are macrostructural. They reach up and beyond the definition of crime as individual acts of domination. To understand crime and domination, we must understand both as cascade phenomena that cascade into each other and into themselves in ways that can be theoretically specified.

So, what is domination? If policy judgements in the justice system should be made in terms of which policy choice will reduce the amount of domination in the world, how should domination be defined? Philip Pettit (1997) defines domination as the capacity to exercise arbitrary power over the choices of another person in ways that do not track the interests of that person. A just normative order (see Chapter 3), human rights and a rule of law that regulates arbitrary power are crucial. They hold institutional keys to taming domination and crime, and to freedom. This is not enough, however, because a person in circumstances of poverty whose voice about their interests is not taken seriously, who is not granted equal access to the rule of law and to legitimate opportunities, cannot enjoy freedom as nondomination. Hence, the republican theory of domination argues that continuous struggle for equality and elimination of poverty are crucial to republican freedom. This republican ideal of liberty as freedom from domination is distinguished from liberal freedom as non-interference in the choices of others. For the republican, the opposite of freedom is not interference, but slavery or arbitrary imposition of power. Braithwaite and Pettit (1990) called this republican freedom ‘dominion’—a usage that Lode Walgrave (2013) has also influentially advanced.

One of the virtues of domination reduction as an objective of the justice system is that it is a ‘satisfiable’ objective. Braithwaite and Pettit argue that deterrence, crime prevention, just deserts, proportional punishment and harm reduction are all examples of insatiable objectives. They are politically dangerous objectives for that reason. In a policy context where deterrence is working in preventing crime or preventing harm, why not keep increasing it? If cutting off the hands of thieves actually works in reducing theft, why not sever the hands of as many thieves as can be apprehended? This is not so ridiculous a question. In the particular space-time context of the Taliban coming to power in Afghanistan in 1996, Wardak and Braithwaite (2013) and Braithwaite and Wardak (2013) concluded that cutting off the hands of some thieves may have played some part in ending the greatest extremes of anomie that society previously suffered in the years before it was pacified by the Taliban. The philosophical rationale for why we should not cut off hands, even if we do

discover contexts where it may have worked, is open and shut in this easy case and in many harder cases. A republican should never cut off the hands of a thief even when it is working as a deterrent because to do so would create a world with greater rather than less domination (Braithwaite and Pettit 1990), as it certainly did with the rise of the Taliban (Braithwaite and D'Costa 2018: Ch. 9).

Just as any kind of harm prevention or crime prevention is a dangerously insatiable objective on its own, so is just deserts. If giving criminals their just deserts should be the goal of the criminal justice system, a way of realising that goal becomes building an ever-bigger police state that is capable of tracking down, prosecuting and punishing proportionately every single person who cheats on their tax, who makes a false claim on their company's expense account and every professor who funds the collection of their PhD student's data from a grant awarded for a somewhat different purpose. Why not pursue as best we can the imperative to give all of them their just deserts? Again, the answer is clear for the republican that such an insatiable police state would be a profound danger to freedom. It would be the dystopia, the unfreedom, the domination of George Orwell's 'Big Brother'. The dangers of such a dystopia are clear in the minds of voters in all democracies. What republican political theory does is render this political intuition philosophically coherent. Even the most liberal of democracies suffer much higher imprisonment rates than can be defended by republican political theory. All societies suffer criminal justice excess at the hands of devotees of deterrence, by enthusiasts for incapacitation, by defenders of just deserts. All democracies suffer criminal justice excess by the lights of republican theory in the hands of judges who sentence many to prison for no better reason than the doctrine that this is deserved or proportionate. For the republican, that is not a good enough reason to deprive anyone of their liberty.

Of course, there are many ways of tempering the excesses of these doctrines. Just deserts can do useful work in tempering the excesses of deterrence that are disproportionate to desert, and vice versa. Yet there remain countless cases where imprisonment would simultaneously fit the desert doctrine and enhance deterrence while *increasing* the amount of domination in the world. We see so many such tragedies in the prisons of the best democracies. We also see it as a result of the penal populism to which electoral democracy gives rise (Lacey 2008; Pratt 2007).

We saw the problem more graphically after the Rwandan genocide when 126,500 people were arrested, mostly on the principled liberal grounds that there was credible evidence they had participated in hacking other citizens to death during the genocide. Sadly, the Rwandan justice system could not resource 126,500 trials for crimes of this level of seriousness. The majority of the 126,500 languished in prison for more than a decade awaiting trials that, when they were conducted, were often presided over by a second or third-year law student. Many died in prison from AIDS while awaiting trial. According to republican lights, those deaths were morally wrong acts of domination by the justice system against those individuals and their families. Many who died in prison were children at the time of their arrest and were raped in prison. Some of those children did commit the *actus reus* of the genocide: hacking other humans to death. Yet had the allegations against them attracted a speedy trial, they would have been acquitted because they were children who had seen other children, including siblings, themselves hacked to death when they refused orders to join in the mass murder. Their prison deaths were acts of mass domination by a newly liberalised criminal justice system trying to do the right thing by deterrence of genocide, and by just deserts, by prosecuting all who deserved to be prosecuted. Sadly, the justice administrators who pursued insatiable justice by ordering the 126,500 genocide arrests perpetrated greater evil against humankind than many of those arrested, though not all of course. Fortunately, more than a decade on, many survivors among the 126,500 were released from prison to the sometimes more restorative form of traditional Rwandan justice of the *Gacaca* (Clark 2010, 2014).

For Braithwaite and Pettit (1990), asking the domination question was therefore a better path than asking the just deserts question or the crime-prevention question, or both. Philip Pettit went on to construct from a republican theory of criminal justice an influential general theory of republican governance, I am proud to say. Embarrassed though I am by a want of humility in saying this, it did illustrate some fertility of criminology for a more interdisciplinary and transformative social science and political philosophy. Pettit's republicanism has been explicitly acknowledged in statecraft as shaping the politics of national leaders and his republican work has become extremely influential in philosophy and political theory journals. I hope also that Chapter 11 illustrates the way macrocriminology can reinvigorate the discipline of international relations in ways that help it deliver better contributions to the prevention of war; that many chapters reveal ways the discipline of economics might be stimulated by insightful macrocriminology to better assist economies

to flourish and that other chapters help political scientists see why there are few graver dangers to freedom and democracy than the criminalisation of states.

Integrating normative theory and explanatory theory

Lode Walgrave's (2013) work is one example of picking up the idea of a republican normative theory and applying it to the practical task of improving the explanation of crime and crime prevention. We have seen that Braithwaite and Pettit (2000) argued that integrating normative and explanatory theory can improve both. Explanatory theory is conceived of here as ordered sets of propositions about the way the world is; normative theory is ordered propositions about the way the world ought to be.² The virtues of a macrocriminology that is macro in the sense of embracing political philosophies of what makes for the good society partly goes to the dangers of narrow utilitarianism. Republicanism confronts an explanatory theory of crime that reveals some contexts of efficacy for tyranny; it confronts the risk of this being read as having the 'policy implication' that one should implement that tyranny. An example is an empirical finding in a particular society that a form of racial profiling helps the police fight crime. Requiring policy to pass the theoretical tests of normative–explanatory integration helps proof social science against such tyrannies.

2 I am not one for specifying how law-like, how certain or probabilistic sets of propositions must be to qualify as a theory, or to what degree ordered sets of propositions should be deductive and inductive. Theories are more than just a collection of propositions. The way a theory orders propositions and shuttles back and forth between induction and deduction gives those propositions meaning and helps explain them. A theory must say something about which variables are more important than others and something insightful about relations among them. I do like theory to have the ambition of constructing patterns that are not so visible to the naked eye. I like to hope my theoretical canvas imagines one useful reality that has value for making the world a better place. Theory guides the kind of data to seek. Deductive aspects of theory guide induction and induction informs better deductions in theories. While sometimes it is wise for theory to propose what might be unknowable and in what ways, it is good for the explanatory propositions in theories to be testable and be tested as broadly as possible. And it is good for the normative propositions in theories to be contested. All the theories I ever proposed seem to me wrong most of the time in some important respect. Nevertheless, they may have been useful and practical. I like to try to be useful by iterating between being parsimonious (in the case of this theory, reducing the story of the theory to one sentence) and giving the theory a rich texture of detail about how to put the theory to use in creating a better world (the 150 propositions in Appendix I). Ultimately, the proof of theoretical puddings is in the eating: this one will be sour to some, sweet to others, I hope, in helping their capacity to grasp the world and change it, and beside the point to others again.

This goes beyond normative–explanatory integration as a hygiene factor that protects justice as nondomination from the dangers of criminology. There is also the healthy motivation factor that concepts like freedom and domination that work in explaining the world are quite likely to come from normative theories that give an account of the good society that resonates with citizens. This motivates their deployment to do good things for crime prevention and freedom enhancement.

I had been writing since 1979 (Braithwaite 1979) on what I saw as a large body of evidence for an explanatory association between domination and crime when I took stock of that evidence to write:

As a generalization, ‘domination engenders crime’ is not always true and when it is, it is often true in a complex rather than a direct way. For example, the direct relationship is that women tend both to be more dominated than men and to commit *less* crime than men do. Yet empirical criminology in the feminist tradition demonstrates a variety of ways in which the domination of women by men engenders crime. (Braithwaite 2003: 213)

This is also true of feminist peace studies (Braithwaite and D’Costa 2018). Jacqui True (2012: 136–39) has reviewed literature from 50 countries showing that the dominations of major wars drive increases in gender-based violence afterwards and we discuss later the work of Mary Caprioli (2000, 2003, 2005) and her colleagues on how gender inequality in turn increases the prospects of further war. No normative target, Philip Pettit and I argued, is likely to have appeal if it does not connect to things about which people care. In turn, things people care about become promising candidates for explaining other matters of concern to them. Normatively useful concepts are more likely to be useful as explanations, and vice versa. Hence, if we focus on some evidence for an association between inequality and crime, we might be able to improve on that association by reconceptualising inequality in terms that capture what people care more deeply about as matters of normative grievance. Domination is a dimension of normative grievance that people do tend to care about more than mere inequality. The inequality that women tend to live longer than men, for example, is a major inequality that has little edge as a grievance because it does not arise from domination of men by women, from arbitrary power of women over men. Braithwaite and Pettit (2000) discuss a range of reasons not rehearsed here for why people care so much about being dominated from an early age. There is value in Adler’s (1964) theory that to be a child is to be a human who struggles towards release

from domination by and dependence on one's parents. Struggle against domination motivates what all humans do and value. This is embedded in the biology of survival. Our struggle for independence as infants helps us to become capable of surviving on our own.

Braithwaite and Pettit (2000) argued in more detail that in doing social theory we should look for that adjustment between normative and explanatory categories of analysis. If we do so, we are likely to reach a higher level of insight on both fronts. The integration of explanatory and normative theory is no more a prerequisite for powerful theory than the integration of micro and macro theory. The claim in both cases is only that it is methodologically sound in theory-building to aim at both because there are reasons iterations between the two levels of theory drive mutual improvements in both.

Beyond criminalisation of individuals

Criminalisation of organisations

In addition to being the most important figure for moving criminology under the influence of sociology, Edwin Sutherland (1983) was the visionary scholar of criminal organisations. He invented the term 'white-collar crime', which now exists in many languages. He showed systematically the patterns of repeated criminality of America's largest corporations. This was one of the ways he challenged psychologism: were the responsible corporate executives emotionally unstable individuals, with a low IQ, a weak self-concept and lacking impulse control? The problem, he argued on the contrary, was they were very much in control of their impulses and their intelligence; they were smart, planful schemers of long-term enrichment. Schoepfer et al. (2014) found that desire for control explains white-collar criminality better than an absence of self-control. The motivational driver of crime in the suites is domination; the motivational driver of crime in the streets is being dominated. Their result captures brilliantly the fatal problem for criminological theory that is so preoccupied with crime in the streets that it sidelines crime in the suites.

As great a criminological opinion-leader as Sutherland was, he failed to attract massive movement in the academy to study white-collar crime. After Watergate, Lockheed and the other international corporate bribery

scandals of the 1970s, there was a decade when many of the brightest and best criminologists of that generation prioritised the study of white-collar crime. That surge of interest gradually waned. It is not that criminologists have been unpersuaded by Sutherland and his followers that crime in the suites steals more of citizen's property than crime in the streets, and takes more lives. The evidence for Sutherland's conclusion has greatly strengthened. For example, Dukes et al. (2014: Ch. 7) conclude that corporate crime in just one industry, pharmaceuticals, in the United States costs many times more lives than violent street crime. Indeed, single offences by single 'Big Pharma' companies cost more lives than all violent street crimes. Moreover, Federal Bureau of Investigation (FBI) estimates of the ratio of the cost of healthcare fraud to the cost of burglary and robbery range from three to one to 11 to one. Pharmaceutical counterfeiting is not such a major killer in the United States, but in China and other Asian economies that domicile the major corporate counterfeiters, larger portions of the estimated 700,000 deaths a year that result from counterfeiting occur. The figure of 700,000 is more than all the deaths worldwide from homicide, terrorism and war during the twenty-first century up to the publication of Dukes et al. (2014: Ch. 7). Coffee (2020: 5, 43) points out that the most harmful recent corporate criminal offenders have continued to be Big Pharma. Coffee suggests pharmaceutical corporations—some now convicted—were responsible for the greatest part of 400,000 deaths in the United States alone from prescription opioid overdoses, for example. While there was controversy at the time, not many criminologists today would contest Fisse and Braithwaite's (1993) account of why it is coherent to hold organisations accountable for crime and at least the basics of their detailed account of how to accomplish this.

Criminologists all agree that corporate crime is a huge problem, but every discipline has its mainstream; for criminology, that is crime in the streets. Crime in the streets is easier to study quantitatively than crime in the suites, so the discipline's quantitative orthodoxy is a problem with these massive holes in the canvas painted by disciplinary research. The entrenched neglect of Sutherland's lessons is a concern to republican theorists because it means systematically less attention is given to the crimes of most devastating domination. The uncomfortable reality is that most of the teaching and research we criminologists do is oriented to the control of the poor. It is neglectful of the control of the rich, and the middle class as well (Farrall and Karstedt 2019).

Since the birth of criminology as a discipline, the nature of social action has changed dramatically. Corporatisation in the twentieth century changed the world to a place where most of the most important things done for good or ill were done by corporate rather than individual actors. The Anthropocene morphed into the Capitalocene (Haraway 2015). Even in New York, where this trajectory was most advanced, it was not until decades into the twentieth century that the majority of litigants in appellate courts were corporations rather than individual persons and the majority of actors described on the front page of *The New York Times* were corporate rather than individual actors (Coleman 1982: 11).

Of course, very small organisations like schools, and even smaller ones called families, can vary greatly in the frequency of criminality. When one member of a family sexually assaults another family member, individualised criminology sometimes errs in characterising one family member as an offender and the other as a victim. Family group decision-making processes sometimes discover these individuals to be embedded in family systems that transmit sexual abuse across generations to the point where many family members are perpetrators, many are victims and many are both perpetrators and victims (Braithwaite 2002). The challenge, then, is not so much to punish one person essentialised as a rapist, but to undertake a restorative process that structurally disentangles the family from all of its destructive and dominating relationships. The restorative aim is to build out responsively to the countervailing constructive relationships that are sources of strength for the family's future.

Criminalisation of the state

The rise of transitional justice after armed conflict as a field of study has meant that criminological interest in the criminalisation of states has grown. Growth of the global human rights movement as one driver of research on state crime has waned less than Ralph Nader and the consumer movement as a driver of corporate crime research. Genocide studies has been a particular impetus; historically recent genocides in Cambodia, Rwanda and with Myanmar's Rohingya increased the impetus. In the United States in the twenty-first century, the Black Lives Matter movement is a more recent uprising that contributed to motivating the study of state crime. Police forces in some democracies are more than a hundred times as murderous as others—occasionally a thousand times—with Brazil, El Salvador, Jamaica and the Philippines consistently extreme this century (as were many non-democracies, particularly Syria). The United States

is exceptionally bad, with more than 1,000 people killed by police use of deadly force in many single years, while the United Kingdom always has fewer than 10 such deaths annually (three in 2019).³ Even during the years of The Troubles in Northern Ireland, when the crimes of the Royal Ulster Constabulary were shocking, killings *directly* by police averaged fewer than 10. The United States has by far the highest number of recorded police killings among developed economies every year, with 1,146 in 2019 compared with Canada, which is second on the list, with 36 (2017 data). Not today, but for a long period around the turn of this century, one city in Australia, Melbourne, accounted for more police killings than the rest of the country combined. So, extreme variegation in this form of state crime has become a germinal puzzle for criminology.

Increasing numbers of states have established anticorruption commissions, which have revealed the devastating impact on societies of state corruption. Criminalisation of the state is a major cause and effect of the crime–war cascades discussed in Chapter 11. All this has meant that the criminalised state has increasingly grabbed some of criminology’s attention away from the criminal individual, in quite a profound reframing of criminology’s referent by some of our most intellectually serious criminologists (see Grabosky 1989; Tilly 1985; Green and Ward 2004; Ross and Barak 2000; Friedrichs 1998; Ross 2000; Kramer et al. 2002; Karstedt 2014b; Rothe and Kauzlarich 2014). For macrocriminologists, there is considerable appeal in Susanne Karstedt’s (2012a) multifaceted measure of ‘extremely violent societies’ as a corrective to the tendency of murderous states not to count state homicides in their standard homicide statistics.

Like Tilly (1975), this book argues that crime made the state and the state makes crime. This reality is so structural that nothing is more fundamental to the criminalisation of markets, corporations and individuals than the criminalisation of the state. Colonialism, colonial states and postcolonial states are important parts of this (Blagg and Anthony 2019), but only part of it.

3 Various sources of data inform the numbers in this paragraph, but the evidence is fragmented into large numbers of studies of just one country or a comparison of two. Systematic cross-national comparativism of police killings has a long way to go. We cannot be confident of much beyond the claim that cross-national variation is huge and that the situation is particularly bad in the outliers mentioned above. For now, the most comprehensive set of sources can be accessed by searching data such as the ‘Fatal Encounters Data Base’ in the 78 footnotes of ‘List of killings by law enforcement officers by country’ on *Wikipedia* (available from: en.wikipedia.org/wiki/List_of_killings_by_law_enforcement_officers_by_country).

Criminalisation of markets

While the criminalisation of markets is intertwined with the criminalisation of states and corporations, it is conceptually different. The darknet is a criminalised market that allows internet trade in child pornography, drugs, contract killings, influencing elections, and more. The darknet criminalises in a way that is distinct from the actors who commit the crimes.

Banning legal slavery markets through the activism of the antislavery movement that grew in the eighteenth century gave rise to underground markets in human trafficking, just as the banning of the legal opium trade that the British East India Company once plied to China gave birth to illicit opiates markets that moved from control by Big Pharma to control by triads and the Mafia and then to control by fragmented street gangs. There are underground markets in gambling, smuggling, sex work, wildlife, money lending and laundering, and more.

This book argues that reframing criminology's referent to markets that can be criminalised, and to the challenge of humbling the power of capital in those markets, is a fundamental reframing of the referent for a new macrocriminology. Just as the world has changed from one in which most important social action is individual action to one in which it is mostly organisational action, the world has also changed so that more social action is embedded in networked markets, more than it is enacted by hierarchies (Williams 1998). Competition policy in societies with neoliberal ideologies can drive markets to the ever more efficient production of goods, yet doing so inevitably also induces the more efficient production of 'bads'. Not all markets in bads are illegal, yet all markets in what some citizens see as a vice, whether a legal or illegal vice, create demand for a countervailing market in virtue. For example, most of us see the market in sugar as a market in vice that induces obesity, heart disease and cancer. This creates a demand for markets in virtue to counter it: firms that market diets, health resorts, gyms and personal trainers. As markets in vice become more dangerous, citizen demands for the state to regulate them also grow. Stronger markets become associated with three major trends: more efficient production of goods, more efficient production of bads and stronger regulation of markets in response to the bads (Braithwaite 2005b, 2008).

Until a decade ago, tech giants were expanding the horizons of freedom through opening new gateways to knowledge access for the poor, and to collaboratively constituting knowledge in ways still well illustrated by a *Wikipedia* that can be read in minority languages. This so clearly was a market in virtue. Now the platforms of tech giants are more a market in vice sustained by monopolies in breach of antitrust laws that have the overarching objective of keeping us glued to the screen controlled by their platform so they can sell more advertising. The market in the vices of artificial intelligence (AI) has trained their platforms to understand that provocative lies are better than truths for eliciting clicks. Often the lies are unfiltered commercial fraud. Listening to the complexity of the political thought of our adversaries sells less advertising than spreading conspiracy theories about them and silencing them with reinforcement by our own dogmas. This market in vice promotes authoritarianism that threatens freedom as nondomination. Tweets by Donald Trump instantiate the kinds of clickbait that most attract revenue for tech giants, no less so when they stamped warnings on the truth value of claims that Trump won the 2020 election, for example. If we are Republicans, the tech giants track our screens to the most incendiary lies of Republicans; if we are Democrats, they track our screens to the most tantalising untruths of Democrats.

Most criminologists have little problem with the idea that organisations can act. If we say, ‘The United States abides by its constitution’, criminologists accept this as mostly true even though almost all the individual action in writing the Constitution and deciding court cases that demand compliance with it is the past action of dead individuals. Thinking of states as criminalised is therefore something criminologists can buy. Yet criminalised markets can be a step too far for them. Sociologically, the recursiveness of individual and collective action, of action and structure, involved in the constitution of criminalised states and criminalised markets is constitution by kindred ensembles of mechanisms. The concept of a sailor gathers meaning from the institutional infrastructure of the navy: ships, captains, rules of war at sea, other sailors (Fisse and Braithwaite 1993). Likewise, the concept of a stockbroker makes no sense without the constitution of this role by a market. For Giddens (1979: 5), this is the ‘duality of structure’ whereby the ‘recursiveness of social life’ is constituted in social practices such as market transactions: ‘[S]tructure is both medium and action in the reproduction of practices. Structure enters simultaneously into the constitution of the actor [the broker] and social practices [market transactions]’ (see also Giddens 1984). Hence,

many individual criminals constitute criminalised states and criminalised markets, while criminalised markets also constitute criminalised financial houses replete with criminal individual traders. Myopic methodological individualism delivers a criminology blinded to big structures in the character of variation in crime.

Asking questions about criminal markets

In the conditions of contemporary capitalism, the criminalisation of markets is central to macrocriminology. More facets of contemporary lives are ruled by markets than in any period of human history. Markets regulate aspects of our existence that were once regulated by the church, states, families, villages and their elders. Libertarians find this a controversial statement as they see the market as the antithesis of regulation. For libertarians, the market is a realm of choice where the individual citizen is sovereign. Markets, however, shape choices with profound potency, just as choices shape markets. This is the most important recursive process of structuration in the modern world. We see this rather dramatically when it is revealed how a firm like Cambridge Analytica can use Facebook and other technologies in the market for information services to skew democratic elections with alluring lies. Who could deny that Cambridge Analytica and Facebook were shown by these revelations in the US Congress and the UK Parliament to shape choices as marketers of unfreedom and of disrespect for privacy by defamatory means? Conversely, green economists seek to contrive markets that price carbon to steer the planet to survival.

In more routine ways, however, markets are harnessed with intent to steer the flow of events. This is how Braithwaite and Parker (2003) define the core of what regulation means: intentional action to steer the flow of events. In contemporary affluent societies, people die less from hunger than from excessive eating that is intentionally promoted by food marketing. People in affluent market economies die less from undermedication with drugs that save lives than from overmedication with pharmaceuticals, more from illicit and licit drugs of abuse, more from the search for a pick-me-up or a pill for every ill. Markets in the vice of excess pill-popping for conditions like depression can crowd out the market in virtue of exercise programs and relational social cognitive programs that are more effective for people with depression. We can understand all this as a glorious, liberated choice that free markets in food and drugs have delivered to the modern consumer. People can rationally choose to live happily by

gorging sugar and drugging themselves into moments of pleasant torpor. Yet most young people who make those choices come to regret them as they age and struggle with their mental and physical health. They come to realise that those choices can cause great suffering for the people who love them. They become wise enough to reframe it as an untempered glorious consumer freedom of short-termism and self-indulgence to the neglect of those to whom we owe our love. This is a freedom shaped and nudged by markets, by marketing that causes us to crave factory food dripping with fat or sugar.

The criminology of markets in vice and markets in virtue

From the markets in vice perspective, the most important questions for criminology are which markets might be criminalised, decriminalised or regulated in some other way. Let us illustrate the nature of this choice with the fact that the United States and New Zealand are the only developed economies that have not criminalised mass media advertising of legal prescription drugs. American readers will have noticed that a huge difference in what is seen when they watch television in other countries is the absence of the overwhelming presence of advertisements touting pharmaceuticals. So which policy choice is right? Should the rest of the world enhance the consumer sovereignty of their citizens by deregulating the mass media advertising of drugs? Or should the United States criminalise that market? One argument for criminalising the US market is that marketing-driven overuse and inappropriate use of medicines are one answer to the puzzle of why the people of the United States live shorter lives than people from poorer countries with less technically sophisticated healthcare systems and with much lower levels of health expenditure as a percentage of gross domestic product (GDP) (Dukes et al. 2014). Poor people in the United States, in particular, live shorter, more brutish lives than the poorest people of many poorer countries.

I do not want to tarry arguing for that datum because the point here is a critique of extant criminology. Criminology as a field has shown little interest in the question of whether it would be good or bad to criminalise this market. How can it be that criminology is not interested in a macro-market question like this? How can this be when the study of drug markets is such a substantial subfield of criminology? Criminology could become a science that helps societies to reduce death and harms to their citizens and

their property and reduce the domination of people's lives by addiction (Braithwaite and Pettit 1990). But it has risen to this challenge only in individualised ways. The accomplishments of criminology on that front, despite the funding thrown at drug researchers, have been modest. And, if the criminalisation of prescription drug mass marketing might reduce the domination of people by markets in vice, that could be a policy debate worth having. How can you have that debate if your crime and drug science is normatively unmoored? And drug science that is normatively unmoored will be captured and corrupted by drug money that captures state policy to legalise drug pushing. Sadly, criminology is caught up in that capture to a degree, just as pharmacology is captured by the corporate criminals of the drug trade (Dukes et al. 2014).

Liberal and libertarian criminologists have always been interested in advancing arguments for the decriminalisation of markets in illicit drugs and in sex work. These particular debates about markets in vice have been unusual in their intensity. Again, whichever side one takes on those debates, they are examples of a kind of debate we need more widely in criminology. We need that debate in respect of what many would argue are growing markets in vice that destroy lives: gambling, pornography that blurs towards child pornography on the internet, guns, nuclear technology, mercenary armies, killer robots and drones, the purchase of the votes of politicians, and many more. The warning signs are strong. In New South Wales this century, child pornography offences have risen almost twentyfold and child sexual assault by 83 per cent (Weatherburn and Rahman 2021: Ch. 1).

Criminalisation of space-time

It is now part of the shared language of criminology that at certain places and times hotspots of high criminality evolve. A corner where drug markets operate at night is a node of space-time that institutionalises the reproduction of crime through a normative order of the corner that might include norms about when it is justified to shoot people. Chapter 11 discusses how the violence of war and war crime also clusters in space and time and cascades from hotspot to hotspot. The criminology of place has old roots, particularly in Chicago School conclusions about areas of high social disorganisation and poverty, and high crime rates (Shaw and McKay 1942). In recent decades, reframing the referent to places

rather than persons has generated important insights from many of this generation's finest on the criminology of place (for example, Weisburd et al. 2012; Sherman et al. 1989; Sampson et al. 1997; Bursik 1999). At a more macrolevel, there has been interest in why whole regions like Latin America have elevated rates of violence (Nivette 2011) and other regions, such as Western Europe and East Asia, have low rates, even though in previous periods of history Western Europe (Eisner 2001, 2003, 2014; Spierenburg 2008, 2013) and parts of Asia (Broadhurst et al. 2015) had rates of homicide 10 to 100 times as high as today. Space-time variance in crime rates is generally much higher than variance in crime among different types of individuals, as discussed in Chapter 11. This is one reason there is so much promise in reframing the referent to space-time clusters of crime.

Among the highest homicide rates recorded in the past century is that among the Gebusi in late colonial and early postcolonial Papua New Guinea (1940–89), particularly before 1975.⁴ The literature described a society where 32.9 per cent of adult deaths were homicides (Knauft 1987, 2002, 2013), with updated evidence indicating a peak of 40 per cent (Knauft and Malbrancke 2017). That update also shows that for 28 years since 1989 there have been zero homicides—a shift from close to the highest recorded homicide rate worldwide for the twentieth century to the lowest in the twenty-first century. The Gebusi remain classified as an egalitarian, violent hunter-gatherer society by scholars such as Pinker (2011) and Acemoglu and Robinson (2019: 26). The reversal of homicide rates among the Gebusi is one of various reasons this book is not interested in 'hunter-gatherer societies' as an explanatory variable, if indeed that is what the Gebusi are. What have changed substantially are Gebusi institutions. What has changed is that mediation has greatly strengthened under the supervision of community elected councils of mediators for each ward. The councils have no enforcement powers. Decisions are upheld 'only by consensus', ritualised by all the parties snapping their fingers as confirmation that anger is over (Knauft and Malbrancke 2017: 6–7). A second change is improved health and nutrition. Murder occurred widely before 1989 as a result of people dying in the prime of life. When better health allowed longer life, an objective condition for sorcery allegations (the motive for 61 per cent of murders)

4 Steadman (1971: 215) reported a higher homicide rate, of 778 per 100,000, between 1959 and 1968 for the Hewa of Papua New Guinea.

was attenuated. A third factor was abolishing the institutions of public spirit séances to determine sorcery and public sorcery inquests, which had tended to stigmatisation, escalation of retribution, group anger and torture. A fourth was that no *intertribal* warfare has afflicted the Gebusi since 1989. This book's arguments about the importance of a strong state had no explanatory relevance because the state is even more absent post 1989 than for the 1960–89 period. Gebusi have no access to police, and other state officials are no longer based in the district. But the embrace of Christianity by the Gebusi was institutionally important. The church has been active in supporting these other institutional changes: the rise of talking through and mediating conflicts; paying compensation in preference to retribution; the abolition of stigmatising public spirit séances and sorcery inquests; improved institutions of health and welfare; and absence of warfare. Knauf and Malbrancke (2017: 11) contend that in certain conditions of anomic violence, the church can better step into a Hobbesian vacuum than the state. In the words of one elected Gebusi councillor: 'If there are police but no Church, there *will* be killing. [But] if there is Church but no police, there *won't* be any killing.' Naing Ko Ko and Braithwaite (2019), writing on 'Baptist policing in Burma', also describe conditions for the relevance of this possibility. When a state that can regulate crime is absent, belief that a god or the ancestors can sanction crime and mediated settlements can substitute.

The criminalisation of markets and the space-time concentration of crime can intersect in revealing ways. Securities markets at hotspots called Wall Street and the City of London imploded into rapacious financial crime innovation at specific points in history: 1987 (Michael Milken's invention of the junk bond, 'Greed is Good'); 2001 (Enron, Arthur Andersen, tech wreck); and 2007 (crimes of the Global Financial Crisis). Earlier financial crises such as the savings and loans frauds in the 1980s (Pontell and Calavita 1992; Calavita et al. 1997) and the waves of corporate tax-shelter frauds in Australia in the mid-1970s and 2000s and in New York in the late 1990s (Braithwaite 2005b) were sometimes more diffused across space. Offshore financial centres (tax havens) were nodes of these waves of criminality, with disparate nodes being important at different points of history.

Reframing the referent to times of crime also intersects in analytically useful ways with the mainstream referent of individual criminality. Very young children and old people are minor problems as perpetrators of crime. Street crime begins to peak sharply during the second half of the second decade of human lives and then declines consistently across all decades after the third. Crime in the suites peaks considerably later, when corporate actors reach heights from which they can grasp the lure of corporate criminality. In recent decades, however, securities trading has become a sphere where people in their twenties confront the lure of 24-hour trading fraud to burn brightly as comets, masters of the universe who put their bonuses aside for a comfortable life after they crash and burn. Loss of normative order, of a moral compass, can be cultivated among such young traders by criminalised firms and markets.

Likewise, anomie that to some degree is inherent in the role transition of adolescents from child to adult can also be cultivated by street gang bosses who are keen to induce anomic adolescents to grasp the lure of drug markets or other forms of street crime. Life-course criminology can shift criminology's referent to a life sequence (Sampson and Laub 1995; Moffitt et al. 2002; Farrington 2003). For example, the research question might shift from how to prevent individuals from committing crime to how to shift the lifecycle of criminality so it always starts later and finishes earlier in this society (compared with another). Braithwaite (2001) discusses universal institutionalisation of youth development circles as a strategy to accomplish just that. It involves replacing school parent–teacher interviews with meetings of a community of care of family members and mostly retired outside volunteers with strong bridging capital that sticks with every high school child through their ups and downs until they are placed in a decent job or college. Life-course criminology can therefore benefit from bringing together many lenses: the individual lens, time and the criminology of place, of organisations and of markets. The essence of the mission of macrocriminology is the intersection of these lenses to create a more richly stereoscopic comprehension of the patterning of crime. Pathways to shifting those patterns cannot be seen without these multiple lenses. Life-course patterns are just one particularly important kind of pattern. Their path-dependencies can be laid down early by criminal subcultures in schools and families and by opportunity structures such as those on Wall Street.

Decentring punishment and criminal justice policy

The propensity for the policy lens of most criminologists to be focused on criminal justice institutions is misguided. It is not that criminology wastes its time when it addresses criminal justice solutions to crime problems. It is that criminology stunts its potential when that is what it mostly does. It has settled for strategies to shift high-crime societies into somewhat lower-crime societies, or to understand such shifts, eschewing the ambition of understanding how extremely low-crime societies are created in the *longue durée*. Chapter 11 argues that reconfigured hotspot policing can have a profound impact when it cascades macrosociological effects and when it pacifies dangerous spaces past a tipping point where citizens are able to return to the streets to cascade collective efficacy. Even so, it argues that the cascading of collective efficacy can be more profound from families, schools and workgroups than from places that are hotspots.

Places may or may not be the most fertile sites for planting roots of self-efficacy and collective efficacy that will spread. Places may be important, but thinner, sites for building thick freedom than institutions like families, schools, workgroups and indigenous tribes, which enjoy thicker institutional fabrics for relationality. Yet when cascades of collective efficacy enabled by hotspot policing complement more holistic, multidimensional strategies for cascading collective efficacy and tackling concentrated disadvantage, the micro-policing policy can connect to a macro-strategy that not only reduces crime, but also improves many outcomes constitutive of freedom, including health outcomes, homelessness, educational outcomes, employment outcomes, workforce productivity and an array of other forms of social wellbeing. For example, Chapter 11 argues that the effect sizes of strengthened collective efficacy in improving educational outcomes and reducing educational disadvantage in schools are higher than place-based collective efficacy impacts on crime. More counterintuitively, Chapter 12 concludes that multidimensional strategies for building collective efficacy are critical to the prevention of ecological catastrophe. If all this is true, narrowly micro criminal justice policies are never likely to be as attractive in cost–benefit terms as macrosocial strategies that are micro–meso–macro. These are ideas that are liberated from statist ‘criminal justice’ policy imaginations.

Many scholars agree with much of the previous two paragraphs but respond to this by becoming students of punishment—of the sociology of punishment if they are sociologists or philosophers of punishment if they are philosophers. If what one cares about normatively is domination, the implication of this book is that one would not make those choices. While punishment is hardly the central issue, according to this book, punishment does grow in importance when embedded in more encompassing theories of regulatory governance (Chapters 9 and 10). At least that is one lens of this book on how to productively shape social and political theory.

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