Policing Ourselves: Law & Order in the American Ghetto

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Introduction

There is a documented history of antagonism between African-Americans and law enforcement. Most recently, scholars and policymakers have identified a “crisis of legitimacy” in the relationships of black Americans to courts, police, and other parts of the criminal justice system. Disproportionate numbers of African-Americans are in jails and prisons and, incidents of police brutality and abusive law enforcement practices in black communities are still a contemporary social problem. African-Americans have less faith than their white counterparts that police are there to serve them and protect person and property. While these criminal justice issues have received significant attention, less well understood is the manner by which African-Americans have developed mechanisms for maintaining social order and ensuring some minimal level of personal and public safety in the absence of an effective and responsive justice apparatus. This essay examines the ways in which a poor, predominantly black urban community has developed such “indigenous” resources for resolving disputes and attending to delinquent and criminal behavior; we contrast this sphere of justice with “state-sanctioned” juridical procedures, such as community policing or conventional law enforcement prosecution via the courts. We place the development of this dynamic within a global context, both pointing to the ways in which the relationship between indigenous forms of maintaining social order and state sanctioned law enforcement practices are shaped by global political and economic shifts as well as noting the rise in such developments across the globe.
Utilizing “indigenous” means of ensuring social order is not entirely a novel practice for African-Americans. Whether as a coping device for neglectful police or an extension of differing moral and ethical precepts, the use of juridical mechanisms outside the state have been part of the black Diaspora in the United States for centuries. Throughout their period of enslavement, the police were a source of harassment, not support, for blacks. Even after their emancipation, it was difficult to rely on the state for justice—as evidenced by the still existing struggles over civil rights, fights over disproportionate police patrols in their community, anti-brutality initiatives, and so on. When police failed to respond, others in the community were called on to deal with social problems and criminality. Ministers, businesspersons, block club presidents and other types of local stakeholders attended to conflict mediation, dispute resolution, punishment and redress. If courts did not prove useful to achieve justice, informal venues could be pursued, such as backroom negotiations and public shaming. In this way, actors ostensibly not officially invested in enforcement and protection might assume roles that, in most communities, are commonly understood to be the responsibility of law enforcement officials (Drake and Cayton 1945, Spear 1979).

The importance of innovative juridical procedures that work outside the state or that supplement formal government mechanisms will be recognizable to anyone familiar with studies of “community justice,” a broad, loose field of inquiry organized around localized procedures of deliberation and conflict mediation. Legal scholars, in particular, have looked closely at concrete programs and policies that seek to increase the legitimacy of state enforcement institutions. An example is the use of “community courts” that are placed directly in the neighborhoods of the disenfranchised in order to make the justice system appear more friendly, thereby enhancing its “legitimacy” (Meares 2000, Fagan 2002). In addition, anthropologists have studied examples of
legal structures and processes in non-Western societies in which the state has a marginal or non-existent role. They have pointed to the ways in which the State may be one of several institutional arenas for order maintenance, normative prescriptions, sentencing, and so on. (Comaroff 1982, Merry 1993). Much of their attention has been drawn to “traditional” societies, in which the government’s juridical structures confront religious, tribal, and other legal foundations that specify how people may act, including how to respond to conflicts and transgressions. The US case has not been studied in a similar vein.

In the context of African-American communities, studies of these types of juridical processes, whether in the US or abroad, historical or contemporary in nature, rarely focus on young people. This is noteworthy particularly since many of the dynamics that involve the use of indigenous juridical process in these communities involve youth and adolescents. They are often at the heart of struggles to acquire effective law enforcement, solve conflicts creatively, and otherwise maintain social order. One such actor is the street gang. In the last few decades, the street gang has anchored the discourse on criminality in the American ghetto. Indeed, the “gang and drug problem” became the shorthand phrase to reference the marginalization of youth, the incapacity of police to successfully enforce laws, and the overall social alienation of the ghetto from mainstream society.

This essay considers the emergence of indigenous versus state-sponsored justice in the contemporary American ghetto. The specific example is based on a case study of law and order dynamics in a predominantly African-American working poor community in Chicago, Illinois, one in which a youth street gang plays a prominent role. For several years, one of the authors conducted fieldwork, gathering observations of the varying methods of conflict resolution and mediation that local residents and stakeholders employed to maintain social order. We use this
case study to document contemporary methods of creating and maintaining social order in the American ghetto but also to re-cast how we think about the factors that have led to such forms of indigenous justice.

In particular, we argue that social order in the ghetto may be understood in a global context; that is, how social order in the ghetto is established and maintained is influenced by changes in global, social dynamics, including recent transformations in the role of state representatives (lawyers, court officials, police). On the one hand, the challenges of crime control, the reintegration of ex-offenders, and the socialization of young people must be understood as social dynamics that constrain the capacities of urban poor actors to utilize government services, and that, in so doing, limit their ability to rely on legal institutions that might assist them in keeping their neighborhoods habitable. This retrenchment of the State and a correlative move from rehabilitative to punitive urban policing have manifested throughout the Americas and Europe—and in certain parts of Africa as well as Australia (see Rob White’s essay in this volume). The consequences of these dynamics are global as well. Across the globe scholars have documented the process by which as the state moves out of the business of providing public, effective, ongoing enforcement, the private or civil sector becomes faced with the burden of dealing with crime, delinquency and social problems attendant with disenfranchised populations who cannot rely on the formal economy to make ends meet. As Loader (2001) has cogently argued, the privatization of policing will differ by national contexts: in some areas, one finds gated communities with private security forces, while in other ghetto areas and ethnic enclaves where religious law trumps State law, one finds local militias and self-efficacious styles of policing and redress (c.f., Caldeira 2000). Finally, as we suggest below, the global character of these developments is not evidenced simply by their simultaneous occurrence in disparate parts of
their world, but because actors in these places share ideas with one another and sometimes work collaboratively to forge policing and justice initiatives, often resulting in shared international policing and privatization practices. Thus, for the purposes of this paper, we use the term globalization to refer to both economic and political shifts occurring at the international level as well as to refer to the spread of ideas and practices across the globe.

The substantive focus of the paper is the youth street gang and its impact on the inner city community. Since the early 1980s, the gang has become the most regnant symbol both of the lawlessness of the ghetto and its distance from the mainstream, civilized world in both the United States, as well as countries like Lithuania and Papua New Guinea. A predator-prey discourse has characterized scholarship, such that the gang and other “criminal” actors are viewed as preying upon a law-abiding or “decent” population (Ref: Anderson 1990). Indeed, they are, if anything, conceived of as anti-global in that they are viewed as isolated from civilized, mainstream society. In this paper, the American youth gang is understood in the context of post-1970s, i.e., so-called “post-Fordist,” political-economic restructuring. A significant dimension of this period of social change included the social organization of “law and order” initiatives aimed at troubled youth in American cities. As the government altered its approach to coping with youth gangs and gang-related criminality—i.e., from a rehabilitative to a punitive model--inner-city communities saw in these changes possibilities for the redefinition of crime reduction and social control. The state retrenched and withdrew resources in some areas, particularly in the funding of social welfare programs, while heightening its willingness to fund so-called “law and order” initiatives aimed at mass arrest and incarceration. As we suggest below, this “punitive” turn and the correlate response by community stakeholders to cope with local problems associated with gang activity were not isolated to particular US cities, but were part of an international response to increased
levels of inequality as well as an international movement to alter the character and function of law enforcement with respect to urban areas.

It would not be possible to provide a full explication of this argument within the space of a brief essay. We draw on fieldwork in a US ghetto neighborhood to illuminate the broader discussion with an empirical case. We begin by presenting an incident involving a youth gang in an inner-city Chicago neighborhood. The narrative addresses the ways in which local actors attempted to resolve the conflicts that occurred. It focuses on the ways in which the State—via its law enforcement institutions—participated in that process. The essay then alternates between discussion and further review of this particular case. The summary discussion revisits the topic of this volume, the impact of globalization on legal institutions and youth behavior, in light of the Chicago case.

The Incident (Part I)

Two young men meet one other in a vacant lot, in the middle of Grand Boulevard, a working poor, predominantly African-American community in the heart of Chicago’s Southside ghetto. Like many of their neighbors, they float between periods of menial wage employment, performing general labor or chores at construction sites for example, and tenures of outright joblessness where the only income is illegally-derived or obtained through a quick street hustle.

In this case, they are active participants in the underground economy, that rather loose and varied sphere of exchange in which the common thread tying the income generating activities together is that the participants do not report their income to the government; not necessarily, or always heinous actions, like burglary or drug selling, but sometimes mundane work like selling
homemade food. In this case, one man, James, is a mechanic who is fixing the other man’s car (Larry). The work has been completed and payment is due to James in full.

But, there is a misunderstanding. James believed the original quote, given three days before, to be $50. The client said he heard an estimate of “$30” for the requested work. In a community where poverty is chronic and there are relatively few opportunities for wage earning, a $20 discrepancy is not trivial. Larry grows weary of arguing and decides to physically assault the mechanic. He throws James to the ground, kicks him, takes his keys and, then reclaims his car and drives away. James has fixed Larry’s vehicle before. James decides to seek vengeance by burglarizing Larry’s house and stealing a television and VCR as restitution for the unpaid work order. While leaving Larry’s house, James yells at the neighbors who watch as he loads the goods in his car and drives away, all the while seemingly unconcerned about the threat of apprehension.

A deliberate process of adjudication ensues. James has been paying the local street gang $50 per week for the “right” to use the vacant lot for off-the-books car repair. He has worked there for several months and customers know that the gang protects their cars by watching over the lot and over James—petty robbery being a common problem among entrepreneurs, James boasted that the gang was a “security” force for his business. Indeed, per his agreement with the local gang, on occasion, James calls upon the gang to settle discrepancies or conflicts that arise. If, say, the problem is contract enforcement, James asks the gang leader to find a customer who owes him money; if someone steals James’ tools, the gang leader might be able to retrieve them. In the incident above, James asks the gang to help him obtain his money from Larry.

As a third party in this matter, the gang has a number of things to consider before acting on James’ behalf. The gang leader must determine the terms of the original contract and whether the
work was completed, discern amongst competing narratives of the incident (e.g., who started the fight), issue a ruling, obtain consent from both parties, and deliver an appropriate punishment. The gang may have to intercede, should further retaliation take place. William, the local gang leader who James has enlisted on his behalf, begins the process by sending his chief enforcer to meet with both parties and interview them about the events that have occurred.

In this incident, the gang is not the only third-party arbiter around. This is evidenced by the fact that a parallel adjudicative process is underway. Larry happens to live on a block in the Grand Boulevard community with a vibrant “block club.” Like block clubs around the United States, it is a primary form of association ostensibly concerned with ensuring public safety and patrolling children’s behavior. Many block clubs report signs of municipal neglect, poor policing, petty crime, domestic abuse and other such problems to political officials and law enforcement personnel. In the last few decades (as described below), they have played a central role in the efforts of Chicago’s police to gain first hand knowledge about local problems and perpetrators. Many of the neighbors who observed the burglary dutifully wrote down the license plate of James’ car as he was leaving Larry’s house and they recorded his identifying features. Following the routine in place, they give the information to the local “block club leader,” Melissa, in hopes that she would follow up.

Melissa may pursue the matter in one of several ways. She may, of course, call the police and report the burglary. But, many residents on the block have little faith in the police and they have suffered decades of ineffective policing, so they do not necessarily believe that a call to law enforcement is going to yield much in the way of public safety. Moreover, they are themselves involved in the underground economy, making money and purchasing goods and services under the table in order to support their households, and they have made it clear to Melissa that she has
to be cautious in raising police presence in the neighborhood. Some of Melissa’s neighbors have underground income that stems from legitimate activities, like home repair or hair care, while others traffic in stolen social security cards and stolen/second-hand car parts. Still others do not participate directly, but have household members who do, and so may see increased police activity as a threat to household income and their capacity to make ends meet. They tell Melissa that she is not to be simply a conduit for residents’ complaints, but to exercise discretion in how police become part of local affairs.

Melissa understands her neighbors’ perceptions about the limits of working with police. Indeed, part of her support locally has been due to creative ways of resolving conflicts and restoring public safety, particularly when police are not helpful. For example, over the past two years, she has been successful in convincing the gang to withhold public narcotics sales during school hours, so that children in and around her block are not walking home (or to school) past drug sellers. Direct diplomacy with the gang is not her preferred strategy, but it has increased her neighbor’s sense of safety. The gang has also recovered residents’ stolen cars and they have donated money to the block club for parties. And, with threats of physical punishment, the gang ensures that the local parks personnel and sanitation officials (actually) clean up the local playgrounds and streets—a feat that Melissa and her neighbors have been unable to achieve both by protest and political lobbying. In the matter at hand, she knows that one of her options is to use the gang to help her neighbor Larry recover his television and VCR. Calling on them might entail concessions such as withholding phone calls to the police over gang-related activity for a period of time.

This case grows a little more complicated. Larry assaulted James and he has also refused to pay for services rendered. Larry is not an innocent victim. Moreover, there was legitimate repair
work performed that needs to be remunerated and, so far, Larry has not made a payment. Moreover, the same gang is helping James the mechanic and Melissa. Everyone involved is aware of the inherent conflict of interest for the street gang, who may not be able to provide its services to one party without compromising its ability to advocate for the other.

For her part, Melissa does have other options besides William and his gang. There are other local mediators whom she could turn to besides the gang leader (and the police for that matter). There is a local barbershop owner who has a long history of helping underground entrepreneurs settle disputes. There are many pastors as well as block club presidents and gang leaders, who are trusted by grassroots actors and who could legitimately intervene. Melissa decides to call upon Minister Johnson, a local storefront pastor for help with the retrieval of the stolen merchandise and in her negotiations with the police (who have heard about this incident and will soon be asking Melissa to cooperate) and the gang (who Melissa must confront at some point if she is to help Larry). She is hopeful because the Minister has worked with both the gang as well as the police over matters that involve people making money illegally.

The three incidents—assault, unfinished transaction, and burglary—must be resolved in such a way that the parties involved can save face. This is a problem in the underground economy, where there is no single third-party arbiter. As a block club leader, Melissa must demonstrate to neighbors that she can move local police to act, but in such a way that residents do not fear their own un-reported income to be in jeopardy. For its part, the police cannot officially condone residents responding to serious crimes on their own and so they must play a role. The gang leader would be rendered impotent and unable to demand “street taxes” from underground entrepreneurs if he cannot provide them contract enforcement and security—so, he must also find a way to show his value. And, the pastor usually will receive a small donation to his church
for his services, so he also has a material incentive to stay involved (as well as a need to reproduce his status as a moral force in the area).

Before moving forward and unraveling the incident, a few issues may be identified in terms of the relevance of these kinds of daily social processes for the larger set of questions surrounding globalization and the dynamic of “law and order” in the urban ghetto. It would be convenient to consider this case as (yet another) example of ghetto lawlessness and dysfunctionality. If one were to read scholarship on American urban poverty, such conclusions would likely emerge: i.e., the ghetto is socially “disorganized,” residents are held hostage by street gangs, residents lack a work ethic and are entirely isolated from mainstream social institutions (like the police), and so on. Yet, this kind of “popular” or “community” justice in Grand Boulevard says much about the forms of efficacious collective action that involve local actors—action that is highly localized and responsive to immediate circumstances to be sure, but structured nonetheless. At root, these deliberative processes are means of restoring order, preventing instability, offering redress, and enforcing shared beliefs. They are, in other words, legal arrangements and must be conceptualized as such, even if they may be flouting socially acceptable standards of juridical conduct.

What are their roots? Why consider them in light of a broader set of changes to the American urban social fabric in the era of globalization? These two questions anchor the following discussion. They will be interspersed with further explication of the incident described above in the Grand Boulevard community.
The incident above occurred in the mid-1990s, in the streets and alleyways of an alienated Midwestern ghetto community. However, it has deep historical roots and its parameters take the analyst far away from Chicago’s Southside. That one could find the gang playing a role in local conflict mediation, that police were involved yet seemingly at the margins of the dispute resolution, and that local residents would support non-State actors wishing to dispense punishment and redress are elements that are best understood in the overall transformation of the social structure of the American ghetto in the post-Civil Rights era. And, as we have suggested, this change has been occurring in other parts of the world. Their co-temporaneous occurrence must thus be understood in terms of the refashioning of criminal justice policy in the era of globalization.

Crack is King

After the height of the crack-cocaine epidemic in the late 1980s, urban gangs throughout the United States changed from small neighborhood based entities primarily involved in social and petty delinquent activities to coordinated citywide cartels specializing in organized crime—a process neatly described as the “corporate” turn in street gang behavior (Covington and Taylor 1991). Gang leaders used girlfriends and relatives to start legitimate businesses to facilitate their own money laundering. Those shady entrepreneurs who might be carrying around several hundreds of thousands of ill-begotten dollars won the support of car dealers, modest retail stores, landlords, and investment brokers who also offered to launder money for a fee. They had also become community institutions. The gang was not only selling narcotics, but they were contributing to political campaigns and investing in socially legitimate businesses. They had
become local philanthropists, giving money to service providers, churches, and other community-based organizations who had few other options available to fund their programming. In many ways, they were emulating the political bosses of the early and mid-twentieth century who built their capital on both city patronage and illegal economies.

In the mid-1990s, the federal government utilized powers in the “Racketeer Influenced and Corrupt Organizations Act” to dismantle Chicago’s organized criminal network that had been developed by the city’s black and Latino gangs. Several hundred gang members and their sympathizers ended up in jail for their role in drug sales, commercial extortion, tax evasion, and other crimes tied to the gang’s criminal enterprises. As a consequence, the gang could not rest their economic hopes on a coordinated infrastructure for trafficking crack cocaine. The gang’s drug dealing operation was in tatters. Younger members did not know where the next supply of cocaine, heroin, or marijuana would come from, although there was still plenty of demand for illegal drugs both from local inner city residents as well as customers who drove into their neighborhoods from other parts of the city. There was little evidence to suggest that the number of gang members in Chicago was declining significantly as a result of the federal sweeps or that gangs were no longer deeply embedded in the community. For the thousands of marginalized young people with little meaningful jobs and educational prospects, the gang still provided a source of income—however dangerous the work might have been.

The publicity that surrounded the indictments brought aspects of youth gangs and policing practices to the public attention that were not well known. The demographics of the neighborhood gang no longer conformed to its traditional composition of teenagers and adolescents. The black gang appeared to be a bi-modal association comprised of both young people from 14-21 years of age and a ruling elite in their late twenties and early thirties. For the
younger “shorties,” the gang was primarily a social center, a source of identity one obtained through hand signals, wearing of specific clothing and footwear, fighting at school events with rival gangs, etc. Some made illegal money, but most did not and they would usually have to wait until their late teens or early twenties for any significant opportunities to do so. For the older set, the gang was an important source of personal income: even if only providing a few hundred dollars a month, the revenue could prove significant for those minority men who had no training and for whom menial service sector work was the primary option. As Bourgois (2002) demonstrates in his own study of Puerto Rican drug traffickers in New York’s underground economy, a young man’s armor may be pierced more easily by the shame of downtown office work than the perceived independence of street trafficking; hence, the choice to entertain dangerous and illegal street work is not always about money but meaning and self-determinism.

By the late 1980s, the trajectory of gang members differed from the early and mid-twentieth century when individuals “aged out” of the gang as blue-collar jobs became available. Members in the post-1980s street gangs were symbols of the “truly disadvantaged,” the social strata publicized in the writings of the sociologist William Julius Wilson (1987). This group was the so-called “underclass” for whom de-industrialization led to job loss, institutional evisceration of their communities, depletion of public resources, and a rise in crime, drug addiction, and other social ills. Whereas in an earlier period, the young men in Chicago’s ghetto communities might have left the gang once family responsibilities and personal desires shifted and blue collar work presented itself, this transition to adulthood was marred by deep seated socio-economic shifts that no longer provided such exit avenues. There was no factory work awaiting them in the 1980s—as had been the case for their fathers and uncles. In the life histories of youth in this period who contemplated or participated in gang activity, one is immediately drawn to the
absence of legitimate employment opportunities that might offset the attractions of gang-related behavior and street crime.

In this way, the “local” production of gang activity and street crime can be grounded in the far-reaching global changes to American industry in the post-Fordist period. At its core, urban labor markets were transformed from manufacturing and industrial production to a service-based economy. Over several decades, the departure of large employers (e.g., auto makers, textile and food producers) from central cities to foreign shores and American suburbs took away hundreds of thousands of well-paying unionized jobs. Urban African-Americans, like those in Chicago’s Southside ghettos, were disproportionately affected. For them, this industrial sector had been their primary employment sphere since their arrival into northern cities from rural communities in the US south. Left in the wake of this outmigration was a burgeoning service-sector that was filled largely with menial employment opportunities that paid poorly and that offered few opportunities for meaningful social advancement and personal mobility. As Bourgois (2002) and others have cogently described, many inner city youth preferred the dangerous, though potentially economically lucrative life of underground markets to the low remuneration in fast food restaurants, hospitals, cleaning service firms, etc. Gangland became a wishful space for young people to lodge their aspirations for conspicuous consumption.

The gang during this time period was also shaped by a series of realignments to US criminal justice policy and institutionalized practices of law enforcement which, akin to the structural labor market transformations described above, are also at the core of global restructuring. Beginning in the early 1970s, policing strategies in inner-city America eschewed liberal programs that sought to provide services and assistance in the hopes of reintegrating young people into labor markets and educational institutions. Instead, punitive strategies received
widespread public support: these included mandatory criminal sentences, mass arrests of youth for petty crimes (e.g., loitering, graffiti), heightened penalties for types of drug trafficking that disproportionately involved ghetto youth, and the treatment of juvenile offenders as adults. Not only did this “punitive turn” have a noticeable effect on the ghetto since the disproportionate share of incarcerated men and women came from inner-city neighborhoods, but this punitive approach was facilitated by increasing levels of residential segregation which allowed law enforcement to target such harsh policing practices to specific communities. Youth moved from ghetto streets to prison cells, and back again in a vicious cycle of warehousing that, in his criticism of American-style neo liberal governance, Loic Wacquant (2000) has called the “deadly symbiosis” of the ghetto and prison.

The growing acceptance of punitive programs can be seen in the changing relationships of street gang members to mainstream civic and public sector institutions. From the New Deal era to the 1960s, the objective of government human service agencies and, (nongovernmental) advocacy and community-based organizations, has been to persuade gang members to leave their street-based organization, receive rehabilitative care and education, and enter the labor force. This “social work” approach was rooted in the collaboration of social workers, community-based employment and training agencies, and parole/probation officers that helped youth to leave the gang members and, achieve stability in their employment and household (Spergel 1996). These social service supports almost disappeared after the 1970s as industrial-sector jobs withered and the public and their elected representatives grew intolerant of supporting anything that was not “tough on crime.”

The gang member’s public profile quickly became that of a dangerous criminal—i.e., the young person involved in the gang was quickly seen as one who should be jailed not
rehabilitated. And, the retrenchment of one arm of the welfare state—e.g., social work, education, counseling, job placement—occurred simultaneous with the growth of the state’s law enforcement branch. Chicago created the nation’s first specialized police unit for street gangs, which became the national model by the mid-1970s. Chicago continued as a trendsetter by merging its narcotics and gang divisions in 1978 (Padilla), thereby cementing in public consciousness that the street gang was an organized criminal network above all else. This move would be replicated in other US cities although most evidence suggested that urban gangs were still primarily comprised of young people engaged in social activities and petty delinquency. Policy makers and law enforcement officials ignored research showing only a small percentage of gang members to be participating in narcotics trafficking.⁶

Above, we have tried to offer a brief synopsis of the ways in which the street gang shifted during the 1980s in accordance with fundamental transformations to the American economy and US state practice with respect to crime control. In his essay in this volume, John Muncie (2006) analyzes these developments in a comparative context, by looking at the ways in which policing of urban youth shifted in the United Kingdom and the United States. While the character of these changes are different in each country, region and city, Muncie (2005) demonstrates that the happenings in distant places such as inner city Chicago and Manchester, may be linked by institutionalized criminal justice approaches as well as the shifting involvement of the state and local residents in the policing of local communities. While not all of these developments are a result of actual coordination across nation-states, Muncie shows that the direct contact between people and organizations in the criminal justice system has, in certain cases, manifested in the spread notions like “zero policing” and gang-specific legislation around the globe. It is to this global character of crime control that we now turn. Muncie captures these shifts in his notion that
the approach to policing and enforcement for young people has shifted from “penal welfarism” to “neo-liberal governance.”

The connections in place across the Atlantic can be drawn on an even broader scale. Doing so requires expanding our focus to consider the broader challenge of maintaining law and order in the globalizing metropolis. On the one hand, from the vantage point of distressed and economically impoverished urban neighborhoods, we have noted the relationship between global economic shifts in the labor market and and increased reliance on the criminal justice system to handle unemployed, marginal and alienated young people.

A parallel, global trend in criminal justice has been the transfer of responsibility for social order maintenance from state to local citizen-based associations. For Muncie (2005), globalization includes not only the spread of punitive discourses and less tolerant modes of policing, but also notions of individual and community responsibility that similarly re-frame the relationship of the state to citizens in the arena of social order maintenance. He argues that, coupled with the heightened use of punitive policing measures is the belief in “responsibilisation.” The sociologist David Garland (1996) developed this term to refer to a process wherein “central government seek[s] to act upon crime not in a direct fashion through state agencies (police, courts, prisons, social work, etc.) but instead by acting indirectly, seeking to activate action on the part of non-state agencies and organizations.”

Consider, for example, the privatization of security functions, i.e., the transfer of responsibilities for policing and social control from state to non-state actors. In industrialized and developing nations, it is common to hear of the creation of private security forces and the use of physical barriers such as gated communities and cul-de-sacs that separate off wealthier communities or limit their access by external actors. The factors promoting privatization in this
realm are several, and include fiscal crises of states (Spitzer and Scull 1977), increases in
privately secured neighborhoods (Shearing and Stenning 1983), and unmet demand by public
agencies for policing among the citizenry (O’Malley and Palmer 1996, Reiner 1992). This move
towards privatization has been magnified by the rise in a global consumer culture, resulting in
the shift of perception of security as being a public good provided by the state to being a
commodity to be consumed (Loader 1999). The removal of state monopoly in security provision
has resulted in, among other things, heightened urban segregation and created an explosion in the
market for private security personnel and materials. Policing and security are no longer
necessarily or automatically considered matters of the state, but are instead commodities to be
produced and consumed via the private market. As Wacquant (2001) writes, while neo-liberal
policies have been largely punitive toward the lower classes, they have been decidedly “liberal”
toward the better off.

An increasingly popular law enforcement strategy around the globe, in which the
responsibility of policing shifts from the public to the private sector, has been the promotion of
programs and policies wherein residents work collectively with police agencies to improve safety
in their communities. Police officials build interactive relationships with local stakeholders—
e.g., block club presidents, shopkeepers—in order to prevent crime and respond to criminality. In
the United States, the reigning institutional exemplification of this ethos (developed and refined
in Chicago) is “community policing.” In this initiative, designated police officers work with local
stakeholders to identify problems and prioritize the allocation of law enforcement resources. If,
for example, one neighborhood wants to target public drug sales while another wishes to
highlight domestic abuse, the respective local community policing meetings would ideally
provide a means for these differences in local priorities to emerge and shape local policing in that
area. In return, the police are able to transfer some measure of accountability for crime prevention from their own shoulders directly onto citizens. Internationally, there are variations on this theme, such as the French system in which social service agencies play as important a role as police in mediating police-resident relations and dealing with the consequences of crime (Wacquant 2001).

One of the central challenges for cities adopting community policing—or other such initiatives that involve collaborations with officers and residents—is to motivate residents to participate and accept their own responsibility for crime prevention. In effect, it signals the increasingly limited role that police are playing in social order maintenance and the need for law enforcement to be supplemented by civic actors who work apart from the police to identify and respond to criminal behavior. Where relations between police and citizens are built on trust and responsible enforcement practices, this may not be such a challenge. However, in African-American neighborhoods in Chicago, community policing often has had limited success because of the historic distrust of police and the decades of police neglect, brutality, and ineffective protection that has been provided. Thus, asking residents of these areas to bear many of the responsibilities once deemed those of the police may not necessarily produce the intended result of greater collaboration with police, but rather it could produce further social distance between the two parties if calls for collaboration are not made properly. In Latin America, one can also find a similar shift from centralized law enforcement provision to “participatory urban local government” (Douglass and Friedman 1998). Challenges akin to those in Chicago, with respect to implementing community policing strategies occur in this context as well, largely because this initiative requires decentralizing authority and shifting power and decision making to local agencies. In Latin American countries, achieving community policing-style governance is
difficult because the police are often organized in a vertical-hierarchical manner with rigid top-down control, the ties of civilian police and the military may be deep and difficult to change, and officers may not be adequately educated to work with community stakeholders and citizenry (Neild 1998). In addition, much like the United States, trust in the police is compromised because of the history of law enforcement corruption (McIlwaine and Moser 2001). Thus, what we find is not only a global consumption of similar law enforcement strategies, largely rooted in global economic and cultural shifts, but internationally, similar challenges in the implementation of such strategies.

**Indigenous v. State-sanctioned spheres of Justice**

Notwithstanding the difficulties of implementing community policing in the US, it is important to note that police *are* present in inner-city African-American neighborhoods and that local residents *will* participate in police-sponsored crime prevention programs. The point is, however, that the police may not be viewed by local actors as the sole guarantor of social order, nor as solely an agent whose actions promote order. Police may appear as part of the problem, as a de-stabilizing force, as an agency failing to respect black Americans. This perspective is only exacerbated by the consequences of the global neo-liberal retrenchment of the welfare state, which has largely resulted in the implementation of harsh penal policies that are targeted at marginalized sectors of society, furthering the sentiments of distrust and antagonism with which black Americans may feel towards the police. In such contexts, one may find that residents have developed alternate methods of coping with crime and instability that may not involve the police at all—or, the police may be involved marginally.
In fact, we argue that, in such African-American neighborhoods where there is a crisis of legitimacy of criminal justice institutions, one can identify two distinct structures of enforcement and redress. One is the conventional, state-sanctioned apparatus of police, court officers, formal rules and procedures as codified in State law. Another, “indigenous” institutional complex is far less visible and includes alternative styles of dispute resolution and conflict mediation, alternative norms regarding proper and improper conduct, alternative accepted forms of punishment, etc. In the example above, this indigenous complex is discernible via the role of the street gang as a third-party enforcer and the block club’s willingness not to employ police (only) to address safety issues. Neighbors’ understanding that the solicitation of police involvement is a decision to be made collectively, not a reflex response to transgression, itself suggests that there may be an alternate *modus operandi* for achieving justice and ensuring local safety. This indigenous sphere of enforcement is ultimately evident, however, in the deliberation among local actors regarding what constitutes a suitable solution to problems in the underground economy—the subject of the next section.

The distinction between state versus indigenous modes of law enforcement is less about the types of actors involved than about the strategies for pursuing justice and maintaining order. It is well known that police respond to crime both formally and informally and, that residents often take matters into their own hands instead of utilizing law enforcement resources. The rich histories of organized criminal behavior also suggest that localized extra-State juridical processes can involve public figures, like ward bosses and police district commanders, who may be equally involved in the State-sanctioned sphere. The distinctions between State-sanctioned and indigenous spheres of enforcement emerge instead through the thresholds that define improper and proper behavior and the manner by which incidents and conflicts are addressed (and

Ch. 5-22
resolved). Whereas in the former, there are a set of procedures and legislations that stipulate what is a crime, jurisdictions and appeals processes etc., at the community level, both the definition of a transgression and the responses to it may be contested and negotiated among multiple actors.

We would argue that it is impossible to provide a codified assessment of the “indigenous” enforcement sphere, i.e., a definite survey of the constituent codes of conduct, guidelines for penalty and punishment, notions of jurisdiction, etc. Instead, there are situations that arise and stakeholders who become involved as a response to one or another transgression. There has to be deliberative discussion among involved parties over how conflicts will be resolved. It is this process of deliberation, one in which parties are debating how best to draw on the resources of the mainstream law enforcement community, that shows that there is more than one way to adjudicate a conflict.

In the example above, when James the mechanic broke into Larry’s house, it was on one level a burglary that concerned other residents who lived on the block; on the other hand, residents also understood that it was a defensive measure taken as a reaction to another violation—namely, Larry’s refusal to pay for the auto repair work that James had completed. As shown below, part of the adjudication process involves specifying what occurred and its meaning in the context of normative and ethical specifications that guide local actors’ behavior. Only once this has been achieved is it possible to think about mediation, punishment, and redress.

While distinct, the two institutional juridical complexes are inter-related. While the police may not be the primary arbiter, they may nevertheless be present in the deliberations and negotiations that take place. It is important to note that, unlike the state-sanctioned system wherein police have the right to become involved, in “indigenous” procedures, local stakeholders
may make that decision themselves. This is not unique to the United States. In response to the pervasive police mistrust, corruption, and violence in Columbia and Guatemala, gangs have recently begun to take over traditional police functions, such as community mediation and criminal punishment, and become the primary providers of community support. Untrusting of and lacking confidence in state law enforcement, gangs, such as “Los Muchachos” have been transformed into community mediators and protectors (McIlwaine and Moser 2001). Similarly, social organizations, such as social cleansing and lynching groups, have formed in order to ensure community social order through the meting out of criminal punishments in the absence of official police action. These social cleansing groups take it upon themselves to kill the community undesirables, specifically targeting street children, thieves, drug addicts, and prostitutes (McIlwaine and Moser 2001). In the absence of state provided law enforcement, informal social control is not always dominated by these deviant, extralegal groups, however. In many countries, religious groups and communities may take on state responsibilities where absent. For example, in northern Nigeria, as state responsibility has declined, the response has been a rise in religious fundamentalism among Muslims as a strategy of combating and punishing such vices as prostitution, alcoholism, and gambling. Efforts to curb social deviance have largely focused on the regulation of women. Most prevalent has been an increase in the support for early marriage as a response to the lack of employment and educational opportunities for women (Bunting and Merry 2004). For African-Americans, this use of community agency is critical because it is precisely this feeling of efficacy that is perceived to be lacking with respect to their involvement in the state-sanctioned arena.

Turning to our empirical example, Melissa, the block club leader, and client may request the assistance of the police at any point by filing a formal complaint against the mechanic who
burglarized the client’s home. However, perhaps counter-intuitively, enlisting officers in a formal way may not actually strengthen the community’s relationship with the police, nor would it guarantee a more effective use of law enforcement resources. In the recent past, the success of this particular block club group in obtaining law enforcement services has partly resulted from the block club’s systematic, albeit informal, work with police officers to address issues outside the judicial system. For example, the block club leader and police mediate domestic assaults literally at the front door; both work together by deploying “scared straight” approaches—e.g., visits to prisons—to frighten adolescents away from drug dealing; both have been known to work with the street gangs in order to locate stolen cars. Thus, part of the decision regarding the use of police involves the precise avenue—formal or informal—through which the request will be made. Each will afford different possibilities for enforcement, punishment, and re-constitution of a safe, living environment. Further, as noted above, any such choice to enlist the official agents of law enforcement will affect the ways in which “indigenous” procedures of redress might be invoked. If the block club president asks the police to apprehend the burglar, avenues to work with the street gang to recover stolen goods might be closed off.

In this manner, it is possible to view our example through the lens of two arenas of law enforcement. The mechanic has forcefully decided to enlist the street gang and its methods for achieving local justice—indeed, given that his income generation is illegal, the state-sanctioned path is effectively precluded and so he does not have recourse to courts and police as would a legitimate economic actor. The client and block club leader have not yet made their decision as to the use of “indigenous” versus state-sanctioned legal forums, but they are assessing the benefits of each for redress, public safety, and symbolic legitimation of the block club. And, there are certainly residents on the block displeased that any such decision-making calculus is
being employed: their view is that the police should be called and, the use of gangs and self-enforcement is capricious and dangerous.

The point here is not to suggest that for this community there are entirely separate “cultures” of policing or sharply discordant beliefs or perceptions of normative conduct—either among residents or between them and the state. In fact, on most standard social science surveys and media interviews, African-American inner-city residents respond that they want “better police services,” “less crime,” “no gangs and drugs,” and so on. Instead, the point is that there is a structure in place that defines the resources and strategies available to residents for responding to moral and legal transgressions. One critical dimension of this social structure is the parallel, somewhat overlapping, set of informal juridical mechanisms through which residents act efficaciously to reproduce social order. Integral to these mechanisms is the way in which residents can request police services and, in turn, the ways in which police choose to respond—formally or behind-the-scenes.xii

The historical relations between African-Americans and police departments are fairly specific to their social contexts. Cities may differ significantly from one another. However, even in this apparently idiosyncratic relationship, the view cannot be entirely local. For any neighborhood, the styles of local juridical practices will take on their specific marking relative to other neighborhoods in the city. The community’s receipt of police services is a result of its membership in a broader urban political process, aptly noted by Castells (1983) as “collective consumption,” in which “localized” coalitions vie for a share of various municipal resources and services.xiii

The local manifestation of policing, including the organization of policing (manpower allocations, beat vs. tactical enforcement), the relations of enforcement officials with local stakeholders (pastors, block clubs, service agencies), and the ability of residents to garner
emergency response are constituted through the citywide organization of enforcement services. Local resident-police relations will be mediated by the power of local officials to participate in municipal political contests over resource distribution.

City services are themselves always shifting in response to political winds, tax revenues, and the relative power of municipalities in the context of national politics. As David Ranney (2003) has argued, it is impossible to understand micro-level fluctuations of urban service provision—which may manifest in differential resources for local communities—outside of global patterns of investment that determine how successful city administrations are in debt issuances and external corporate investment. Changes in the attractiveness of municipal bonds and corporate investment in urban regions can affect the municipal administration’s capacity to provide such a basic service as policing.

In this way, it should not be surprising that global political and economic patterns, mediated through local power relationships, can produce local social behaviors such as the turn by actors in marginalized community toward creative ways of supplementing inadequate law enforcement and youth social control. In Chicago’s Grand Boulevard community, for decades, local actors have shown the willingness to utilize “indigenous” means of adjudication, conflict resolution, and enforcement that are outside of State auspice. These are a product both of the drive for collectively efficacious behavior in the sphere of social order maintenance and the neighborhood’s incapacity, relative to other areas of the city, to participate effectively in wider fields of political action that determine allocation of municipal services. Thus, even if only as an adaptation, the turn to indigenous procedures signals another way in which local social criminal justice patterns are best understood in broader social structures.
What happens when not everyone participates in “community policing” as a means to address local crime and deal with troubled youth, like those in street gangs? This is a central part of the story in Chicago’s urban African-American communities. As we shall see below, some will turn to other, indigenous ways of enacting “responsibilization.”

The Incident (Part II)

Melissa speaks of her position as a neighborhood leader nostalgically. Her politicking with the local gangs, police, and residents reminds her of the work of her uncle, a prominent “Ward Boss” who, in the 1950s and 1960s, played a similar role. In a conversation with me, she described the benefits that her uncle’s position brought to her all-black community, despite the fact that the city’s black leaders were far outmatched by white ethnics who controlled Chicago’s political economy.

“He knew everything that went on [in this neighborhood]. You gambling? He knew about it. You needed a job? He knew—and he’d find you work if you promised to vote for him. Everyone turned to him, even the police, even the Mayor.”

“What do you mean, ‘even the police turned to him?’” I asked.

“Well, you know, police never came around these parts back then—even less than they do now, so you know, black people really had it bad. But, let’s say your store got robbed or your husband beat the shit out of you. You called my Uncle and he got the cops involved. They may not come until he called.”

“Seems to me,” I interrupted, “that it’s not that different from what you do?!”

“Yes, I can get the cops to come, but you know, I can’t really find you a job or get you into a college or get the streets fixed. He could do that. So, yes, its like what he does, but
mostly I just try to watch over people who are causing trouble, and try to make things safe when police don’t come around all the time.”

Whether white or black, Chicago’s ward bosses were the intermediaries between neighborhood-based actors and the resources of the City administration. The allocation of government jobs, street repair services, building permits, timely sanitation collection, traffic tickets and jury service, could all be influenced by a prominent political voice. In some communities, there were elected political officials, such as aldermen and “committee men,” who played this role. But, especially in black areas, there could be clergy and prominent businesspersons, even “shady” leaders like “policy kings” and gamblers, who might have such influence.\textsuperscript{xiv} Into the postwar era, black areas of the city were still represented by white leaders who skillfully manipulated local black leaders to ensure their own capacity to win the local vote; influential African-Americans who could not easily win public office sought their power in commerce, civic, and religious organizations. The day that Melissa’s neighbor’s house was burglarized, it is unclear whether or not this history weighed on her mind. But, in the actions that followed, there were certainly some resonances between her work and the mid-twentieth century political bosses who came before her.

Melissa’s first decision as a block club leader was to act in such a way that she did not alienate the police. She recognized that an immediate, formal request of police to apprehend James, the car mechanic who broke into Larry’s house, may not necessarily address the many issues that must be rectified in order for families to feel safe in the neighborhood. For example, the local gang may seek retribution by punishing Larry as a means of revenging his attack on James. The gang may intimidate her neighbors in hopes that they would not cooperate with police. Or, the gang may shoot their guns outside Larry’s house, making families unsafe. But,
she knew that the police had to be involved because there were two incidents—an assault and burglary—that were now public knowledge; the police could not be seen as refusing to respond to crime. She would have preferred to call them informally and work with them behind-the-scenes, but that would not help the police to publicly demonstrate their utility.

This strategy will certainly ring strange to those for whom the police are the primary guarantor of social order. But, safety has a short- and long-term component for local residents in Grand Boulevard. In the short-term, for disputes in the underground economy or gang-related activities like shootings and drug trafficking, the police are unhelpful. They do not respond to every incident, their responses often fail to prevent future occurrences, and they manage to antagonize local residents and decrease resident faith in the police despite the existence of community policing and law enforcement outreach. So, in the short-term, Melissa has developed other means of responding to crime and social problems. She may ask the gang directly to stop their drug trafficking, she may call on a prostitute to move away from her block, or she may try to settle a dispute between trader and customer on her own. For long term stability, she believes that improved policing is the only means of helping the community, so she continuously lobbies alongside her neighbors for improved law enforcement. She protests and writes letters to the Mayor, but she understands that this is not a sufficient strategy without the other short-term solutions.

To figure out how to help Larry, Melissa called a friend, Minister Johnson, and asked for his advice. The local storefront pastor called on several other clergy to meet with Melissa, all of whom decided on a course of action. Melissa began by calling a local police officer, Marshall Jackson, who was a friend of the clergy. She described to him the entire incident and he said that the most important matter for the police was the burglary. The police would be less concerned
about the assault, Officer Jackson suggested, because this was rooted in the underground economy—over which police had no regulatory interest. Moreover, no one was hurt bad enough to warrant police involvement. He suggested that the police could respond officially to the burglary. However, if Melissa wanted to work with the gangs directly or find a solution to the underground economic exchange gone awry, the police could provide only limited assistance. Most important, the police did not want to be seen as working alongside gang members in an enforcement capacity. Officer Jackson went with Melissa and Minister Johnson to meet with two police officials who said that their primary concern of law enforcement was the house burglary, to which they would have to respond in an official manner.

Melissa and Minister Jackson then approached the street gang to ascertain its own interested position. The gang leader, William, said that his obligation was to ensure that James the mechanic was fairly treated. The gang received money from James to provide security, so they had to honor their agreement. This meant that they must find Larry, ensure that he pay James the money owed for the repair, and punish Larry to the degree necessary—e.g., a monetary fine, physical punishment, in-kind payment. The gang was not concerned with the house burglary.

The three mediators developed a solution. James should return the stolen goods (i.e., the TV and VCR) to Larry. Then Larry would pay James $50 for the car repair. There would be no additional punishment levied on either party because there were two grievances that offset one another: namely, Larry had beaten up James; James had broken into Larry’s house.

The process would begin when Larry filed a formal complaint at the police station. James would then return the stolen merchandise to the police station directly, not to Larry or Melissa or Minister Johnson. This would enable the police to confront the perpetrator (James) and save face by fulfilling their role as the primary agent maintaining social order locally. Once he retrieved
his property, Larry would agree to withdraw his complaint and the police would agree not to pursue the matter further. Then, the gang, Melissa, and Minister Johnson would accompany Larry to see James, whereupon the former would pay $50 to the latter for the completed auto repair work and issue an apology. James would then apologize for breaking into Larry’s house.

The conflict was resolved as the parties had hoped. After the incident, James continued working on cars in the alleyway and paid the gang’s monthly fee for “security.” Larry remains one of his steady customers. Melissa, Pastor Johnson, Officer Jackson and other stakeholders still address many incidents “off-the-books” and there remains a vibrant “indigenous” forum where residents can resolve local problems in an informal, non-bureaucratic manner. The final section concludes by discussing some of the implications of these kinds of daily conflicts (and the attendant patterns of resolution) for the broader questions concerning the role of legal institutions and the relationship between the State and the local in an era of globalization.

Discussion

These working relationships among different social actors in the case above indicate that law enforcement officials are present in community affairs in multiple ways. A critical public perception is that police in black communities act ostensibly as a force of control and containment. In other words, police neglect their duties as enforcement officials to protect person and property and instead work primarily to ensure that social problems do not spread from inner-city neighborhoods to other parts of the city. There are many problematic aspects of this view. This paper has suggested that citizens of poor black communities have developed a relationship to the police that is neither purely antagonistic nor one that is best viewed as victimized. For decades, US law enforcement officials have been neglectful in terms of their relative allocation
of resources to varying parts of the city and their greater use of paramilitary strategies in black areas; however, the residents in such neglected communities are not passive actors. In the case of Chicago’s Grand Boulevard community, there are alternate means by which police can become part of the overall neighborhood strategy to maintain social order, some of which are subject to resident discretion. At the local level, the varying ways in which residents and police interact hints at some of the complex arrangements that police and residents can create to respond to crime and maintain social order.

Almost any police officer will say that good policing involves building personal relationships with neighborhood actors—whether resident, shopkeepers, or block club presidents. This, however, should not take away from the fact that police practice is nevertheless racialized such that black urbanites experience a different relationship to this arm of the state. Even a seemingly race-neutral initiative such as “community policing” must be seen as operating in a history of contentious relationships among African-Americans and the law enforcement community. Implementing community policing in a white or Asian area in which the historical relations are different may not produce similar outcomes in terms of residents’ trust of police, collective efficacy with respect to local criminal behavior, and the effectiveness of police, court officers, social workers, etc., in helping households deal with crime and delinquency.

In the Grand Boulevard neighborhood, Melissa and her neighbors are aware of the local community policing meetings. They regularly attend in order to voice their concerns about safety problems in and around their streets. But, like many stakeholders, Melissa has developed alternate methods to supplement community policing and the wider resources that are formally available through the state. Resident-initiated self-enforcement strategies like the one described above are a response to state neglect, a strategy to procure minimal state services and,
simultaneously, a proactive declaration of local autonomy and efficacy. Law enforcement officials’ willingness to work casually or “off-the-books” with residents testifies, similarly, to their own perceptions of potentially effective policing in the community, their perceptions of residents’ attitudes towards the enforcement community, and their understandings of the limits of formal enforcement strategies.

We have termed such alternate strategies for social order maintenance “indigenous” in order to make them distinct from state-sanctioned juridical spheres. The codes of conduct, the methods for obtaining justice, and the actors who may act as judge and jury diverge in each arena—although there may be overlap between the two. The example above demonstrates that residents may approach any incident by appealing to customary “indigenous” procedures or by a direct appeal to the State. And, for any particular incident, there may be twin processes of adjudication that take place. The “burglary” on Melissa’s street was investigated in an official manner by the police and in an off-the-books manner by Melissa, Minister Johnson, and the street gang. It is important to note that the form of justice that individuals derive in each arena may be different. For example, the police were able to retrieve the property that James stole from Larry’s house. The burglary was a clear criminal act; the return of the stolen property was sufficient to forestall prosecution of James in the courts. But the “burglary” meant something different in terms of the underground economic exchange that had turned sour: in this context, the burglary was an act of retribution by James for the failure to receive a payment and, to some degree, it was a tolerable response by an aggrieved actor to try and recoup monies owed him for a missed payment.

The presence of multiple venues for resolving local problems and maintaining order does not mean that the two are equal in stature or utilization by local actors. Particularly for violent crime,
residents will turn immediately to the police for assistance and they are not likely to pursue perpetrators on their own. But, even for less violent transgressions, residents will first attempt to secure help from law enforcement officials before trying to work through informal, customary procedures. Conflicts in the underground economy, on the other hand, tend to be adjudicated via “indigenous” means primarily because the constituent activities are illegal and so the use of police is very limited. And, public safety problems, such as gangs congregating and dealing drugs, prostitutes soliciting johns, homeless persons intimidating residents are similarly ripe for “indigenous” enforcement because police tend not to respond in a timely manner and residents typically know the gang member, homeless person, etc., who may be endangering safety.

Although a champion of indigenous means of redress, Melissa is quick to note that, in the long run, this is not a viable option for urban poor and minority communities. “If we keep doing this ourselves, then we’ll never get the police to take us seriously. This is just something we have to do—we don’t want to be calling up gang members but, we’ll do it until we can get police to respond.” Her fear, and that of her neighbors, is that residents will grow increasingly alienated from the State if they continue to work outside the government, whether to pick up trash in their parks or police gang activity. They do not perceive their participation in indigenous forms of maintaining social order to be in competition with the State over social control of their community, but rather as a necessary outgrowth of their social, political, and economic marginalization.

Thus, the development of these local, “indigenous” forms of establishing community social control are shaped by global forces in two primary ways: by global political, economic shifts that have transformed inner-city labor markets and traditional State functions as well as by the spread of ideas and ideologies about the role of the welfare State and the spread of consumption

Ch. 5-35
throughout the world. With respect to the first aspect of global influence on local action, many of those in the Grand Boulevard neighborhood, faced with limited opportunities for legitimate work, have turned to informal means of income generation. The majority of people who make money off-the-books on Melissa’s street do so not by selling drugs or stealing cars, but by petty income generating activities like selling homemade food or performing psychic services or tax preparation and not reporting income. Their legitimate employment prospects have gradually declined over the past four decades as well paying, manufacturing jobs have moved out of the city and into the suburbs or abroad, transforming urban labor markets into low-wage, service sector based work. They live in a “global city” that as Sassen (1991) points out is characterized by a bifurcated labor market and deep seated inequities in wage earning. As such global inequities have risen in areas like Greater Grand Boulevard and other inner-city areas throughout the world, social, economic, residential, and political segregation has increased as well. The political consequence of this globalized stratification has been similar in countries around the globe – primarily manifested in the retrenchment of the welfare state.\textsuperscript{xv}

This global political-economic shift has been accompanied by a second feature of globalization, mainly, the proliferation of global consumption and the spread of ideas about the role of the State throughout the world. As the welfare state has withdrawn from many of its more liberal responsibilities, the onus of safety and policing has become privatized. For the upper classes, this has resulted in a retreat to gated communities or the purchase of private security systems. Self-protection has become an object to be consumed, fueled by the global labor market. For the more marginalized, this has resulted in the implementation of particularly harsh penal policies targeted towards the socio-economically disadvantaged, an increase in the responsibility of local leaders and institutions, such as churches and community based
organization, for ensuring community safety, and a complementary rise in the development of
“indigenous” forms of social control. In this way, the local “indigenous” practices engaged in by
Melissa, the gang, and Minister Johnson can be understood as a reaction to and a manifestation
of greater, global shifts that have transformed both the formal and informal structures under
which communities balance local demands and relations with those of a broader, global order.
Notes to Chapter 5


iii Debates on the nature of social changes in this period of capitalism’s realignment have been addressed by numerous authors. See Davis, op. cit. and Mandel, Ernest. 1978. Late Capitalism. New York: Knopf Publishing Group for two contrasting views.

iv The Principal of Englewood High School awarded plaques and awards to one jailed gang leader and his associate for their help in forming a truce between warring gangs inside the school. (Brown, Lane Harvey. 30. October, 1993. “Community Angered by Gang Rally.” Chicago Sun Times.). In October 1993, there were ten gang members on the ballot for local school council elections. (22 October 1993. “Gangs Should Heed Their Stated Goals.” Chicago
This movement attracted prominent Chicago leaders, including Reverend Jesse Jackson and former Chicago Mayor Eugene Sawyer (“A Push for Gang Peace: Jim Brown Convenes 50 Leaders in Bid to Settle Differences.” 31. August, 1992, *Chicago Sun-Times*).


Chicago would then develop a series of city ordinances to restrict the gang’s capacity to occupy public space, use signaling devices like clothing and hand signals in schools, and sell drugs near parks, schools, and churches. Accompanying these changes were heightened
sentences for illicit substances disproportionately traded by urban minorities, the transfer of juvenile perpetrators into the adult criminal system, and lengthier sentences that lacked intensive parole/probation periods where rehabilitation and counseling might occur.


x “Indigenous” and “state-sanctioned” juridical forums must be differentiated from the case of “popular justice,” another related but distinct, legal institutional complex that can manifest in urban poor communities. Sally Merry, in an excellent comparative review of “popular justice” cultural traditions suggests that this third complex is culturally similar to indigenous law and opposite to the state, while its “procedures and sources of authority are similar to that of state law.” In practice, these three constitute a “single social field”; however, Merry continues to argue that popular justice is much closer to state law empirically, because it basically replicates the functions and language of the state—tending, even, to “replicate the model of a court.” See pp. 35-37, Sally Merry. 1993. “Sorting out Popular Justice,” in *The Possibility of Popular Ch. 5-40*

By way of counterexample, there are white ethnic communities in Chicago in which police work actively to ensure that residents do not accumulate a criminal record for specific offenses: drunk driving may be forgiven, domestic abuse may be settled informally, judges may never see the face of teen shoplifting and thievery. But, such informal arrangements are produced not out of racial hostility, histories of inadequate policing, etcetera; moreover, in white ethnic contexts, these practices may actually lead to better formal policing, since it cements ties between police and tenants, which is rarely the outcome in minority areas. In sum, then, these white ethnic areas must be differentiated from areas of minority settlement where the outcomes may be similar. There are unfortunately few systematic comparative studies of community-based differences in policing and enforcement. Two noteworthy studies are: Sullivan, Mercer. 1990. *Getting Paid: Youth Crime and Work in the Inner City*. Ithaca: Cornell University Press and Cicourel, Aaron. 1968. *The Social Organization of Juvenile Justice*. New York: Wiley.

For example, as John Muncie (2005) points out, the development of community policing and other initiatives has occurred as part of a broader restructuring of the social welfare and law enforcement arms of the Western State.
References


Ch. 5-43


