

BOOK REVIEWS

Malign Neglect: Race, crime and punishment in America, Michael Tonry, Oxford £35 h/b. ISBN 0 19 5077202.

The issue of the relation between race, crime and punishment is one which remains poorly researched in this country. This is primarily because academic researchers have for some time feared that commenting on this issue could easily result in them being labelled as racist. Strangely enough in America commentators have felt freer to refer to the apparently high levels of involvement of ethnic minorities in certain forms of criminal activity. Young black men, in particular, have been consistently identified as being heavily involved in crimes by both liberal and conservative criminologists.

Michael Tonry's 'Malign Neglect' continues this tradition and argues that it is racial differences in patterns of offending rather than racist bias by the police and other criminal justice agencies which provides the principal reason why a greater proportion of blacks than whites are arrested, prosecuted, convicted and imprisoned.

Tonry, however, is quick to point out that although serious consideration has to be given to the patterns of offending of blacks in America, this ethnic group also experience the sharpest disparities in the criminal justice system. He charts the ways in which the policies developed during the Bush and Reagan administrations intensified and worsened the existing racial disparities in the criminal justice system.

Tonry emphasises that a quarter of young black males are currently in prison, and that the chances of a black male experiencing prison is six or seven times that of his white counterpart. This process of removing a significant percentage of young black males from the community, Tonry argues, has a major disorganising effect upon these communities, and prevents young men from settling into long term personal relationships, getting and keeping jobs and generally leading conventional lives.

The growing involvement of young black males in the American criminal justice system, Tonry argues, is the result of fairly deliberate policies which have been developed over the past decade. In particular, the so called 'War on Drugs'

which was directed mainly against young inner city minority males. The growth of what is increasingly referred to as 'underclass' of poor predominantly black Americans, is seen by Tonry to underpin the development of disorganised and marginalised groups for whom crime is one of the few available options for personal and social survival.

The solutions which Tonry offers include a mixture of improved welfare provision on one hand and changes in sentencing and penal policies on the other. He argues for shorter and less discriminatory sentencing policies, particularly for drug related offences, and the limited use of imprisonment. These suggestions sound eminently sensible but familiar. The remedies which Tonry offers are not as convincing as the diagnosis which he provides.

Although Tonry's analysis and proposals for reform are tied to the American criminal justice system there are obvious and direct implications for addressing the issues of race, crime and punishment in the British context. Tonry calls for an 'honest' appraisal of the current situation based on the recognition that marginalised and impoverished young black males are more likely to turn to certain forms of criminal activity to get by. If this book helps to encourage a more honest response to these issues in this country it could make a substantial contribution to the debate in Britain.

Roger Matthews

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Above the Law, Police and the Excessive Use of Force, J H Skolnick and J J Fyfe, Free Press, (1994)

It is over a decade ago since Steve Box suggested that we should not only understand why officers break the law, but also understand why they are allowed to break the law. This timely, wonderfully researched and well written book by Skolnick and Fyfe may well provide many of the answers, as well as raising numerous issues for the reform and control of police deviance as we approach the new millennium.

Above the Law is divided into three broad sections - each successfully addressing the broad themes set. After a brief discussion of the beating of Rodney

King, section one locates the varied occasions for police deviance within a discussion of public order policing, police interrogation procedures and the perceived inadequacies of the law in controlling police property or problem populations.

In explaining such behaviour, Skolnick and Fyfe in section two suggest the importance of the values and perspectives learnt through experience, training and interaction on the job - cop culture. Whilst not particularly new, not only does the section provide an excellent overview and discussion of the working police personality, but also raises for specific discussion the insularity of certain police departments and administrators, and the operation of particular officers as 'ghetto gunslingers' cops operating as soldiers engaged in wars against crime and drugs.

In addition to its explanations of why officers engage in police brutality, discussion in the final section addresses the ways policing can be made more *accountable*, locating discussion within dimensions of formal and informal methods of control, and within the notions of openness, rewards and good policing.

In *Above the Law* Skolnick and Fyfe provide an earnest and detailed account of policing and police deviance which will no doubt find itself a set text on any undergraduate sociological course on policing. That said, it should be read by anyone interested in the problems facing contemporary law enforcement agents as we approach the twenty first century.

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