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Adolescent Violence, State Processes, and the Local Context of Moral Panic

Mercer L. Sullivan and *Barbara Miller*

Violence, its representations, and its social control are central to the image, hegemony, and legitimacy of the state. Weberian social theory in particular has defined the state in terms of the legitimate monopoly of the means of violence (Giddens 1987; Weber 1978). When this monopoly is challenged, the threat strikes directly at the legitimacy of the state. For this reason, issues of violence and its representation and control provide a direct window into the character and contradictions of a state at a given point in history.

Adolescent violence and societal reactions to it are fundamental problems in the contemporary United States, central to the redefinition of the role of the state at the close of the century. These problems appear paradoxical from cross-cultural and historical perspectives because heightened levels of personal violence are more commonly associated with weak states or areas that are weakly incorporated into state structures (McCoy, this volume, Chapter 5; Wolfgang and Ferracuti 1967). Whether one looks at areas where once-strong state control has diminished (Blok 1974), mountainous or maritime areas where bandits and pirates flourish (Gallant, this volume, Chapter 2; Hobsbawm 1965, 1969), or emergent states (Nugent, this volume, Chapter 3), the absence of strong central state control is often associated with high levels of violence, and strong state control is usually seen as synonymous with the monopolization of the means of violence.

Yet the United States, the strongest state in the contemporary world, has much higher levels of personal violence than other industrialized nations (Zimring and Hawkins, 1997). While this disparity between the United States and other stable, prosperous states has long been evident, trends in violence within the United States have undergone some remarkable fluctuations in recent years. The most notable trend was a sharp spike in adolescent homicide from the middle 1980s through to the

early 1990s. We focus in this chapter on relationships between these recent trends in violence, societal reactions to these trends, and consequences for changes in the image and functions of the state.

We argue that recent societal reactions to youth violence can be characterized as a moral panic. As with all moral panics, reactions are disproportionate to the phenomena. This disproportionality, in turn, arises from and may contribute to a wider field of social change (Goode and Ben-Yehuda 1994). In this case, we argue that the current moral panic over youth violence both arises from and has been contributing to a restructuring of the role of the state. This restructuring takes the form of reductions in public investment in social welfare and education and a concomitant transfer of resources to a more repressive apparatus of social control through policing and incarceration.

From this standpoint, high levels of violence in a fully formed state are not necessarily anomalous. State formation is an ongoing process in which the roles of violence and responses to violence remain crucial at the levels of both ideology and practice.

Adolescent Violence and Public Policies at Present

From 1985 to 1992, arrests of adolescents for homicide in the United States more than doubled (Blumstein 1995). This sharp increase in adolescent homicide is all the more disturbing because during this same period arrests of people aged twenty-five and older actually declined substantially (Fox 1996). Societal reaction to this trend has constituted a full-scale moral panic. Responses have included efforts to make juvenile justice systems more punitive, increases in school security, and a host of efforts to prevent youth violence through such means as specialized curricula, conflict mediation programs, and media campaigns (Bernard 1992; Devine 1996; Prothrow-Stith 1991; Zimring 1996). Only recently have data become available showing that juvenile homicide rates seem to have peaked in 1994 (Sickmund, Snyder, and Poe-Yamagata 1997).

As with all moral panics, however, there exists a sharp disjunction between public definitions of the problem and the underlying behaviors giving rise to the panic. A number of researchers have pointed to some of the main dimensions of this disjunction. Contrary to public perceptions that much larger proportions of adolescents are engaged in violent confrontations, what has changed is not so much the proportions of young people engaging in serious violence as the extent to which such confrontations lead to serious injury or death. Lethality, not incidence or

prevalence, is the principal vector of change in adolescent violence. Here the evidence points squarely to increases in the possession and use of firearms as the primary causes of the increase in adolescent homicide (Zimring 1996).

In current public policy discourse about adolescent violence in the United States, the policy alternatives have been defined as 'getting tough with juveniles' versus gun control, with the former option appearing to prevail. Juvenile offenders are now increasingly tried in adult courts, with a huge increase since the late 1980s. Although the changes in law that are responsible for this judicial trend were prompted by public fear of violent juveniles, the majority of these removals of juveniles to adult courts are for non-violent offenses (Snyder and Sickmund 1995). Political entrepreneurs appealing to fears of youth violence have passed laws that increasingly punish many adolescents for the violent deeds of a few.

This chapter uses ethnographic material from a study of violence among early adolescents to probe more deeply into the nature of the current moral panic. We argue the following points here:

1. The national moral panic is compounded of many local-level reactions to adolescent violence.
2. At both the national and local levels, moral panics over adolescent violence are connected to a societal withdrawal of public resources from children. Moral panics serve to demonize all adolescents as resources are being withdrawn from them.
3. These processes of demonization and withdrawal of resources are deeply embedded in racial imagery and politics and disproportionately target poor children of color.
4. Moral panic and demonization exacerbate the actual problems, undermining public safety, sense of community, and positive youth development across society.

In developing these arguments, we first review briefly literature on the history and rationale of juvenile justice and on moral panics. Then we present and discuss data on both the moral panic in one community school district in New York City and the actual patterns of adolescent daily life in that community. Throughout the discussion, our emphasis is on the relationship between the state and citizens who are neither children nor adults. This relationship includes both the legal rights and responsibilities of adolescents and the obligations of the state, through its institutions and laws, to provide both social control and education and nurture to adolescents.

Juvenile Justice in American History

The tendency for adults in a society to believe that standards of behavior among young people are deteriorating has been noted as far back as the ancient Greeks. In *The Cycle of Juvenile Justice* (1992), Bernard argues that the current trend towards getting tougher with juveniles is part of recurring cycle in American history over the past two centuries. In his analysis, the belief that the young are dangerous and out of control has been fairly constant throughout that period. Societal responses, however, have cycled back and forth between attempts to provide special treatments for young people and attempts to remove these treatments and impose harsher punishments.

In one phase of this cycle, the state affirms its responsibility for the development of children. In English and American law, this principle has been known as *parens patriae*, meaning literally that the state is 'parent of the country' and thus responsible for all children. This doctrine was first developed in England to deal with orphaned children of the propertied classes, for whom the state assumed responsibility for managing their education and property until they became adults. In Philadelphia in 1838, this principle was applied for the first time to a child whose parents were living but judged unable to give her proper nurture and education, thus putting the child at risk of becoming a pauper and a drain upon the state. On this basis, the child was removed from parental custody and placed in a state-run institution.

The doctrine of *parens patriae* subsequently became the major rationale for the creation of special courts and institutions for dealing with juveniles who break the law. As the parent of the country, the state expressed an obligation to provide both nurture and discipline for children. On this basis, juvenile courts and institutions were charged with providing education and treatment for young offenders in addition to exercising the same functions of social control as adult courts. This exercise of parental authority over juveniles was coupled with a failure to extend them the same rights to due process under the law enjoyed by adults.

In the opposing phase of this historical cycle, policies of *parens patriae* come under attack, for two different kinds of reasons. Some object to the lack of due process under the law in juvenile courts. Others accuse these laws and institutions of being too lenient and allowing youths to flout laws with impunity. In this phase, which characterizes the current period, special protections for youths are stripped away and they are punished more harshly. As punishments become harsher, however, judges and other justice system officials become more reluctant to commit less serious

offenders to these harsh treatments. As a result, the options for dealing with a troubled youth become narrower – overly harsh punishment or none at all – and the perceived need for special courts and institutions for young people begins to grow again, pushing the cycle back in the opposite direction.

The laws of New York State, the setting for the ethnographic material to be examined here, include examples of both these opposing moments in public policy in the form of two laws with similar names but contrary intentions. Unlike most states, in which the age of majority is eighteen, citizens of New York State become adults at the age of sixteen. Two separate laws, however, modify the consequences of the age of majority. A youth between the ages of sixteen and eighteen can be sentenced as a Youthful Offender and receive a less harsh sentence than someone nineteen or older. The Youthful Offender law dates from an earlier period during which youths were considered as deserving of special treatment. In a later period, however, the state passed the Juvenile Offender law, allowing youths as young as thirteen to be tried and sentenced as adults for certain heinous crimes. The Juvenile Offender law was passed in 1978 in the wake of an intense moral panic occasioned by the random murders committed by fifteen-year-old Willie Bosket (Butterfield 1995). New York's juvenile offender law was the first in a series of such laws that swept through the states. Since that period, virtually every state has simplified and expanded provisions for treating juveniles as adults.

While Bernard argues that this cycle is two centuries old and shows no signs of abating, the current cycle does contain a notably new element, namely the emphasis on youths as potential agents of lethal violence. In the past, the youthful offenses perceived and feared by adults were overwhelmingly either 'status offenses' (acts illegal for children but not adults, such as running away, sexual activity, drinking, and driving) or property offenses. As Zimring has noted, 'for the first time in modern history, middle adolescent offenders are being identified as a high-risk and high-usage group for firearms' (1996). Moral panics often require new labels to stimulate public fear. The term 'super-predator' has recently been advanced to characterize a new breed of juvenile offender (Dilulio 1996), and has played a conspicuous role in the recent policy debates at Federal and state levels.

Moral panics over juvenile delinquency, then, are not new. What is new is the focus on youths as potential agents of lethal violence. The public perception that 'youths have become more violent', though supported by the evidence of trends in youth homicide, is often mistakenly interpreted to imply that vastly more youths have become violent. In fact,

in a nation with several million teenagers, homicides in any given year involve only a tiny proportion of these youths, less than four thousand (Snyder and Sickmund 1995). Yet laws and institutions are being radically restructured as a result of national moral panic over this tiny proportion.

Moral Panics: Societal and Local

First used for an extended analysis of media reaction to youth conflicts in England during the 1960s (Cohen 1972), the concept of moral panic has since been applied to a wide range of phenomena, including reported patterns of drug use, sexual behavior, violence, and invasion by space aliens (Goode and Ben-Yehuda 1994). The concepts elaborated in the moral panic literature provide a useful framework for examining the relationship between recent trends in youth violence in the United States and processes of state restructuring. Two concepts in particular are useful in examining the recent moral panic over youth violence, that of disproportionality between phenomenon and reaction and that of the variety of social actors involved in the social construction of a moral panic.

As elaborated by Goode and Ben-Yehuda (1994), the notion of disproportionality directs attention to the fact that designating a phenomenon as a moral panic does not mean that there is no actual phenomenon being reacted to, but merely that the reaction is out of proportion and thus demands explanation within a wider frame of reference than that defined by the phenomenon itself. This line of reasoning grows directly out of previous sociological theory, particularly labelling theory (Becker 1963) and the wider field of deviance studies more generally. Labelling theory, often wrongly interpreted to imply that all labels are meaningless or harmful, simply insists that attention be directed equally to those being labelled and those doing the labelling. In some cases of moral panic, such as that over reports of widespread satanic ritual abuse of babies (Wright 1993a, b), the phenomenon reacted to appears to be wholly illusory. In other cases, such as the spike in youth homicide beginning in the mid-1980s, an observer may grant the reality of an underlying phenomenon while still arguing that the disproportionate reaction demands other explanations.

The seminal works of Cohen (1972) on scuffles between Mods and Rockers and of Hall *et al.* (1978) on 'mugging', both focused on British media panics, applied this approach to phenomena of youth violence. Both these and subsequent studies of moral panics over youth violence (Chambliss 1994; Hawkins 1995; Tanner 1996; Zatz 1987) emphasize that the disjunction between public imagery and underlying patterns of

behavior is not simply a matter of faulty information or random hysteria, but rather a process in which anxiety over social change becomes focused on a specific phenomenon. The causes of the moral panic must thus be traced not just to the specific phenomenon of overt public concern but to these broader patterns of social change. Changes in racial and ethnic composition of communities have been linked to moral panics over youth violence in England, Canada, and the United States. This widening of the analytic frame is a common approach to the analysis of moral panics.

The emphasis in the moral panic literature on the variety of social actors involved in the construction of a panic is particularly helpful for examining the relation of moral panics over youth violence to processes of state restructuring. Cohen (1972), for example, identified six categories of actors in the Mods and Rockers panic: the press, the public, law enforcement, politicians and legislators, action groups, and, finally, 'folk devils', his term for stigmatized youth. Actors representing all these categories played roles in a drama at the level of the state. Extending this line of reasoning to look more closely at state processes, we may note that this dramaturgical perspective moves the analysis away from reductionist notions of the state as a monolithic entity.

Goode and Ben-Yehuda (1994) distinguish three possible loci for the origination of a moral panic: a conspiratorial elite seeking to manipulate a large public, a particular interest group, or a grass-roots social movement. Criticizing previous theorists who have propounded one or another of these as the source of all moral panics, they argue that determination of the origins of a particular panic and of the configuration of social actors in the unfolding drama must be a matter of empirical study.

In the United States, the operation of state processes in relation to issues of youth violence must be studied within the context of hierarchically nested levels of national and local government. Both education and criminal justice are primarily funded and administered at the local level. When the public perceives that young people or their schools are out of control, as Bernard (1992) maintains is the usual state of affairs, then local government is held accountable. For this reason, education and criminal justice are perennially hot issues in local politics. Local-level politicians are continually in need of positions on these issues. At the same time, education and criminal justice have considerable symbolic importance in national politics, and national government provides a small but significant measure of funding for and control over local agencies. The political flows of issues, resources, and interest group alignments between local and national levels over issues of youth violence are thus constant and complex.

The rest of this chapter examines patterns of youth conflict and reactions to conflict in the context of one middle school and its surrounding community in New York City. Despite the fact that a nationwide moral panic over youth violence is evident in recent Congressional legislative processes and has in some sense been going on for quite some time, this particular local panic is very much in process and is also quite specific to its time and place. Our endeavor here is to construct an extended case study (Burawoy 1991; Van Velsen 1967) that connects a local-level moral panic over youth violence to more general trends in the restructuring of state roles in the education, socialization, social control, and protection of youth, with particular attention to the generation and reproduction of inequality.

We argue that moral panics over youth violence both stigmatize young people of color and undercut public safety for everyone. Understanding how this occurs, however, requires attention to the roles played by various social actors in particular local panics and the ways in which these local situations are constituted by and constitutive of national-level state restructuring. The following case is one example.

Youth Conflict and Moral Panic in the Fairhaven Community

The case materials examined here are drawn from a comparative ethnographic study of early adolescents in three different middle schools and communities in New York City. Although serious violent conflicts in the city and elsewhere typically involve people of at least fourteen years of age, the emergence of serious violence is usually preceded by multiple lesser incidents (Elliott 1994). The period of early adolescence (roughly ages eleven through to fourteen, coinciding with junior high/middle school enrollment) is thus a developmental stage of great interest for the study of violence. Middle schools are typically more disorderly than either elementary or high schools, and victimization rates are higher there than in high schools (National Institute of Education 1978). Early adolescence is a particularly stressful stage of development, during which bodily change is rapid, adolescents have much more autonomy in and out of school, and the peer group becomes a salient social context (Hamburg 1986).

Early adolescence is the period leading directly into the developmental stage at which serious violent behavior is most likely to emerge (Elliott 1994). Recent controversies over 'turning-points' in careers of crime and violence have hinged on discussions on the relative importance of

sociogenic and ontogenetic factors in the unfolding of the life course (Moffitt 1993; Nagin and Paternoster 1991; Sampson and Laub 1993). One of the most enduring patterns known to criminology is the 'age–crime' curve, which shows a rapid peaking of the prevalence within the populations of participation in illegal acts, including violence, during the teenage years and a subsequent sharp decline beginning in the early twenties. It is particularly notable that most people who ever commit illegal acts do so in their teens and do not go on to become adult criminals.

Although early anti-social behavior is a strong predictor of both youthful and adult criminality, it predicts for only a small proportion of those ever so involved. In other words, most people are most likely to get into trouble in their teens if they are ever going to, but, for most people who do get into trouble during this period, this youthful behavior is not connected to anti-social behavior in childhood or criminal behavior in adulthood. The question of the life experiences leading into this high-risk stage of development is thus one of extreme interest. The larger research project from which this chapter is derived is designed to examine the social contexts of early adolescent development, focusing on issues of violence.

This chapter focuses on one of the three school/community sites in the larger study. We refer to the community as 'Fairhaven' and the intermediate school as 'Union'. Although Fairhaven is part of a city, state, and country that can be said to be in the grip of a moral panic over youth violence, Fairhaven is the only one of the three research sites where this panic is salient at the local level. We first describe some of the background and detail of recent events in Fairhaven in order to show the particular local character of moral panic there.

A Changing Community

Fairhaven is a traditional, named local neighborhood within a community school district that contains several such areas. Many residents of Fairhaven are members of white working- and middle-class families that have lived in the area for some time. Fairhaven has been undergoing racial change in recent years. Although much of the housing in Fairhaven consists of modest one- and two-family houses, there is also one large public housing project in the area. Until a few years before our study, that housing project had contained one of the largest concentrations of low-income white families in the city. As a result of a court order, the project began admitting many more families of color. The project is near the middle

school and high school of Fairhaven, and many children from the projects attend these schools.

In addition to these residential changes, Fairhaven schools also attract a number of students from the other end of the community school district. That neighborhood area, which is called Hufton, is fairly diverse economically, containing both poor and more middle-class sections, and many of the residents of Hufton are persons of color, both African-Americans and Caribbean immigrants. Since the schools in Hufton have limited space and are severely overcrowded, the school district assigns many middle- and high-school students from the Hufton area to schools in Fairhaven. The city transportation department runs extra buses along the route between the two areas. The combination of changes in racial composition of the local projects and the assignment of Hufton residents to Fairhaven's schools has produced a marked increase in the visibility of teenagers of color on the streets of Fairhaven.

These changes in racial and ethnic patterns of residence and schooling have been accompanied by a number of other changes in the local area. One such change has been in the perceived level of violence. The relationship between these perceptions and the underlying reality is difficult to assess because of the statistical noise associated with year-to-year fluctuations in small-area police statistics. The neighborhood is certainly one of the less dangerous areas in the city, by any measure. There was one shooting in Fairhaven's high school the year before our study, but some local residents now refer in the plural to the 'shootings' in the school. The perception of violence has been linked to a withdrawal of white families from the neighborhood and from the public schools. Although large areas of Fairhaven are still occupied by white, native-born families of moderate- to middle-income levels, some families who have lived in the area for many years have been moving out of the neighborhood, to New Jersey and Long Island. This 'white flight' is closely tied to the age of children. Especially as children get old enough to enter high school, some parents become afraid and move away from the area.

This movement of middle-class white families out of New York City neighborhoods has been going on for years. Many formerly predominantly white neighborhoods have become predominantly African-American, Latino, or Asian. Fairhaven has not yet shifted entirely, but the sense of change is palpable among old-time residents, and fears of people of color and immigrants are frequently invoked in their descriptions of these changes. In many ways, Fairhaven resembles the 'defended neighborhood' typologized by Suttles (1972), in which residents try to hold tightly to existing institutions while also reinforcing their identify by working to

exclude those whom they consider 'outsiders'. While some of the expressions of their feeling of community solidarity are positive, this is also the kind of atmosphere in which overt or more subtle racist and xenophobic attitudes can flourish.

Much of our field material describes the workings of a moral panic over youth violence in progress in Fairhaven. The first situation described below shows that panic at full boil, as white residents, merchants, and school officials chafe at the visible presence of minority teenagers. Following that incident, centered at the local high school, we turn to a local middle school, the focal site of our research. We first describe the school's institutional response to problems of real and perceived violence. Then we examine the effects of these community conditions and institutional practices on the lives of young people growing up and going to school in Fairhaven. Following this case material, we offer analyses and interpretations linking this material back to considerations of state processes and the ways in which the state defines and responds to illegal behavior by adolescents.

Local Panic

Many of the fears about youth violence and community change held by Fairhaven's white residents were crystallized in an 'emergency safety meeting' held in Fairhaven HS, in the aftermath of a highly publicized incident involving black teens, spun as a 'gang war' by the press. A close look at the response to this incident by school officials and other community representatives illustrates the ways in which moral panic over youth violence takes specific form in particular local contexts. The following account, and subsequent field material, are taken from Barbara Miller's field notes.

Field Notes: The seeds for this incident were supposedly planted at a weekend house party, when a boy who attends Fairhaven HS, the school directly across the street from Union Middle School, hit a girl who attends an HS in another part of the city. Monday afternoon, at dismissal time, there was a group of teens waiting outside Fairhaven HS to settle the score. A large group of teens formed, and were chased away from the area by the team of School Safety Officers and police who patrol the perimeter of the school. The group moved up the avenue and had a confrontation in front of a strip of stores. One of the merchants saw the large congregation of black teens and called the police and a local daily newspaper, who ran a story the next day describing a 'gang war'.

Whether there was actually a fight or not is ambiguous. By some

accounts there was no fight, just a big group of teens and a lot of yelling. The police came and took several kids away, though they hadn't broken any laws except possibly someone's idea of 'disorderly conduct'. The most convincing account that no violence took place came from the police themselves. A day or so after the incident, I happened to be in the precinct interviewing a youth officer. At one point, another officer came into the office and asked whether they 'had anything at all, maybe a prior history' on the kids who had been brought in after the alleged brawl. The youth officer said she didn't think so. The other officer commented that he had to find something to charge them on, so that the community could see the police were doing their job to curb youth violence.

While there was nothing extraordinary about a large group of teens getting loud or even physical on a city street, the fact that the press publicized the incident and spun it as a 'gang war' provoked the administration of the middle school and the high school to co-sponsor an emergency 'safety meeting' to be held at the high school. School administrators were particularly bothered by the newspaper article's assertion that 'the school can't control any of their kids'. Both schools are struggling to maintain their reputation as viable institutions for the white residents of the neighborhood, and school officials spend a great deal of energy on institutional impression management.

The safety meeting brought together staff from both schools, their Parents' Association (PA) presidents, youth officers and other police, officers and officials from the division of school safety, and the manager of the local public housing project. Before the meeting began, Union's PA president pressed a youth officer to beef up police presence on the block that is shared by the school and the housing project, a street that provides a hangout for local kids from the projects: 'It's making Union's zoned kids not want to come to Union, all those kids hanging out by the stores, big kids!' The officer responded, 'Legally, we're not allowed to move kids away from the area, only if they're on school grounds.'

The meeting began with Fairhaven's principal stating, 'We called this meeting together because of issues and concerns about what's going on in the community – not necessarily the school building. . . . we're very concerned about the [newspaper] article.' The first to speak was Union's PA president: 'Our problem is the area on Lark Avenue, and it's not necessarily Fairhaven HS students [who are to blame], but our kids are being harassed, and the parents are outraged, we're losing our parents.' Right away, the locus of the problem was placed outside school walls, in 'the community', which is perceived to have fallen prey to a threatening population. Fairhaven HS's PA president responded by defending the high

school: 'We're concerned that everyone thinks these kids are from Fairhaven HS, there's no control over these kids . . . [who] congregate in front of the apartment buildings. Our kids get blamed. We can control the inside but we can't always control the outside.' Union's principal added, 'we have to have Lark Avenue cleared continuously. With the projects there, there are more and more kids hanging out.'

From the outset, then, the very presence of local black youth is framed as a problem to be managed by the police. The discussion turned to the fears such youth inspire, and the difference between 'perception' and 'reality'. An officer from the local precinct spoke of the difficulty of moving kids out of an area they are legally allowed to be in, and stated 'Mainly it's a perceptual problem, we're not getting the crime here you may think we are, just big groups of kids.' Fairhaven's principal countered, 'The elderly people here have fears, when they see 60–75 students, it's scary whether they're doing anything or not.' The officer insisted, 'they may just be play fighting, the problem is one of perception.' A housing officer explained to the group that youth-related crime and truancy has declined, 'yet we're providing a great deal of police to the area.' He went on to say that despite low crime rates, they would consider even greater police concentration in the projects.

The discussion continued, with references to 'laws that have to be changed' to discipline kids, ineffective parent control, assignment of special patrols to the area. One high school staff member, who'd been silent through most of the meeting, commented, 'Can we agree that these kids aren't hardened criminals, that the real issue is the number of kids out on Lark Avenue, and the perception that there are mobs?' No one responded directly to his statement.

Despite varying perspectives on whose responsibility it is to control local youth, the consensus was that the problem is how to move youth more quickly out of the vicinity of the two schools. When an officer said there are no longer any loitering laws because of 'civil rights', an assistant principal from the high school suggested making it 'mandatory for them to have to get on the bus instead of having pizza with their friends [on Lark Avenue]. They don't have to know we're not allowed to do this.' The meeting closed with a promise by police to be even more visible in the area, and a suggestion to get the transit authority involved in the effort to make the transport of kids back to Hufton more efficient. *End Field Notes.*

Several points about the above events deserve comment because they point to the complexity of local interactions and social constructions of the problem of youth violence.

First, although these is little explicit reference to race, the youths who were the subject of the community meeting were black and the institutional representatives largely white. In the context of many more explicit references to race in this area, there seems little doubt that the moral panic here was very much motivated by the fear of black teens by whites. The racial issue, however, is complicated because there are in fact many black teens who live in the local area and who do not take the bus out of the neighborhood after school because they live there. We have also documented plenty of fighting on the part of white teens who live in the area. Thus, the effort by school officials to construct this problem as one involving youths who are not 'ours' but rather youths who do not live or attend school in the area flies in the face of reality.

Second, despite the fact that the police representatives attending the meeting were overtly skeptical about the presence of a increased crime problem in the area, the outcome of the meeting appeared to be a commitment on their part to provide an increased presence in the area linked to an increased perception of teens, particularly those of color, as potential criminals.

Institutional Impression Management

The community meeting described above documents the atmosphere of moral panic in Fairhaven and the strong desire of local school officials and merchants to minimize the presence of young people, particularly those of color, on the streets of the neighborhood during the hours after school. Our extensive ethnographic work in one of these schools, Union Middle School, also documents institutional policies for dealing with youth violence and especially with perceptions of youth violence in the local community. In fact, the preponderance of our observations indicate that school policy has been driven above all by the desire to manage the community's impressions about the school in order to preserve an image of the school as a place of safety and order.

This strategy of institutional impression management has been based on fears about the withdrawal of local white and middle-class families from the school, which serves as an important institutional anchor for the community, and from the community itself, through white flight. Interviews and observations with the school's principal and faculty reveal widely shared beliefs that holding on to these families and students is crucial to maintaining the school's standards and reputation. School staff scrutinized districtwide politics and administrative decision-making for evidence of any changes that would bring more minority students into Union Middle

School or move local white students out to other schools through magnet or other special programs.

Curiously, the atmosphere of moral panic around youth violence in the local area led to an institutional impression management strategy of denying and concealing the violent incidents that did take place. Although fully engaged in the moral panic themselves, as seen from their participation in the community meeting described above, Union Middle School's administration was nonetheless committed to minimizing the surrounding community's awareness of any violence within their school. They saw any perception of their school as violent as threatening the ongoing support of the school by the 'good students' (their term, and racially coded) in the immediate community and their families.

The consequences of this public posture of denial by school officials were actually deleterious to conditions of safety inside the school. When pressure from the mayor led to a tightening up of reporting requirements about school incidents, the reaction of school officials here and elsewhere was to decrease their reporting. This led to the widespread practice of 'informal' suspensions, in which students caught fighting and otherwise breaking school rules were told to stay home for a few days without any official records that could be examined by those outside the school. In fact, only a handful of incidents and suspensions were recorded, when hundreds of informal suspensions were being handed out. One consequence of this was to decrease the number of school safety officers (SSOs) assigned to the school. Union should have qualified for at least one additional SSO, but did not because of the low rate of reporting.

Another consequence of this posture of denial was to disavow responsibility for any conflicts that occurred beyond the immediate borders of the school. Any incidents that did occur, even if the disputes had begun inside the school, as they often did, were attributed to the outside. Our field material even indicates that teachers and staff encountering conflicts actively socialized students to carry their fights outside the school boundaries, as in the following incident:

Field Notes: Today I heard that Arnie beat up another kid in his class, Larry, after school yesterday. I waited for Arnie across from the guidance office and asked him about it. I also talked to several other people who had heard about the situation. The stories are a little contradictory, but this seems to be what happened. Larry is a new kid who just moved to the city. He has been getting in a lot of trouble. Besides yesterday's fight with Arnie, he also recently got into a fight with another boy. Arnie told me that he kept hearing that Larry had been bad-mouthing him, saying Arnie is 'retarded', that he is going to beat him up. Arnie then confronted

Larry about it and told him he was going to beat him up if he didn't stop. At this point, Larry said, 'You mean like I did to your mother?', to which Arnie replied,'OK, now I have to kill you.' The next day, Arnie was on the way with his friends Jack and Marcia over to Marcia's apartment in the projects. He saw Larry, ran over to him, knocked him down and punched him a few times. Larry didn't fight back much, and the whole thing ended when a friend of Larry's came over to break it up.

Arnie told me he didn't fight Larry in the schoolyard because he doesn't want to get suspended again. Last year he got suspended twice, once for pushing a girl who had hit him with a bookbag and once because a teacher had confiscated his frisbee and he took it back from the teacher's bag without permission. He says teachers have told him to wait to have a fight until he's off school property. When Ms. Taft talked to Arnie about the fight, he said,'but it didn't happen in school' with a surprised voice, as if he didn't think she would have heard about it.

Later, a teacher told me that she knows Larry's aunt and that she is 'crazy'. She had seen the aunt in front of school the next day trying to organize some older boys to be Larry's 'backup'. *End Field Notes.*

Two points in this story are especially notable. One is the fact that someone like Arnie who gets into fights is actually socialized by school personnel to take his fights away from the school. The other is that one of the responsible adults in Larry's life tries to activate the peer 'backup' system to protect him, rather than expecting that school officials or police should have that responsibility.

Even though Arnie is prone to get into fights, he is still considered a 'good kid' by the school, primarily because he is white and from the immediate local area. Other students, however, those of color and from outside the local area, do not get this benefit of the doubt. In fact, students from outside the local area face many more threats of violence during their daily rounds, because they have to travel farther to school and thus are exposed to challenges from cliques of youths from other neighborhoods and schools who share the buses and travel routes with them. The fact that these students have to travel more and the fact that they tend to be treated differently by school officials when trouble does arise means that they end up both being more exposed to danger and being more tarred by the local moral panic, as the following account illustrates.

Field Notes. I came into school this morning to find Tony, who is prone to being picked on by students and teachers alike, seated on the bench in the main office, crying. His mom, Lisa, was with him. It seems he was beaten up this morning by a boy named Keith as he was getting off the bus, which stops right in front of the projects. Keith lives in the projects

across from Union and used to be in Tony's class. He was recently transferred to another school in the district because of his behavior problems.

Tony told me that before Keith was transferred out, he told Tony that he had to find him a gun to help him deal drugs. He threatened to beat him up if he didn't. Tony is kind of an easy target for a tough kid: he's overweight, wears glasses, and has a big mouth. Tony hasn't seen Keith since he was transferred out a few months ago. But this morning as he was getting off the bus, Keith happened to be there. Keith asked about the gun he had requested, and Tony lied and said he had it at home. Keith said he wanted it now, and punched Tony in the mouth. It was still swollen when I saw him.

Tony said there had been a Union teacher at the bus stop when Keith began harassing him who saw what was happening. The teacher just walked away. His mother was upset about the whole thing and wanted the school to do something about it. The school's policy is that since it didn't happen on school grounds, it wasn't their responsibility. Further, the principal and assistant principal (AP) insist they've already transferred the boy out of the school. What else can they do? The assistant principal feels the police should deal with it. Tony's mother wants the school to authorize a transfer, but they don't see the logic in that. The AP confided to me that they try to keep the number of school transfers down – schools with high numbers of transfers look like bad schools.

Meanwhile, the AP becomes stuck on the issue of Tony claiming to Keith that he did, in fact, have a gun at home. She talks to Tony and his mother as they sit on the bench about the consequences of gun possession. Tony's mom sits there looking up at the ceiling, trying to control her anger. They are treating her son, who has just been victimized, like a perpetrator. Tony tries to get out a few 'but I didn't . . .', but the AP never lets him respond. When I spoke to the principal about the incident later, it was clear the AP had told her about Tony's defensive claim to have a gun. She also spoke about him as if he were a criminal, not a victim. *End Field Notes.*

Tony and his mother's inability to communicate with the school administration is clearly problematic here, and it leads to Tony's being doubly victimized, first by Keith and then by the labeling process that stigmatizes him for being associated with possession of a weapon.

The preceding incident suggests that the school deals harshly with students suspected of being dangerous; but that is not always the case. Sometimes the response is swift, as when a boy who brought an unloaded gun to class was quickly transferred; but at other times there is no response at all, as is illustrated by the following incident.

Field Notes: I arrived in school one morning and a school staff member informed me that Danny was arrested late yesterday afternoon in the school for extorting money from two other boys. The extortion, it seemed, had been going on for a number of months, dating almost all the way back to when Danny was transferred mid-year to Union from another school. He and another boy were charged with extorting over $700 from a boy named Neil, and a lesser amount of money from a second boy. Because of the amount of money involved, and the alleged use of threat in extorting it, both boys were being charged with felonies. All of the boys involved are black: the two accused thieves are African-American, the two victims children of West Indian immigrants.

The situation came to the attention of the school when Neil, one of the victims who is also a research participant, admitted to his mother that he had been taking money from her over a period of months, after she confronted him by asking if he had been stealing from her. He complained that a group of boys had been threatening to beat him up if he didn't give them money every day at lunch, and that he had seen these boys beat someone up one day after school and was very afraid of them. He didn't want to tell any adults at school, believing there was really nothing they could do to protect him. Neil's mother immediately called the school and spoke to the 7th grade dean. After speaking to him, she felt very unsatisfied with the degree of concern he showed, and didn't really believe the boys would be punished for what they did. Because of this perception, she decided to report the incident to the police, a step she says she didn't really want to take but was forced into because of the school's relaxed attitude.

The school, in fact, did very little to punish Danny and the other boy. They received standard principal's suspensions, for only three days. When I asked why they hadn't been given superintendent's suspensions, which the chancellor's regulations call for in a case like this, I was told that such suspensions are meted out almost exclusively in cases where weapons are involved.

Danny admits to asking the boys for money, but staunchly denies that it was anywhere near $700. His parents believe this, as do all of the school personnel I've spoken to about this. The general feeling is that the victim and his mother are conspiring to get restitution for more than was actually stolen. Moreover, Danny and his parents, who are divorced but both involved in his life, feel very strongly that Danny has done something wrong and should be punished. But they all feel the whole event has been blown out of proportion, there being no good reason to arrest a kid bothering another kid for what his mom described as 'cookie money'.

The outcome of the court case is still pending, but Danny's mother was sufficiently upset that she has found an apartment in another neighborhood, hoping that Danny can make a fresh start in a new school. *End Field Notes*.

The striking feature of this case is that the school's sanctions against Danny seem so trivial, while the involvement of the juvenile justice system seems also perhaps inappropriate. The emerging theme from all these incidents seems to be the lack of appropriate intermediate sanctions between letting youths who commit serious infractions off with a slap on the wrist and charging them with felonies. All too often, the pattern of response to conflicts among adolescents appears to be too little in the early stages and too much after it is too late and something serious has happened.

While this lack of appropriate intermediate sanctions is a general problem with juvenile justice and a principal source of the historical policy fluctuations between *parens patriae* and getting tough, the school's posture of denial, itself rooted in the local moral panic, greatly exacerbates the problem. If school officials acknowledged the problems in their midst, they presumably would be more able to deal with them. By denying the problems, they contribute to an atmosphere in which adolescents do not trust them or other adults to protect their safety. The first consequence of this is an increase in danger for the entire community.

The second consequence of the posture of denial is that the local moral panic becomes an engine of inequality. Youths from outside the local area, and, indeed, youths of color who live in the immediate area, are far more likely to be labeled, stigmatized, sanctioned or transferred. The moral panic thus contributes to a worsening of the very dangers that are the subject of the panic, while simultaneously increasing inequality.

Engines of Panic: School, Community, and State

Returning to questions of state restructuring, we can distinguish in this case study three categories of social actors involved in the co-production of moral panic: school officials, community representatives, and representatives of the state. Actors from each category contribute to the creation of the panic. While there was some diversity within each category, a separate set of interests was at stake within each. The character and the consequences of the panic derive from the interests of all three categories and from the nature of the interactions among them. Only by identifying the interests and strategies of the various actors and how they interact with those of the others can we arrive a satisfactory analysis of this case

that avoids reductionist appeals to images of a conspiratorial elite or a broad-based social movement. (See Heyman, this volume, Chapter 10 for an analysis of a similar problem of attending to different categories of state-level actors with regard to the control of illegal immigration.) Similarly, the relationship of the panic to state restructuring needs to be examined from the vantage points of the actors involved.

Union Middle School is a public institution, funded and administered by the state to provide education and socialization for adolescents. The posture of this school towards problems and images of youth violence is but one of a number of different possible postures. Here, that posture is shaped by the role played by this school in its particular community. As a public institution, this school both denies the existence of problems of youth violence and simultaneously contributes to panic about them. The institutional impression management that leads to denying the problems in order to safeguard the image of school and community goes hand in hand with active participation in a local network of political actors intent upon increasing social controls over minority youths seen as foreign and threatening to the community.

These institutional actions, of course, represent only part of that community, consisting of white, middle-class families who are longtime residents of the immediate local area. Other parts of the school's community, the minority residents of the local housing project and the minority families whose children ride the buses from the far end of the school district, are excluded from the processes of school and community governance leading to these policies. A small group of established white community members also has much greater sway, directly and indirectly, in local government. The attempts of this community faction to increase police surveillance over minority youths in their area can also be linked to their attempts to safeguard resources from the school system, in the form of magnet programs and honors classes that disproportionately serve their children, even as the school's population becomes increasingly drawn from the minority.

Attributing motives of simple personal racism to these community actors, however, misses much of the complexity of their situations and attitudes. This is a community experiencing racial change. Some white families move out to the suburbs, often at the point where their children are becoming adolescents. Those white families that do remain, some as a result of financial inability to move, make the best of what they have. They speak of the virtues of living in a racially diverse community, even as they struggle to control the government resources still being invested there for their immediate benefit. Magnet programs and increased police

surveillance are the returns they seek from their political representatives in return for political support. Political entrepreneurship in this environment takes the form of lobbying for a redistribution of public resources toward this community faction within a larger context of shrinking overall public resources.

This local situation is itself embedded in a larger political context of a power shift from cities to suburbs and from the Northeast and Midwest of the United States to the South and West. This power shift is linked to a downsizing of central government and a sharp decrease in the ability of central government to ameliorate the conditions of the urban populations bearing much of the brunt of economic restructuring. In this process, resources are being redistributed from public education and social welfare to an intensified apparatus of social control.

The legitimacy of the state, at both national and local levels, is buttressed and redefined by this shift of resources to intensified internal social control, in a number of ways. The specter of domestic youth violence displaces the Cold War specter of external threat. The reduction of overall social investment in public education, social welfare, and urban development is counterbalanced by the image of the state as guarantor of safety against the enemy within. Within racially and economically mixed communities like Fairhaven, racial tensions thus represent not primordial difference but a squabble over the remaining pieces of a shrinking pie.

Moral panic plays crucial roles in this process, albeit distinctly different roles at local and national levels. At the local level, the panic serves as excuse and vehicle for local-level redistribution of resources, even as it undermines the very fabric of community in the name of which it is justified. At the national level, this local moral panic sustains political entrepreneurs responsible for shifting resources away from some of the very areas and institutional arenas where the local panics rage.

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States and Illegal Practices

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Dedicated to Eric R. Wolf

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Contents

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States and Illegal Practices: An Overv

Josiah McC. Heyman and *Alan Smart*

State law inevitably creates its counterparts, zones of ambigu outright illegality. Criminal underworlds, pirates and brigands markets, illegal migrants, smugglers, protection rackets – these topi a certain lurid, or perhaps defiant attraction. But they do not star from the state, nor the state from them. Having grown in ne connection, state law and evasion of state law must be studied t Often, governments tolerate ostensibly forbidden activities; even, and Peter Schneider write in Chapter 6, 'deviated pieces of the sta with, or 'condition' illegal networks. Certainly the state does not conspire with crime, but it is intriguing to inquire after the cor under which governments and illegal practices enjoy some va symbiosis and those which result in greater or lesser degrees of c Open-minded, empirical studies of state–illegality relations enab transcend the stultifying assumption that states always uphold t Indeed, our unusual combination of inquiries, by rejecting officia favor of analytical complexity, gives an angle of approach to sta state-level societies that is more productive than taking governme at their face value.

Anthropology has changed from its predominant localism to concern with larger contexts and histories. In this transition, pologists have added important ideas, but handled them in rather a and reified fashions: inquiries about power, transnationalism and es states. The joining of states and illegal practices is one insta maturation, the deepening from labeling to analysis. Looking dee view the state as complex, not unitary, and the state–society relat as processual, not static. For example, what is legitimate in formal real practices done in the name of the state and in the eyes populations differs substantially, and also changes. A richness an in our view of states is thereby gained. By attending to the impli of making certain actions or relations illegal, we also consider how

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