

Homicide: Explaining America's Exceptionalism

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PERSONAL VIOLENCE—HOMICIDE—HAS DECLINED IN WESTERN EUROPE from the high levels of the Middle Ages. Homicide rates fell in the early modern era and dropped even further in the nineteenth and twentieth centuries.<sup>1</sup> This trend was the opposite of what conventional wisdom would have predicted—a rising level of homicides caused by industrialization and urbanization. The pattern also renders the United States' experience contradictory, with its high and rising rates for the past two hundred years. Therefore, accounting for U.S. homicide rates poses a major problem.<sup>2</sup> Why the difference in level and trend? The United States has long been a wealthy, democratic, and well-educated nation, so the fact that its rates today rival those of the poorest nations makes no sense and contradicts the experience of other well-off nations. Only sub-Saharan Africa, Latin America, the Caribbean, and probably Russia have higher levels.<sup>3</sup> Although historians of crime assume that there is a historical

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<sup>1</sup> James A. Sharpe, "The History of Crime in Late Medieval and Early Modern England: A Review of the Field," *Social History* 7 (May 1982): 187–203.

<sup>2</sup> Here I mean personal lethal violence, homicide, not state violence or personal assaults and rapes. These may be related, but there are many reasons to focus on personal lethal violence: for example, it occurs at individual levels, often in intimate settings, and it is a regular object of state attention and a significant activity for the state to suppress (because it defies the state's legitimate monopoly on violence) whether or not the state is itself violent. The contexts and institutions in which homicide is dealt with (family, neighborhood, police, courts, voluntary and religious organizations, and a plethora of medical institutions) have a very different status than does state-sponsored violence. It is in fact the plethora of these disparate formal mechanisms that suggest why there is persistently scattered thinking on differences in violence rates: some of the best research is in psychology, sociology, criminology, political science, economics, public health, and medicine. I have presented some of these ideas elsewhere: see Eric H. Monkkonen, *Murder in New York City* (Los Angeles, 2001), and Monkkonen, "Searching for the Origins of American and European Differences," in Monkkonen, ed., *Crime, Justice, History* (Columbus, Ohio, 2002), 61–71.

<sup>3</sup> For a recent comparative assessment, see A. Reza, James A. Mercy, and E. Krug, "Epidemiology of Violent Deaths in the World," *Injury Prevention* 7 (June 2001): 104–111. The first, and still important, such effort was Dane Archer and Rosemary Gartner, *Violence and Crime in Cross-National Perspective* (New Haven, Conn., 1984). Canada has persistently had lower rates than the United States, although this statement pertains only to the twentieth century, because good data are lacking for the nineteenth. "The gap between Canadian and US rates has been remarkably persistent over time"; Rosemary Gart-

explanation for the high American murder rates, most other scholars do not look to the past—or if they do, that past stretches back only a few years.

The issue of homicide—the illegal killing of another person—is important because, as an individual violent act that tears at many social bonds, it is a social event with broad consequences. Homicide or murder (I use the two terms interchangeably) has been treated very seriously for centuries. An individual murder may seem random and inexplicable or even foolish and trivial, but the outcome rips the social fabric, weakens the political power of the state, and echoes through neighborhoods, regions, and nations. Murder is an important topic to study in itself: it is an easily understood measure of an important kind of violence, it is very often recorded even when it is not punished, and laws concerning its definition are relatively consistent (in contrast to, say, felony theft or assault). Until the introduction of antibiotics and trauma care in the twentieth century, medical interventions probably did not have much effect on rates of mortality from wounds.<sup>4</sup>

Obviously there are other kinds of killing that are equally or more terrible; war and genocide come to mind. No doubt it is easier for the state to cause killing than to suppress it. And no doubt there have been far more killings by nations than by individuals. But the taking of one person's life by another should not happen, and the cumulative number of homicides in the American past—as many as 1.4 million in the nineteenth and twentieth centuries—is a grim and uncounted legacy.<sup>5</sup>

Does homicide act as an index to other forms of personal violence? Or is it an index only to itself? Historically, we probably can never determine an adequate answer, because the number of assaults that have gone unreported and uninvestigated is likely too high and irregular. It seems reasonable to guess that a society with a high level of homicide is also one with a high level of assaults, but to say much more would be speculative.

In this article, I summarize only the most relevant current scholarship and bring it to bear on explaining the high U.S. homicide rates. I have deliberately kept the presentation simple in order to focus on this nation's special problem with homicide. Huge differences have been flattened and averaged in favor of clarity and simplicity; for example, the homicide rates in post-Communist Russia are (and probably have been) as high as or higher than those in the United States.<sup>6</sup> Should Russia be included with Europe? Most scholars omit it as a special case, and I follow that practice.

Since the appearance of the earliest professional journals, the subject of homicide in the United States has sporadically captured the attention of American scholars.

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ner, "Homicide in Canada," in Jeffrey Ian Ross, ed., *Violence in Canada: Sociopolitical Perspectives* (New York, 1995), 209, citing John Hagan, "Comparing Crime and Criminalization in Canada and the U.S.A.," *Canadian Journal of Sociology* 14 (1989): 361–371.

<sup>4</sup> See my attempts at measuring in "New Standards for Historical Violence Research," *Crime, History, Society* 5 (2001): 5–26.

<sup>5</sup> The twentieth-century estimate of 1,266,660 is from Douglas Eckberg, e-mail, September 5, 2004; I obtained the nineteenth-century estimate of 135,460 using New York City as my source for the rate of homicide per capita.

<sup>6</sup> Russian data are probably unreliable and undercounted; William A. Pridemore, "Measuring Homicide in Russia: A Comparison of Estimates from the Crime and Vital Statistics Reporting Systems," *Social Science and Medicine* 57 (October 2003): 1343–1354.

In part this is because it has been a visible social problem, but it is also because homicide is so accessible, at least on the face of things. Highly traumatic and regularly reported, murder is on the one hand idiosyncratic and individual and on the other very social and regular—a puzzle that first attracted Adolphe Quetelet in the nineteenth century. Throughout his remarkable book *A Treatise on Man*, Quetelet stresses the “frightful regularity” of seemingly unrelated individual violent actions.<sup>7</sup> He concludes at several points that this regularity of events caused by individual volition is evidence that social laws are at work. (One wonders what he would have concluded if he had found wild variation.) Much of the discussion of homicide since has depended on numbers—customarily expressed as rates per 100,000 population. Although I skip the details here, gathering these numbers and calculating their summary statistics has required a huge, largely unorganized research effort by many individuals. This work is the key to future understanding; without it, the discussion remains speculative.<sup>8</sup> In addition, an analysis of many homicides enables the viewer to ask larger questions about society, social change, and individuals.

Before we turn to these data, an assumption needs to be addressed: that national rates make sense. The current U.S. homicide rate is about 5 per 100,000, more than three times the mean rate in other “established market economies,” where it is around 1 per 100,000.<sup>9</sup> However, within the United States, as in other nations, there is considerable variation. The recent homicide rate is as low in North Dakota (0.9/100,000) as in any contemporary European nation, while the rate is higher in Russia than in Louisiana, the most murderous state in the United States.<sup>10</sup> Moscow, Idaho, had a rate of 4.5 in 2002—only one actual murder for a population of 22,000—while Moscow, Russia, had a rate variously reported at about 18/100,000.<sup>11</sup> If the regional variations in homicide rates are so high, does it make sense to smooth them together to create a national rate? Custom certainly dictates so: for example, we easily refer to national differences in political participation or infant mortality; national unity may dictate the use of national rates. If it turns out that within-nation variation obscures the discussion too much, then some other shorthand will have to be developed. This conundrum of internal variation inheres in many, perhaps all, national social and economic phenomena: almost no one experiences the average (a fact that

<sup>7</sup> Lambert A. J. Quetelet, *A Treatise on Man, and the Development of His Faculties* (Edinburgh, 1842), 6.

<sup>8</sup> For a discussion of some of the empirical issues that scholars face, see Roger Lane, ed., “Special Issue: Bloody Murder,” *Social Science History* 25 (Spring 2001): 1–147. This issue includes Elizabeth Dale, “Not Simply Black and White”; Jeffrey S. Adler, “Halting the Slaughter of the Innocents”; Eric Monkkonen, “Estimating the Accuracy of Historic Homicide Rates”; Douglas Eckberg, “Stalking the Elusive Homicide”; Mary Beth Emmerichs, “Getting Away with Murder?”; and Randolph Roth, “Child Murder in New England.”

<sup>9</sup> Reza, Mercy, and Krug, *Injury Prevention*, Figure 1.

<sup>10</sup> The rates for North Dakota and Louisiana are for 1998, from Kathleen Maguire and Ann L. Pastore, eds., *Sourcebook of Criminal Justice Statistics, 1998* (New York, 1999), Table 3.118. The rate for Russia is from [http://www.unodc.org/pdf/crime/seventh\\_survey/7sc.pdf](http://www.unodc.org/pdf/crime/seventh_survey/7sc.pdf) (accessed November 30, 2005), Office of Drugs and Crime Centre for International Crime Prevention, Seventh United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, covering the period 1998–2000; the figure of 18/100,000 is repeated in media reports as the figure for Moscow as well.

<sup>11</sup> See <http://www.isp.state.id.us/identification/ucr/documents/BK02CrimeInIdaho.pdf> (accessed November 20, 2005) for the sole homicide in Moscow, Idaho; the city had no murders the year before, bringing the two-year average to 2.25. Nabi Abdullaev, “Moscow Dies by the Knife and Rope,” *St. Petersburg Times*, February 19, 2002.

has led to many not very funny jokes about statisticians). Nevertheless, a national average retains its conceptual utility if for no other reason than that it helps us think about big issues. When discussing national rates, one must keep in mind the simplifying assumptions involved in their creation. Combining the states of Georgia and North Dakota or the cities of Bangor, Albuquerque, Duluth, and New York is a necessary coarseness if we wish to think about the United States as a whole.

The reconstruction of murder rates has become an important area of research for historians and sociologists in the United States and Europe: every decade sees major advances in both empirical quality and theorizing.<sup>12</sup> We are fortunate to have an occasional synthesizer, such as political scientist Ted Robert Gurr, who startled scholars in the 1980s with his synthesis showing the decline in homicide rates in England since the Middle Ages. (See Figure 1.) Sociologist Manuel Eisner was recently able to assemble and work with a large European data set covering 374 points—a huge leap from Gurr’s 20 points.<sup>13</sup> The construction of long-term rates for the United States is well under way, but the work is far from complete. Since the first scholarly article on homicide in the *Publications of the American Statistical Association* in 1893 by Waldo Cook, significant work has been done on U.S. homicide rates, but there is still much to do for the period before 1850 and for rural America.<sup>14</sup> The first row of Table 1 summarizes data that I gathered for two-plus centuries of U.S. history; at this moment it is the longest series of homicide data for the country. New York constitutes a useful starting point for the nation because of its size, importance, and boundaries, which changed only once over the centuries, in 1898.

In Table 1, I have divided all of U.S. and European history into two eras at about 1850. In doing so I have observed the following logic: the pre-1850 period, back to the early seventeenth century, conforms loosely to early modern Europe, and the post-1850 period captures the modern era—industrialization, mass manufacturing, migration, and the creation and growth of consumer capitalism. The two periods also crudely capture the growth of democracy, the demise of slavery in the United States, and the growth of urban societies and uniformed local police throughout the Western world. The significance of urban police is in their regular arrest and prosecution of criminal offenders, a function that is funded by the city in the United States, and by higher levels of government elsewhere. And the two periods help us in contrasting large sections of two continents over three centuries.

Before 1850, New York City had a murder rate twice that of the averaged European rates. When we have a more comprehensive estimate for the pre-1850 era in the United States, I believe we will discover that the American rates nationally

<sup>12</sup> See several theoretical articles in *Crime, History & Societies* 5 (2001): Randolph Roth, “Homicide in Early Modern England, 1549–1800: The Need for a Quantitative Synthesis,” 33–67; Helmut Thomas, “Explaining Long Term Trends in Violent Crime,” 68–86; Pieter Spierenburg, “Violence and the Civilizing Process: Does It Work?” 87–105. The scholarship on crime and homicide for each major European nation is deep and superb, and my citations throughout this article are simply meant to sample important recent essays that interested readers would find stimulating.

<sup>13</sup> Ted Robert Gurr, “Historical Trends in Violent Crime: Europe and the United States,” in Gurr, ed., *Violence in America*, vol. 1: *The History of Crime* (Newbury Park, Calif., 1989), 21–54; Manuel Eisner, “Long-Term Historical Trends in Violent Crime,” *Crime and Justice: A Review of Research* 30 (2003): 83–142. Note that each of the data points in the Eisner and Gurr articles represents a major and mainly different research effort.

<sup>14</sup> Waldo L. Cook, “Murders in Massachusetts,” *Publications of the American Statistical Association* 3 (September 1893): 357–378.

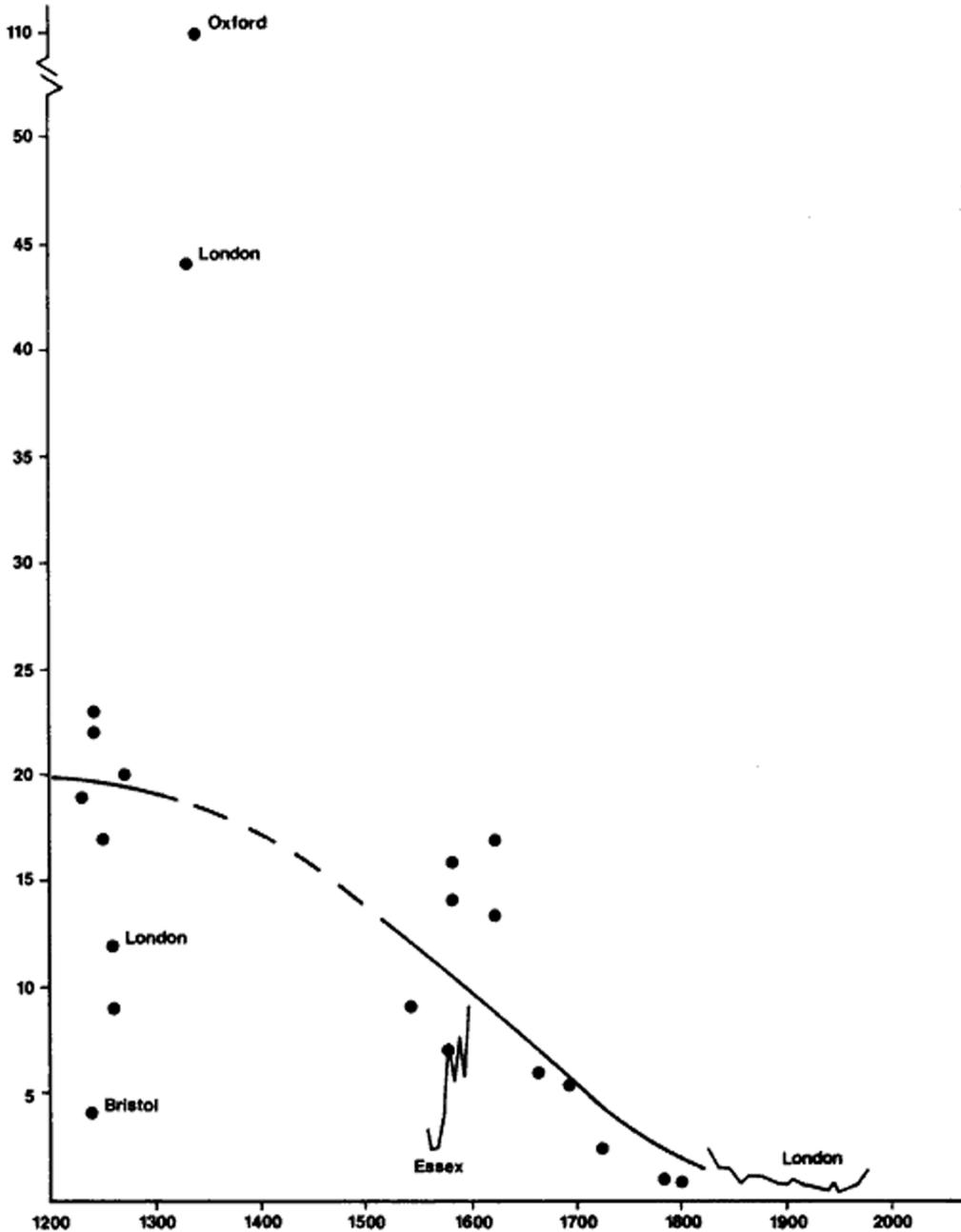


FIGURE 1: Homicide rates per 100,000 population in English counties and cities, 1200–1970. From Ted Robert Gurr, “Historical Trends in Violent Crime: A Critical Review of the Evidence,” *Crime and Justice* 3 (1981): 313. © 1981, The University of Chicago Press.

exceeded European rates by even more. For example, James Rice’s study covering 125 years in Frederick County, Maryland, shows a mean murder rate of 6 per 100,000. New York also exhibits a dramatic increase in murder since the mid-nineteenth century. One can predict that further studies of other U.S. sites will show similar gross

**TABLE 1**  
**Estimates of European and American Murder Rates**

<i>Era</i>	<i>Pre-1850</i>	<i>1850–2000</i>
NYC murder rate	5	10
European murder rate	2.7	2.1

SOURCES: Estimated from Monkkonen, *Murder in New York City*, and Eisner, “Modernization, Self-Control and Lethal Violence.”

patterns of an increase in overall rates. The contrast between Europe and the United States must be firmly emphasized: their homicide rates have gone in opposite directions. The United States has become increasingly plagued with murders, while the murder rate in Europe has continued its centuries-long decline, with many nations stabilizing at around 1 murder per 100,000 population.<sup>15</sup>

The high rates of homicide in the United States have never stood out as a problem on national political or scholarly agendas. In the nineteenth century, there were some nuggets of outstanding American scholarship on homicide, but they failed to capture a large audience—or perhaps any audience. When Horace Redfield’s brilliant and pioneering work *Homicide, North and South* appeared in 1880, it attracted little attention. In many ways the book was a model of research, with carefully developed statistical bases and much primary work; in addition, it was well written. Yet, as Douglas Eckberg put it, “the book slipped from sight with nary a splash.”<sup>16</sup> Redfield died shortly after its publication, at the age of 35. Now back in print after 120 years, the book may finally get the attention it deserves.

Thirteen years after Redfield’s book, Waldo L. Cook wrote a well-placed article in the journal that would become the *Journal of the American Statistical Association*. In “Murders in Massachusetts,” Cook argued that when the “best stock” of people from rural areas moved to cities, they left the “least desirable stock” behind, which led to high rural crime rates. Like Redfield, Cook saw rural homicide as a problem: the civilized city drained the countryside of the best people. This perspective on

<sup>15</sup> Pre-1850 Mexican Los Angeles had a rate of more than 50 per 100,000; the level actually increased in early American Los Angeles, but by the later nineteenth century it had fallen to high but no longer bizarre levels. From the national point of view, these are anecdotes, as the city was tiny—barely a village in mid-century. Still, it was an unwise person who went out late at night then. Eric H. Monkkonen, “Homicide in Los Angeles, 1827–2002,” *Journal of Interdisciplinary History* 36 (2005): 167–183, and Monkkonen, “Western Homicide: The Case of Los Angeles, 1830–1870,” *Pacific Historical Review* 74 (2005): 603–617.

Prior to the creation by the FBI of the *Uniform Crime Reports*, there were no national crime data. Douglas Eckberg has produced an estimate of annual U.S. homicide rates using public health and other data sources for the period 1900–1930. “Estimates of Early Twentieth-Century U.S. Homicide Rates: An Econometric Forecasting Approach,” *Demography* 32 (1995): 1–16. For the nineteenth century, there is only one complete American data series for homicide, in Monkkonen, *Murder in New York City*. Several scholars are at work on other data sources, but it will take several more years to obtain accurate estimates of homicide rates in the nineteenth-century United States. Rates for Maryland are calculated from James D. Rice, “Crime and Punishment in Frederick County and Maryland, 1748–1873: A Study in Culture, Society, and Law” (unpublished Ph.D. diss., University of Maryland, 1994), 34, 100. These rates are probably an underestimate, as the homicide count is from court records, which contain only those cases in which there was an arrest and prosecution.

<sup>16</sup> Douglas Eckberg, “Introduction,” in Horace Redfield, *Homicide, North and South: Being a Comparative View of Crime against the Person in Several Parts of the United States* (1880; repr., Columbus, Ohio, 2000), xxiii.

mobility was echoed in 1987 by William J. Wilson, who made a similar argument: the late-twentieth-century exit of working- and professional-class African Americans from the inner city left the most disadvantaged behind.<sup>17</sup>

Since at least 1932, American scholars have recognized the differences in homicide rates between the United States and Europe.<sup>18</sup> They have struggled unsuccessfully to explain these differences, which perhaps is why the topic has almost become a non-issue or tautology: the United States, many concluded, is more violent because it is in its nature to be so. For example, Richard Brown, a distinguished scholar of American homicide, states: “it was natural for Americans to react to stress or provocation with violence.”<sup>19</sup> Many scholars, like Brown, did not limit their conception of violence to homicide, but painted with a broad brush—from popular culture to urban riots.

Most analyses of homicidal violence have been made by nonhistorians, using contemporary, often local, data. The notion that a current social problem such as homicide might be examined through its past never arose until a disparate group of historians, from medievalists to Americanists, began poking around in the archives and creating empirical histories of homicide.<sup>20</sup> Joined by other social scientists, they have taken on the task of reconstructing accurate homicide rates over long periods of time, and in the process they have confirmed that the European/American differences stretch back to the early modern or colonial era. Along the way, however, they made a startling discovery: when the time line is stretched back farther, to the Middle Ages, much of Europe also exhibited high rates of homicide. For European scholars, this discovery has raised complex theoretical issues. Since the nineteenth century, it was assumed that urbanization and industrialization had caused both crime and poverty. Simply put, the rise of urban and industrial society was seen as causing social disruption, which in turn led to increased deviance, crime, and violence. In his famous 1903 essay on the “Metropolitan Personality,” George Simmel argued dramatically that the anonymity of cities and the immiseration of industrialization explained a rise in personal violence—which, it now turns out, did not happen. The shift from *Gemeinschaft* to *Gesellschaft* left Europe with fewer rather

<sup>17</sup> Cook, “Murders in Massachusetts,” 377. I can find no other publications by Cook (he mentions the predecessor of this article in the Springfield [Mass.] Republican newspaper) other than an article in the *Nation* on Sacco and Vanzetti. The *Publications* began in 1888 and soon had its first crime note, Roland P. Falkner, “Note on the Statistics of Crime,” 2 (March 1891): 138–139. I cite this article because of its placement in an important fledgling scholarly journal. On Cook’s substantive point, work on two rural Ohio counties for the nineteenth century by Kenneth Wheeler and Randolph Roth confirms the impact of urban exodus and rising homicide rates: Wheeler, “Infanticide in Nineteenth-Century Ohio,” *Journal of Social History* 31 (1997): 407–418, and Roth, personal communication. William Julius Wilson, *The Truly Disadvantaged: The Inner City, the Underclass, and Public* (Chicago, 1987).

<sup>18</sup> H. C. Brearly, *Homicide in the United States* (1932; repr., Montclair, N.J., 1969).

<sup>19</sup> Quoted by Ira M. Leonard and Christopher C. Leonard, “The Historiography of American Violence,” *Homicide Studies* 7 (May 2003): 99–153, 109; Richard M. Brown, “Overview of Violence in America,” in Ronald Gottesman, editor in chief, and Richard Maxwell Brown, consulting editor, *Violence in America: An Encyclopedia* (New York, 1999), 2.

<sup>20</sup> The pioneering studies include Barbara A. Hanawalt, “Violent Death in Fourteenth- and Early Fifteenth-century England,” *Comparative Studies in Society and History* 18 (July 1976): 297–320; Roger Lane, *Violent Death in the City: Suicide, Accident, and Murder in Nineteenth-Century Philadelphia* (Cambridge, Mass., 1979); James Buchanan Given, *Society and Homicide in Thirteenth-Century England* (Stanford, Calif., 1977); and Carl I. Hammer, Jr., “Patterns of Homicide in a Medieval University Town: Fourteenth-Century Oxford,” *Past and Present*, no. 78 (February 1978): 3–23.

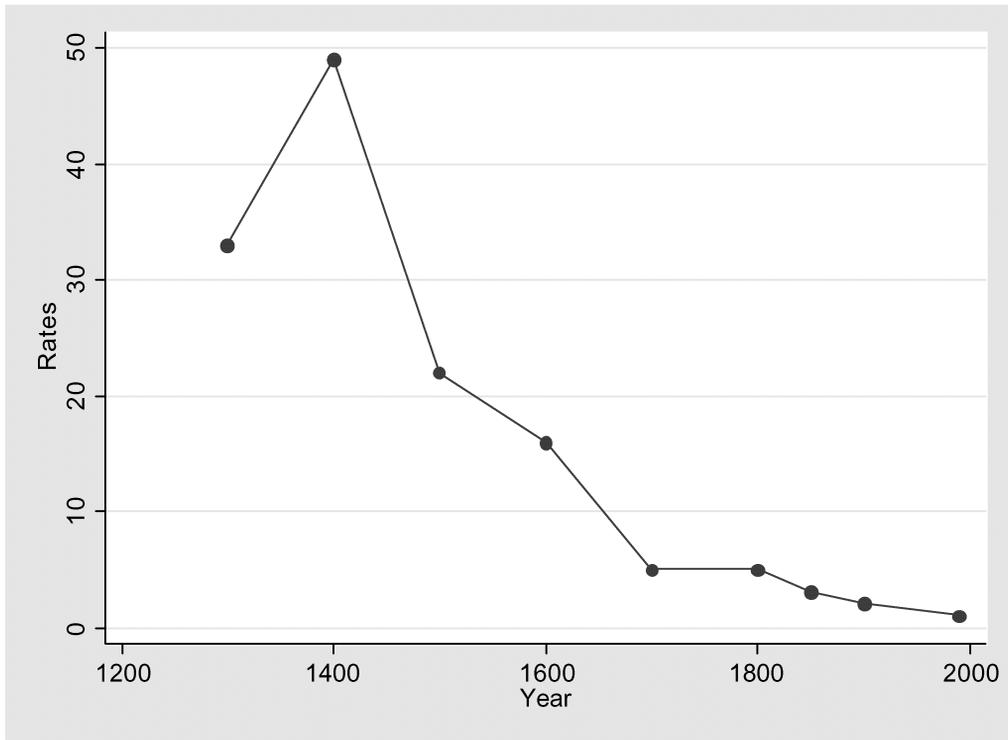


FIGURE 2: Long-term homicide rates per 100,000 population in Scandinavia and England, North and South. Calculated from Manuel Eisner, "Modernization, Self-Control and Lethal Violence: The Long-Term Dynamics of European Homicide Rates in Theoretical Perspective," *British Journal of Criminology* 41 (2001): 618–638.

than more homicides per capita.<sup>21</sup> Only the United States has had the social crack-up posited by theory. The most recent explications of the European data and their theoretical impact can be seen in articles by Manuel Eisner in the *British Journal of Criminology* and by Helmut Thome in *Crime, History & Societies*, where the sociology of Max Weber and Norbert Elias looms large in explanatory power.<sup>22</sup>

I have plotted the means of the homicide rates reported by Eisner in Figure 2. This gives a broad sense of the transition from high medieval rates to dramatically lower modern ones, making more precise Gurr's 1981 analysis of English rates (Figure 1). Figure 2 blurs some major European differences, in particular the high homicide rates in nineteenth-century Italy, and probably in Greece. Yet its importance cannot be overstated: Gurr's initial sketch, treated as a hypothesis, is supported by a massive amount of scholarship. Homicide rates dropped from highs of more than 30 per 100,000 in the Middle Ages to less than 5 by the late eighteenth century. The

<sup>21</sup> This essay is about personal lethal violence—murder—not about state or group violence. Georg Simmel in Kurt H. Wolff, *The Sociology of Georg Simmel* (1950; repr., New York, 1964), 409–424. See the discussion at <http://uregina.ca/~gingrich/250m703.htm>, Section f (accessed November 30, 2005).

<sup>22</sup> Manuel Eisner, "Modernization, Self-Control and Lethal Violence: The Long-Term Dynamics of European Homicide Rates in Theoretical Perspective," *British Journal of Criminology* 41 (2001): 618–638; Helmut Thome, "Explaining Long Term Trends in Violent Crime," *Crime, History & Societies* 5 (2001): 69–86. For a critique of the Elias thesis, see Gerd Schwerhoff, "Criminalized Violence and the Process of Civilization—A Reappraisal," *ibid.* 6 (2002): 103–126, and Pieter Spierenburg, "Theorizing in Jurassic Park: A Reply to Gerd Schwerhoff," *ibid.*, 127–128.

**TABLE 2**  
**Estimates of American Gun Presence Source**

<i>Era</i>	<i>Pre-1850</i>	<i>1850–2000</i>
Households with any gun	60%	39%
Households with short guns	1%?	10%
Murders by short gun	10%?	46%

SOURCES: Robert Dykstra, "Body Counts and Murder Rates: The Contested Statistics of Western Violence," *Reviews in American History* 31 (2003): 554–563; Rice, "Crime and Punishment in Frederick County and Maryland," 34, 100; Roth, "Guns, Gun Culture and Homicide"; Monkkonen, *Murder in New York City*, 16, 39; James Oberly, "Making History: An OR's Experience at ICPSR," *ICPSR Bulletin* 23 (2003): 5; Henry Ruth and Kevin Reitz, *The Challenge of Crime: Rethinking Our Response* (Cambridge, Mass, 2003), 176–178; Marvin E. Wolfgang, *Patterns in Criminal Homicide* (Philadelphia, 1958), 363; Eric H. Monkkonen, "Homicide in New York, Los Angeles and Chicago," *Journal of Criminal Law and Criminology* 92 (2002): 809–822.

challenge for scholars of Europe is to explain this surprising decline. European sociologists and historians disagree about the broad causes of this shift; some, including Thome, argue that modernization theory can account for the multi-century decline, while others, such as Pieter Spierenburg, find a more persuasive explanation in Norbert Elias's *The Civilizing Process*. Elias's view ties micro changes—most famously the use of the fork and other seemingly trivial aspects of personal behavior—to the growth of the state, while modernization theory attends more to the reordering and rationalizing of society.<sup>23</sup>

Neither theory is completely satisfactory when applied to the United States. Each works best if the nation is viewed as so race-segregated and class-fractured that the macro changes that affected European nations touched only on portions—regions or neighborhoods or social strata—of the United States. A comment by Daniele Boschi on nineteenth-century Italian homicides suggests an intriguing direction for U.S. research: the role of unions in creating working-class solidarity and indirectly suppressing individual violence.<sup>24</sup> Racial exclusionism and regional anti-unionism might help to explain the fragmented pace of American modernization. The homicidal Middle Ages still leave the United States in an odd theoretical and historical position: even in the colonial period, for which the data are much more difficult to develop, U.S. homicide rates appear to have been high in contrast to those of Europe. To paraphrase a comment by Franklin Zimering and Gordon Hawkins, American homicides are a medieval phenomenon occurring in a modern-world nation.<sup>25</sup>

Table 2 gets to what many would consider the heart of the matter: guns. Thanks to the publication of and the subsequent scandal created by Michael Bellesiles's book *Arming America*, the history and extent of U.S. gun ownership is gaining considerable

<sup>23</sup> Spierenburg simply states: "in America as a whole the process of the monopolization of violence [by the state] remained a partial one in comparison with Europe"; "Masculinity, Violence, and Honor: An Introduction," in Spierenburg, ed., *Men and Violence: Gender, Honor, and Rituals in Modern Europe and America* (Columbus, Ohio, 1998), 25.

<sup>24</sup> Daniele Boschi, "Homicide and Knife Fighting in Rome, 1845–1914," in Spierenburg, *Men and Violence*, 151. Rome had a very high homicide rate in the mid-nineteenth century, around 18 per 100,000; *ibid.*, 132–133.

<sup>25</sup> Original quotation, "American homicides are a third world phenomenon occurring in a first world nation," from Franklin Zimering and Gordon Hawkins, *Crime Is Not the Problem: Lethal Violence in America* (New York, 1997), 52.

scholarly attention. Prior to the book's publication, few historians of homicide had really questioned the prevalence of guns in the United States.<sup>26</sup> As an explanation for the high rates of American homicide, guns were probably most importantly conceived as the tool rather than the ultimate cause.

Bellesiles's astounding assertion that colonial-era America had very low gun ownership rates—approximately one household in twenty-five—caught the attention of homicide scholars. For instance, believing his data, I thought that the low prevalence of guns explained why so few gun murders occurred in New York City prior to 1850.<sup>27</sup> Alas, his story for the pre-1850 era turned out to be too good to be true: colonial Americans had a lot of guns, probably utilitarian long guns. We do not yet know if love or utility encouraged gun ownership, but in the sparse home economy of the colonial era, one suspects the latter. Whether or not the United States has had a gun “culture” strikes me as a bogus issue: it seems nearly impossible even to define this idea—for then or now—without imposing such qualifications as to make the inquiry fruitless.<sup>28</sup>

Gun ownership in the United States has most likely declined since the colonial and pre-1850 era. Table 2 shows estimates of the percentage of households with at least one gun and the percentage of households with at least one short gun—a handgun. Each number bears discussion. The new estimate that 60 percent of colonial households had guns probably conforms to what colonial historians would have guessed before the number became an issue. Given the utility of guns in colonial society—from hunting to defense to less obvious uses—one might guess that even the new estimates are low. The contemporary figure, based on poll data, might seem surprisingly low: less than 40 percent of households are armed; less surprising, the figures are lower for the Northeast than for the South, and lower for Democrats, young people, and poor people. America may be armed, but statistically the majority of homes are gun-free.<sup>29</sup>

Gun ownership has also changed. Few Americans live on farms, few hunt, and few are at high risk of an attack on their households. Therefore, a much larger decline should have been in order. Moreover, the type of guns owned has changed. Prior to mass production of the revolver in the late 1850s, pistols were rare and were often

<sup>26</sup> Michael A. Bellesiles, *Arming America: The Origins of a National Gun Culture* (New York, 2000). An earlier article by Bellesiles contained the nugget of the book and began to draw increased attention to his assertions; see Bellesiles, “The Origins of Gun Culture in the United States, 1760–1865,” *Journal of American History* 83 (September 1996): 425–455. For a critique of his book, see the articles in “Forum: Historians and Guns,” *William and Mary Quarterly*, 3rd series, 59 (January 2002), in particular Randolph Roth, “Guns, Gun Culture, and Homicide: The Relationship between Firearms, the Uses of Firearms, and Interpersonal Violence,” 223–240.

<sup>27</sup> Monkkonen, *Murder in New York City*, 35.

<sup>28</sup> Robert R. Dykstra, “Field Notes: Overdosing on Dodge City,” *Western Historical Quarterly* 27 (Winter 1996): 505–514, critiques the notion of a uniquely American frontier culture of violence.

<sup>29</sup> European gun ownership rates range from 4 percent in England to 32 percent in Norway and 50 percent in Finland. See “V[iolence] P[olicy] C[enter] Backgrounder on Guns and France in Wake of Mass Handgun Shooting in Nanterre, France [2002],” at <http://www.vpc.org/press/0203france.htm> (accessed November 21, 2005). See also E. G. Krug, K. E. Powell, and L. L. Dahlberg, “Firearm-Related Deaths in the United States and 35 Other High- and Upper-Income Countries,” *International Journal of Epidemiology* 27 (1998): 214–221; Martin Kilias, “International Correlations between Gun Ownership and Rates of Homicide and Suicide,” *Canadian Medical Association Journal* 148 (1993): 1721–1725; and David J. Bordua, “Firearms Ownership and Violent Crime: A Comparison of Illinois Counties,” in James M. Byrne and Robert J. Sampson, eds., *The Social Ecology of Crime* (New York, 1986), 156–188.

items of luxury consumption. Gentlemen such as Aaron Burr and Alexander Hamilton had pistols: they were a mark of status and wealth as well as weapons capable of murder. Personal weapons as a sign of status persisted until relatively recently in the West; Tiffany produced presentation swords until the early twentieth century.<sup>30</sup>

Probably fewer than 1 percent of the guns in the pre-1850 world were short guns; even now, only one household in ten has a pistol or revolver. We should not let the numbers deceive us, however: that is still a lot of concealable weapons, and an enormous increase—however estimated—from the early nineteenth century, when long guns prevailed. Michael Moore enlivened the popular debate about guns in his movie *Bowling for Columbine*. He contrasts Canada and the United States, which have similar rates of gun ownership but very different rates of homicide. Guns are not the whole story, but only a part of it. Future weapons research will have to explore gun ownership with considerably more precision and subtlety than we have so far accomplished. Since many official records mention only basic kinds of weapons—e.g., guns and knives—this work will probably be fragmentary.

Several inferences and questions can be drawn from these data. First, in the United States, it is not the prevalence of guns but the kinds of guns and what they are used for that has changed. Short guns have reflected the choice of murderers, and their mass production, accessibility, ease of use, and status as a male consumer object, while not to be exaggerated, must account for some of the increase in gun murders. When Representative Dan Sickles (D-N.Y.) ran across a green in Washington, D.C., to murder District Attorney Philip Barton Key in 1859, he had not one but three revolvers in his pockets.<sup>31</sup> While I cannot produce the data to demonstrate the use of short guns in early American murders and their increased usage and availability in the 1850s, my guess is that future research will show that they were used in great disproportion to the low number of households that actually owned them. Until recently, most historians merely recorded gross weapon type, making no distinction between kinds of guns. This is often all that we know. It will be worth the major effort it may take to uncover more details about weapons and the wounds they inflicted.

Second, over a very long period of time, murder rates in the United States have differed so much from those in Europe, in both level and trend, that the search for explanations has to be conducted with care. The level of American homicide is high and has been so for a long time, through periods of enormous change and technological innovation. The growth of the consumer economy and mass-produced guns probably enabled more homicides, but sticks, knives, and rocks made good weapons as well.

To assume that an absence of guns in the United States would bring about parity with Europe is wrong. For the past two centuries, even without guns, American rates would likely have still been higher. Anecdotes about murders committed with other types of weapons are more shocking than might be expected: in 1841, John Colt, brother of the inventor and marketer of the mass-produced revolver, hammered to

<sup>30</sup> Jay P. Altmayer, *American Presentation Swords: A Study of the Design and Development of Presentation Swords in the United States from Post Revolutionary Times until after the Close of the Spanish American War*, intro. by Harold L. Peterson (Mobile, Ala., 1958).

<sup>31</sup> Thomas Keneally, *American Scoundrel: The Life of the Notorious Civil War General Dan Sickles* (New York, 2002), 171.

death a creditor, Samuel Adams, stuffed his bloody body into a crate, and attempted to have it shipped to New Orleans. The gory list goes on: in nineteenth-century New York City, about 800 died by gun, 2,600 by other, less advanced means. (For twentieth-century New York City, for the eighty-six years for which I have data, the figures are approximately 29,000 by gun, 28,000 by other means.) The numbers are sobering.<sup>32</sup>

ARE AMERICANS JUST MEANER? Surely the bulk of travelers' reports from the late eighteenth and early nineteenth centuries never implied as much, although guns and rough backwoodsmen and fighting and murders were plentiful. Rather than stretch to so vague an explanation, one might turn to an aspect of U.S. culture that is being studied recently: gender, and more particularly manliness. Although it is too preliminary to make any large generalizations, it is apparent that American manliness—especially the notion that an insult or slight had to be rebuffed—was a motive in many murders.<sup>33</sup>

A major question is whether the form that manliness took was uniquely American or whether it was the same as in other places. Thomas Gallant has shown how changes in the specific cultural practices of manliness helped reduce homicide in late-nineteenth-century Greek society. Martin Wiener, in *Men of Blood*, suggests that major contrasts emerged in late-nineteenth-century England, with a thoroughgoing redefinition of manliness.<sup>34</sup>

IN THE UNITED STATES, sheriffs, constables, and the police arrested combatants, and they tried to catch and arrest killers. Murderers never walked away from their crimes without having some concern that they might be arrested. In the nineteenth century, at least 50 percent of murderers faced arrest; today the figure is a bit higher, around 60 percent. Would two centuries of more complete arrest rates have made a difference? A wide range of Americans have learned through experience that there is a fifty-fifty chance of getting away with murder.

<sup>32</sup> Boschi shows that Rome had very high homicide rates in the nineteenth and early twentieth centuries, achieved almost entirely with knives. "Homicide and Knife Fighting," 128–158.

<sup>33</sup> I hesitate to push this question further here. Most historians are uncomfortable with insights from evolutionary biology. I find such insights powerful, for example, in explaining why most murderers and their victims in most places are men. On the other hand, huge regional variations in defining masculine aggressiveness seem to account for higher or lower rates of violence; Richard E. Nisbett and Dov Cohen, *Culture of Honor: The Psychology of Violence in the South* (Boulder, Colo., 1996), offer a provocative statement of regional North/South differences in aggression that examines both behavior and body chemistry. On gender and violence, see Martin Daly and Margo Wilson, *Homicide* (New York, 1988). My thinking has been influenced by Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the 19th Century American South* (New York, 1984); Spierenburg, *Men and Violence*; Deborah Blum, *Sex on the Brain: The Biological Differences between Men and Women* (New York, 1997); and Sarah Blaffer Hrdy, *Mother Nature: A History of Mothers, Infants, and Natural Selection* (New York, 1999); the literature expands constantly. I am indebted to the work of the Crime History Network of the Social Science History Association, which has conducted floating seminars for the past twenty-five years.

<sup>34</sup> Thomas W. Gallant, "Honor, Masculinity, and Ritual Knife Fighting in Nineteenth-Century Greece," *AHR* 105, no. 2 (April 2000): 359–382; Martin Wiener, *Men of Blood: Violence, Manliness, and Criminal Justice in Victorian England* (New York, 2003).

The prosecution of violent offenders took a different direction; U.S. juries were reluctant to convict, in particular if manliness was involved. In *The Murder of Helen Jewett*, Patricia Cline Cohen details how the brutal murderer of a young prostitute was acquitted by a jury in 1836: the men of the jury saw him as a promising young man. Representative Dan Sickles escaped punishment as well: he went on to become a Civil War hero. American juries were hard to persuade; or, to put it differently, they were very tolerant, in particular if the murder involved honor or manliness: “there but for the grace of God go I.”<sup>35</sup>

There is no direct comparison, but arrest, prosecution, and punishment would appear to have been much more likely and much harsher in England than in the United States, at least until the mid-nineteenth century.<sup>36</sup> Vic Gatrell’s study of English executions, *The Hanging Tree*, is chilling.<sup>37</sup> In the waning years of capital punishment, 1805–1832, more than 2,000 people were publicly hanged; only 20 percent of those were for murder. Those numbers—about 75 a year—were down from an estimated 140 per year for 1770–1805, and even more dramatically down from 75,000 executions in the century between 1630 and 1730. In the United States, Watt Espy’s research suggests about 800 executions for 1770–1805, and 840 for 1805–1832. The execution rates per capita would be about 20 percent higher for England, and this crude estimate ignores the much lower crime and homicide rates there.<sup>38</sup> In addition, we often forget that transportation loomed as a terrifying alternative for English felons. However, an English criminal would have found life easy in the American colonies and the young United States.

We can directly examine the figures on homicides and executions in New York City from 1800 to 1950, and the record shows that there is no statistical relationship between the two rates. In the nineteenth century, in slightly more than half of the

<sup>35</sup> Patricia Cline Cohen, *The Murder of Helen Jewett: The Life and Death of a Prostitute in Nineteenth-Century New York* (New York, 1998). See George Cooper, *Lost Love: A True Story of Passion, Murder, and Justice in Old New York* (New York, 1994), for the acquittal of a murderer who had stalked his socially prominent victim for weeks, and shot him in front of witnesses in a newspaper office; both men were middle-class, but masculinity and honor were at stake. See Roger Lane, *Murder in America: A History* (Columbus, Ohio, 1997), esp. 143–144. Keneally details Sickles’s rise to generalship, controversial role, and serious injury at Gettysburg in *American Scoundrel*, chaps. 6–7.

<sup>36</sup> Comparable accounts of homicides, arrests, and prosecutions are still hard to come by. In the Netherlands today, about 80 percent of murder offenders are caught and prosecuted. Paul Smit, WODC Research & Documentation Center, Ministry of Justice, Netherlands, personal communication, June 6, 2003. In the United States, about 65 percent face arrest, and presumably fewer are prosecuted, although Maguire and Pastore, *Sourcebook of Criminal Justice Statistics, 1998*, gives a 68 percent conviction rate for 1997, calculated from pp. 289, 431.

<sup>37</sup> V. A. C. Gatrell, *The Hanging Tree: Execution and the English People, 1770–1868* (Oxford, 1994), 7, 618. Gatrell cites P. Jenkins, “From Gallows to Prison? The Execution Rate in Early Modern England,” *Criminal Justice History* 7 (1986): 52.

<sup>38</sup> I use 20 million for the mean English population and 10 million for the United States. These estimates are crude. There is controversy about the English homicide data; Howard Taylor claims that they are unrealistically regular, year to year, and are therefore suspect: “The Politics of the Rising Crime Statistics of England and Wales, 1914–1960,” *Crime, History and Societies* 1 (1998): 5–28. Note that the discovery of regularity that so bothers Taylor caused Quetelet to conceptualize a social structure. See also Taylor, “Rationing Crime: The Political Economy of Criminal Statistics since the 1850s,” *Economic History Review* 51 (August 1998): 569ff. Data on American executions are from M. Watt Espy and John Ortiz Smykla, “Executions in the United States, 1608–1991: The Espy File” (computer database), 3rd ICPSR ed., comp. John Ortiz Smykla, produced and distributed by the Inter-university Consortium for Political and Social Research, Ann Arbor, Mich., 1994. A. Roger Ekirch, *Bound for America: The Transportation of British Convicts to the Colonies, 1718–1775* (Oxford, 1987).

years there were no executions in New York City, but there were plenty of murders. Very few New Yorkers were executed in that century—maybe 82 of some 3,400 murderers, less than 3 percent. Such a low rate of executions may seem surprising, but even today, the rate of executions for murder in the execution-prone state of Texas ranges from .1 to 1.3 percent.<sup>39</sup> Even the dimmest murderer may not worry too much about capital punishment.

However, even if murderers view execution as only a remote possibility, they do get hassled by law enforcement. Some 60 to 65 percent of murderers are arrested today. My data for New York City in the nineteenth century show a downward progression of halves: about 50 percent of murder suspects were arrested, about half of those arrested were tried, and about half of those tried were convicted. As a result, convictions were obtained in only about 11 percent of all murders. Of those actually imprisoned, at least 30 percent were pardoned after serving part of their terms. All of this suggests that the erratic administration of final punishment may be part of the issue, and that diligent police work resulting in arrests that lead to indictment has been systematically lacking for centuries in the United States.<sup>40</sup> The country is currently out of step with much of the world; capital punishment is legal in thirty-eight states. This anomaly dates from the 1970s, according to David Garland: but for legal contingencies and an unprecedented crime wave, the U.S. might conform more closely to the rest of the world.<sup>41</sup> And while 85 percent of murderers in the United Kingdom will not be executed, they can expect to be indicted.<sup>42</sup> Cesare Beccaria's eighteenth-century argument that punishment must be swift, severe, and certain to be effective has never found favor in the United States, as it has in contemporary Britain.

At least four areas of difference between the United States and Europe may have had long-term influences on homicide rates, two being political—mobility and federalism, and two being social—slavery and tolerance. These should be considered hypotheses.

ORIGINALLY, OF COURSE, all of the Europeans in North America were mobile, but their mobility was that of the prosperous—once moved, they achieved permanence and thrived, moving again only for new, positive opportunities. Mobility worked in the opposite direction for those who were marginalized; they were “warned out” of town if they were causing trouble or seemed at risk to become dependent on charity (the likely reason that the grandfather of the murdered prostitute Helen Jewett was

<sup>39</sup>  $r^2 = -.06$ ; I should note that an assiduous effort at data analysis might support (or reject) claims of a relationship between executions and murders, but the basic data make the effort not seem worthwhile. Jen Joynt and Carrie Shuchart, “Mortal Justice,” *The Atlantic Monthly* 291 (March 2003): 41.

<sup>40</sup> Monkkonen, *Murder in New York City*, 167. In an article in the *Los Angeles Times* on July 28, 2003, “South L.A. Killings Get Less Police Attention Than Others,” Jill Leovy and Doug Smith showed that over a period of twelve years, there had been 2,000 uncleared (unsolved) homicides in South Los Angeles—covering most city blocks in the area.

<sup>41</sup> David Garland, “Capital Punishment and American Culture,” *Punishment & Society* 7 (2005): 347–376.

<sup>42</sup> Home Office, *Criminal Statistics for England and Wales, 2000* (London, 2001), 88. No figures for arrests only are given. Found at <http://www.archive.official-documents.co.uk/document/cm53/5312/cm5312.htm> (accessed November 21, 2005).

warned out of Hallowell, Maine, in 1792).<sup>43</sup> For much of the colonial era, residential transiency was associated with poverty and misbehavior, and sometimes even with crime. New England towns, in particular, warned out the poor and the troublesome until the end of the eighteenth century: stability was nearly synonymous with prosperity.<sup>44</sup>

By the mid-nineteenth century, the meaning of mobility had begun a dramatic shift—from the life of the poor and criminal to the life of the ambitious and successful. As a result of prodigious work by the “new” urban historians in the sixties and seventies, we know that communities in the United States in the nineteenth and early twentieth centuries had very high rates of population turnover, or “churning.”<sup>45</sup> Whether rural, small-city, or metropolitan, Americans could expect to see fully one-half of their neighbors gone within a decade. The implications of this turnover have never been fully explored, but at minimum it must have been the case that informal social control, and even formal procedures such as locating witnesses, were enfeebled. The improved situation of one departing family may have left some neighborhoods with a less positive replacement family.

Clearly, leaving a bad neighborhood was an obvious option for families and individuals who were dealing with bad neighbors or social problems. The impact could have been to make bad neighborhoods worse and new, growing ones better; this is certainly what Waldo Cook saw in the late nineteenth century in rural Massachusetts. The same mechanism may well be at work today. William J. Wilson proposed such a factor as amplifying neighborhood disorder when middle- and working-class African Americans moved away from inner-city Chicago.<sup>46</sup> Whether it was the “wandering poor” or those trapped in dysfunctional communities, mobility could have been a significant cause of American homicide. On a national scale, the results should be increasing homicide differences between places: such a hypothesis could be tested if we had enough information over a long time period.

In the early twentieth century, novelists took up the terrible effects of mobility from country to city. Theodore Dreiser’s *Carrie Meeber* and Clyde Griffiths both traced downward paths once they arrived in the big city. Chicago School criminol-

<sup>43</sup> Cohen, *The Murder of Helen Jewett*, 163.

<sup>44</sup> Douglas L. Jones, “The Strolling Poor: Transiency in Eighteenth-Century Massachusetts,” *Journal of Social History* 8 (Spring 1975): 28–54; Ruth Wallis Herndon, *Unwelcome Americans: Living on the Margin in Early New England* (Philadelphia, 2001).

<sup>45</sup> Lane, *Violent Death in the City*, notes the role of mobile young men in violence. See Claude Fischer, “Ever-More Rooted Americans,” “A Century of Difference” Working Paper, The Survey Research Center, University of California, Berkeley (draft, November 2000), <http://ucdata.berkeley.edu/rsfcensus/papers/mobilitynov2000.pdf> (accessed November 30, 2005); Fischer, “Ever-More Rooted Americans,” *City & Community* 1 (June 2002): 175–195; Monkkonen, “Residential Mobility in England and the United States, 1850–1900,” in *Themes in British and American History: A Comparative Approach, c. 1760–1970* (Milton Keynes, 1985), 77–83, explores the mobility issues. A more sophisticated look at factors mitigating mobility is Robert J. Sampson, Stephen W. Raudenbush, and Felton Earls, “Neighborhoods and Violent Crime: A Multilevel Study of Collective Efficacy,” *Science* 277 (August 15, 1997): 918–924. Lawrence M. Friedman, *Crime and Punishment in American History* (New York, 1993), 193–210, discusses other aspects of mobility and crime. For a synthesis, see Michael B. Katz, Michael J. Doucet, and Mark J. Stern, “Migration and the Social Order in Erie County, New York: 1855,” *Journal of Interdisciplinary History* 8 (Spring 1978): 669–701.

<sup>46</sup> Wilson, *The Truly Disadvantaged*. Monkkonen, “The Puzzle of Murder Statistics: A Search for Cause and Effect,” in Monkkonen, *Crime, Justice, History*, 72–74. Lane found that “transient bachelors” in Philadelphia were the most likely to kill or be killed; *Violent Death in the City*, 83. Mobility can have seemingly opposite consequences—the least able people may be left behind, or the least able may depart.

ogists probed the social “disorganization” caused by one kind of mobility—immigration—to examine its effects in causing crime. Research work and neighborhood activism by University of Chicago sociologists introduced new thinking about crime, with an emphasis on family and neighborhood rather than heredity. Frederic Thrasher’s *The Gang* may be the best-known in a long series of studies, all of which took the neighborhood as the starting point. Recently, this work is being retheorized, and insights from Wilson are being incorporated: rather than combining all immigrants and all neighborhoods, the questions turn on specific neighborhoods and specific groups.<sup>47</sup> We may end up with a more satisfactory and comprehensive means of teasing out “good” mobility from bad “stability”—moving up from stagnation. For example, mobility attached to achievement may mean one thing, and immobility forced by poverty another. Or mobility between communities with high similarity—in, say, religion or occupation or ethnicity—may generate entirely different social and political outcomes.

IT IS EASY TO FORGET the unusual structure of American government. The federal system was originally an affiliated group of states that shared a small common central government, but for which most of the structure and governing occurred at the state or county level.<sup>48</sup> Although most states have similar political structures, it does not always follow: Nebraska has a unicameral legislature, and not every state has a county system. Criminal justice shows even more diversity. By the end of the twentieth century, the United States had a large central government, but the decentralized federal system was still very powerful. In 1992, for example, there were just over 3 million federal employees, and about 1 million military personnel. Contrast this to 15.7 million state and local employees—four times as many.<sup>49</sup> The American state is different from other states; given the close ties between state structure and personal behavior posed by both modernization theory and the “civilizing process,” future projects that contrast these two elements need to be explored thoroughly and precisely. One obvious contrast—that between Canada and the United States—is being studied by Rosemary Gartner and Bill McCarthy, and more researchers need to follow their lead.<sup>50</sup> By isolating similar study sites as they have—Vancouver and

<sup>47</sup> Theodore Dreiser, *Sister Carrie* (New York, 1917) and *An American Tragedy* (New York, 1925). Frederic Milton Thrasher, *The Gang* (Chicago, 1927); see also Clifford Shaw and Henry McKay, *Social Factors in Juvenile Delinquency: Report on the Causes of Crime* (Washington, D.C., 1931), vol. 11. The Chicago Area Project has existed for more than seventy years; see <http://www.chicagoareaproject.org/aboutus.htm> (accessed November 30, 2005). See also Steven Schlossman and Michael Sedlak, “The Chicago Area Project Revisited,” *Crime and Delinquency* 29 (1983): 398–462. Robert J. Bursik, Jr., “Social Disorganization and Theories of Crime and Delinquency: Problems and Prospects,” *Criminology* 26 (1988): 519–551; “Rethinking the Chicago School of Criminology in a New Era of Immigration,” paper presented to the NCOVR Workshop “Beyond Racial Dichotomies of Violence: Immigrants, Ethnicity and Race,” November 2003, University of California, Los Angeles.

<sup>48</sup> Most historians and political scientists have focused on understanding the growth of the complex of bureaucracies that made up the American state. See, for example, Morton Keller, *Affairs of State: Public Life in Late Nineteenth Century America* (Cambridge, Mass., 1977). Stephen Skowronek, *Building a New American State: The Expansion of National Administrative Capacities, 1877–1920* (New York, 1982); Monkkonen, *The Local State: The Political Economy of the City* (Stanford, Calif., 1995).

<sup>49</sup> *Statistical Abstract of the United States, 1994* (Washington, D.C., 1994), 319, Tables 493–494.

<sup>50</sup> Rosemary Gartner and Bill McCarthy, “The Social Distribution of Femicide in Urban Canada, 1921–1988,” *Law and Society Review* 25 (1991): 287–312. Understanding differences in federal systems

Seattle, Buffalo and Toronto—located in different political structures, we may be able to test the contrasts in homicide and its suppression between a dispersed federal system and a more systematically organized one.

From the beginning, American federalism meant that almost all criminal justice was left up to the states, and they in turn delegated it to counties and cities, later claiming primary authority for prisons. The results were the permanently fragmented and piecemeal system that the United States maintains today. Even in the twenty-first century, federal law enforcement is reactive and sparse. Although we think of the FBI in any newsworthy criminal crisis, we forget that the agency is relatively small, about 11,000 agents in 2002, close in size to the Los Angeles Police Department. The New York City Police Department is much larger than the FBI, at about 39,000 sworn officers.<sup>51</sup> A convicted murderer may be sentenced to be executed in most states, but not in Alaska, the District of Columbia, Hawaii, Iowa, Maine, Massachusetts, Michigan, Minnesota, North Dakota, Rhode Island, Vermont, West Virginia, or Wisconsin. Connecticut, Kansas, New Hampshire, New Jersey, New York, South Dakota, and the U.S. military have not executed anyone since 1976. On the other hand, the more modern federal systems of Germany and Canada have one criminal code. The terrorist attacks of September 11 highlighted the fragmentation of authority in the United States even at the federal level, but when contrasted to ordinary criminal law enforcement, federal law enforcement appears to be as coherent as it is minuscule.

FOR TWO HUNDRED YEARS, commentators have reported about race slavery and the violence upon which it depended. Race slavery stands as the biggest and most obvious population difference between Western Europe and the United States. Slave owners ultimately had to count on their own power, because slavery was inevitably based on an elaborately rationalized violence. Slaveholders not only trained each other in the use of personal violence, they also passed on their knowledge and culture. Moreover, the power of the state retreated as the culture of personal violence advanced, creating systems with remarkably weak law enforcement and weak or no penitentiary systems. Slave patrols were in essence extralegal slave police forces, which diminished the authority of the state even further. (Redfield argued that it was the southern concept of honor, the social approval of men settling “personal difficulties” with homicide, and not the “virus of slavery” that accounted for southern and northern differences in homicide.) While I believe that most contemporary historians would say that the “virus of slavery” was in fact responsible for southern

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is far beyond the scope of this article—and probably beyond my abilities as well. For a study that shows the differences that federal structures can make, see Pradeep Chhibber and Ken Kollman, *The Formation of National Party Systems: Federalism and Party Competition in Canada, Great Britain, India, and the United States* (Princeton, N.J., 2004). “Our claim that the nature of federalism influences the dynamics and stability of a party system differs from previous party system theories that stress the significance of social cleavages, electoral laws, and other constitutional features” (3). I wish to thank Karren Orren for this citation.

<sup>51</sup> <http://www.fbi.gov/aboutus/faqs/faq3one.htm> (accessed November 30, 2005); <http://www.nyc.gov/html/nypd/html/misc/pdfaq2.html#41> (accessed November 30, 2005); source for executions: <http://www.religioustolerance.org/execut3.htm#stats> (accessed November 30, 2005).

homicide, the argument can be extended to the whole United States, which tolerated slavery for more than two centuries.<sup>52</sup> How can this hypothesis be further specified? Have those who point to a southern culture of post-Civil War homicide identified a principal source of continuing American homicide?<sup>53</sup> If so, why should this particular heritage have persisted?

ELSEWHERE I HAVE PROPOSED that the U.S. political and criminal justice systems have tolerated more homicide than their European counterparts, just as they have had to tolerate ethnic and religious differences.<sup>54</sup> Preposterous as it may seem to mention tolerance and slavery together, outside of the South, from early on, juries had to tolerate foreigners, many of whom, like the Irish, were considered racially different. Urban political machines welcomed immigrants, and citizenship brought with it jury duty. This grudging tolerance helped make a loose and underfunded criminal justice system even looser. For example, in the first three-quarters of the nineteenth century, my data on New York City show an average of 25.7 homicides a year, of which 6.3 resulted in criminal convictions and only .6 in executions. This may not have been exactly a show of tolerance, but it did demonstrate a certain laxity. Another strong example is George Cooper's *Lost Love*, which narrates the tale of an Irishman named McFarland who stalked and murdered a popular Yankee reporter named Richardson. The jury acquitted McFarland. In this case, gender bias trumped race; McFarland's wife, Abby, had divorced him for Richardson, and for the jury, manly jealousy excused his stalking and shooting.<sup>55</sup> A nation without a state religion and with the franchise available to all white men, regardless of property, was, from the nineteenth-century point of view, a very tolerant place. Rather than see jury acquittals as a failed prosecution, one can instead see the benefit of a doubt reflecting a reluctant tolerance. The dominant Northeast tolerated southern excess and intolerance, at least until the early twentieth century, when lynching and chain gangs finally began to disturb the northern conscience.

CAN THIS COMBINATION of hypothesized social factors and political systems come close to accounting for such a vast difference between the United States and the rest of the West? It is a start, and it does include the cumulative wisdom of many scholars. The basic data, which have been collapsed into Table 1, are still fragmentary and may change. Current research also promises more information in the next decade: in Europe, individual studies of both cities and rural places continue to cumulate.

<sup>52</sup> Sally E. Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas* (Cambridge, Mass., 2001); Redfield, *Homicide, North and South*, 16–17; Ayers, *Vengeance and Justice*; Lane, *Murder in America*, 350–351.

<sup>53</sup> Fox Butterfield, *All God's Children: The Bosket Family and the American Tradition of Violence* (New York, 1996).

<sup>54</sup> Monkkonen, *Murder in New York City*, 167; tolerance knits the mobility and federalism explanations as well.

<sup>55</sup> Cooper, *Lost Love*. As William F. Kuntz observed for capital juries in the period 1830–1880, “New Yorkers were extremely reluctant to execute those convicted of capital offenses.” William Francis Kuntz II, *Criminal Sentencing in Three Nineteenth-Century Cities: Social History of Punishment in New York, Boston, and Philadelphia, 1830–1880* (New York, 1988), 73.

Within a decade, the number of studies could easily double. The way shown by Ted Gurr in 1981—a gathering of all reasonable data and careful construction of a big picture—is more promising than it seemed even then. From learning much more about the basics—from homicide rates in a wide variety of place and times to more sophisticated age- and gender-based research—it is clear that a deeper understanding of international differences may be achieved. Just as paleo-archaeologists and astronomers have started empirical projects to combine their observations, so historians in this particular area have exciting possibilities.<sup>56</sup> It may be that new evidence will challenge all or parts of the broad picture I have sketched. Or new work may challenge my claims for the impact of mobility or the effects of federalism. In any case, the continuation of the effort promises dividends of real significance: it is a matter of life and death. For example, if mobility has been important, then compensating social or political mechanisms may be needed. Historical work on homicides has the potential to contribute both new questions and new insights on historiography and policy alike.

<sup>56</sup> In the United States, there are far fewer scholars at work on the tedious business of reconstructing rates, but the project initiated at Ohio State University by Randolph Roth, Cornelia Hughes Dayton, and Douglas Eckberg ([www.sociology.ohio-state.edu/cjrc/hvd](http://www.sociology.ohio-state.edu/cjrc/hvd), accessed November 30, 2005) promises not only to help in providing cumulative and consistent historic homicide data, but also to stimulate new research projects.

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