

The Current Crisis of American Criminal Justice: A Structural Analysis

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Annu. Rev. Criminol. 2023. 6:43–63

First published as a Review in Advance on
September 28, 2022

The *Annual Review of Criminology* is online at
criminol.annualreviews.org

<https://doi.org/10.1146/annurev-criminol-030722-035139>

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Keywords

mass incarceration, police killings, criminal violence, social control,
political economy, welfare state

Abstract

This review situates the recent, radical challenges to American criminal justice—calls to end mass incarceration, defund the police, and dismantle systemic racism—within the broader social and economic arrangements that make the US system so distinctive and so problematic. It describes the social structures, institutions, and processes that give rise to America’s extraordinary penal state—as well as to its extraordinarily high rates of homicide and social disorder—and considers what these portend for the prospect of radical change. It does so by locating American crime and punishment in the structural context of America’s (always-already racialized) political economy—a distinctive set of social structures and institutional legacies that render the United States more violent, more disorderly, and more reliant on penal control than any other developed nation. Drawing on a broad range of social science research findings, it argues that this peculiar political economy—a form of capitalism and democratic governance forged on the anvils of slavery and racial segregation and rendered increasingly insecure and exclusionary in the decades following deindustrialization—generates high levels of social disorganization and criminal violence and predisposes state authorities to adopt penal control as the preferred policy response.