A global trend toward law and order harshness?

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A popular claim made by criminologists argues that globalization has created a general punitive turn in Western industrialized countries and led to much harsher law and order policies. The present paper challenges this view and adds to the literature in two respects as follows: first, it presents empirical evidence that substantial differences in law and order policies remain between Western industrialized countries even when law and order policy is measured in a much more finely grained manner than previously. Second, the paper provides empirical evidence for a persisting influence of the partisan ideology of governments and the party system characteristics of a country on its law and order policies: whereas the general trend of increasing economic globalization may well set the overall tone, this impact is conditioned by national political and institutional settings – and the ideology of the government as well as the party system in particular.

Keywords: law and order; comparative public policy; partisan effects; punitive turn

'*Diligent and belligerent programs of 'law and order' entailing the enlargement and exaltation of the police, the courts, and the penitentiary have also spread across the First world because they enable political elites to reassert the authority of the state and shore up the deficit of legitimacy officials suffer when they abandon the mission of social and economic protection established during the Fordist-Keynesian era*'

(Wacquant, 2010: 198)

Introduction

Sociologists such as Garland (2001) or Wacquant (2010) have argued that globalization and neo-liberalism have caused a 'punitive turn' in industrialized Western countries. Although the causal mechanism linking globalization and neo-liberalism to 'diligent and belligerent programs of "law and order"' (Wacquant, 2010: 198) differs depending on the author and the study (see below), the mainstream of the literature converges in terms of the overall story. The root cause for tougher law and order policies is said to be found in macro-trends, namely economic globalization: 'If the watchwords of post-war social democracy had been economic control and social liberation, the new politics of the 1980s put in place a quite

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different framework of economic freedom and social control' (Garland, 2001: 100). The empirical evidence used to support this claim mostly comes from case studies, very often from the United States or the United Kingdom, or from quantitative analyses of imprisonment rates.

This article challenges the view of a deterministic path leading from increasing globalization and the advent of neo-liberal ideas to harsher law and order policies in all countries. Instead, I argue that national characteristics – and especially partisan politics – continue to play a crucial role as they moderate the impact of global trends on national policymaking. The main concern of this paper is therefore to clarify how existing differences in terms of law and order policies can be explained and what role the interactions between globalization trends and the characteristics of national political systems play in this process. In answering this research question, the present contribution adds to the existing literature in at least two ways as follows: *first*, it presents new empirical evidence on the cross-national differences in law and order policies and their development over time using different indicators than so far. Until recently, law and order policies have been largely neglected by scholars of comparative public policy [see, for instance, the review by Gottschalk (2008); a couple of notable exemptions are Norris (2007, 2009) and Tepe and Vanhuysse (2013) or Wenzelburger (2014)]. This void has been filled by criminologists who have looked at the development of law and order policies in individual countries and, in recent years, also cross-nationally (Cavadino and Dignan, 2006; Tonry, 2007; Lacey, 2008, 2010a, 2012; Lappi-Seppälä, 2014). However, these analyses are still very much tied to the overarching [but '"thin" and under-theorized' (Matthews, 2005: 178)] concept of punitiveness,[1] which quantitative studies mostly approximate by imprisonment rates (Sutton, 2004; Cavadino and Dignan, 2006; Downes and Hansen, 2006).[2] Hence, my approach of combining different indicators – namely the number of police officers, law and order spending, and imprisonment – contributes to a more nuanced understanding of law and order policies. *Second*, I use time-series cross-sectional (TSCS) regressions to investigate how the effect of globalization on law and order policies differs depending on the characteristics of national political systems. The results indicate that the impact of globalization is conditioned by the ideological stance of governments as well as by the national party system. These results challenge the idea of a deterministic path leading from globalization to harsher law and order policies and point to the continuing relevance of national policy-making systems in general and partisan ideology in particular.

The remainder of this paper is structured as follows. The next section develops a theoretical framework from theories of comparative public policy, relates it to criminological explanations of law and order policies, and develops testable hypotheses.

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[1] Punitiveness and punitivity are used interchangeably here and in the criminological literature.

[2] Qualitative researchers use a plethora of different indicators, such as law and order legislation (Newburn, 2007), harsher sentencing, increased use of imprisonment or 'three strikes', and mandatory minimum sentencing laws (Garland, 2001: 142). This makes meaningful comparisons difficult.

The third section presents data, variables, and methods. The empirical analysis is presented in penultimate section, before a final section draws conclusions and indicates avenues for further research.

Theory and state of the art

Theoretical accounts of law and order policies as well as the empirical state of the art in the literature are rather fragmented. Owing to the gradual evolution of the field, many explanations have been put forward without integrating them in an overall framework or clarifying their value.[3] Furthermore, the explanations vary in terms of their causal distance to the dependent variable, the type of variance they look at (temporal or cross-sectional), and the nature of the assumed relationship (structural-functionalist, institutional, international, actor centered, etc.). In this section, I structure existing accounts by relating them to a general framework of public policymaking, develop an explanatory model, and deduct three testable hypotheses.

Given the fragmented theoretical state of the art, it is helpful to start with a general framework of public policy-making in order to organize the different approaches. In his conceptualization of the policy-making process, Hofferbert (1974: 225–226) distinguishes context-related and actor-related factors and organizes them in a causal order: socio-economic developments are treated as demand factors feeding into the policy-making system (and are thus causally far away from the output), whereas political decisionmakers are most proximate to the policy output because they take the final decisions. Although the approach can be criticized from different perspectives (e.g. Blomquist, 1999: 208–219), Sabatier concludes that it 'constitutes a parsimonious view of the policy process with clear (of perhaps not always valid) driving forces. It is a useful starting point for cross-sectional comparisons […]' (1991: 150–151). Following this 'parsimonious view', one can re-organize the existing explanations for law and order policies and distinguish three kinds of theoretical accounts as follows (for an overview, see Table 1 in the online appendix): (1) 'big trends' that create demands on the policy-making system, such as globalization or de-industrialization; (2) features of the policy-making system itself, which are mainly institutional and represent the proximate context in which political actors decide; and (3) preferences of the policymakers themselves, and especially their ideological stance toward a certain policy.

Big trends

Explanations of law and order policies referring to big trends come in three flavors as follows: *structural-functionalist theories* argue that diverse economic and societal

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[3] A notable exception is the work of Becker (1976), which provides a coherent rational choice framework for the analysis of criminal behavior and policy reactions. However, for the present analysis, which takes a clear public policy perspective, this rather narrow economic approach seems not appropriate.

conditions lead to a particular development of punishment. Economic downturns, rising unemployment and inequality (Rusche and Kirchheimer, 1968; Chiricos and Delone, 1992), higher crime rates (Gottfredson and Hindelang, 1979; Bottoms, 1995), or, more specifically, the perception of a higher crime rate by the middle class (Garland, 2001) have been found to cause harsher law and order policies. Although different mechanisms are put forward (for an overview, see Chiricos and Delone, 1992), the gist of the argument is that these socio-economic variables will force political actors to implement harsher policies – for instance, because higher crime rates create a strong demand for more and tougher punishment. A second strand focuses on societal change and general concepts such as the *risk society* or *postmodernism*, to name just two buzzwords (Beck, 1986, 2011; Giddens, 1990; Beck *et al.*, 1994; Bauman, 1999). These broad concepts, which argue that structural developments within societies, as well as a profound value change, have set in motion a substantial transformation of Western societies, are used by criminologists to make sense of harsher policies (Singelnstein and Stolle, 2012). Again, governments are said to respond to these external forces by implementing tougher law and order policies to increase the citizens' (feelings of) security.

The third theoretical argument links *globalization* and the spread of neo-liberal capitalism to law and order policies. However, compared with the two above-mentioned approaches, the globalization hypothesis stands out because globalization is considered to be at the origin of both structural socio-economic change such as rising inequality or higher crime rates, and societal change toward a risk society. Hence, economic globalization can be considered as some kind of root cause leading to a number of other developments, which, in turn, generate harsher policies (Garland, 2001; Downes, 2011; Muncie, 2011). What are the causal mechanisms discussed in this context? Four mechanisms can be distilled from the literature as follows: first, some scholars argue that globalization has created new forms of crime to which governments respond with harsher policies (Zedner, 2009: 125; Aas, 2013: 104–147). Second, globalization is held responsible for increasing income inequality and poverty (Wacquant, 2001), which in turn creates – in accordance with the classic structural-functionalist theories – tougher law and order policies (Western, 2006; Western and Pettit, 2010). Third, globalization has also been identified as generating higher (perceived) insecurity in labor markets and as creating general feelings of insecurity (Pratt, 2007: 37). According to the theory, these feelings of insecurity, which are an important element of the concept of the risk society (Beck, 1986), lead to a societal demand for tougher sanctions by the government (see above). Finally, a fourth mechanism linking globalization to harsher law and order policies puts the political actor center stage. It posits that politicians have a stronger incentive to present themselves as capable of acting in the field of law and order because the room for maneuver in the area of economic and social policymaking decreases owing to austerity pressures caused by globalization and international competition (Simon, 2007; Wacquant, 2010: 198).

In sum, although the explanations presented above put forward different causal mechanisms, they are similar in their functional logic as they posit that national policies are determined, to a large extent, by general trends. If one adheres to the view that globalization lies at the origin of many of these trends, this explanation stands out as the most important driving force of harsher policies: rising fear of crime and an increasing quest for security (Hope and Sparks, 2000; Zedner, 2003), higher crime rates (Garland, 2000: 354–364), the retrenchment of the welfare state and escalating inequality (Wacquant, 2009: 6), and the development of a risk society (Beck, 2011) – all these developments have been said to be a *result* of globalization and at the same time an *explanation* for law and order policies. Consequently, increasing globalization should therefore be considered a major variable shaping the development of law and order policies.[4]

The proximate context

In the literature on law and order policies, several explanations argue that the proximate context matters. *Micro-sociological* approaches try to show that there is a direct link between the attitudes of the citizens and penal policy responses ['democracy at work' thesis (Beckett, 1997a: 15; Roberts *et al.*, 2003)].[5] *Path dependency* is acknowledged by studies emphasizing the specific cultural and historical tradition of a country (Savelsberg, 2011). Very much linked to such approaches are *regime-specific explanations* according to which the specific organization of a capitalist system (Lacey, 2008) or the structure of the welfare state (Cavadino and Dignan, 2006) influence a country's law and order policy and keep it on a certain policy path. Besides, the proximate context is also made up of *interest groups* such as victim organizations, which have been held responsible for harsher policies in the United States (Miller, 2008) and New Zealand (Bartlett, 2009: 40–62), as well as of a certain *budgetary context*, limiting law and order spending (Tepe and Vanhuysse, 2013; Wenzelburger, 2014).

Finally, the most important aspect characterizing the proximate context is the *institutional setup* of a political system – and the configuration of the party system in particular. Influential explanations argue that the electoral systems (Lacey, 2010b, 2011) and the resulting party systems and partisan competition (Jacobs and Helms, 2001; Newburn, 2007) shape a country's law and order policy as follows: first-past-the-post electoral systems, which foster fierce partisan competition of two parties have been found to create a dynamic where the two (non-liberal) parties

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[4] The idea that globalization leads to uniform reactions in all countries and is the major explanation of policy change is not restricted to the domain of law and order but also very prominent in the literature on welfare state reforms (Strange, 1995) or tax policy (Adam *et al.*, 2013).

[5] What remains unclear, however, is the causal relationship between policies and public opinion, for example, if policymakers use existing fears of crime to present themselves as capable political leaders (and even increase public anxieties) or if they just respond in a functionalist way to public opinion (see, for instance, Beckett, 1997b).

(e.g. the Tories and Labor in the United Kingdom) compete on law and order issues and move their ideology and their policies gradually in a more repressive direction – a spiral Lacey has termed 'prisoner's dilemma' (Lacey, 2008). Hence, party system characteristics are of prime importance. Besides this major institutional impact, several other institutional characteristics have been discussed in the literature: liberal media systems with strong tabloid newspapers (Green, 2007) as well as the popular election of actors in the justice system (Levitt, 2002; Huber and Gordon, 2004) have been found to lead to harsher law and order policies too.

These theoretical accounts resonate well with the public policy literature, in which political institutions play a prominent role (Immergut, 1990; Tsebelis 1995; Schmidt, 1996; Jahn, 2010). Although these concepts differ in several important respects, they share the idea that political institutions provide a proximate context for the policymakers' impact on the policy-making process. In terms of law and order policies, it seems that the configuration of the party system is the most important characteristic, which will therefore be taken into account more prominently in the empirical analysis (see below).

The political actors

The variables most closely connected to the policies deal with the political decisionmaker, because 'human beings have to act for there to be a policy' (Hofferbert, 1974: 226). As proponents of the theory on partisan politics (Castles, 1982; Schmidt, 1996) have argued forcefully, the *ideology of political parties* in government is crucial in this respect. Concerning law and order policies, the common denominator of the existing approaches is that the ideological position of a government will affect its policies.[6]

For law and order policies, several case studies on the United States and the United Kingdom have revealed that partisan positions of major parties are converging and moving to the more repressive pole (Medina-Ariza, 2006; Morgan, 2006: 468; Newburn, 2006: 183, 2007; Downes and Morgan, 2007; Farrall and Jennings, 2012). The reason for this development is summarized by Roberts *et al.* as follows: 'It is the fear of being seen as "soft on crime" – or at least as being softer than one's political opponents – rather than a commitment to "out-tough" them that tends to drive politicians to the extremes of penal excess' (2003: 161). In terms of partisan effects, this dynamic has two consequences as follows: first, it should not necessarily matter for policies what *party family* is in power because a left party in one country could well hold a tougher stance toward law and order than a Christian

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[6] I focus on the studies that expect the government ideology to affect public policies. However, one could also argue that right-wing populist parties are crucial as they put the law and order issue on the political agenda (Pratt and Clark, 2005; Seeberg, 2013). Hence, the ideological stance of governmental parties could also be the dependent variable and one could ask why this position moves (e.g. because right-wing populist parties put the issue on the agenda).

democratic party in another country. However, second, if *partisan positions* on law and order are measured, one would expect partisan effects. Clearly, a government holding a more repressive stance at a certain point in time (in a certain country) should implement harsher policies than a government with a more liberal position at another point in time (in another country). Hence, if one aims at explaining the influence of partisan ideology, using ideological positions of government parties is advisable.

This relates directly to the question how these ideological positions can be measured. Häusermann *et al.* (2013) argue that when analyzing partisan effects, one should definitely use the axis of partisan competition, which is relevant for the policy under investigation. For law and order policies, using the standard left–right measure is therefore not appropriate because parties compete on a liberal vs. repressive dimension, which does not coincide with left–right measures [see, for instance, many European liberal parties that are liberal in terms of law and order but conservative in terms of economic policies (Laver and Hunt, 1992; Pappi and Shikano, 2004)].

Building an explanatory model of law and order policies

The discussion above has identified several possible explanations for law and order policies and has shown that it makes sense to order these explanations according to their distance to the dependent variable, namely law and order policies. This subsection binds together the different approaches discussed above and builds a theoretical model, which is put to a test in the empirical analysis. Two aspects are most relevant to this model-building exercise: first, all the variables that should, on theoretical grounds, affect law and order policies must be included in the model. Second, the variables should be organized in a reasonable way reflecting the differences between general trends, proximate context, and actor-related variables in terms of causal order.

Figure 1 gives a stylized overview of the explanatory model. Discussing the causally most distant explanation to the policy output first, globalization plays an important role in this model. However, as discussed in the section above, I consider globalization to be a general trend, an overall tone. Depending on the specific context of the analyzed political systems, globalization *may or may not* lead to a harshening of law and order policies, because it 'does not force politicians to do anything nor does it prohibit certain policies. Globalization only changes the cost/benefit relations for certain policies' (Zohlnhöfer, 2009: 106).

What are the conditions that decide whether the overall tone set by globalization exerts the effect on policies that the literature expects? From Hofferbert's model and many other studies on public policies, one can deduct that the government is the most important agenda setter in the public policy-making process and that its ideology has therefore to be accounted for. To give an example, if a government with a very liberal ideology is in office, it could well decide not to implement harsher
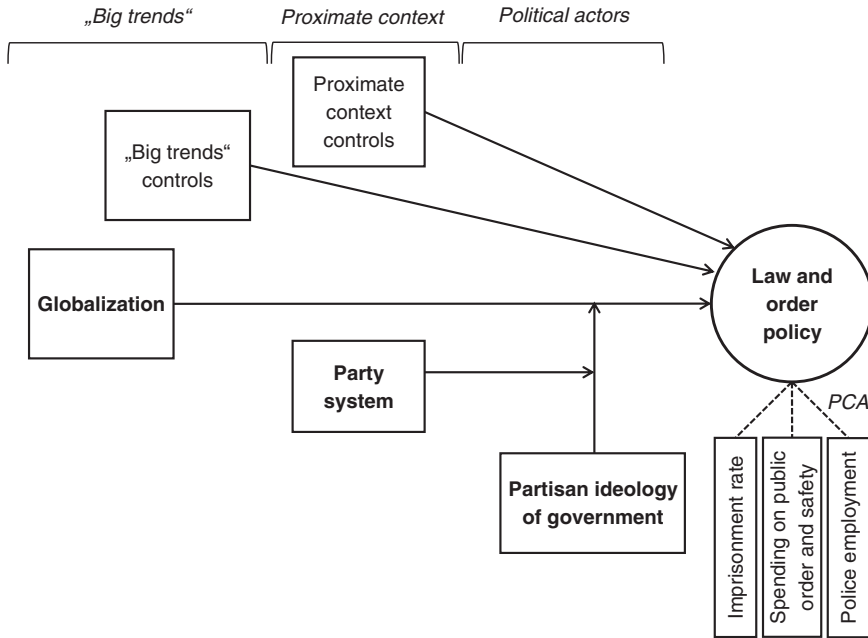
Figure 1   A stylized explanatory model of law and order policies. PCA = principal component analysis.

law and order policies even though (1) globalization has given rise to new forms of international crime and even though (2) the room to present itself as capable leader in the field of social and economic policies is limited owing to the era of permanent austerity caused by economic globalization. In sum, the effect of globalization can be expected to be conditioned by the ideological stance of the governing party or coalition.

Besides, the impact of the proximate context has to be accounted for too. Within this category, the characteristics of partisan competition are of prime importance. In a two-party system with fierce partisan competition, the two parties competing for office and votes may try to out-tough each other in terms of law and order policies. Hence, one would expect the harshest policies when a government with a repressive ideological stance acts in a context of a two-party system. On the contrary, the same government might not have the same incentives to implement harsh policies in a context of a multi-party system where the dynamic is more consensus oriented.

In sum, treating globalization as a 'big trend' variable that affects a government's policies depending on (1) its ideological position and (2) the configuration of the party system in which it is embedded, one would therefore expect an interaction effect, which can be summarized as follows (see Table 1): if the government is ideologically strongly in favor of harsher policies (repressive, second column in Table 1) and if it operates in the context of fierce partisan competition with one

Table 1. The impact of globalization on law and order policies conditioned by the party system

	Ideological position of government	
	Repressive	Liberal
Party system		
No two-party system	Strong impact	Weak impact
Two-party system	Very strong impact	Weak impact

main competitor, the impact of globalization will translate directly into harsher law and order policies. However, if the context of the party system is more consensus oriented in a multi-party context, this should dampen this effect to a certain extent. In contrast, if a liberal government is in office (last column in Table 1), it will oppose the pressure of globalization leading to a smaller effect. In this case it is unclear if the party system matters. On the one hand, one could argue that, in a two-party context, even liberal parties might push for harsher policies; on the other, it is questionable if liberal parties would really opt for a tougher stance, given the preferences of their electorate. Given that the case-study literature identifies the 'out-toughing' dynamics only in cases when the major competitors are non-liberal (United States and United Kingdom), I, therefore, do not expect the party system to matter if liberal parties are in office (last column in Table 1).

From this discussion, I deduct three hypotheses, which deal with the interactions of globalization, partisan ideology, and party system characteristics and their impact on law and order policies: The first hypothesis posits that the effect of partisan ideology on law and order policies is conditioned by the type of the party system, the second hypothesis spells out the ways in which globalization may affect policy outputs in the context of different governmental ideologies, and the third hypothesis finally combines all three variables and shows how the impact of globalization varies depending on the ideology of the government and the party system characteristics in which it operates (see Table 1). Besides, given the central role of governments and their ideology in the policy process, Hypothesis 1 also suggests a direct effect of government ideology and the harshness of law and order policies:

HYPOTHESIS 1: The more repressive the ideological stance of a government, the harsher the law and order policies it implements. This effect of repressive partisan ideology is stronger if the government acts in a two-party context.

HYPOTHESIS 2: Globalization leads to substantially harsher law and order policies if governments with a repressive stance are in power. Governments formed of a party (of a coalition) with a liberal ideology counteract this pressure leading to a much weaker globalization effect.

HYPOTHESIS 3:   The repressive dynamic resulting from strong globalization and a repressive governmental ideology is reinforced if the government acts in a two-party system.

Two additional remarks are in order. The first remark concerns control variables. To empirically assess the relationships put forward in the hypotheses, the regression models include a number of controls. These variables represent several other explanations for law and order policies as discussed above (for an overview, see Table 1 in the online appendix) and are situated at the level of 'big trends' (e.g. income inequality) as well as at the level of the proximate context (e.g. micro-sociological explanations, see Figure 1). The second remark is related to the question, if variables exert their effect immediately or with a certain time lag. Getting the lag structure right is a demanding exercise when modeling the regression equations – but the best starting point is always theoretical (Plümper *et al.*, 2005). The model in Figure 1 gives at least some hints because it shows that some variables are causally more proximate to the policy output than others. In the major part of the cases, this causal distance has also a temporal dimension, which can be captured by appropriate time lags. The partisan ideology of a government, for instance, should affect the policy output without much time lag, whereas an increase in the fear of crime (proximate context variable) has first to be perceived as a problem by political actors before they react with a legislative proposal. In this case, one would expect a certain, but not very big, time lag. In contrast, the effect of globalization works with an even larger temporal distance. According to one of the theoretical arguments, globalization leads to economic insecurity (especially on the labor market), which causes general feelings of insecurity that, in turn, trigger a reaction by the government to introduce harsher law and order policies. Here, I would clearly expect a longer time lag before a change in the independent variable (in this case globalization) affects the dependent variable.

Data, variables, and methods

Data and variables

A quantitative analysis of law and order policies necessitates the measurement of the core concepts. Concerning the *dependent* variable, most of the comparative criminological studies use imprisonment data, which is readily available for a longer time period and several industrialized countries.[7] However, law and order policies represent several dimensions (Matthews, 2005; Kury and Ferdinand, 2011), out of which two – the political and the judicial dimension – are most relevant for our purposes. Taking into account this multi-dimensionality, I combine three

[7] For a critique, see the work of Pease (1994).

variables as follows: I use *imprisonment rates* as they reflect legislative choices as well as the harshness of judicial decisions and thus tap into both the political and (maybe somewhat more) the judicial dimension. Besides, I include the *number of police officers* per inhabitant and *public spending on law and order* as they account for political decisions not reflected by imprisonment rates (e.g. a governmental decision to hire more police officers or to expand the supervision of telephone calls). Although the number of police officers is a good complement to imprisonment rates because the visibility of police on the streets is a politically important symbol (Tepe and Vanhuysse, 2013), public spending on public order and safety (following the international COFOG classification) is used because it refers to aspects of policy that are neither covered by imprisonment nor by police personnel (such as a decision to spend more on new surveillance techniques).[8] These three indicators are combined via a factor analysis (principal component analysis, results see online appendix). The analysis yields a one-factor result and all three variables load highly on the factor (spending: 0.74; police employment: 0.71; imprisonment: 0.73). Cronbach's α is 0.56 which is satisfying given that three variables are compared.

As the focus of my analysis is mainly on the cross-national differences in the development of law and order policies over time, I have de-meaned the raw data of the three indicators. For each country-year observation, I have subtracted the country-specific mean from the raw data of the three variables. As a consequence, much cross-country variation in *levels* has been eliminated, whereas cross-country variance in the *changes* over time (more precisely, the differences from the country mean) remains (see Figure 1 in the online appendix).

In the regression models different *independent variables* are combined. Aside from the variables of main theoretical interest – namely measures of globalization, government ideology, and institutional constraints – the models include a substantial number of covariates (such as homicide, fear of crime, or unemployment).[9] As the controls are measured according to the existing criminological and political–economic standard in the literature (see online appendix, Table 2), I only elaborate on the measurement of the main variables of theoretical interest: globalization, government ideology, and the party system. Globalization is measured by three different indicators – namely the KOF index of economic globalization, the KOF index of social globalization (Dreher, 2006), and the index of the openness of the economy (sum of import and export as a percentage of GDP). The choice of these indicators reflects the theoretical relationships that are expected to be at work.

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[8] From this conceptualization follows, however, that legislative changes that are purely regulative will not be accounted for. This has to be left to an in-depth analysis of countries or a larger data-gathering effort on legislative changes.

[9] In some rare instances, I had to interpolate data that was not available on a yearly basis (e.g. fear of crime). Furthermore, I have missing data for some years in some countries, but this is limited to rare occasions.

Two of these relationships assume economic globalization to be the root cause for the tendency toward harsher law and order policies. The argument on the insecurity of labor markets and income inequality can be related to the competition of companies in international markets (indicator: openness of the economy), and the argument on political actors using law and order policies to claim credit in times of austerity to general economic globalization (KOF index on economic globalization including data on capital restrictions and taxes). Finally, the indicator on social globalization is used to approximate the argument that harsher law and order policies are a reaction to the globalization of crime.

Government ideology, the second independent variable of theoretical interest, is coded using the partisan position of the governing parties on a law and order scale according to the Party Manifesto Dataset (Klingemann *et al.*, 2006) weighted by their share of cabinet seats. I have calculated the governments' positions using the manifesto measure of law and order issues, namely the share of positive quasi-sentences on law and order issues in relation to all quasi-sentences in a party manifesto. Hence, the indicator is a measure for the relative (positive) importance of law and order within the manifesto of a party. Weighting the position using the cabinet shares is a way to take into account the relative strength of parties in a coalition government (ideological center of gravity). As a result, I get a time-varying governmental ideological position toward law and order.

Finally, the characteristics of a party system are measured by two dummy variables based on the classification by Golosov (2011: 553). The first dummy variable takes the value of 1 for two-party systems according to Golosov; the second dummy variable treats 'bivalent multi-party systems' like two-party systems in order to capture multi-party systems with dynamics that resemble two-party systems.[10] Both variables are used interchangeably in the regression analysis.

Method

As the data is pooled across time and space [280 country-year observations from 14 years (1995–2008) and 20 countries[11]], I run TSCS regressions. Estimating regressions for pooled data creates some trouble – especially unit heterogeneity, temporal dependence, and heteroscedasticity. I test for these problems and use econometric solutions, which I will briefly discuss in the following section.

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[10] In both instances, New Zealand (which is classified as an evolving system by Golosov) is treated as a two-party system owing to the important continuities even after the change to PR and the fact that during the observation period the system was divided rather clearly in two blocks led by the National Party and the Labour Party (see Barker and McLeay, 2000).

[11] The selection of 20 OECD countries is justified by the theoretical framework, which draws on explanations of law and order policies in advanced industrialized countries. The time span from 1995 to 2008 is owing to data availability. Because of missing data and time lags, the regressions mostly operate at around 220 observations.

Unit heterogeneity of the dependent variable has been greatly reduced owing to the de-meaning of the raw indicators, which are combined in the factor. Moreover, running a full fixed-effect (FE) model (which is equivalent to de-meaning the independent variables too) is theoretically not very sensible as almost all relationships in the theoretical model expect an impact of *levels* of independent variables [e.g. the ideological position of the government as such and not its change should influence the development of law and order policies (for a similar argument, see Plümper *et al.*, 2005: 333)]. Finally, running a Hausman test between an FE model and a full model (excluding time-invariant variables) does not point to the necessity of including FE.[12] *Temporal dependence* is an issue in the regression equations as the data are serially highly correlated. To account for the temporal dependence, I model a lag structure according to the theoretical assumptions discussed above. I first start with a full autoregressive distributed lag (ADL) model, suppress non-significant lags of independent variables subsequently (De Boef and Keele, 2008), and check if there is remaining serial correlation in the error terms. The results are reported in the regression tables. Non-stationarity is not an issue for the dependent variable, which is serially correlated but not non-stationary (Dickey–Fuller tests reject non-stationarity). Moreover – and more importantly – the issue of non-stationarity is rather ambiguous in the context of standard political economy data sets (as the present) and has recently been discussed very critically (Beck and Katz, 2011: 342–344). This is why I follow the advice of Beck and Katz (2011) – start with an ADL model including theoretically sensible lags and test whether they are necessary. Finally, as *panel-heteroscedasticity* is present in all estimations, I estimate panel-corrected standard errors (Beck and Katz, 1995). All regressions have been checked in terms of robustness by excluding one country at a time and estimating the regressions without this country. If results are not robust, this will be reported in a footnote.

Empirical analysis

The theoretical section has argued that national law and order policies may well be affected by macro-trends such as globalization, but that this impact is mediated by the ideological preferences of the government and the characteristics of the party system. The following regression analysis investigates if the expectations can be corroborated empirically.

Direct effects

I will present regression models without interactions first, to inspect the direct relationships before turning to the conditional effects, which are illustrated graphically. All models include a number of control variables as discussed above.

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[12] Results on the Hausman test based on model 2 in Table 2 can be obtained from the author.

The first block of coefficients presented in the regression table concerns the main variables of interest – namely the indicator representing the ideological position of the government, two different operationalizations of the party system, as well as three different indicators of globalization. The next block includes the variables from the 'big trends' explanations, followed by the explanatory variables representing the proximate context. Some variables are not tested at the same time owing to multicollinearity or because they represent slightly different measures of one and the same concept (such as the two indicators for the party system). The lag structure reflects, on the one hand, the theoretical expectations, and on the other, the omission of non-significant lags, which had been included in the initial full ADL model (not presented here).[13] Test statistics for all models are included at the end of each model. Model 6 represents a more parsimonious model where variables, that have proven to be non-significant in models 1–5, have been omitted.

What is clearly discernible from Table 2 is the statistically significant and very robust effect of the ideological center of gravity on the law and order policies. The effect is positive in the short term (non-lagged values) indicating that a more repressive ideological stance of the government leads to more repressive law and order policies. In the long run, however, this effect is somewhat reduced as the lagged variable comes with a negative coefficient. Hence, the long-run multiplier based on model 6 amounts to $\frac{0.03-0.019}{1-0.87} = 0.085$, which is positive, corroborating the expectations. Turning to the impact of the party system, the positive coefficient for both measures indicates that a two-party system indeed seems to be related to harsher law and order policies. However, this effect is only significant in some specifications and for the second operationalization (where bivalent multi-party systems are coded together with two-party systems). Finally, the coefficients for all indicators representing globalization are positive as expected, but the KOF index on economic globalization performs best.[14] Hence, it seems indeed that the broader operationalization of economic globalization including the capital market openness is more relevant, especially compared with social globalization.

Concerning the control variables, most significant relationships are in line with the theoretical expectations. Turning to the 'big trend' controls first, sluggish economic growth and a high level of homicide leads to higher scores of the law and order factor. Interestingly, no significant relationship with the level and change of welfare state generosity, unemployment, inequality, or de-industrialization show

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[13] All regressions have been estimated using Stata. The data set and replication files are available via the homepage of the author.

[14] However, the significance of the coefficient is not as robust as the partisan effect variable. When Ireland is excluded in model 2, the variable misses the 90% interval (by not much). The same is true if the Netherlands are excluded in models 4 and 6. In model 6, the significance of the KOF index is also lost, if Ireland, Canada, and Sweden are excluded. However, the loss of significance is not enormous in any of these cases (the minimal t-value of the coefficient is 1.43 in the case of exclusion or Ireland in model 2) and the sign of the coefficient remains positive. Hence, although the effect is not entirely robust, there is still a reasonable amount of evidence confirming the expectation that more globalization has a certain impact.

Table 2. Regression analysis, direct effects

	(1)	(2)	(3)	(4)	(5)	(6)
Ideological center of gravity	0.029 (3.01)***	0.028 (2.91)***	0.029 (3.05)***	0.024 (2.53)**	0.030 (3.02)***	0.030 (3.29)***
Ideological center of gravity (t–1)	–0.021 (–2.15)**	–0.021 (–2.15)**	–0.019 (–1.92)*	–0.018 (–1.77)*	–0.020 (–2.00)**	–0.019 (–1.89)*
Two-party system (1)	0.12 (0.76)					
Two-party system (2)		0.039 (0.88)		0.037 (1.02)	0.15 (1.79)*	0.13 (2.72)***
Economic globalization (KOF) (t–1)		0.011 (1.99)**		0.010 (2.22)**		0.0078 (2.16)**
Trade openness (t–2)	0.0015 (2.00)**				0.0002 (–0.13)	
Social globalization (KOF) (t–2)			0.0044 (0.44)			
Economic growth	–0.063 (–3.64)***	–0.063 (–3.88)***	–0.066 (–3.31)***	–0.092 (–5.41)***	–0.057 (–2.64)***	–0.065 (–3.13)***
Homicides (t–2)		0.12 (4.94)***	0.10 (3.51)***	0.11 (5.43)***	0.068 (2.51)**	0.064 (2.16)**
Unemployment		0.0085 (0.65)				
Gini coefficient (t–2)			–0.74 (–0.95)			
Change of welfare generosity (t–2)				–0.00019 (–0.00)		
Level of welfare generosity (t–1)					0.011 (0.84)	
De-industrialization (t–2)	0.0042 (1.36)					
Veto player index	–0.0020 (–0.76)	–0.0021 (–0.65)	–0.0052 (–1.50)			
Electoral system: single-member districts			–0.18 (–2.15)**			
Popular election of actors in judicial system	0.37 (3.15)***					
Coordination index (VoC)			–0.44 (–2.75)***			–0.18 (–1.55)
Type of democracy (Lijphart)				–0.038 (–1.09)		
Corporatist media system					0.006 (0.06)	
Liberal media system					0.15 (0.98)	
Fear of crime (t–1)	0.45 (1.84)*	0.51 (4.24)***	0.59 (4.93)***	0.40 (2.68)***	0.36 (2.05)*	0.35 (2.31)**
Debt ratio (t–1)	–0.0049 (–3.78)***	–0.0072 (–5.64)***	–0.0055 (–3.01)***	–0.0065 (–5.16)***	–0.0051 (–3.08)***	–0.0056 (–3.48)***
Dummy terror after 9/11	–0.095 (–1.24)	–0.068 (–1.01)	–0.12 (–1.82)*	–0.13 (–2.17)**		–0.11 (–1.62)
Factor score (t–1) (LDV)	0.86 (15.38)***	0.88 (16.59)***	0.89 (17.21)***	0.90 (15.73)***	0.85 (17.57)***	0.87 (17.13)***
Constant	–0.63 (–1.76)*	–1.45 (–2.19)**	–0.46 (–0.47)	–1.02 (–2.23)**	–0.83 (–3.03)***	–0.78 (–1.34)
R^2	0.814	0.819	0.803	0.820	0.799	0.803
N	224	222	211	196	211	211

Table 2. (*Continued*)

	(1)	(2)	(3)	(4)	(5)	(6)
Remaining autocorrelation	No	No	No	No	No	No
Heteroscedasticity	No	No	No	No	No	No
Panel-heteroscedasticity	Yes (PCSE)	Yes (PCSE)	Yes (PCSE)	Yes (PCSE)	Yes (PCSE)	Yes (PCSE)
Highest correlation IV	0.58	0.44	−0.68	0.58	−0.77	−0.50

t statistics in parentheses. Test statistics (all tests at a 95% significance level): remaining autocorrelation residuals have been determined from the coefficient of the lagged residual in a regression of the lagged residuals and all independent variables on residuals (Beck, 2001: 279); heteroscedasticity: Breusch–Pagan/Cook–Weisberg test; panel-heteroscedasticity: Greene test; highest correlation IV: highest Pearson correlation between independent variables (excluding correlations between variables and their lags).

VoC = variety of capitalism, LDV = lagged-dependent variable, PCSE = panel-corrected standard errors.

*$p < 0.1$, **$p < 0.05$, ***$p < 0.01$.

up. From the variables representing explanations linked to the proximate context of the decisionmakers, the popular election of judges, a low coordination of the capitalism (liberal market economy type), high fear of crime in the population, and a low debt ratio are significantly linked to harsher law and order policies and confirm the results of the existing qualitative literature. In contrast, the negative coefficient for the dummy, which takes the value of 1 after the incidents of 9/11 is unexpected but also not entirely robust in its significance. The same applies for the variable representing the electoral system, which takes the value of 2 in first-past-the-post systems. This result, paired with the significant relationship of the party system indicator, points to the necessity to look more closely at the party system and the partisan competition and not just at the electoral system, which is one but not the only factor influencing party system characteristics.

In sum, the results of the regression models that include only direct effects and the most important control variables, clearly underscore the importance of the ideological position of the government and, to a smaller extent, of the party system variable. At the same time, rising globalization as a general trend is linked to harsher law and order policies – although the significance of the relationship is not entirely robust. What is not discernible from this model, however, is the interaction between globalization, the ideology of the government, and the party system characteristics. This very question is dealt with in the following section.

Conditional relationships

In the theoretical section, I have argued that although globalization as a big trend may well set the overall tone in law and order policymaking, it is the national political system and the ideology of the governments that condition this impact. This idea of a conditional relationship can be tested via interactions in regression models. As the interaction coefficients from regression tables cannot be easily interpreted as marginal effects (Brambor *et al.*, 2006; Kam and Franzese, 2007), I will present graphical illustrations. The regression models including the interaction effects can be found in the online appendix.

The first hypothesis expects that the effect of the partisan ideology of the government on law and order policies is stronger in a two-party context. The rationale behind this idea is that repressive governments are pushed to implement even harsher policies in such an environment. The result of such an interaction is represented by the two lines in Figure 2, which show the relationship between the ideological position of the government (x-axis) and the predicted law and order factor score (y-axis) in the case of a two-party system (black line) and in the case of the absence of a two-party system (gray line). The finding is crystal clear: whereas liberal governments do not implement harsher policies (no significant effect), policies get much tougher when the partisan ideology moves to the more repressive pole. However, as expected, this development is much more pronounced in two-party systems. This finding therefore corroborates the first
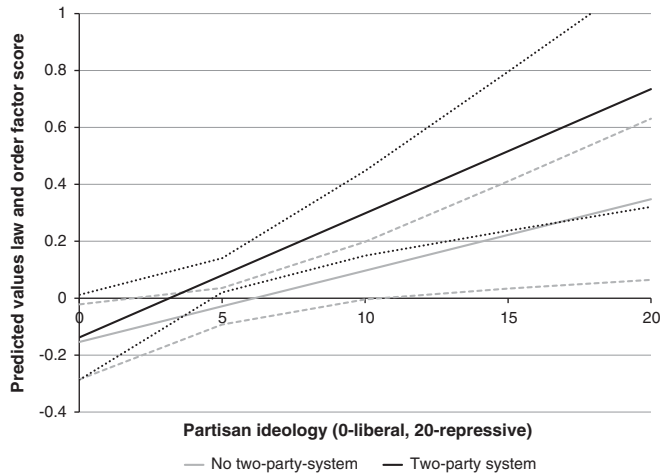
Figure 2 Interaction effect – partisan ideology conditioned by party system. 95% confidence intervals (dotted/dashed lines).

hypothesis: two-party systems indeed seem to catalyze the impact of a move of the ideology to the more repressive pole.

The second hypothesis argues that the impact of globalization on law and order policies will only materialize if the national governments are ideologically willing to adopt tougher law and order policies. One would therefore expect a stronger effect of globalization on law and order policies if repressive governments are in power and a weaker effect for liberal governments. Figure 3 is a graphical representation of this relationship based on the data. It depicts the marginal effect of globalization on the law and order factor score over the entire range of the ideological positions of governments. The positive slope of the line indicates that globalization indeed exerts a stronger effect if governments hold a more repressive ideological stance. The significance of the relationship is not overwhelming but, still, the interaction effect is clearly visible.

How do ideological preferences of the government, the party system, and globalization interact? The third hypothesis touches upon this question and argues that the repressive dynamic resulting from strong globalization and a repressive governmental ideology is reinforced if the government acts in a two-party system. Figure 4 plots this three-way interaction using a marginal effects plot similar to the one depicted in Figure 3 but distinguishes between party systems. What is obvious from this graph is that the effect from a marginal increase in globalization is very strong if a government with a repressive ideological stance rules in a two-party system. In sharp contrast, there is no significant effect in non-two-party systems. This finding is in line with the third hypothesis.

In sum, the empirical investigation of the relationships that affect law and order policies, therefore, points to the fact that the ideological position of the government
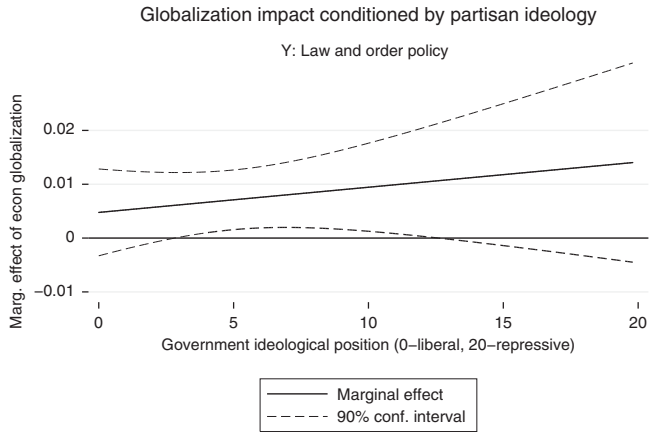
Globalization impact conditioned by partisan ideology

Y: Law and order policy

Figure 3 Interaction effect – globalization conditioned by partisan ideology.
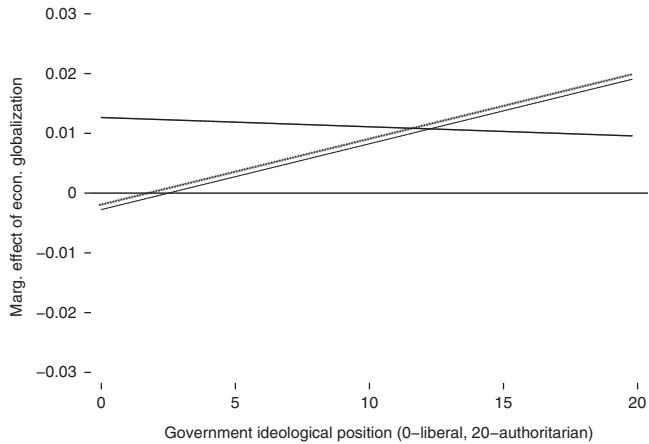

Figure 4 Three-way interaction. Stars indicate a significant effect (95% confidence interval).

indeed is a major explanation of law and order policies in Western industrialized countries. Not only does the partisan ideology influence law and order policies directly, but it also conditions the effect of globalization. What is more, the party system characteristics seem to act as a catalyzer for partisan effects: governments with a repressive ideological stance influence law and order policies more strongly in a two-party context, and the conditional impact of parties on globalization is stronger, as well, when there are only two major parties in a system. These results mesh well with the qualitative literature on law and order policies in individual states and especially in the United Kingdom, which illustrates how two ideologically repressive parties compete in a two-party context leading to harsher law and order

policies (Morgan, 2006; Newburn, 2007; Lacey, 2008). Hence, although the process of causation seems to be very complex, the results underscore the importance of partisan ideology as an explanation of law and order policies.

Summary and discussion

This contribution started from the popular claim put forward by leading criminologists that globalization will lead to more punitive, that is tougher, law and order policies in Western industrialized countries. This paper challenges this hypothesis both theoretically and empirically. *Theoretically*, I have argued that although globalization and its consequences may set the overall tone, there are good reasons to believe that national political and institutional settings continue to matter. National policies are still decided by national governments acting in a specific institutional and political environment, which affects national policies not only directly but also indirectly. The national arrangements filter the impact of more general forces, such as globalization, and therefore condition these relationships. Under certain circumstances, we can expect these big trends to matter, but specific national characteristics can also prevent these general forces from affecting national policies. In brief, the process of causation seems to be much more complex than existing theories on the politics of law and order and crime posit.

Empirically, this contribution has shed some light on the relationships that are at work between globalization, the partisan ideology of a government, and party system characteristics on the one hand and law and order policies on the other. The analysis shows that although globalization generally leads to harsher law and order policies, there is no uniform reaction to globalization in all countries. In other words, globalization does indeed set the overall tone (direct effect), but the strength of the effect depends on the specific setting of a country. The results of the regression analyses indicate that variables such as governmental ideology (liberal vs. repressive stance), or the party system, condition the impact of globalization on law and order policies. The globalization effect is visible indeed if governments with a more repressive stance act in a two-party context; however, it is much less pronounced if liberal parties are in office and in the context of a two-party system. These results contribute to the existing, mainly qualitative literature, at least in two ways. First, the results show that although some major trends may well set the overall tone in terms of law and order policies, there is still a rather substantial scope of action for national governments. This result is at odds with studies that postulate overall general trends in all industrialized societies leading to a punishment society irrespective of a country's idiosyncrasies. Instead, it emphasizes the necessity to look at the characteristics of individual political systems as conditioning variables when the substantial variance in law and order policies that exists between Western industrialized countries is to be explained. These findings, therefore, can be seen as a starting point for more genuinely (small-*N*) comparative analyses of law and order policies, which take the institutional and political setup seriously and inspect the

complex process of causation in more detail. Second, and more generally, this study contributes to the literature by showing that it is worth thinking more deeply about the complex relationships between variables and to model them accordingly in a quantitative analysis. Interactions between general trends, proximate context, and the political actors will most probably be not only relevant in the case of law and order policies but also in other policy areas. In this connection, getting the causal distance and the relationships of variables right is a major point, which future studies should take into account – and the distinction along the proximity of explanatory variables to the outcome, as proposed by this study, seems to be helpful.

The findings of this study point to several important avenues for future research. First of all, building on the findings of this quantitative analysis, comparative case studies or analyses using configurational methods could be valuable steps forward to look more closely into interaction effects between the theoretically most relevant explanatory variables. In fact, just as interaction effects in a regression equation that estimate the conditional impact of a certain variable dependent on another variable, configurational methods such as qualitative comparative analysis (QCA) (Ragin, 2008; Schneider and Wagemann, 2012) take into account the possibility that some effects only come about if certain conditions are present. Hence, using a mid-size sample of countries or a sample of major reforms, QCA-based studies could be used to corroborate the findings of this article. Moreover, QCA may also help us to dig deeper into issues of equifinality – something which could not be done here owing to the functional logic of regression analysis. Second, it is obvious that further studies on law and order policies from a comparative public policy perspective are badly needed. In this paper, I focused on three specific variables and their interactions. However, many other variables that have proven to be influential in the regressions presented above (and treated, sadly enough, as covariates) could be inspected in much more detail. Third, data is also an issue of concern. As comparable data on legislative decisions on law and order is missing, research over and again uses indicators such as imprisonment rates. Adding alternative indicators such as spending or the number of police personnel is one possible remedy, but not the best solution. Most welcome would be a larger effort of data collection on legislative changes – something that has been done for other policies such as terrorism (Epifanio, 2011) or moral policies (Heichel *et al.*, 2013). More data does not necessarily lead to an overall understanding of what is going on out there. However, it helps to gain an insight into some important relationships and serves as an additional piece of information when assembling the overall puzzle.

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Supplementary material

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References

Aas, K.F. (2013), *Globalization & Crime*, 2nd edn., London: Sage.

Adam, A., P. Kammas and A. Lagou (2013), 'The effect of globalization on capital taxation: what have we learned after 20 years of empirical studies?', *Journal of Macroeconomics* **35**: 199–209.

Barker, F. and E. McLeay (2000), 'How much change?: An analysis of the initial impact of proportional representation on the New Zealand parliamentary party system', *Party Politics* **6**(2): 131–154.

Bartlett, T. (2009), *The Power of Penal Populism: Public Influences on Penal and Sentencing Policy in New Zealand from 1999 to 2008*, Wellington: Victoria University, School of Social and Cultural Studies.

Bauman, Z. (1999), *In Search of Politics*, 1st edn., Cambridge: Polity Press.

Beck, N. (2001), 'Time-series-cross-section data: what have we learned in the past few years?', *Annual Review of Political Science* **4**: 271–293.

Beck, N. and J. Katz (1995), 'What to do (and not to do) with time-series cross-section data', *American Political Science Review* **89**(3): 634–647.

Beck, N. and J. Katz (2011), 'Modeling dynamics in time-series-cross-section political economy data', *Annual Review of Political Science* **14**: 331–352.

Beck, U. (1986), *Risikogesellschaft. Auf dem Weg in eine andere Moderne*, Frankfurt: Suhrkamp.

—— (2011), *Weltrisikogesellschaft: auf der Suche nach der verlorenen Sicherheit*, Frankfurt: Suhrkamp.

Beck, U., A. Giddens and S. Lash (1994), *Reflexive Modernization: Politics, Tradition and Aesthetics in the Modern Social Order*, 1st edn., Cambridge: Polity Press.

Becker, G.S. (1976), *The Economic Approach to Human Behavior*, Chicago, IL: University of Chicago Press.

Beckett, K. (1997a), *Making Crime Pay*, New York, NY: Oxford University Press.

—— (1997b), 'Political preoccupation with crime leads, not follows, public opinion', *Overcrowded Times* **5**: 8–11.

Blomquist, W. (1999), 'The policy process and large-N comparative studies', in P. Sabatier (ed.), *Theories of the Policy Process*, Boulder, CO: Westview, pp. 201–230.

Bottoms, A. (1995), 'The philosophy and politics of punishment and sentencing', in C. Clarkson and R. Morgan (eds), *The Politics of Sentencing Reform*, Oxford: Oxford University Press, pp. 17–49.

Brambor, T., W.R. Clark and M. Golder (2006), 'Understanding interaction models: improving empirical analysis', *Political Analysis* **14**(1): 63–82.

Castles, F.G. (ed.) (1982), *The Impact of Parties: Politics and Policies in Democratic Capitalist States*, London: Sage.

Cavadino, M. and J. Dignan (2006), *Penal Systems – A Comparative Approach*, London: Sage.

Chiricos, T.G. and M.A. Delone (1992), 'Labor surplus and punishment: a review and assessment of theory and evidence', *Social Problems* **39**(4): 421–446.

De Boef, S. and L. Keele (2008), 'Taking time seriously', *American Journal of Political Science* **52**(1): 184–200.

Downes, D. (2011), 'Comparative criminology, globalization and the "Punitive Turn"', in D. Nelken (ed.), *Comparative Criminal Justice and Globalization*, Farnham: Ashgate, pp. 27–47.

Downes, D. and K. Hansen (2006), 'Welfare and punishment in comparative perspective', in S. Armstrong and L. McAra (eds), *Perspectives on Punishment*, Oxford: Oxford University Press, pp. 101–118.

Downes, D. and R. Morgan (2007), 'No turning back: the politics of law and order into the millennium', in M. Maguire, R. Morgan and R. Reiner (eds), *The Oxford Handbook of Criminology*, Oxford: Oxford University Press, pp. 201–240.

Dreher, A. (2006), 'Does globalization affect growth? Evidence from a new index of globalization', *Applied Economics* **38**(10): 1091–1110.

Epifanio, M. (2011), 'Legislative response to international terrorism', *Journal of Peace Research* **48**(3): 399–411.

Farrall, S. and W. Jennings (2012), 'Policy feedback and the criminal justice agenda: an analysis of the economy, crime rates, politics and public opinion in post-war Britain', *Contemporary British History* **26**(4): 467–488.

Garland, D. (2000), 'The culture of high crime societies', *British Journal of Criminology* **40**: 347–375.

—— (2001), *The Culture of Control: Crime and Social Order in Contemporary Society*, Oxford: Oxford University Press.

Giddens, A. (1990), *The Consequences of Modernity*, Stanford, CA: Stanford University Press.

Golosov, G.V. (2011), 'Party system classification: a methodological inquiry', *Party Politics* **17**(5): 539–560.

Gottfredson, M.R. and M.J. Hindelang (1979), 'A study of "The Behavior of Law"', *American Sociological Review* **44**(1): 3–18.

Gottschalk, M. (2008), 'Hiding in plain sight: American politics and the carceral state', *Annual Review of Political Science* **11**(1): 235–260.

Green, D.A. (2007), 'Comparing penal cultures: child-on-child homicide in England and Norway', in M. Tonry (ed.), *Crime, Punishment, and Politics in Comparative Perspective*, Chicago, IL and London: University of Chicago Press, pp. 591–643.

Häusermann, S., G. Picot and D. Geering (2013), 'Rethinking party politics and the welfare state', *British Journal of Political Science* **43**(1): 221–240.

Heichel, S., C. Knill and S. Schmitt (2013), 'Public policy meets morality: conceptual and theoretical challenges in the analysis of morality policy change', *Journal of European Public Policy* **20**(3): 318–334.

Hofferbert, R.I. (1974), *The Study of Public Policy*, Indianapolis, IN and New York, NY: Bobbs-Merrill.

Hope, T. and R. Sparks (eds) (2000), *Crime, Risk, and Insecurity. Law and Order in Everyday Life and Political Discourse*, London: Routledge.

Huber, G.A. and S.C. Gordon (2004), 'Accountability and coercion: is justice blind when it runs for office?', *American Journal of Political Science* **48**(2): 247–263.

Immergut, E. (1990), 'Institutions, veto points, and policy results: a comparative analysis of health care', *Journal of Public Policy* **10**(4): 391–416.

Jacobs, D. and R. Helms (2001), 'Toward a political sociology of punishment: politics and changes in the incarcerated population', *Social Science Research* **30**(2): 171–194.

Jahn, D. (2010), 'The veto player approach in macro-comparative politics: concepts and measurement', in T. König, G. Tsebelis and M. Debus (eds), *Reform Processes and Policy Change. Veto Players and Decision-Making in Modern Democracies*, New York, NY: Springer, pp. 43–68.

Kam, C.D. and R.J. Franzese (2007), *Modeling and Interpreting Interactive Hypotheses in Regression Analysis*, Ann Arbor, MI: The University of Michigan Press.

Klingemann, H.-D., A. Volkens, J. Bara, I. Budge and M.D. McDonald (2006), *Mapping Policy Preferences II. Estimates for Parties, Electors, and Governments in Eastern Europe, European Union, and the OECD 1990–2003*, Oxford: Oxford University Press.

Kury, H. and T.N. Ferdinand (2011), 'Punitivity. An introduction', in H. Kury and T.N. Ferdinand (eds), *International Perspectives on Punitivity*, Bochum: Universitätsverlag Dr. Brockmeyer, pp. 1–12.

Lacey, N. (2008), *The Prisoners' Dilemma*, Cambridge: Cambridge University Press.

—— (2010a), 'Differentiating among penal states', *The British Journal of Sociology* **61**(4): 778–794.

—— (2010b), 'Système électoral et politiques criminelles: la dynamique de la représentation proportionelle face au système du "winner-takes-all"', *Jus Politicum* **4**: 1–24.

—— (2011), 'The prisoners' dilemma and political systems: the impact of proportional representation on criminal justice in New Zealand', *Victoria University of Wellington Law Review* **42**(4): 615–638.

—— (2012), 'Punishment in the perspective of comparative political economy', *Kriminologisches Journal* **44**(1): 9–31.

Lappi-Seppälä, T. (2014), 'Imprisonment and penal demands', in S. Body-Gendrot, *et al.* (eds), *The Routledge Handbook of European Criminology*, London and New York, NY: Routledge, pp. 295–336.

Laver, M. and B. Hunt (1992), *Policy and Party Competition*, New York, NY: Routledge.

Levitt, S.D. (2002), 'Using electoral cycles in police hiring to estimate the effects of police on crime: reply', *The American Economic Review* **92**(4): 1244–1250.

Matthews, R. (2005), 'The myth of punitiveness', *Theoretical Criminology* **9**(2): 175–201.

Medina-Ariza, J. (2006), 'Politics of crime in Spain, 1978–2004', *Punishment & Society* **8**(2): 183–201.

Miller, L. (2008), *The Perils of Federalism. Race, Poverty, and the Politics of Crime Control*, Oxford: Oxford University Press.

Morgan, R. (2006), 'With respect to order, the rules of the game have changed: new labour's dominance of the "Law and Order" agenda', in T. Newburn and R. Morgan (eds), *The Politics of Crime Control. Essays in Honour of David Downes*, Oxford: Oxford University Press, pp. 91–115.

Muncie, J. (2011), 'On globalisation and exceptionalism', in D. Nelken (ed.), *Comparative Criminal Justice and Globalization*, Farnham: Ashgate, pp. 87–105.

Newburn, T. (2006), 'Contrasts in intolerance: cultures of control in the United States and Britain', in T. Newburn and R. Morgan (eds), *The Politics of Crime Control: Essays in Honour of David Downes*, Oxford: Oxford University Press, pp. 227–270.

—— (2007), '"Tough on Crime": penal policy in England and Wales', *Crime and Justice* **36**(1): 425–470.

Norris, P. (2007), 'Expenditure on public order and safety', in F.G. Castles (ed.), *The Disappearing State*, Cheltenham: Edward Elgar, pp. 133–158.

—— (2009), 'Families of nations, victimisation and attitudes towards criminal justice', *International Review of Victimology* **16**(3): 229–255.

Pappi, F.U. and S. Shikano (2004), 'Ideologische Signale in den Wahlprogrammen der deutschen Bundestagsparteien 1980–2002'. Working Paper No. 2994 (76), Mannheim: MZES.

Pease, K. (1994), 'Cross-national imprisonment rates: limitations of method and possible conclusions', *British Journal of Criminology* **34**(5): 116–130.

Plümper, T., V. Troeger and P. Manow (2005), 'Panel data analysis in comparative politics: linking method to theory', *European Journal of Political Research* **44**(2): 327–354.

Pratt, J. (2007), *Penal Populism*, Milton Park/New York: Routledge.

Pratt, J. and M. Clark (2005), 'Penal populism in New Zealand', *Punishment & Society* **7**(3): 303–322.

Ragin, C.C. (2008), *Redesigning Social Inquiry. Fuzzy Sets and Beyond*, Chicago, IL: University of Chicago Press.

Roberts, J.V., L.J. Stalans, D. Indermaur and M. Hough (2003), *Penal Populism and Public Opinion*, Oxford: Oxford University Press.

Rusche, G. and O. Kirchheimer (1968), *Punishment and Social Structure*, New York, NY: Russell & Russell.

Sabatier, P.A. (1991), 'Toward better theories of the policy process', *PS: Political Science and Politics* **24**(2): 147–156.

Savelsberg, J.J. (2011), 'Globalization and states of punishment', in D. Nelken (ed.), *Comparative Criminal Justice and Globalization*, Farnham: Ashgate, pp. 69–86.

Schmidt, M.G. (1996), 'When parties matter: a review of the possibilities and limits of partisan influence on public policy', *European Journal of Political Research* **30**(2): 155–183.

Schneider, C.Q. and C. Wagemann (2012), *Set-Theoretic Methods for the Social Sciences*, Cambridge: Cambridge University Press.

Seeberg, H.B. (2013), 'The opposition's policy influence through issue politicisation', *Journal of Public Policy* **33**(1): 89–107.

Simon, J. (2007), *Governing Through Crime*, Oxford: Oxford University Press.

Singelnstein, T. and P. Stolle (2012), *Die Sicherheitsgesellschaft*, Wiesbaden: VS Verlag.

Strange, S. (1995), 'The limits of politics', *Government and Opposition* **30**(3): 291–311.

Sutton, J.R. (2004), 'The political economy of imprisonment in affluent western democracies, 1960–1990', *American Sociological Review* **69**(2): 170–189.

Tepe, M. and P. Vanhuysse (2013), 'Cops for hire? The political economy of police employment in the German states', *Journal of Public Policy* **33**(2): 165–199.

Tonry, M. (2007), *Crime, Punishment, and Politics in Comparative Perspective*, Chicago, IL: University of Chicago Press.

Tsebelis, G. (1995), 'Decision making in political systems: veto players in presidentialism, parliamentarism, multicameralism, and multipartyism', *British Journal of Political Science* **25**(3): 289–325.

Wacquant, L. (2001), 'The penalisation of poverty and the rise of neo-liberalism', *European Journal on Criminal Policy and Research* **9**(4): 401–412.

—— (2009), *Punishing the Poor. The Neoliberal Government of Social Insecurity*, Durham and London: Duke University Press.

—— (2010), 'Crafting the neoliberal state: workfare, prisonfare, and social insecurity', *Sociological Forum* **25**(2): 197–220.

Wenzelburger, G. (2014), 'Parties, institutions and the politics of law and order', *British Journal of Political Science*, doi: 10.1017/S0007123413000501.

Western, B. (2006), *Punishment and Inequality in America*, New York, NY: Sage Foundation.

Western, B. and B. Pettit (2010), 'Incarceration & social inequality', *Daedalus* **139**(3): 8–19.

Zedner, L. (2003), 'Too much security?', *International Journal of the Sociology of Law* **31**(3): 155–184.

—— (2009), *Security*, London and New York, NY: Routledge.

Zohlnhöfer, R. (2009), 'How politics matter when policies change: understanding policy change as a political problem', *Journal of Comparative Policy Analysis* **11**(1): 97–115.