Explanation of Crime
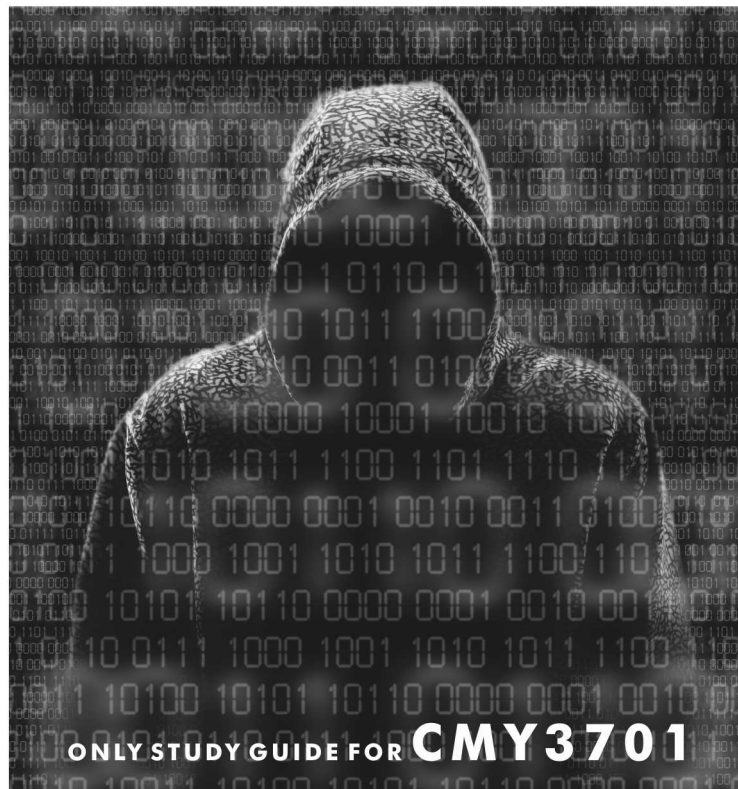
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DEPARTMENT OF CRIMINOLOGY AND SECURITY SCIENCE

ONLY STUDY GUIDE FOR **CMY3701**

UNIVERSITY OF SOUTH AFRICA
PRETORIA

CMY_style

_____ Contents

_____ ORIENTATION

Please start by reading Tutorial Letter 101 for this course before you study the themes in module CMY3701.

Welcome to the module "The explanation of crime". This study guide concentrates on certain local and national concerns, and we trust that you will find these studies interesting and informative. We do not only wish you success with this course, but trust that you will find the study material useful and that you will be able to apply what you learn from it in your daily life – not only your professional life, but also your life as a citizen in a democratic society. Please do not hesitate to contact us if you experience any problems or have questions arising from your studies.

In compiling this study guide we have adopted two approaches.

In choosing a practical-functional or pragmatic approach to the objectives of criminology, we have assumed that the subject has important social relevance and therefore interfaces with, or takes account of, a community that demands services. We have provided you with information for the primary purpose of giving you more insight into, and a better understanding of, society's reaction to crime and the adjudication of crimes, through the following:

- learner centredness
- lifelong learning
- critical creative thought
- nation-building and non-discrimination
- credibility of the higher education system
- quality assurance

The purpose of this module is to enable our students to gain knowledge about, and an understanding of, the phenomenon being studied. We also want you to form certain attitudes and adopt certain values, as well as gain general and specific skills in order to expand your conception of criminology.

It is our intention to encourage you as learners to think critically. We wish to accompany you on your journey towards

- expanding your knowledge and concepts
- forming certain attitudes and adopting certain values
- acquiring skills

Regarding the expanding of knowledge and conceptual areas, our objective is to lead you to a closer acquaintance with

- factors which increase the risk of crime
- explanations of crime
- theoretical approaches to crime prevention

In this process we want to help you to think holistically about issues such as the causes of crime, by emphasising the fact that criminal behaviour is seldom caused by a single factor; it is usually caused by a variety of causal and decisive factors.

We want you to form certain attitudes and values by taking an active interest in the topics of study as reflected in the news media – this includes newspapers, periodicals, radio and television broadcasts and the internet. We want you to be aware of crime as a phenomenon and help you to develop a responsible attitude towards preventing it by using your knowledge of criminology and related skills in everyday life. You need to become actively involved in, and committed to, the search for solutions to local, regional and national crime and its related problems. By proceeding from the premise that criminal behaviour is determined by identifiable causes, we intend to familiarise you with the principle of cause and effect. There is also the value of humaneness; it is the need to take an interest in the country's crime problems and be sympathetic towards crime victims and their situation. Respect for basic human rights is also strongly emphasised. Drawing attention to crime as a prejudicial injurious phenomenon naturally focuses on a comprehensive system that includes/encompasses law-abiding values such as honesty, orderliness, sense of duty, healthy interpersonal relations, good citizenship and freedom.

Skills acquisition receives particular emphasis in this course. Development of reading and learning skills forms the groundwork for mastering the learning content. As learners, you are introduced to the concepts of the subject so that you can develop the communicative thinking and social skills necessary to explore and discuss course-related criminological topics at both local and international level. We thus want to develop your ability to be able to argue and, in so doing, expand your field of expertise by drawing simple conclusions and forming new opinions. We want to teach you to be observant by reading your study guide and being sensitive to crime-related matters as reported in the media and as manifested in your daily environment. You also need to be able to collect information, summarise it and organise it into a meaningful, coherent whole; by this we mean you need to learn how to write assignments and answer examination questions.

Outcomes-based outputs

The above outline of the module's objectives relates to certain critical, generally formative and specific developmental outcomes or intended results of learning with respect to knowledge and insight, attitudes and values, and skills.

Critical learning outcomes

Module CMY3701 is aimed at achieving specific critical learning outcomes, and a study of this module should enable you to acquire the following:

1. **Criminological literacy**. You will be able to identify criminological problems and develop your own critical viewpoint of these.
2. **Global and contextual perspective**. An awareness of global views on crime explanation and prevention will help you to get an overall perspective of the subject. Extensive reference to the National Crime Prevention Strategy, South

African law, the South African bill of rights and the criminal justice system will familiarise you with criminological reality in South Africa today.

3. **A sense of responsibility**. An open distance-learning model based on self-study encourages commitment and a sense of duty, and will make it clear that you need to persevere. The self-evaluation questions at the end of each study unit will give you the opportunity to organise and manage your own learning activities.

4. **Communication skills**. The topical nature of the course content will encourage you to take an active interest in subject-related events as reported in the media. As you progress with your studies, you will be able to draw your own tentative conclusions and form new opinions. This, in turn, will help you to develop your writing and communication skills so that you can express yourself clearly on matters such as punishment of offenders, rights of offenders and victims in the criminal justice system, causes of crime, crime prevention, and so forth.

5. **Reading and research skills**. Accurate observation will enable you to collect, analyse, order and critically assess information. This, in turn, will help you to explore criminological topics scientifically and formulate questions about these topics.

6. **Collaboration in a group and community context**. You will be able to apply the subject matter contained in the study material in both a group and a community context, for example. by participating in crime-prevention initiatives.

7. **Personal skills**. You are given the opportunity and are encouraged to develop the following skills:

   - **Learning skills**. Examples of learning skills are: ignoring irrelevant information, dealing with controversial information, drawing conclusions, and being able to consider different viewpoints.
   - **Schematic skills**. These skills come into play when important facts have to be separated from subjective information or correct options have to be selected in multiple-choice questions in assignments and in the examination.
   - **Skills in synthesis**. This means being able to select and collect relevant information from the study guide, summarise it, and organise it into a meaningful, coherent whole (e.g. when you write paragraphs for the self-assessment exercises).
   - **Acquisition of positive values**. Focusing your attention on basic human rights (the rights of both offenders and victims) and on concepts such as natural justice can help you to affirm positive or law-abiding values such as honesty, good citizenship, sound human relationships and freedom.

Specific learning outcomes

The specific learning outcomes are specified in each study unit.

Overview of the course

We cover five themes in this module. Note that the themes are related and should not be studied separately from one another. Here is a brief overview of the course contents.

Theme 1 focuses on the rational actor model. You are introduced to various topics here, including:

- assumptions of the classical school
- limitations of classicism
- routine activities theory
- rational choice theory

Theme 2 deals with the predestined actor model and focuses on the following:

- assumptions of the positivist school
- early theories of biological positivism
- biosocial theories
- genetic factors
- biochemical factors
- neurophysiological factors
- psychodynamic perspective
- behaviour perspective
- cognitive perspective

Theme 3 focuses on social positivism: structure theories. You are introduced to various topics including: the premises and various schools of structure theories

- ecological theory
- strain theory
- the Chicago School of Sociology
- social disorganisation theory
- impact of the Chicago School
- Durkheim's view of crime
- Robert K Merton's theory of anomie

Theme 4 deals with social positivism: process theories and focuses on the following:

- assumptions and various branches of process theory
- learning theories
- control theories
- Sutherland's theory of differential association
- Hirschi's theory of social bonding

Theme 5 deals with the social response theories and focuses on the following:

- Edwin Lemert's interactionist approach
- Howard Becker's social response approach
- assumptions of the conflict theory
- the radical conflict perspective: Marx, Bonger, Chambliss and Quinney

The nature of the study package

The study package consists of this study guide and the tutorial letters. The tutorial letters concentrate more on administrative matters and assignments. In the study guide the tutorial matter is divided into five themes, as explained above.

Each of the five themes in the study guide comprises a number of study units, all of which follow a general introduction to the theme. The introduction gives an indication of what we want to teach in the theme concerned. You will notice that

each study unit starts with a statement of learning outcomes. These objectives describe what we want you, the student, to achieve in your studies, rather than how the learning outcomes should be achieved. The content of a study unit is the study material that you have to work through. At the end of each study unit are some self-assessment questions. We have included these to help you assess your progress and achieve the stated objectives. The questions concentrate on factual knowledge, insight and the ability to analyse the study material.

There are no prescribed or recommended books for this course.

Assignments

Tutorial Letter 101 contains a number of assignments for this module. When you have handed in these assignments, you will be allowed to write the examination.

Learning outcomes

As mentioned, you will find a list of learning outcomes at the beginning of each study unit. They will give you an indication of what you should be able to do by the time you have studied the study unit concerned. The learning outcomes are also linked to the self-assessment questions at the end of the study unit. Both the learning outcomes and the self-assessment questions provide you with important guidelines on how to study the material for this module.

To ensure that you know exactly what we expect, we will explain the action words used in the study material and their meanings below. These words will be used in the assignments and in the examination. The term which appears in brackets directly after the action word is another term for the action word.

Mention, list, state, give: "Mention" means write down, in a few words, short phrases or full sentences, facts, terms and concepts.

Discuss argument/comment, give reasons for, debate: Here you need to identify and explain the essence of a certain issue or topic.

Indicate, show, demonstrate, identify: You must be able to remember symbols, names and concepts and describe them briefly in full sentences.

Describe: This means that you must write down what you know about something. You are not required to provide your own comments or arguments. "Describe" concerns the "what" or "how" of a subject.

Sketch, give an overview: Provide the main points of something. You are not required to give details or argue.

Define: Write down a concise description of what a term means. Definitions usually consist of three parts, namely the term itself, the class it belongs to and its distinguishing characteristics.

Explain: Here you need to show that you understand something – both the "how" and the "why". Examples and illustrations are often appropriate here, and you must give reasons for what you say.

Illustrate: The meaning is obvious: illustrate your explanations by using a sketch, diagram or scheme.

Interpret, construe: Comment on the facts available and give examples. You must clearly explain your personal understanding of the information.

Summarise, sum up: Give the essence of the matter in brief.

Demonstrate, indicate how: Substantiate the information or illustrate it by referring to an appropriate example.

Apply: Use acquired information and understanding of something by applying or relating it to a new and actual situation.

Deduce, draw conclusions: Describe the logical consequences according to an existing system of classification.

Distinguish: Discuss the differences between two or more things.

Compare: Weigh two or more matters against each other.

Indicate the differences and similarities: Clearly state what two or more things are the same and where they are different.

Analyse: Identify causes and results and fully explain the details of why something is as it is.

Design, create, develop, compile, combine, formulate, join, build: Here you have to provide a new and original combination of data.

Evaluate, judge, substantiate, give reasons for, assess: Justify a value assessment on the basis of certain points of view, assumptions or criteria.

TAKE NOTE

> YOU SHOULD OBTAIN YOUR OWN NOTEBOOK FOR THE ACTIVITIES IN THE STUDY UNITS. THIS NOTEBOOK IS NOT PART OF THE STUDY MATERIAL PROVIDED BY UNISA.

We hope that your studies will be rewarding as well as enjoyable. Please do not hesitate to contact any of your lecturers if you have questions related to the tutorial matter. Contact details: joubee@unisa.ac.za or 012 433 9490.

THEME 1

THE RATIONAL ACTOR MODEL OF CRIME AND CRIMINAL BEHAVIOUR

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│   Classical and neo-classical strategy │
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│        Rationality and choice         │
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│ • Rational choice theory (Cornish & Clarke)  │
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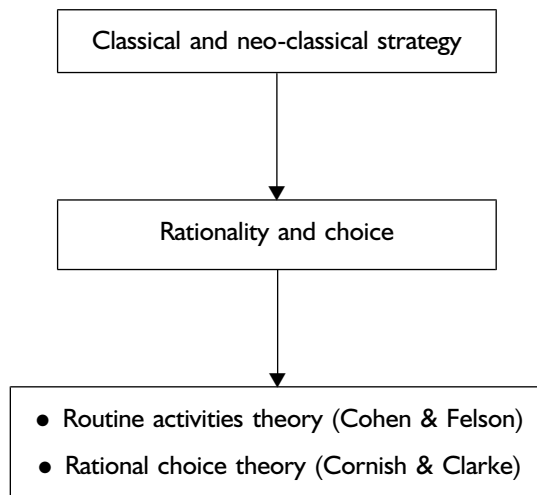
THEMES 2, 3 AND 4

THEME 2: THE PREDESTINED ACTOR MODEL
THEME 3: SOCIAL POSITIVISM: STRUCTURE THEORIES
THEME 4: SOCIAL POSITIVISM: PROCESS THEORIES

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THEME 5

THE VICTIMISED ACTOR MODEL

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The rational actor model of crime and criminal behaviour

_____THEME 1

THE RATIONAL ACTOR MODEL

FOUNDATION: Classical and neo-classical schools

ATTRIBUTES

- Legal definition of crime
- Punishment should fit the crime
- Doctrine of free will
- Non-scientific methodology

CONTEMPORARY THEORIES

- Rational theories, also known as opportunity theories
- Routine activities (Cohen & Felson)
- Rational choice (Cornish & Clarke)

Key concepts

AGGRAVATING CIRCUMSTANCES are those circumstances that cause the offender to be punished more severely than they would normally be for a specific crime. For example, conviction for the rape of a child would warrant a more serious punishment than rape of an adult, because society views a child as more vulnerable and helpless (Hunter & Dantzker, 2002:3–32).

CLASSICAL CRIMINOLOGY as an approach to studying crime emphasises the importance of free will and views a criminal act as one that had been consciously carried out by its perpetrator; the perpetrator has rationally weighed up the advantages and disadvantages of undertaking the action. The main focus of classicist criminology is on the operation of the criminal justice system. Classicists believe that, if this system operated in a consistent and predictable fashion, it would eliminate crime (because those who committed crime knew that they would not get away with it (Joyce, 2006:557)).

CRIMINAL EVENT DECISIONS are shorter processes that use more limited information that relates mainly to the immediate circumstances and situations (Cote, 2002:292).

CRIMINAL INVOLVEMENT refers to the processes through which individuals initially choose to become involved in particular forms of crime, to continue on this path, and then, later to desist from crime (Cote, 2002:29).

LIMITED OR BOUNDED RATIONALITY is a term used to indicate that even though individuals may make poor decisions, often based on incomplete or simply inadequate information, they are nonetheless rational actors (Newburn, 2007:949).

MITIGATING CIRCUMSTANCES are those circumstances that would result in a more lenient sentence that would normally be imposed for a similar crime. A first-time offender would normally receive a lighter sentence than someone with a long criminal history (Hunter & Dantzker, 2002:32).

NEO-CLASSICAL SCHOOL is a body of theory that contends that scientific criminology (positivism), with its belief in rehabilitation, is invalid. According to this school of thought, society should return to the principles of classical criminology and should deal with crime by concentrating on the administration of justice and the punishment of offenders (Empey, Stafford & Hay, 1999:418).

ROUTINE ACTIVITIES THEORY is theory (associated primarily with Marcus Felson) which suggests that for crime to occur three factors must be present, namely a motivated offender; a suitable victim; and the absence of capable guardians (Newburn, 2007:952).

RATIONAL CHOICE THEORY is a theory which emphasises the importance of rationality in human action, even if this is limited (bounded). It emphasises the decision-making processes involved in the choices made by offenders (Newburn, 2007:95).

SOCIAL CONTRACT is when an individual is bound to society only by his or her own consent, and society is therefore responsible to him or her (Hunter & Dantzker, 2002:29).

Notes

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THEME 1: THE RATIONAL ACTOR MODEL..
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STUDY UNIT 1.1

The classical school: the offender as calculator

LEARNING OUTCOMES

After studying this study unit, you should be able to

- describe the following assumptions of the classical school:
    - human nature
    - conceptions of society or social order
    - causes of crime
    - implications of policy

- explain the limitations of classicism
- describe the attributes of the classical and neo-classical school as foundations of the rational actor model

1.1.1 Introduction

The classical school grew out of the work of a group of Enlightenment philosophers of the eighth century, who argued that human problems should be addressed by the application of reason, rather than tradition, religion or superstition. At the time (in Western Europe) traditional explanations of crime (as being the work of sin and demons) were being replaced by explanations that focused on rationality, individual responsibility and free choice (Bartollas, 2006:77).

Some of these Enlightenment thinkers turned their attention to the nature of the criminal law and punishment, and put forward radical ideas for its reform. In short, they opposed the unpredictable, discriminatory, inhumane and ineffective criminal justice systems of their day.

The programme for changing this state of affairs was to produce a system in which law and punishment were predictable, non-discriminatory (treating all who had broken a particular law alike), humane and effective. Thus punishment should avoid unnecessary suffering, should be proportionate to the crime committed, follow as certainly and quickly as possible after the offence, and be just sufficient to act as a deterrent to the crime (Coleman & Norris, 2000:8).

Two key classical school theorists – Cesare Beccaria in Italy and Jeremy Bentham in Britain – established the essential components of the rational actor model.

1.1.2 Assumptions of the classical school

- **Human nature**

According to the classical school, people are self-interested, rational creatures (able to weigh up the advantages and disadvantages of competing courses of action), who are able to make and act in accordance with personal choices (often described as "free will"). The emphasis on the individual offender as being a person who is capable of calculating what he or she wants to do is the most important feature of the classical school of thought (Lilly, Cullen & Ball, 2007:5). Those who fail to make rational choices, therefore, and who commit crime, are sent to prison with a view to reform. The idea is to encourage them to not commit crimes in future by developing

their rational thought processes. Conformity was associated with rewards and rebellion was associated with sanctions (in the form of harsh prison conditions) (Joyce, 2006:3).

- **Conception of society or social order**

Left to their own devices, people will follow their own selfish interests; since these will often conflict, this will result in chaos. However, because people are rational creatures, they can see the advantages in giving up part of their freedom to do as they please, accepting a set of laws in exchange for protection of life and property from a state. Thus comes into being what was called the social contract, a basis for social order. A violation of law is a violation of this contract and justifies the state's right to punish the offender (Coleman & Norris, 2000:8).

- **Causes of crime**

Since people are normally rational creatures, it seems to follow that either the pleasure or gain from the crime outweighs the pain of punishment associated with it, or that some people make irrational decisions for some reason (e.g. the institutions of law or education may be sending out "wrong" or confusing messages, so that people do not have the appropriate information to make rational decisions) (Coleman & Norris, 2000:8).

Again, according to this school of thought, behaviour is guided by hedonism – a pain-and-pleasure principle – by which potential offenders calculate the risks and rewards involved in their actions. Thus the decision to commit crime was viewed as the consequence of a logical thought process.

- **Implications for policy**

Criminal justice should be subject to a strict rule of law (due process) and punishments should be known, fixed and just severe enough to deter. Judges' discretion should be minimised as far as possible in sentencing (Coleman & Norris, 2000:9). Classicists argued that the most appropriate solution to crime was a clearly defined and consistently applied legal code and a criminal justice system that was predictable (and also swift) in its operations. This would ensure that potential offenders were aware of the inevitable personal cost of committing crime (Joyce, 2006:2).

Read more about the Classical school at:

http://www.lawteacher.net/criminology/essays/the-classical-school-of-
    criminological.php
http://www.julianhermida.com/crimclassical.htm.

ACTIVITY

Classicists refer to a criminal justice system that is predictable in its operations. Why, then, do not all murderers get life sentences? List your reasons.

✓ TAKE NOTE

> After sentencing, the bereaved family and friends are not always satisfied with the offender's punishment. The social and physical characteristics of the offender play a decisive role in his or her sentencing. However, according to the Classical school, punishment should be suited to the offence, and not influenced by the social or physical characteristics of the offender. Thus intent was deemed irrelevant. The harm which a particular criminal action did to society was the yardstick by which the classicists judged the appropriateness of punishment.

1.1.3 Limitations of classicism: the neoclassical school of thought

The application of classical criminology during the eighth century quickly revealed flaws in the idea of identical punishment for identical crimes, and in the concepts of free will and rationality. Social theorists discovered that aggravating or mitigating circumstances sometimes meant that similar crimes differed in significant ways. Also, while the concept of free will was not abandoned, people recognised that there were sometimes circumstances in which freedom of choice was limited. Likewise, under certain conditions, people did not always act rationally. Rationality might be constrained by factors such as poverty, insanity or immaturity. In fact, the classical theorists had completely ignored differences between individuals. First offenders and repeat offenders were treated exactly alike, solely on the basis of the particular act that had been committed. Children, the "feeble-minded" and the insane were all treated as if they were fully rational and competent (Burke, 2005:27).

All this quickly led classical criminologists to revise their ideas. The changes in classical criminology resulting from these realisations developed into what became known as neoclassical criminology (Hunter & Dantzker, 2002:3).

According to neoclassicists, a person is still accountable for his or her actions, but with certain minor reservations – it is acknowledged that the offender's past history and present situation both influence the likelihood of reform (Joyce, 2006:4). Ordinary sane adults were still considered fully responsible for their actions, and all equally capable of either criminal or law-abiding behaviour. It was now recognised, however, that children (and in some circumstances the elderly) were less capable of exercising free choice and were therefore less responsible for their actions. The insane and "feeble-minded" might be even less responsible. It was these revisions to the penal code that admitted into the courts for the first time non-legal "experts" including doctors, psychiatrists and, later, social workers. They were gradually introduced into the criminal justice system in order to identify the impact of individual biological, psychological and social differences. The purpose of this intervention was to determine the extent to which offenders were responsible for their actions. The outcome was that sentences became more individualised, depending on the perceived degree of responsibility on the part of the offender and on whether there were mitigating circumstances (Burke, 2005:28).

ACTIVITY

Collect newspaper clippings on court cases where doctors, psychologists, and so forth, were called upon to testify in order to determine the extent to which the offender was responsible for his or her actions. Make a list of the main issues that these non-legal experts concentrate on.

Psychologists and psychiatrists can possibly concentrate on some of the following:

- Statements to the police
- Hospital records
- Witness accounts of the accused's behaviour
- Past criminal record
- Past psychological tests
- Employment records

Burke (2005:28–29) identifies the following central attributes of the classical and neoclassical schools, which laid down the foundations of the rational actor model:

- A fundamental concentration on the criminal law and the legal definition of crime.
- The central concept that the punishment should fit the crime rather than the offender.
- The doctrine of free will, according to which all people are free to choose their actions. From this perspective, it is assumed that there is nothing "different" or "special" about offenders that differentiate them from other people.
- The use of non-scientific methodology coupled with a lack of empirical research.

In other words, the classical and neoclassical schools created an administrative and legal criminology that was more concerned with the uniformity of laws and punishment – neither school really tried to explain criminal behaviour.

1.1.4　Summary and conclusion

Classical theorists view criminal behaviour as deliberate activity resulting from rational decisions in which offenders weigh the advantages and disadvantages and perform the acts that promise the greatest potential gain. Those who commit serious crimes or continue to break the law deserve punishment because they possess free will and know what they are doing (Bartollas, 2006:76). People are influenced by their fear of punishment associated with being caught and convicted for law violations. The more severe, certain and swift the punishment, the more likely it is to control crime (Siegel, 2004:29).

The neoclassical school represented no major break with the basic premises of the classical school. Neoclassicists continued to state that people have free will and that people are rational creatures guided by reason. They also claimed that people are controlled by, and crime is deterred by, fear of punishment. Hence, the pain of punishment must exceed the pleasure obtained from the act.

However, the neoclassical school made some modifications to the administration of

law based on the classical school. Neoclassicists modified the doctrine of free will by stating that the freedom to choose could be influenced by incompetence (either of age or insanity). They also introduced the concepts of premeditation and mitigating circumstances (Moyer, 2001:27).

The classical thinkers initiated a period of lasting debate and controversy over how we should understand crime and criminal behaviour. Although the focus is on the offence rather than the offender, the very process of raising issues concerning law and offending leads to closer scrutiny of the reasons for offending. It is the reasons for offending that form the basis of the theories in theme 2 (the positivist perspective).

1.1.5 Self-assessment

1. What are the assumptions of the classical school?   [15]
2. Write notes on the limitations of classicism.   [10]
3. List the central attributes identified by Burke (2005) that laid down the foundations of the rational actor model of crime.   [5]

1.1.6 Answers to self-assessment questions

1. See section 2. Pay attention to human nature, concept of society and causes of crime.
2. See section 3.
3. See section 3 (the three bullet points).

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STUDY UNIT 1.2

Contemporary rational choice theories

LEARNING OUTCOMES

After you have studied this study unit, you should be able to

- describe the basic elements of routine activities theory
- explain the contributions and shortcomings of this theory
- name the propositions of the rational choice theory
- describe the choice process
- discuss the positive and negative aspects of rational choice theory

1.2.1 Introduction

Classical thinking has had a significant impact on criminological theory. Classical ideas can be seen in those theoretical approaches that view offenders as rational actors. In fact, classical criminology became the basis for all modern criminal justice systems, but the expected reduction in crime did not occur. Beginning in the 1870s, criminologists abandoned classicism (although criminal justice systems did not) and embarked on a positivist search for the causes of crime. After another one hundred years, positivism, too, was found to have failed to reduce crime and the classical school re-emerged as the dominant viewpoint in criminology. Beginning in 1968, the contemporary classical approach started to focus on theory and research into the deterrent effect of criminal justice policies. Then, in 1978, Cohen and Felson proposed the "routine activities" approach, which led to policy recommendations to limit criminal opportunities rather than increase the deterrent effect of criminal justice policies. In 1985, Clarke and Cornish proposed the "rational choice" approach (Vold, Bernard & Snipes, 2002:196). Both theories assert that offenders are active, thinking participants in their criminal ventures. Offenders make decisions, they make choices, and why they choose to commit a crime in one situation and not another is a challenging question to anybody working in the field of criminology. These theories are sometimes called opportunity theories, because they contend that no crime can be committed unless there is an opportunity to complete the act (Lilly et al, 2007:266).

1.2.2 Routine activities theory

The routine activities theory was developed by Lawrence Cohen and Marcus Felson. Cohen and Felson (Vold et al, 2002:205) argue that certain changes in the modern world have provided motivated offenders with a far greater number of opportunities to commit crime. These theorists contend that there has been a marked increase in the availability of crime targets (coupled with the absence of capable guardians) in the modern world as a result of an overall change in our "routine activities" – that is, how normal people live their lives in terms of work, home life, child rearing, education, and leisure. When people are at home they function as guardians of their own property. But the routine activities of modern life have led to the dispersion of activities away from the family and household and homes are increasingly left unattended during the day. This means that many households no longer have capable guardians for extended and fairly predictable periods of time; as a result, they have become "candidates" for burglary. In addition, there has been a large increase in

portable goods, goods which are therefore attractive targets to thieves (e.g. electronic goods).

ACTIVITY

During a normal working day most neighbourhoods are left without guardians as people exercise their daily routine activities. The lack of guardians creates opportunities for criminals to act upon. Make a list to indicate who will take guardianship of the property while you are at work.

The following guardians can contribute to the safeguarding of your property:

Police controls, dogs, alarms, burglar proofing, security gates, fencing, electrical fencing, services offered by security companies, domestic servants and pensioners living on the property. Can you add any guardians to the list?

As people spent more time at large in society – going to and from work, school and leisure activities – they were likely to come into contact with motivated offenders in circumstances where there was inadequate guardianship. The opportunity for robbery and assault thus increased. The focus on opportunity suggests a pragmatic approach to preventing crime: decrease opportunities for offending, and crime will be reduced. Advice to reduce crime opportunities often leads to a focus on aspects of the environment that are most easily altered, such as whether a house has a burglar alarm and whether a shop minimises the amount of money in its cash registers (Lilly et al, 2007:267).

Cohen and Felson (Vold et al, 2002:205) believe that most violent and property crimes involve direct contact between the offender and the target. They propose that, for a personal or property crime to occur, there must be at the same time and place a perpetrator, a victim, and/or an object of property. The crime event is also more likely to occur if there are other persons or circumstances in the locality that encourage it to happen. Cohen and Felson (Burke, 2005:46) have taken these basic elements of time, place, objects and persons to develop a routine activity theory. These elements that increase or decrease the likelihood that persons will be victims of personal (direct contact) or property crime are:

● The availability of suitable targets in the form of a person or property, such as homes containing easily saleable goods. Suitability of target is dependent on four criteria which Felson (Newburn, 2007:289) summarises by using the acronym VIVA:

  – Value: calculated from the subjective rational perspective of the offender, what is the target worth?
  – Inertia: the extent to which the article or target can be realistically removed, taken, robbed or moved
  – Visibility: how visible the target is to the offender?
  – Accessibility: how easy it is to gain access to the target?

- The absence of capable guardians, such as police, homeowners, neighbours, friends, and relatives.
- The presence of motivated offenders, such as young males, drug users and unemployed adults.

Thus, the likelihood of a crime taking place increases when there is one or more persons who are motivated to commit a crime; a suitable target or potential victim; and an absence of formal or informal guardians who might deter the potential offender (Burke, 2005:46). For example, young women who drink excessively in bars may elevate their risk of date rape because they are perceived as easy targets; furthermore, their attackers can rationalise the attack because they view intoxication as a sign of immorality.

ACTIVITY

A four-year old boy is repeatedly sodomised by the husband of a nursery school owner. The victim eventually informs his parents that "the man at school hurts him" and that his wife knows about it. Examine this information from the offender's perspective, and list the reasons why the target is suitable and what happened to the formal or informal guardians who should have protected this boy against the offender.

Answer the following questions:

- Why are children easy targets?
- Do parents respond to their children's complaints?
- Do parents know their rights?

Read more about the routines activity theory at:

http://www.crimeprevention.nsw.gov.au/agdbasev7wr/_assets/cpd/m66000112/
     routineactivityfactsheet_nov2011.pdf
http://www.sagepub.com/schram/study/materials/reference/90851_03.2r.pdf

1.2.2.1 Evaluation

A primary goal of routine activity theory is to identify the environmental triggers that facilitate crime (Cote, 2002:297). The emphasis in this theory is therefore on a crime of place rather than a crime of person. Critics, however, argue that the theory ignores the offender and cannot answer the question why some individuals are more motivated to commit criminal acts than others. It also carries with it a tendency to blame the victim, because the victim is identified as playing a significant role in the circumstances surrounding the criminal act (McLaughlin, 2006:366).

Notwithstanding these criticisms, routine activity theory has a great deal of promise for the study of all types of crime in any urban, suburban and rural area. The theory provides valuable insight into the issue of crime prevention and should be a meaningful source of information for city planners, criminal justice officials and policy makers. Felson (Cote, 2002:298) suggests that managers and city planners can implement a variety of strategies in order to prevent crime. Some of these strategies

include increased surveillance (informal supervision); limiting pedestrian access to certain streets; keeping schools visible from buildings where there are adults; and encouraging the presence of resident caretakers in schools.

1.2.2.2 Summary and conclusion

The routine activity theory focuses on opportunity and lifestyle issues. A person's living arrangements can influence victim risk; people who live in unguarded areas are at the mercy of motivated offenders. A person's lifestyle definitely influences the opportunity for crime because it controls a person's:

  (i)   proximity to criminals
  (ii) the time he or she is exposed to criminals
  (iii) attractiveness as a target
  (iv) ability to be protected (Siegel, 2004:94)

For Felson and Cohen (Lilly et al, 2007:272), the key to stopping crime is to prevent the intersection in time and space of offenders and targets who lack guardianship. Because the fundamental cause of crime events is opportunity, criminal opportunities need to be reduced. This means making targets less attractive and supplying targets with capable guardianship.

1.2.3 Rational choice

Cornish and Clarke (Lilly et al, 2007:276) have attempted to construct a more sophisticated approach to the decision to offend, which they have termed "rational choice" theory. In their model of 1986, Cornish and Clarke assume that people are not "empty vessels" when they approach a situation in which a crime might be committed. They bring with them background factors that include many of the influences articulated by other theories of crime, such as temperament, intelligence, cognitive style, family upbringing, class origin, neighbourhood context, and gender. These factors create criminal motivations – deep-rooted inclinations or dispositions to commit crime (Lilly et al, 2007:276).

From a rational choice perspective, the problem with other theories is that it is at this point that their analysis of crime ceases. However, in the end, crime is not simply due to underlying motivations or predispositions, it also involves a sequence of choices that must be made if these motivations are to result in an actual criminal act (Lilly et al, 2007:276).

1.2.3.1 Propositions

Cornish and Clarke (Newburn, 2007:281–282) summarise the basis of their rational choice perspective in the following six basic propositions:

  (i) Crimes are deliberate acts, committed with the intention of benefiting the offender.
  (ii) Offenders try to make the best decisions they can, given the risks and uncertainty involved.

(iii)   Offender decisionmaking varies considerably according to the nature of the crime.

(iv)   Decisions about becoming involved in particular kinds of crime ("involvement decisions") are quite different from those relating to the commission of a specific criminal act ("event decisions").

(v)   Involvement decisions comprise the following three stages (Newburn, 2007:283):

- Initiation: whether the person is ready to begin committing crime in order to obtain what he or she wants.
- Habituation: whether, having started offending, he or she should continue to do so.
- Desistance: whether, at some stage, he or she ought to stop.

These stages must be studied separately, because they are influenced by quite different sets of variables. Background factors are likely to be the most important at the initiation stage and current life circumstances at the habituation stage and desistance stage.

(vi)   Event decisions involve a sequence of choices made at each stage of the criminal act. For example, preparation (when to do the crime, i.e. reduce risks), target selection (which house to burgle), commission of the act, escape, and aftermath.

ACTIVITY

> When referring to these involvement decisions (three stages), do you think that a criminal actually plans his or her initiation, habituation and desistance?

If you read through the case study of Susan Fryberg on page 121 of this study guide, you will have to decide whether her involvement in these three stages was voluntary or forced.

1.2.3.2 Bounded rationality

Even in cases which, on the surface, may seem irrational (e.g. those where there is some pathological compulsion), there is still some degree of rationality involved, although it may be limited. Thus, for Cornish and Clarke (Newburn, 2007:282) behaviour is rational, but bounded. It is limited in its understanding of possibilities, potentials and consequences. Offenders are generally doing the best they can within the limits of time, resources, and information available to them. In other words, all offenders think before they act, even if this is only momentary and is based on some immediate assumptions and hoped-for benefits rather than any longer-term strategic thinking.

1.2.3.3 The choice process

Offenders seek to benefit themselves by their criminal behaviour and this process

involves the making of decisions and choices, however elementary these may be. This process exhibits a measure of rationality, although the process may be constrained by limitations of time and ability and the availability of relevant information. Cornish and Clarke (Cote, 2002:291) argue that the choice process occurs in two major stages.

- Firstly, offenders must decide whether they are willing to become involved in crime to satisfy their needs (initial involvement stage). Whether or not they decide to become involved in crime is influenced mainly by their previous learning experiences, including any experiences with crime, contact with law enforcement, moral attitudes, self-perception, and the degree to which they can plan ahead. These learning factors are shaped by various background factors.
- Secondly, once individuals decide to become involved in crime, they need to adopt a crime-specific focus. In other words, they need to decide what offence they will probably commit. This decision is heavily influenced by the individual's current situation. For example, the individual may badly need money and may be out with friends who suggest that they commit a crime. The individual must then select a target for the offence, such as a house to burgle and weigh the costs and benefits (e.g. is someone at home?).

Crime, according to this perspective, is regarded as "deliberate"; it is never "senseless". In other words, the crime always has some anticipated or intended benefit for the offender. While, in the most obvious cases, the benefit may be some material reward, benefits may also include excitement, prestige, fun, sexual gratification, and defying or dominating others. A man might brutally beat his wife, not just because he is a violent thug, but also because this is the easiest way of making her do what he wants (Newburn, 2007:282).

Decisions about committing an offence can be summarised as follows (Newburn, 2007:282; Lilly et al, 2007:277):

- Offenders are rarely in possession of all the necessary facts about the risks, efforts and rewards of crime.
- Criminal choices usually have to be made quickly – and revised hastily.
- Instead of planning their crimes down to the last detail, offenders might rely on a general approach that has worked before, and then improvise when they are confronted by unforeseen circumstances.
- Once they have embarked on a crime, offenders tend to focus on the rewards of the crime rather than its risks; and, when considering risks, they focus on the immediate possibilities of being caught, rather than on the punishments they might receive.

ACTIVITY

> Collect newspaper clippings on car hijackings. Hijackings have certain characteristics, such as the element of surprise, the use of a weapon, working in groups, and so forth.

List incidences where the hijackers deviated from their modus operandi owing to unforeseen circumstances.

1.2.3.4 Evaluation

Rational choice theory seems to hold a promising approach to reducing crime, that of situational crime prevention. By studying how offenders make decisions to, say, commit burglaries, steps can be taken to reduce opportunities that make these offences possible. According to this approach, crime is prevented not by changing the offenders themselves in some way, but by changing certain aspects of the situations in which offences occur (e.g. installing burglar alarms, guard dogs). In short, the focus is on making crime more difficult to commit or less profitable, so that it becomes a less attractive choice (Lilly et al, 2007:277).

The danger in rational choice theory, however, is that offenders will be treated as though they were only rational decisionmakers. When this occurs, the context that influences their decision to break the law is ignored, and commentators begin to recommend harsh criminal justice policies that focus solely on making crime a costly decision. In other words, they ignore the offender's social context (Lilly et al, 2007:277).

1.2.4 Summary and conclusion

Routine activity theory focuses on the necessary conditions for crime to occur, namely, the convergence in time and place of a motivated offender and a suitable victim in the absence of a capable guardian. The theory suggests that the social context within which crime occurs is critical to understanding how victims become susceptible to the risks of crime and the factors that motivate the offender to commit crime.

The underlying assumption of rational choice theory suggests that rational, selfish and pleasure-seeking individuals make personal choices and decisions about their future behaviour by weighing both the consequences of punishment (should they get caught) and the costs in specific situations of criminal opportunity. Cornish and Clarke (Cote, 2002:285–286) assume that there will always be people who will commit crime if given the opportunity. However, the notion of deterrence is prominent: individuals will be deterred from committing crime if they think that the cost (i.e. punishment) outweighs the benefits of committing the crime.

Rational choice theory has many similarities with routine activity theory. The two perspectives hold in common a focus on the crime event. They are both concerned with how the combination of circumstances shapes individual acts (rational choice) or acts of a particular class (routine activities).

Read more about the rational choice theory at:

http://www.oxfordbibliographies.com/view/document/obo-9780195396607/
    obo-9780195396607-0007.xmlhttp://www.sagepub.com/tibbetts/study/articles/
    SectionII/De%20Haan_Vos.pdf
http://ebooks.narotama.ac.id/files/Criminology%20(11th%20Edition)/
    CHAPTER%204%20Rational%20Choice%20Theory.pdf

1.2.5 Self-assessment

1. Define the concept "routine activities" and give examples.   [5]
2. Give a short overview of the routine activity theory.   [20]
3. Cornish and Clarke have attempted to construct a more sophisticated approach to the decision to offend. Discuss their rational choice theory in detail.   [25]

1.2.6 Answers to self-assessment questions

1. See section 1.2.2. Include routine activities that you do on a daily basis.
2. See section 1.2.2. Pay special attention to the elements and remember to include practical examples.
3. See section 1.2.3. Two important things need to be present before a crime can be committed, that is, criminal motivation and the sequence of choice. Explain these two factors and include some practical examples (e.g. newspaper clippings).

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PART 2

The predestined actor model

_____THEME 2

THE PREDESTINED ACTOR MODEL

FOUNDATION: Positivist school (individual positivism)

ATTRIBUTES
- Rejection of the legal definition of crime
- Treatment should fit the offender
- Doctrine of determinism
- Scientific methodology

FORMULATIONS OF PREDESTINED ACTOR MODEL:
- Biological positivism (Italian School and biosocial explanations)
- Psychological positivism (psychodynamic/analytic; behavioural and cognitive)

KEY CONCEPTS

BEHAVIOURAL PERSPECTIVE focuses primarily on overt behaviour, its observable antecedents and consequences, rather than upon internal processes. Behaviourists stress social learning and behaviour modelling as the key to criminality (Coleman & Norris, 2002:52; Siegel, 2004:154).

BIOLOGICAL POSITIVISM claims that human beings commit crime because of factors internal to the physical body over which they have little or no control (Burke, 2005:281).

CLASSICAL CONDITIONING is a learned response to a stimulus (Reid, 2003:106).

COGNITIVE PERSPECTIVE is explicitly concerned with mental processes, such as perception, memory, decision-making and problem-solving (Coleman & Norris, 2000:32). Cognitive theorists, therefore, analyse human perception and how it affects behaviour (Siegel, 2004:154).

CONDITIONING is the process by which associations are learnt between our actions and the consequences of our actions (Howitt, 2002:69).

DENIAL is simply discounting the existence of threatening impulses. For example, a person with homosexual tendencies may vehemently deny ever feeling any physical attraction to a person of the same sex (Cassel & Bernstein, 2007:82).

DETERMINISM means that factors outside the individual's control (be they biological, psychological, sociological, or some combination) push that individual into

criminal behaviour. From this perspective, crime does not result from choice, or rational decision-making, but from sheer force of circumstance (Tierney, 2006:54).

DISPLACEMENT is deflecting an impulse from its original target to a less threatening one. Anger at one's boss may be expressed through hostility to a shop assistant, a family member, or even the dog (Cassel & Bernstein, 2007:82).

OPERANT CONDITIONING is associated with social learning theory which states that behaviour is shaped by the consequences that follow the act (Anderson, Dyson, Langsam & Brooks, 2007:156).

PERSONALITY is a term used to describe an individual's temperamental and emotional attributes that are relatively consistent and that will influence his or her behaviour (Jones, 2001:398).

PHRENOLOGY theory of behaviour is based on the belief that the exterior of the skull corresponds to the interior and to the brain's conformation. Phrenologists claim that a propensity towards certain types of behaviour may be discovered by examining the bumps on the head (Reid, 2003:88).

POSITIVIST CRIMINOLOGY is an approach to the study of crime that adopts a deterministic approach; in other words, offenders are regarded as being propelled into committing criminal acts by forces (biological, psychological, or sociological) over which they have no control. Common to all forms of positivist criminology is the belief that society is based on consensual values and offenders should be treated rather than punished for their actions. Positivists also insist that theories that purport to explain the "why?" of crime should be based on scientific analysis (Joyce, 2006:562).

PSYCHODYNAMIC *or* **PSYCHOANALYTIC PERSPECTIVE** takes the view that people have a complex inner mental life, much of which takes place at an unconscious level, and which holds the key to understanding behaviour. For example, dreams and emotional problems can have deeper meanings which can be uncovered by the analyst (Coleman & Norris, 2000:32). Psychoanalysts focus on early childhood experience and its effect on personality (Siegel, 2004:154).

PSYCHOLOGICAL POSITIVISM focuses on the mind of the criminal. These theorists view crime as an action that is symptomatic of internal neurological disorders or deeply hidden personality disturbances within an individual. Psychological positivism includes the study of individual characteristics, which include personality, reasoning, thought, intelligence, learning, perception, imagination, memory and creativity (Joyce, 2006:10).

REPRESSION means unconsciously "pushing under" threatening memories, urges, or ideas from conscious awareness. A person may experience memory loss in the case of highly traumatic events (Cassel & Bernstein, 2007:82).

SOCIOLOGICAL POSITIVISM is a theoretical approach within criminology that emphasises the social determinants of behaviour (e.g. the effects of wealth and social class), and that pays little regard to individual decision-making or choice (Newburn, 2007:953).

SUBLIMATION is converting unacceptable impulses by acting in a way that opposes them. For example, a sexual interest in a married friend might take the appearance of strong dislike instead (Cassel & Bernstein, 2007:82).

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STUDY UNIT 2.1

The positivist school: the offender as predestined actor

LEARNING OBJECTIVES

After studying this unit, you should be able to

- describe the assumptions of the positivist school
- list the contributions and shortcomings of the positivist school

2.1.1 Introduction

Beginning in the late 1800s, a second school of thought emerged in criminology that eroded the influence of the classical school. The positivist school of thought is believed to have emerged in opposition to the harsh views of the classical school, and as a response to society's lack of concern about what actually caused criminal behaviour (Hunter & Dantzker, 2002:34). Against the background of the advance in technology and scientific knowledge, positivists turned to the methods of science observation, experimentation, and comparison – and sought measurable causes of criminal behaviour. Many criminologists use the term "positivism" to mean an approach that studies human behaviour through the use of the traditional scientific method. The focus is on systemic observation and the accumulation of evidence and objective fact within a deductive framework (moving from the general to the specific) (Williams & McShane, 2004:35).

Members of the positivist school of thought believed that certain external forces – biological, psychological, and sociological – caused criminal behaviour. They rejected the legal concept of crime recognised by the classical school. In their search for the differences between offenders and non-offenders, they focused on the individual instead of the law and sought empirical facts to confirm their belief that crime was determined by multiple factors. A major shift from the classical school was the emphasis on treatment as opposed to punishment (Hunter & Dantzker, 2002:34).

The strategy used by the positivists (positivism is also known as the predestined actor model (Burke, 2005:53)) was supposed to individualise justice and eliminate criminal behaviour by identifying and eliminating its causes through prevention and rehabilitation.Key positivists were Auguste Comte (1798–1857), Cesare Lombroso (1835–1909) and Adolphe Quetelet (1796–1874).

2.1.2 Assumptions of the positivist school

The basic assumptions of positivism are highlighted by Bartollas (2006:78) and White and Haines (2004:40–42):

- It is the character and personal backgrounds of individuals that explain criminal behaviour. The focus of analysis is therefore on the nature and characteristics of the offender, rather than on the criminal act.
- A crucial assumption of positivism is the existence of scientific determinism. Crime, like any other phenomenon, is seen as determined by prior causes; it does not "just happen". Because of this deterministic position, positivists reject the view that the individual is reasonable, exercises free will, and is capable of choice.

Instead, individuals' activities and behaviour are primarily shaped by factors and forces outside their immediate control.

● The offender is seen as fundamentally different from the non-offender. The task, then, is to identify the factors that have made the offender a different kind of person. In attempting to explain this difference, positivists concluded that offenders are driven into crime by something in their physical makeup, by their psychological impulses, or by the meanness and harshness of their social environment. Offenders can be scientifically studied, and the factors leading to their criminality can be diagnosed, classified, and ultimately treated or dealt with in some way. It is the job of the "expert" to identify the specific conditions leading to criminality in any particular case.

● Since there are differences between individual offenders, treatment itself must be individualised. At an institutional level, this translates into arguments in favour of indeterminate sentences. The length of time in custody should not depend solely on the nature of the criminal act committed, but must take into account the diagnosis and classification of the offender (e.g. is the person dangerous or not?), as well as the type of treatment appropriate to the specific individual.

TAKE NOTE

Who would be the appropriate person or persons to assess the offender before sentencing? This may be a psychologist, a social worker or a criminologist. What information should be contained in the report (after the assessment) regarding the offender?

Study criminal behaviour from a multidimensional perspective and have the unique ability to individualise the offender for purposes of providing roleplayers in the criminal justice system with a better understanding of the offender and insight into the individual's behaviour and the motivation therefore.

For the purposes of court reports, all relevant factors that could play a role in the criminal event are taken into account, such as the person's history, personality, mental state when the crime was committed, motivation, modus operandi, and precipitating and situational factors. Aggravating as well as mitigating factors are also taken into consideration (Van der Hoven, 2006:153).

2.1.3 Evaluation of the positivist school

The positivist school made an extensive contribution to the development of a scientific approach to the study of criminal behaviour and the reform of criminal law. The positivists emphasised the importance of empirical research and, in effect, developed the doctrine of determinism.

Positivists suggested that individuals were not responsible for their actions. This, according to Joyce (2006:5), implied a total absence of free will and the ability to control one's actions. The positivist school's emphasis on deterministic causes of crime suggests that people are passive and controlled. It further indicates that criminal behaviour is, in fact, imposed on people by biological and environmental conditions (Moyer, 2001:30). The problem with this viewpoint, according to Newburn (2007:128), is that it fails to take account of human decisionmaking,

rationality and choice. In policy terms, it tends to lead to an emphasis on treatment and to avoid the whole issue of individual responsibility.

Furthermore, the research undertaken by positivists contained serious errors in its methodology. Their samples were not scientifically selected, and their subjects usually came from institutionalised populations. They made little use of follow-up studies and the concepts they measured were not clearly defined (Reid, 2006:65).

Despite these criticisms, the positivist school had a significant impact on the emergence and development of criminology, as indicated by its substantive theoretical development. Certain elements of biological, psychological, and socio-logical positivism have definitely helped to shape contemporary criminology.

Read more about the positivist school at:

http://www.newworldencyclopedia.org/entry/Criminology
http://understandingcriminology.pbworks.com/f/Lec+5+Positivist+Criminology.pdf.

2.1.4 Summary and conclusion

In response to the inability of the classical policy to control crime, a new approach to studying crime – positivist criminology – emerged. The goal of positivism was to study the causes of crime at the individual and societal level (Cote, 2002:35). Positivists sought to discover what it was about individuals that caused them to commit crimes. Although positivism centred mainly on individuals, it also emphasised certain social factors, since these led to criminality.

Proponents of the positivist school (the predestined actor model) rejected the rational actor model's emphasis on free will and replaced it with the doctrine of determinism. They argued that criminal behaviour could be explained in terms of factors, either internal or external to the human being, that caused people to act in a way over which they had little or no control (Burke, 2005:52–53).

There are three basic formulations of the predestined actor model, namely biological and psychological positivism (collectively known as individual positivism) and sociological positivism. Each will be addressed separately.

2.1.5 Self-assessment

1. Outline the assumptions of the positivist school.   [15]

2.1.6 Answer to self-assessment question

1. See section 2.1.2.

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STUDY UNIT 2.2

Biological positivism

LEARNING OBJECTIVES

After studying this study unit, you should be able to

- describe Ferri and Garofalo's interpretation of the criminal
- explain criminal behaviour according to Sheldon's three body types
- define the relationship between biological factors and criminal behaviour
- briefly outline Eysenck's biological theory

2.2.1 Introduction

The belief that criminality has a biological basis is by no means new. Bartollas (2006:78–80) identifies two periods during which biological positivism became prominent in criminological studies.

- The first period was dominated by the debate about whether human behaviour was a product of nature (inborn traits such as genes) or nurture (acquired traits such as environmental factors). Behaviour was primarily attributed to inherited predispositions and genetic influences were given as the reason for a variety of complex human behaviours.
- The second period is referred to as "contemporary biological positivism" or "sociobiology". Sociobiology stresses the interaction between biological factors within an individual and the influence of the particular environment.

The foundations of biological positivism can be located primarily in the work of Lombroso, Ferri and Garofalo. These early and highly influential biological criminologists – or the Italian School as they are collectively known – argued that criminology should focus primarily on the scientific study of criminals and criminal behaviour (Burke, 2005). Biological theories of crime were the dominant approaches at the turn of the 20th century.

2.2.2 Early theories of biological positivism: the Italian School

Early biological theories of criminality focused on physical attributes and appearance. Criminality was associated with abnormality or defectiveness, the assumption being that it was people who were somehow biologically inferior who were most likely to become involved in criminal activities. Joseph Gall explored the view that physical traits were related to behaviour. He popularised phrenology, which sought to equate the shape of a person's skull with the structure of their brain which, in turn, was deemed to influence their behaviour. Cesare Lombroso (Joyce, 2006:6; Cote, 2002:36) developed the belief that it was possible to identify offenders by their biology. He studied the cadavers of executed criminals in an effort to determine whether law violators were physically different from conventional people (Siegel, 2004:7).

Lombroso came to two main conclusions:

- Criminals were genetic throwbacks or atavistic. They were primitive people in a modern era.
- Criminals could be identified by their physical features. Lombroso's studies of

executed criminals led him to assert that the "criminal type" could be identified by distinguishing physical features (such as the shape of the skull or facial characteristics, for example large jaws and cheekbones, fleshy lips or a receding chin) which he referred to as "stigmata". Many of these characteristics were inherited, and reflected a biological inferiority which, in turn, meant that the person had a propensity for committing crime. These physical traits were frequently reinforced by other non-hereditary features such as tattoos (Joyce, 2006:6).

Lombroso's conclusions were compatible with the view that criminals were "born bad".

In his later writings Lombroso modified his "born bad" stance by including factors outside the individual (e.g. climate or education) as explanations of criminal behaviour (Joyce, 2006:6). Even during his own lifetime, Lombroso's ideas declined substantially in influence, although he has been referred to as "the father of modern criminology" (Newburn, 2007:122). Although Lombroso's theory of the atavistic criminal has not stood the test of scientific investigation, Bartollas (2006:79) points out that Lombroso made two significant contributions to the study of criminal behaviour, namely:

- Lombroso provided the impetus for criminologists to study the individual offender rather than the crimes committed by the person.
- His manner of studying the offender by involving control groups and his desire to have his theories tested impartially influenced the development of the scientific method. Lombroso established the basis for a positivistic school of criminological study and, with it, the requirements for a scientific foundation of our knowledge of criminal behaviour.

Lombroso's work was continued and elaborated by two fellow Italians, the scholars Ferri and Garofalo. Ferri asserted that there were three categories of criminals – those who were born bad, those who were insane and those whose actions were the consequence of a particular set of circumstances in which they found themselves (Joyce, 2006:6). In Ferri's work greater attention is paid to, and influence attributed to, social and environmental factors in the explanation of criminality (i.e. compared with Lombroso). Ferri was not simply a biological positivist but, significantly, argued that criminal behaviour could be explained by studying the interaction of a range of factors. First, he observed physical factors such as race, geography and temperature; second, individual factors such as age, sex and psychological variables; and third, social factors such as population, religion and culture (Burke, 2005:6). Like Ferri, Garofalo was convinced of the importance of scientific methodology in the study of crime. The criminal, in Garofalo's terms, was someone who lacked a concern for others and in this, and possibly in other ways, may be considered developmentally deficient (Newburn, 2007:126).

ACTIVITY

Read more about Lombroso at:

http://crime-study.blogspot.com/2011/04/lombrosos-theory-of-crime.html.

An extension of Lombroso's approach was into Somatotyping (body-build), which purports to relate the behaviour and constitution of a person to the shape of their body. Researcher William Sheldon (1949) (Hunter & Dantzker, 2002:50) maintained that elements of three basic body types could be found in all people: endomorphs are heavy persons with short arms and legs; they tend to be relaxed and extraverted and relatively non-criminal. Mesomorphs are athletic and muscular; they tend to be aggressive and are particularly likely to commit violent crimes and other crimes requiring strength and speed. Ectomorphs are thin, introverted, and overly sensitive. In a study comparing young male offenders with a control group of students, Sheldon (Williams, 2004:131) concluded that most offenders tended towards mesomorphy. Later, more sophisticated studies (Gluecks (1950) and Cortes & Gatti (1972)) to test this finding found some support for such an association but, more crucially, found that criminal behaviour was related to a combination of biological, environmental and psychological factors.

ACTIVITY

Read more about biological theories explaining crime causation at:

http://pegasus.cc.ucf.edu/~cjreg/NCbiological.htm

2.2.3 Biosocial theories

A recent interest in biological theories has developed, but these new approaches distinguish themselves from earlier approaches in a number of ways:

- Firstly, the most recent biological theorists, known as biosocial theorists, focus on a vast spectrum of biological factors, including genetic inheritance, environmental factors (i.e. head injuries and toxins such as lead poisoning), and reproductive factors.
- Secondly, biosocial theorists do not claim that biology leads to crime. Instead, they assert that biological factors influence crime by shaping the development of particular traits that are more conducive to crime than others.
- Finally, biosocial theorists recognise the importance of the social environment in relation to individual development. They maintain that the social environment shapes the development of certain traits and determines whether these traits will lead to crime (Cote, 2002:36). In short, biosocial theorists believe that physical, environmental, and social conditions work "in concert" to produce human behaviour.

Biosocial theory has several core principles, as indicated by Siegel (2004:141):

- It assumes that genetic makeup contributes significantly to human behaviour.
- It contends that not all humans are born with an equal potential to learn and achieve.
- It argues that no two people are alike (with rare exceptions, such as identical twins).
- It postulates that the combination of human genetic traits and the environment produces individual behaviour patterns.

Biosocial perspectives on criminality can be categorised as follows:

- Genetic
- Biochemical
- Neurophysiological

2.2.3.1 Genetic factors

An idea arose at the end of the 19th century that criminality is inherited in the same way as physical characteristics. Evidence to support this supposition has been obtained from three sources: criminal family studies, twin studies and adopted children studies (Burke, 2005:8).

a. Criminal family studies

Criminal family studies have their origins in the work of Dugdale (1877), who traced 709 members of the Juke family. This New York family were infamous for criminality, prostitution and apparent poverty. Dugdale (Williams, 2004:131) postulated that all three abovementioned factors were related and were fixed, so that criminality would always run in the family. Goddard (1914) subsequently traced 480 members of the Kallikak family and found a large number of them to have been criminals. Interestingly, while both Dugdale and Goddard had observed social as well as inherited criminal characteristics as causes of crime, both researchers emphasised the link between criminality and feeblemindedness (Burke, 2005:8).

Goring (1913), a student of Lombroso's (Jones, 2001:340–341), conducted a more sophisticated study. This study included 3 000 prisoners (all of whom had a history of long and frequent sentences) and a control group of non-offenders that consisted of Oxford and Cambridge undergraduates, hospital patients and soldiers. The prisoners were found to be inferior to the control group in terms of physical size and mental ability; moreover, strong associations were found between the criminality of children and their parents and between brothers. It was also found that children who were separated from their parents at an early age because the parents had been imprisoned were more likely to become offenders compared with other children (i.e. those who were not separated from their parents for this reason). In other words, contact with a criminal parent did not seem to be a significant factor associated with criminal conduct. Goring (Hunter & Dantzker, 2002:46) therefore claimed that the primary source of criminal behaviour is inherited characteristics rather than environmental factors. In order to reduce crime, Goring (Burke, 2005:71) recommended that people with such characteristics should not be allowed to have children.

Modern biosocial theorists are still interested in the role of genetics. A number of studies have found that parental criminality does have a powerful influence on criminal behaviour. Some of the most important data on parental criminality were obtained by West and Farrington (Siegel, 2004:148) as part of a long-term youth survey. This research followed a group of about 1 000 males from the time they were eight years old until they were in their thirties. The boys in the study were repeatedly interviewed and their school and police records evaluated. The data indicated that a significant number of offending youths had criminal fathers.

However, there is no certainty about the nature and causal relationship between parental and child offending, but evidence indicates that at least part of the association is genetic (Siegel, 2004:148). At present, researchers look to more indirect connections between genetic make-up and criminal behaviour. Research by Bohman (1978), for example, suggested a genetic predisposition to alcoholism which, in turn, increases the likelihood of criminal behaviour (Newburn, 2007:138).

Read more about criminal family studies at:

http://www.aic.gov.au/publications/current%20series/tandi/401-420/tandi414.html
http://www.independent.co.uk/news/uk/do-your-genes-make-you-a-criminal-1572714.html
http://en.wikipedia.org/wiki/The_Jukes_family

b. Twin studies

A distinction must be made between identical and non-identical twins. Identical twins are the result of a single egg and single sperm and are therefore genetically identical, while non-identical twins are born from two eggs simultaneously fertilised by two sperm. Non-identical twins share only 50 per cent of their genes and are no more similar than ordinary brothers and sisters (Bartollas, 2006:81). Researchers argued that, if identical twins act in identical ways, their behaviours could be the result of identical inheritance, but any difference in behaviour would have to be the result of environment.

Research on twins generated more information on possible genetic influences than did family studies. During the 1920s Johannes Lange, a German physician, conducted the first systematic twin investigation. He traced 30 pairs of twins of which at least one member was a confirmed criminal. From the investigation group of 30, 13 pairs were identical twins and 17 pairs were non-identical twins. Lange (Williams, 2004:133) found that, in 10 of the 13 pairs of identical twins, both members were offenders, whereas this was the case with only two pairs of non-identical twins. He attributed the differences between identical and non-identical twins to genetic factors.

Christiansen (1968) (Newburn, 2007:13) examined official registers to discover how many of 6 000 pairs of twins born in Denmark between 1881 and 1910 had acquired a criminal record. He found if one male identical twin was convicted of a criminal offence, the likelihood that the other twin would also be convicted was 3,8 per cent.

The principal difficulty with this research method is that the similar behaviour on the part of the identical twins may be due to the similarity of environmental experience just as much as their identical heredity make up. There is no certain way of separating environment and heredity as contributing factors to crime (Vold, Bernard & Snipes, 2002:41). However, studies of twins who were reared apart indicated that antisocial behaviour can be inherited. Walters (Vold et al, 2002:41–42) analysed 14 twin studies published from 1930 to 1984 and concluded that these studies show evidence of a hereditary basis of criminality.

Read more about twin studies at:

http://www.ncbi.nlm.nih.gov/pubmed/8862870

http://law.jrank.org/pages/784/Crime-Causation-Biological-Theories-Genetic-epide-
   miological-studies.html
http://www.udel.edu/chem/C465/senior/fall00/GeneticTesting/enviro.htmL

c. Adoption studies

In the case of adopted children – where contact with a criminal parent has obviously been limited – any association between criminal behaviour can be attributed to inherited characteristics with a greater degree of certainty. Hutchings and Mednick (1977) (Burke, 2005:60) carried out a study of male adoptees born in Copenhagen between 1927 and 1941. They found that 48 per cent of young males with a criminal record and 37,7 per cent with a record of minor offences had a birth father with a criminal record. The study discovered that an adoptee was more likely to have a record where both the birth and adoptive father had previous convictions. After replicating the research in a wider study in 1984, with similar results, Hutchings and Mednick concluded that there was an inherited characteristic element transmitted from the criminal parents to their children that increased the likelihood of the children becoming involved in criminal behaviour (Burke, 2005:60–61; Williams, 2004:13).

Although the evidence from adoption studies appears to suggest a genetic involvement in criminal behaviour, environmental factors also have an influence. Jones (2001:350) points out that, nowadays, efforts are made to place adopted children in settings where no real change in environment may occur. Rhee and Waldman (Jones, 2001:351) conducted an analysis of twin and adoption studies. They concluded that there is moderate evidence of both genetic and environmental influences in antisocial behaviour. Whatever the influence of genes, therefore, it appears that the environment cannot be ignored. It is possible that genetic make-up provides individuals with particular predispositions, but that these only become realities under particular social/environmental circumstances. Thus, what is inherited is not a tendency to commit criminal acts as such, but rather a predisposition to develop certain aspects of the personality, some of which may be linked to criminal behaviour.

Read more about adoption studies at:

http://www.psychlotron.org.uk/newResources/criminological/A2_AQB_crim_
   biologicalTheories.pdf
http://www.phgfoundation.org/tutorials/twinAdoption/6.html
http://www.els.net/WileyCDA/ElsArticle/refId-a0005422.html

2.2.3.2 Eysenck's biosocial theory of crime

Hans Eysenck's (1916–997) (Howitt, 2002:66–67) theory is regarded as a biosocial theory, since he believed that genetic factors contributed significantly to human behaviour, but only showed themselves under the influence of environmental or social factors.

a. Genetics

Genetics is an essential feature of Eysenck's theory. As far as crime is concerned, he

was convinced that evidence from the study of twins brought up together and separately supported the hypothesis that there is a substantial inherited component to crime. He also placed importance on adoption studies.

b. Constitutional factors

Eysenck (Howitt, 2002:67) argued that there are physical differences between criminals and non-criminals and he was particularly interested in the influence of body types, that is, the notion put forward by Sheldon.

c. Personality

Eysenck (Williams, 2004:175–176; Joyce, 2006:11) identified two main components to a person's personality:

- Extroversion, which runs from extroversion to introversion, and is often referred to as the E scale. Characteristics of extroversion are active, assertive, creative, care-free, dominant, lively, sensation-seeking and venturesome.
- Neuroticism, which runs from neurotic or unstable to stable, and is often referred to as the N scale. Characteristics of neuroticism are anxious, depressed, emotional, guilt feelings, irrational, low self-esteem, moody, shy and tense (Howitt, 2002:68).

These two components are continuous and most people fall in the middle range. Eysenck (Williams, 2004:176) later introduced a third personality dimension which he called psychoticism (P scale). This dimension could well be referred to as a psychopathic dimension since it is generally evidenced by aggressive, cold and impersonal behaviour. Other characteristics of psychoticism are antisocial, creative, egocentric, impulsive, tough-minded and lacking empathy. The individual who is high on the psychoticism scale will tend to be solitary, uncaring, and cruel and will not fit in with others. Eysenck associates extremes of this dimension with criminality; the higher the P score, the higher the level of offending.

d. Environmental influences

Eysenck argued (Howitt, 2002:68) that criminal behaviour is the result of a failure of socialisation; as a result of this failed socialisation, certain adult individuals possess significantly immature tendencies. These immature tendencies include being concerned solely for oneself and wanting immediate gratification for one's own needs. Introverts tend to learn quickly as a result of conditioning, whereas extraverts learn much more slowly. This slowness leads to poorer socialisation and hence to criminality. Such an argument explains why crime is characteristically the activity of younger people – they have not had the time to become completely socialised (Howitt, 2002:69).

ACTIVITY

Personality type theories aim to classify people into distinct categories; read more at:

http://www.personalityapps.com/Personality_Types/Theory.html

2.2.3.3 Biochemical factors

There are various identifiable categories of biochemical explanations for criminal behaviour; of these various theories, those that focus on nutrition (diet), hormones and environmental contaminants are the most prominent.

a. Nutrition diet

Since the 19th century, there have been suggestions that a tendency to antisocial behaviour can result from a biochemical imbalance arising from nutrition. Biocriminologists maintain that minimum levels of vitamins and minerals are needed for normal brain functioning and growth, especially in the early years of life. If people with normal needs do not receive appropriate nutrition, they will inevitably suffer from vitamin deficiency. People with vitamin deficiency tend to manifest a number of physical, mental, and behavioural problems, including lower intelligence test scores. More recent studies have revealed that an insufficiency of certain chemicals and minerals, including sodium, potassium, and calcium, can lead to depression, cognitive problems, memory loss and abnormal sexual activity (Hunter & Dantzker, 2002:6).

Recent years have seen increasing interest in nutrition, and its potential impact on crime. In particular, prisons (where it is possible, within limits, to both control and change diet, and to observe behaviour) provide an interesting location for research in this area. Various studies have found correlations between nutrition and antisocial or aggressive behaviour; the most commonly studied substances are sugar and cholesterol consumption and lead toxicity (Vold et al, 2002:1).

Research in the 1980s showed that low blood sugar levels (hypoglycaemia), which is partly caused by an excessive sugar intake, to be common in habitually violent offenders. The main symptoms of hypoglycaemia are emotional instability, nervousness, mental confusion, general physical weakness, delirium and violence (Williams, 2004:14). Virkkunen (1987) (Burke, 2005:67) has linked hypoglycaemia with antisocial activities such as truancy, low verbal IQ, tattooing and stealing from home during childhood. Hypoglycaemia has also been linked with alcohol abuse. If alcohol is drunk regularly and in large quantities, the ethanol produced can induce hypoglycaemia and increase aggression.

Research has also indicated that there is a link between blood cholesterol and violent behaviour. However, the methodological shortcomings of these studies on sugar and cholesterol make it difficult to conclude that causal relationships exist.

Exposure to lead in diet and the environment has been shown to negatively affect brain functioning, bring about learning disabilities and attention deficit hyperactivity disorder (ADHD) in children, and may increase the risk of antisocial behaviour (Vold et al, 2002:1).

Food allergies and food additives have been associated with attention deficit hyperactivity disorder whilst a deficiency of vitamin B complex is linked with aggression and erratic behaviour (Newburn, 2007:143).

In the Mauritius Child Health Project, Raine and associates (2003) (Jones, 2006:360) found that children who were assigned to an "enrichment programme" between the ages of three and five were less likely to have behaved antisocially and committed an offence at twenty-three than members of a control group who had not been part of

the programme. In addition to physical exercise and special educational activities, the children on the programme were given a particularly nutritious diet.

ACTIVITY

Read more about the link between malnutrition in the early years and later antisocial behaviour at:

http://www.autismwebsite.com/crimetimes/05a/w05ap1.htm

b. Hormones

Some criminologists link criminal behaviour to hormonal imbalances in the body, arguing that the male sex hormone, testosterone, accounts for aggressive behaviour. Several studies, such as that by Dabbs and Morris (1990), have found that male adolescents and adults with records of violent and other crimes have higher testosterone levels than males without criminal records (Hunter & Dantzker, 2002: 8). The relevance of these findings, however, is uncertain because a causal link between hormones and male criminal behaviour has not been established (Cassel & Bernstein, 2007:69).

Although most research on hormones and crime has focused on males, some work has examined the role hormones play in female crime, especially in connection with the menstrual cycle. Biological changes after ovulation have been linked to irritability and aggression. The strength of this linkage has not been established, but at least a small percentage of women are susceptible to cyclical hormone changes that result in an increase in hostility (Vold et al, 2002:46).

c. Environmental contaminants

Pollution or environmental contaminants are believed to contribute to criminal behaviour. Substances such as lead, copper and inorganic gases such as chlorine have been linked to emotional and behavioural disorders. Lead poisoning has also been found to contribute to hyperactivity in children and to antisocial behaviour (Siegel, 2004:144). Deborah Denno (1993) (Hunter & Dantzker, 2002:7) investigated the behaviour of more than 900 African American youths and found that lead poisoning was one of the most significant predictors of male delinquency and persistent adult criminality.

High lead ingestion is related to lower IQ scores, a factor also linked to aggressive behaviour (Siegel, 2004:144).

ACTIVITY

A study was conducted in Philadelphia to establish the influence of lead poisoning on the behaviour of children; read more at:

http://www.theguardian.com/commentisfree/2013/jan/07/violent-crime-lead-poisoning-british-export

2.2.3.4 Neurophysiological factors

Neurophysiology is the study of brain activity. There are numerous ways to measure neurological functioning, including memorisation and visual awareness tests, and verbal IQ tests. These tests have been found to distinguish offenders from noncriminal control groups (Siegel, 2004:144). Traditionally, the most important measure of neurophysiological function is the electroencephalograph (EEG). An EEG records the electric impulses given off by the brain and can detect abnormalities in brain wave patterns. Howitt (2002:7) indicates that EEG readings tend to show higher rates of abnormal electrical activity in the brains of aggressive/violent offenders than other offenders and non-offender control groups. There appears to be some definite link between crime, particularly theft and persistent violence, and EEG ratings. The exact relationship is not yet fully understood, but because testing for EEG ratings is generally taken after crime has been committed, it is always possible that slow EEG activity may be the consequence of criminal activity or a consequence of the operation of the criminal justice system, rather than the cause of crime (Williams, 2004:158).

Read more about neurophysiology at

http://home.swipnet.se/tmdoctors/brainviol.htm

Minimum brain dysfunction (MBD) is a neurological impairment that should be noted in any criminological study. MBD is said to cause an imbalance in the urge-control mechanism, dyslexia (reading problems), visual perception problems, hyperactivity, poor attention span, and/or explosive behaviour. Some studies have found that up to 60 per cent of offenders exhibit some brain dysfunction when subject to psychological tests (Hunter & Dantzker, 2002:8).

Read more about brain injuries and the link to violent behaviour at

http://www.crimelibrary.com/serial_killers/notorious/tick/9b.html

Attention deficit hyperactivity disorder (ADHD) has also been linked to neurological factors. ADHD is most often found in children who exhibit poor school performance, bullying, stubbornness, and lack of response to discipline (Hunter & Dantzker, 2002: 8). An interesting study by Farrington and others was completed in 1990; Farrington and his colleagues analysed a longitudinal study of males who were tested at fixed intervals between the ages of eight and 21. The data included information not only on their ADHD, but also on their conduct problems at home and school, their home background, and official and self-reports of delinquency. Farrington and his associates (Williams, 2004:159) concluded that, although attention deficit problems and conduct problems are linked to criminality, the causal relationship between these problems and criminality differ, and are not necessarily wholly biological. There may be a link, but its causal relationship is not understood, since it is very heavily influenced by social and environmental conditions.

While numerous attempts have tried to link neurophysiological factors with crime, the majority of these theories remain unsubstantiated.

Read more about ADHD at:

http://www.adhdandjustice.co.uk/badge/adhd-and-crime-generally.aspx
http://www.adders.org/drbilly3.htm

2.2.4 Summary and conclusion

The link between biology and crime begins with determinism, the theory that claims it is factors beyond a person's control that determine his or her behaviour. Determinism was the basis of the first biological theory of criminality offered by Lombroso: Lombroso argued that criminality was linked to physical characteristics. Following in the footsteps of Lombroso were Goring and Dugdale, who believed that heredity was linked to criminal behaviour and who looked at family history as a possible factor in criminality. Later on, Sheldon examined the link between body types and criminal behaviour, and his findings were reinforced by Glueck's research.

More recent research has included theories involving twins and adoption studies. Eysenck's biosocial theory of crime includes certain aspects of genetics, constitution, personality and environment. Contemporary biological research has examined nutrition, hormones, environment and neurophysiological factors.

Given the wide range of ideas that has been briefly explored in this study unit, it is arguably difficult to reach anything approaching a solid conclusion about our understanding of criminal conduct. That said, most reviews of evidence in this area tend to conclude by making three general points, as indicated by Newburn (2007:143):

- Biological factors almost certainly play some role in criminal conduct.
- The extent of this role is generally small.
- Such effects are heavily mediated by, or only occur in, interaction with broader social or environmental factors.

These conclusions are somewhat removed from the biological positivist model adopted by Lombroso and his successors, which sought to find a direct link between physical characteristics and criminality. Contemporary approaches are much more likely to talk of the possibility of heritable characteristics, or biochemical influences, as predisposing factors that potentially influence the likelihood of subsequent behaviour.

2.2.5 Self-assessment

1. Write short notes on biological positivism.   [10]
2. Write notes on Lombroso's belief that it is possible to identify offenders by their biology.   [10]
3. Sheldon (1949) linked crime to a specific body type. Write short notes on his theory.   [5]
4. Give background information on the various biosocial theories.   [10]
5. Genetic factors refer to criminal family studies, twin studies and adoption studies. Write notes that emphasise the importance of each factor.   [25]
6. Eysenck's biosocial theory of crime paid attention to genetic factors and the influence of environmental factors. Write notes indicating the importance of these factors.   [15]
7. Biochemical factors can be used to explain criminal behaviour. Write short notes on the role of nutrition, hormones and the environment in criminal behaviour.   [15]

8. How can certain neurophysiological factors distinguish offenders from non-offenders?   [10]

2.2.6 Answers to self-assessment questions

1. See section 2.2.1.
2. See section 2.2.2.
3. See section 2.2.2.
4. See section 2.2.3.5
5. See section 2.2.3.1.
6. See section 2.2.3.1.
7. See section 2.2.3.2.
8. See section 2.2.3.3.

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STUDY UNIT 2.3

Psychological positivism

2.3.1 Introduction

Psychological theories explain criminal behaviour primarily in terms of the offender's personality attributes. Psychological theorists argue that criminal behaviour originates in the personality of the offender rather than their biology or their situation environmental factors. Psychological explanations of crime and criminal behaviour have their basis in the predestined actor model of crime and criminal behaviour. The causes of crime are dysfunctional, abnormal emotional adjustment or deviant personality traits formed during the period of childhood development and early socialisation. As a result of these factors, the individual is, to all intents and purposes, "destined" to become a criminal (Burke, 2005:89). The only way to avoid that "destiny" is to identify the predisposing conditions and provide some form of psychiatric intervention that will remove these factors and enable the individual to become a normal, law-abiding citizen.

Psychological theories have been generally classified as falling into one of three categories:

● Psychodynamic or psychoanalytic
● Behaviour
● Cognitive

Psychodynamic theories examine unconscious behaviours that are believed to cause criminal behaviour.

Behavioural theories examine the learning processes that led to criminal behaviour.

Cognitive theories look at how thought processes' (e.g. thinking and moral judgment) influence one's behaviour (Hunter & Dantzker, 2002:67).

2.3.2 Psychodynamic or psychoanalytic perspective

The psychodynamic perspective is based on the belief that thought and emotions are significant causes of behaviour. In other words, the basic cause of criminal behaviour is "seated within" the individual. Considerable emphasis is placed on early childhood because early life experiences have a significant influence on the child's future behaviour.

Psychodynamic or psychoanalytic psychology was originated by Viennese psychiatrist Sigmund Freud (1856–1939) and has since remained a prominent school within psychological theory (Siegel, 2004:154). Although Freud wrote little on crime as such, his theories about the development of the personality have been used by some of his followers to explain how and why individuals engage in antisocial or criminal acts. The psychoanalytic theories of Freud and his colleagues introduced the concept of the unconscious, and emphasised the fact that all human behaviour is motivated and deliberate (Reid, 2006:102).

2.3.2.1 The Freudian personality

Freud's best-known contribution to psychology is his emphasis on the unconscious and the part the unconscious plays in people's mental functioning (Jones, 2001:400).

In his analysis of the personality, Freud Siegel (2004:154) holds that the human personality contains a three-part structure. Freud started from the position that individuals are biologically provided with specific pleasure-seeking and destructive tendencies. These basic drives or instincts, such as to eat, to avoid pain and obtain sexual pleasure, derive from the unconscious part of the mind and are expressed in an energy which Freud referred to as the identity (Jones, 2006:400). The identity requires instant gratification without concern for the rights of others and is only subject to the pleasure principle (Siegel, 2004:154). The libido, for example, is the sex drive. An uncontrolled libido will result in rape and other deviant behaviours (Brown, Esbensen & Geis, 2001:269).

The second structure is the ego, which develops early in life, when a child begins to learn that his or her wishes cannot be instantly gratified. The ego is the conscious state of the personality, and operates on the reality principle, which orientates the person toward the real world in which he or she lives (Hunter & Dantzker, 2002:69). The ego takes into account the practical and the conventional according to prevailing social norms. The ego has the task of balancing the demands of the identity against the inhibitions imposed by the third structure of the personality – the superego – in the individual's response to external influences (Burke, 2005:74–75).

The superego is the force of self-criticism and conscience. It is the moral aspect of our personalities and we use the superego to judge our own and other people's behaviour (Hunter & Dantzker, 2002:69). The superego is divided into two parts: conscience and ego-ideal. Conscience tells us what is right and wrong. It forces the ego to control the identity and directs the individual towards morally acceptable and responsible behaviour ego-ideal, which may not be pleasurable (Siegel, 2004:154).

Freud Cassel and Bernstein (2007:81) believed that the identity, the ego and the superego are constantly at odds with one another, and thus create struggles known as intra-psychic conflict. Freud, Brown et al (2001:270) contended that conflict, particularly during childhood, needs to be resolved appropriately. Unresolved conflicts will increase the likelihood of problem behaviour in later years. Because many of these conflicts involve a person's most threatening memories, thoughts, and impulses, they are usually kept out of consciousness by what Freud called defence mechanisms. Defence mechanisms can be adaptive in that they help people to function in society, but if people rely too heavily on them, they may lead to certain problems. These problems can range from seemingly irrational symptoms of anxiety, worry, and guilt to substance abuse and interpersonal conflict, physical dysfunctions, and even severe mental disorders. Indeed, Freud believed that the type, number, and intensity of intra-psychic conflicts and the defence mechanisms required to deal with them shaped the personality and, in extreme cases, led to mental disorders (Cassel & Bernstein, 2007:81).

Criminals, for example, may rely solely on repression or denial to hold sexual and aggressive impulses at bay until they "explode" (i.e. when they are triggered by certain events or situations). Displacement is another defence mechanism that can help to explain some instances of child or spouse abuse. The abuser may be too afraid to direct anger toward a boss or other authority figure and may instead turn on a helpless child or submissive spouse. An abused spouse, in turn, may not be able to respond appropriately to the abuser's aggression and may "take it out" on the child (Cassel & Bernstein, 2007:83).

Although Freud did not actually address the psychodynamic roots of criminal behaviour, he believed that many criminals are driven by the unconscious desire to be punished by society for behaviours that preceded their crimes, so that guilt comes not as the result of criminal behaviour, but as its unconscious cause (Cassel & Bernstein, 2007:83). According to Freud (Brown et al, 2001:269–270), sublimation is a healthy response to guilt. In such instances, the individual channels his or her drives into socially approved activities.

2.3.2.2 Psychodynamic theory and criminal behaviour

A group of American psychiatrists actively applied psychoanalytic theory to criminal behaviour. Their analysis of crime began with the premise that the criminal has a weak ego, a weak or absent superego, and a strong identity. August Aichorn's research on delinquent boys (1935) in Lilly et al (2007:241) supported this view. Aichorn argued that repeat young offenders had a predisposition for criminal behaviour because of their inability to control the identity's demands for immediate gratification. This was exacerbated by the failure of the superego to develop sufficient strength to generate respect for others and a sense of right and wrong. Aichorn (Joyce, 2006:11) suggested that a lack of parental love or supervision resulted in the underdevelopment of the child's superego and this, in turn, led to his or her subsequent delinquency.

Other psychiatrists, such as Abrahamsen (1960) and Menninger (1965), have described criminals in general as dominated by identity impulses that they are unable to control impulsive and aggressive tendencies. Having little or no superego development, criminals are said to lack a conscience and to have no empathy for others. A weak ego can easily be influenced by peer pressure and other social forces and this, too, increases the likelihood of criminal behaviour (Cassel & Bernstein, 2007:83). Abrahamsen used the Freudian's personality theory to explain sex crimes. Sexual offenders, according to Abrahamsen, often had sexual experiences involving their mothers – either through incest or by watching her have sex. These men were unable to identify with their fathers and thus developed confusion about their gender roles and sexual behaviour. Abrahamsen claims that many of them were brought up by mothers who were cruel or sadistic and that, as a result, these men had weak egos and weak superegos.

2.3.2.3 Evaluation

In essence, psychoanalytic explanations claim that, to be fully socialised, young children must internalise society's rules; psychoanalysis also claims that problems in the parent-child relationship can lead to criminal behaviour in later life, and that some crimes result from earlier conflicts which are stored in the unconscious mind (Jones, 2001:409). However, few modern psychologists make direct use of Freudian concepts simply because, when subjected to research, these concepts have been found to be without firm basis. However, some of the ideas put forward by psychoanalysis have been highly influential in directing the attention of researchers to the impact of early life experiences, especially parenting, on later delinquency and criminality (Howitt, 2002:63).

2.3.3 Behavioural perspective

Behavioural theorists maintain that human behaviour is developed through learning experiences. Psychologists define learning as a change of pre-existing behaviour or mental processes that occurs as a result of experience (Cassel & Bernstein, 2007:85). Behavioural theorists argue that our behaviours are shaped by other people's reactions to us. Behaviours are constantly being shaped by life experiences and can be reinforced by rewards or eradicated through punishment (Hunter & Dantzker, 2002:71).

Behavioural theory is based on the belief that what is important is not the unconscious, but behaviour that can be observed and manipulated. Behavioural theorists argue that behaviour is controlled by its consequences. In dealing directly with behaviours that are undesirable, behavioural therapy attempts to change a person's long-established patterns of response to him- or herself and to others (Reid, 2006:105).

According to behavioural theorists, people learn to become violent because their life experiences have taught them to be aggressive. These experiences include personally observing others acting aggressively, achieving some personal goal through aggression, and watching people being rewarded for violent acts – either on television or in films (Siegel, 2004:156).

There are three main explanations as to how individuals learn by association:

- Classical conditioning
- Operant learning
- Social learning

2.3.3.1 Classical conditioning

Knowing that dogs salivate when given meat, Pavlov (1849–1936) (Jones, 2001:411), gave meat to dogs accompanied by another stimulus, the ringing of a bell. After a while, he simply rang the bell without presenting the food, but the dogs still salivated. Pavlov who was a Russian physiologist (Hunter & Dantzker, 2002:71) concluded that the dogs' salivation was an automatic response and that they could, therefore, be conditioned to respond to other stimuli. Pavlov's theory about conditioning became known as classical conditioning; classical conditioning refers to the process by which a learnt reaction becomes automatic and internalised. Pavlov's finding was significant because it demonstrated that criminal behaviour could be modified by manipulating associations with external changes in the environment.

According to classical conditioning theory, the subject is passive and learns what to expect from the environment (Jones, 2001412). The feeling of fear is an example of a response which often results from conditioned responses to pain felt early in life. As far as crime and punishment are concerned, however, classical conditioning is of little significance, since punishment by the criminal justice system does not immediately follow the criminal act.

2.3.3.2 Operant conditioning

A more refined version of behavioural conditioning is operant conditioning. In

operant conditioning the subject is active and learns how to get what it wants from the environment. Operant conditioning is associated with John B Watson (1878–1958) and BF Skinner (1904–1990) and continues to be the dominant behavioural theory in psychology (Hunter & Dantzker, 2002:71). Skinner, Cassel and Bernstein (2007:87) emphasised three elements in operant learning:

● Antecedent conditions (the things that precede or trigger behaviours)
● The behaviour itself
● The consequences of the behaviour

There may be many triggers for a given behaviour and Skinner stressed that, to change behaviour, one may have to change the antecedent conditions that trigger the behaviour. Skinner's significant contribution was to cultivate the notion of learning through the consequences of behaviour. A behaviour that produces consequences that the individual finds rewarding and increases the frequency of that behaviour is said to be reinforced. A behaviour that produces consequences that the individual finds unpleasant and that therefore decreases the frequency of this behaviour is said to be punished. The process of learning through consequences is referred to as operant (or instrumental) conditioning (Hollin, 2001:47).

In operant conditioning, behaviour is understood in terms of an interaction between the person and the environment. The environment and the person influence each other. Environmental forces are many and diverse, for example political, educational, economic and legal systems; the media; words and actions of friends and parents.

Operant learning uses rewards and punishment to reinforce or curtail certain behaviours. In other words, operant conditioning is another method of learning by association. As far as its relevance to criminal behaviour is concerned, the argument is that a person engages in criminal activities as a result of associations with the criminal act. For example, an adolescent who steals something because of the taunts of his or her friends will eventually steal without being taunted.

Clarence Ray Jeffery (1965) suggested that criminal behaviour is operant behaviour which is reinforced by the changes it produces in the environment. Offences against property are positively reinforced by the material gain of the items; offences against the person are negatively reinforced by the removal of an enemy. Criminal behaviour is thus largely determined by an absence of aversive consequences (Jones, 2001:413).

2.3.3.3 Social learning

Social learning is the branch of behaviour theory most relevant to criminology. Social learning theory claims that behaviour is reinforced not only by rewards and punishments as in operant learning, but also by observing the behaviour of others – by using others as models (Jones, 2001:413). Social learning theorists argue that people are not actually born with an inclination to act violently, but that they learn to be aggressive through their life experiences. People learn to act aggressively when, as children, they model their behaviour on the violent acts of adults. Later in life, these violent behaviour patterns persist in social relationships. For example, the boy who sees his father repeatedly strike his mother is likely to become a battering parent or husband (Siegel, 2004:136).

Social learning theorists view violence as something learnt through a process called

behaviour modelling or imitation (Hunter & Dantzker, 2002:72). In modern society, aggressive acts are usually modelled on three principle role models (Siegel, 2004:156; Hunter & Dantzker, 2002:72).

● Family members: Studies of family life show that children who use aggressive tactics have parents who use similar behaviours when dealing with others. If children grow up in a home where violence is a way of life, they will learn to believe that such behaviour is acceptable and rewarding.

Read more about how family violence can influence children and their behaviour at:

http://www.community.nsw.gov.au/docswr/_assets/main/documents/dv_paper.pdf

ACTIVITY

Can children develop aggressive behaviour patterns through learning from other people around them? To answer this question read, Bandura's Bobo doll experiment:

http://psychology.about.com/od/classicpsychologystudies/a/bobo-doll-experiment.htm
http://www.holah.co.uk/study/bandura/

The answer to the question is, yes they can.

The results of the Bobo doll experiment therefore supported Bandura's social learning theory. Children exposed to violent models tend to imitate the exact behaviour. Boys were also more inclined to behave violently compared to girls. Environmental experiences: People who live in areas in which violence is a daily occurrence are more likely to act violently than those who live in low-crime areas where the norm is conventional behaviour.

Read more about community violence and its impact on children at:

http://education.stateuniversity.com/pages/2531/Violence-Children-s-Exposure.html
http://www.icyrnet.net/UserFiles/vol9no3Art3.pdf
http://education.stateuniversity.com/pages/2531/Violence-Children-s-Exposure.html

NOTE

Many urban children continue to be victims of, and eyewitnesses to, episodes of violence in their communities and at their schools. A child's inability to describe a traumatic event is now understood as a defence mechanism called denial, which allows the child to escape from the negative emotions elicited by the violent event or events.

Violent episodes in the community may refer to domestic violence, hijackings, gang violence, and so forth.

Mass media: Films and television commonly depict violence graphically.

Moreover, violence is often portrayed as acceptable behaviour, especially for the "hero" who never has to face the legal consequences of his actions.

Read more about the influence of violent video games on children at:

http://www.apa.org/science/about/psa/2003/10/anderson.aspx

ACTIVITY

An interesting question: Can cartoons lead to violence in children?

When watching Tom and Jerry, Ed, Edd n Eddy, the Simpsons, South Park, Loony Tunes, and so on, we are exposed to different types of behaviour, nonetheless, we usually regard such cartoons as harmless entertainment. However, one study from 2007 (http://www.seattlechildrens.org/media/press-release/2007/11/002904/) found that, after being exposed to violence portrayed in cartoons, children engaged in the following anti-social behaviour: cheating, being mean, disobedience, destructiveness and demonstrating a lack of remorse for their actions.

Read more about this at:

http://visual-memory.co.uk/daniel/Documents/short/tv-violence_and_
    kids.html

http://www.psychologytoday.com/blog/inside-out-outside-in/201212/
    violent-video-games-and-movies-causing-violent-behavior

http://edition.cnn.com/2013/02/21/living/parenting-kids-violence-media/

http://www.dailymail.co.uk/news/article-1159766/Cartoon-violence-
    makes-children-aggressive.html

One of the leading advocates of social learning is the American psychologist Albert Bandura. He argued that there are three main aspects to social learning theory: (1) external reinforcement, which is the basis of operant conditioning; (2) vicarious reinforcement, which is gained by observing other people's behaviour (either being reinforced or punished); and (3) self-reinforcement, which relates to feelings of pride and achievement in one's own behaviour. Self-reinforcement will encourage people to behave in a similar way in the future. According to Bandura (Jones, 2001:414), the physical skills necessary for the commission of a crime are learnt either from observing or being taught by others. The nature of this learning, together with the physical attributes of the offender, determines the type of crime that is carried out. As offenders become more skilled, they are better able to select more appropriate targets (i.e. where they are likely to be successful and avoid detection). For example, physically slight individuals learn that the best way to commit robberies successfully is to arm themselves.

Social learning theorists say that the following three factors may contribute to violent and/or aggressive behaviour:

- An event that heightens arousal: such as a person frustrating or provoking another through physical assault or verbal abuse.
- Aggressive skills: learnt aggressive responses picked up from observing others, either in person or by watching TV or films.
- Expected outcomes: the belief that aggression will somehow be rewarded.

Rewards may include the reduction of tension or anger, financial gain, building self-esteem, or being praised by others.

ACTIVITY

Read through the following newspaper article and answer the following question: Can the arguments of the social learning theory explain the behaviour of the carjackers?

It will be difficult to substantiate the answer with factual information because we did not interview the carjackers to find out if they grew up in a violent family or environment. One can only assume that their aggressive skills (modus operandi) were learned from observing other people or being taught. While planning the carjacking they must have thought about the expected outcome (monetary rewards for selling the car) which was reinforced by previous achievements.

JOHANNESBURG (AP) – South African police on Monday searched for assailants who forced a family from their car and drove off with a 4-year-old boy hanging out of the vehicle. The boy was later found dead in the abandoned vehicle.

The boy was with his sister and parents in Boksburg, east of Johannesburg, during the carjacking on Saturday night, according to South African media. His mother told The Star newspaper that she tried in vain to pull her son from the car. The boy's head and body may have hit the road as the car sped away, causing fatal injuries.

"I asked them to let me pull my child out because his foot was stuck, but they just sped off and ripped him out of my hands," The Star quoted the boy's mother, Chantel Morris, as saying.

The newspaper said Morris ran after the car, screaming and pleading, and other people also ran after the vehicle, shouting "The child! The child!"

Two or three assailants were involved, according to reports.

Authorities offered a reward of nearly $5,000 for information leading to arrests in the case, which has shocked South Africans accustomed to a high crime rate.

A South African parliamentary committee that handles police affairs said such an incident undermines South Africa's gains in curbing serious crime. There had been progress in the past five years, noting an overall reduction in crimes including murder and attacks on vulnerable groups including women, children and the disabled, it said.

In a separate case, authorities said on Monday that a 6-year-old boy who was reported missing after he and his father were carjacked a week ago had been found at a shelter in Johannesburg. The boy had been wandering in the streets, police said.

A group of robbers drove off with the child in the car on July 15 after severely beating his father, tying his hands and feet and leaving him, according to reports. The attack occurred in Bronkhorstspruit district, east of Pretoria, the South African capital.

The case drew national attention. Over the weekend, President Jacob Zuma appealed to the public to help find the missing boy.

http://bigstory.ap.org/article/4-year-old-boy-dies-south-africa-carjacking

2.3.3.4 Evaluation

The principles of classical conditioning, operant conditioning, and social learning can help people to understand the role that parents, peers, and other environmental forces play in the development of childhood and adolescent behaviour that may be disruptive, deviant, and eventually criminal. For example, some children may learn criminal skills by watching admired criminal role models, by being rewarded for criminal behaviour and by associating excitement and peer acceptance with criminal activity (Cassel & Bernstein, 2007:88).

The importance of social learning theory lies in the fact that it views the learning of complex forms of behaviour holistically rather than as a process of slow, linear conditioning. Social learning theory stresses the importance of normal processes in the acquisition of behaviour. This means that there is no need to assume some sort of pathology in people who eventually become criminals (Howitt, 2002:71–72).

However, learning theories have not produced an individual theory of criminality. There is little consideration of differences between individuals and no real attention is paid to the variables of gender and age. Social learning's weak ability to explain under what circumstances criminal behaviour will or will not be learnt means that it has limited explanatory power (Howitt, 2002:71–72). Learning theories can also be criticised for failing to account for the fact that large numbers of offenders abandon criminal activities in early adulthood (Jones, 2001:427).

2.3.4 Cognitive perspective

Psychologists with a cognitive perspective focus on the mental process – the way people perceive and mentally represent the world around them and how they solve problems. According to cognitive theorists, people learn not only as a result of operant and classical conditioning and observation, but also through the way in which they interpret information about the world (Hunter & Dantzker, 2002:72). These interpretations are guided, in turn, by what they attend to, perceive, think about, and remember. In short, cognitive theories suggest that how people take in, process, and decide what to do with information is crucial in whether they act in a law-abiding or criminal manner (Cassel & Bernstein, 2007:92).

An influential cognitive theory that is particularly relevant to our understanding of criminal behaviour is Lawrence Kohlberg's moral development theory. Kohlberg (1927–1987) (Siegel, 2004:157) found that all people, from the time that they are children, and continuing throughout their lifespan, go through various stages of moral development; it is during these various stages that their decisions and judgments about what is right and wrong are made, albeit for different reasons. According to Kohlberg, serious offenders may have a moral orientation that differs significantly from that of law-abiding citizens.

2.3.4.1 Kohlberg's stages of development

Kohlberg (Cassel & Bernstein, 2007:90) argued that there are three stages in the development of moral thinking and decisionmaking, namely:

- Preconventional

- Conventional
- Postconventional

a. Preconventional stage

During this stage, decisions about right and wrong are based on the threat of punishment. For instance, a child may refrain from taking money from his or her mother's purse because if the child is caught, the behaviour will be punished. Similarly, an adult may resist the temptation to exceed the speed limit for fear of being caught or fined.

b. Conventional stage

People see certain behaviours as right or wrong depending on whether prevailing conventions, in the form of laws, say they are right or wrong.

c. Postconventional stage

People make moral decisions, not just on the basis of what the law says, but on higher principles; in other words, people make their moral decisions on the view of right and justice to which they personally subscribe.

Kohlberg and Siegel (2004:157) classified people according to the stage on this continuum at which their moral development ceases. Kohlberg and his associates conducted studies that showed criminals to be significantly lower in their moral development compared with non-criminals with the same social background.

The development of moral reasoning does not take place in a vacuum. It depends on what is learnt at home, from peers, and from society as a whole. To develop law-abiding tendencies, children need to see patterns of moral behaviour in parents and peers that is at least at the conventional stage.

Recent research indicates that the decision not to commit crimes may be influenced by one's stage of moral development. People at the lowest levels report that they are deterred from crime simply because of their fear of punishment. Those in the middle consider the reactions of family and friends. Those at the highest stages refrain from crime because they believe in the concept of a duty to others and universal rights (Siegel, 2004:160).

Moral development theory suggests that people who obey the law simply to avoid punishment or have outlooks mainly characterised by self-interest are more likely to commit crimes than those who view the law as something that benefits everybody. Those at higher stages of moral reasoning tend to sympathise with the rights of others and are associated with conventional behaviours such as honesty, generosity, and nonviolence (Siegel, 2004:160).

Read more about Kohlberg at:

http://psychology.about.com/od/developmentalpsychology/a/kohlberg.htm

http://faculty.plts.edu/gpence/html/kohlberg.htm

2.3.4.2 Evaluation

Research on the moral reasoning of juveniles who are and who are not offenders has supported the relevance of Kohlberg's theory to our understanding of crime. Most studies have shown that young offenders operate at lower stages of moral development than non-offenders. Juveniles who commit crimes ranging from burglary to murder tend to see obedience to laws as a way of avoiding prison, whereas non-offending youths tend to believe that one should obey laws because they prevent society from deteriorating into chaos. Studies of adult offenders have found that they, too, tend to operate at a significantly lower level of moral development than non-offenders with the same background (Cassel & Bernstein, 2007:91).

2.3.5 Summary and conclusion

In this study unit, we discussed psychological positivism in terms of three perspectives: psychoanalysis unconscious behaviour; behaviourism learning experiences; and cognition mental process.

We briefly focused on the arguments of a number of theorists:

- The three-part structure of the personality (Freud)
- Classical conditioning (Pavlov)
- The three elements of operant learning (BF Skinner)
- Learning by means of observation (Bandura)
- Stages in the development of moral thinking (Kohlberg)

2.3.6 Self-assessment

1. Give an overview of Freud's theory of psychoanalysis.   [15]
2. Explain the difference between classical and operant conditioning.   [15]
3. Why is social learning theory important to criminology? Give background information and discuss Bandura's social learning theory of aggression. Your answer must include practical examples.   [15]
4. Discuss Kohlberg's three stages in the development of moral thinking and decisionmaking.   [15]

2.3.7 Answers to self-assessment questions

1. See section 2.3.2.
2. See sections 2.2.3.1 and 2.3.3.2.
3. See section 2.3.3.3.
4. See section 2.3.4.

PART 3

Social positivism: Structure theories

_____THEME 3

SOCIAL POSITIVISM: STRUCTURE THEORIES – GENERAL INTRODUCTION

In the previous two themes we concentrated on rational explanations for crime.

Some criminologists, however, argue that crime must be studied in its totality. This implies that we look at the key roleplayers in crime, either offenders or victims, with all their individual characteristics (biological and psychological); the specific environment (milieu) in which crime occurs; and the circumstances and/or factors that contribute to the commission of crime (the crime set-up). Once we do this, it soon becomes clear that crime is by no means easy to explain, because each person is unique and has individual characteristics, and reacts and acts differently in different situations. Nevertheless, one of the most important tasks of a criminologist is, obviously, to explain crime, with a view to implementing policies that help the criminal justice system fight and control crime.

In themes 3, 4 and 5 we focus on environmental theories. We divided the theories into three main groups, namely structure, process and reaction theories.

- Social-structure theories focus on social conditions, and, as the name implies, tend to be sociological in approach. There are two types of structure theory, namely social disorganisation (also known as the ecological theory) and strain (also known as the anomie theory).
- Social-process theories focus on the social processes and human interactions that influence crime. These theories tend to be socio-psychological in orientation. There are two branches of process theory: learning theories and control theories.
- Social-reaction theories may be subdivided into the labelling perspective and the conflict perspective. The labelling perspective (like structure and process theories) regards society as functional in nature, and emphasises how the actions of the agents of social control (e.g. the police and the courts) may actually contribute to criminal behaviour. Conflict theorists focus on an analysis of social institutions, owing to the constant competition and conflict in a politically, economically and socially divided society. Conflict theorists believe that society itself constitutes the main criminal behaviour. These theorists focus primarily on the struggle between the powerful and the powerless. In this study guide, we shall discuss three categories of conflict theory, namely traditional conflict, Marxist conflict and contemporary conflict (also known as neocritical theories).

Key concepts

ANOMIE is a term meaning "lacking in rules" or "normlessness" used by Durkheim to describe a condition of normative deregulation in society (Walsh & Hemmens, 2008:22).

ANOMIE THEORIES: There are two variants: the first (developed by Emile Durkheim) claims that anomie is a condition of normlessness experienced by individuals during periods of rapid socioeconomic change, that is, when previous forms of control and restraint have broken down; the second (developed by Robert Merton) claims that individuals use alternative means – including criminal activities – to gain access to socially created needs that they cannot obtain through legitimate behaviour (Burke, 2005:28).

CARTOGRAPHIC SCHOOL OF CRIMINOLOGY is an approach that uses the social statistics that started becoming available in Europe in the early ninth century: these statistics provided important demographic information on the population, including density, gender, religious affiliations, and wealth. Many of the relationships between crime and social phenomena identified then still serve as a basis for criminology today (Siegel, 2004:472).

CHICAGO SCHOOL is a group of urban sociologists who studied the relationship between environmental conditions and crime (Siegel, 2004:472).

CULTURAL TRANSMISSION is the concept that conduct norms are passed down from one generation to the next so that they become stable within the boundaries of a culture. Cultural transmission guarantees that group lifestyle and behaviour are stable and predictable (Siegel, 2004:474).

CULTURALLY DEFINED GOALS refer to the set of purposes and interests a culture defines as legitimate for individuals, in Robert Merton's version of strain theory (Bartollas, 2006:538).

INSTITUTIONALISED MEANS refer to culturally sanctioned methods of attaining individual goals in Robert Merton's theory (Bartollas, 2006:540).

MECHANICAL SOLIDARITY is a form of social solidarity existing in small, isolated, pre-industrial societies in which individuals sharing common experiences and circumstances share values, unquestioned beliefs and strong emotional ties (Walsh & Hemmens, 2008:23; Siegel, 2004:478).

MODES OF ADAPTATION is Robert Merton's concept of how people adapt to the alleged disjunction between cultural goals and the structural barriers that hinder the attainment of these goals. Methods of attaining cultural goals include conformity, ritualism, innovation, retreatism and rebellion (Walsh & Hemmens, 2008:23).

ORGANIC SOLIDARITY is a form of social solidarity characteristic of modern societies, in which there is a high degree of occupational specialisation and a weak normative consensus (Walsh & Hemmens, 2008:23).

SOCIAL DISORGANISATION is the central concept of the Chicago School of Social Ecology. The term refers to the breakdown or serious dilution of the power of informal community rules to regulate conduct in poor neighbourhoods (Walsh & Hemmens, 2008:23).

SOCIAL DISORGANISATION THEORY is a branch of social structure theory

developed by Shaw and McKay that focuses on the breakdown of institutions such as the family and the school, coupled with high unemployment in inner-city neighbourhoods (Siegel, 2004:482; Bartollas, 2006:543).

SOCIAL ECOLOGY is the term used by the Chicago School to describe the interrelationships of human beings and the communities in which they live. Social ecology encapsulates the environmental forces that have a direct influence on human behaviour (Walsh & Hemmens, 2008:23; Siegel, 2004:482).

SOCIAL STRUCTURE refers to how society is organised by social institutions – the family and educational, religious, economic, and political institutions – and stratified on the basis of various roles and statuses (Walsh & Hemmens, 2008:23).

SOCIAL STRUCTURE THEORY refers to the view that disadvantaged economic class position is a primary cause of crime (Siegel, 2004:482).

STRAIN is the emotional turmoil and conflict caused when people believe they cannot achieve their desires and goals through legitimate means. Members of the lower-class will feel strain because they are denied access to adequate educational opportunities and social support (Siegel, 2004:482).

STRAIN THEORISTS refer to criminologists who view crime as a direct result of lower-class frustration and anger (Siegel, 2004:482).

STRAIN THEORY is a branch of social structure theory that claims that the pressure that the social structure exerts on people who cannot attain the cultural goal of success will encourage them to engage in nonconforming behaviour (Bartollas, 2006:544).

STUDY UNIT 3.1

Structure theories

LEARNING OUTCOMES

After studying this study unit, you should be able to

- state the premises and assumptions of structure theories
- define social ecology theory
- explain strain theory

3.1.1 Introduction

Sociological positivists recognise that crime is a socially constructed entity but, at the same time, acknowledge that it poses a real threat to the continuance of that society and thus needs to be controlled (Burke, 2005:91). Social problems such as poverty, in particular, have convinced some researchers that crime is the social consequence of being disadvantaged. This has led to the development of theories based on social structure, which links misconduct and crime to social conditions. By "social structure" we mean how society is organised by social institutions (the family, as well as educational, religious, economic, and political institutions) and stratified on the basis of various roles. Social structure is society's framework and, as the term implies, structures the patterns of relationships that its members have with each other. The social framework also governs the extent to which members are successful in engaging in such relationships which, in turn, will depend on how organised or disorganised the structure is (Walsh & Ellis, 2007:80).

Structural theorists are more interested in seeking the causes of group crime rates rather than why particular individuals commit crimes. This is because they believe that society actually prepares the way for crime – individuals are merely the instruments that give crime "life". If we wish to reduce crime, we must change society, not the individual (Walsh & Ellis, 2007:80). According to social structure theorists, misconduct and crime are a means of adapting to conditions which occur predominantly in a lower-class or disadvantaged environment. Areas where large-scale poverty is found and areas characterised by social disorganisation will have a higher level of crime. The residents of such areas are sceptical about prevailing social values. They are frustrated about their lower-class or disadvantaged position and their inability to be part of the more affluent sections of society.

Although members of the middle and upper classes also engage in crime, social structure theorists view middle-class, or white-collar, crime as being of relatively lower frequency, seriousness, and danger to the general public (Siegel, 2004:80).

3.1.2 Structure theories: premises

- Structure theories represent the purest form of sociological explanation.

According to structure theories, crime is a product of defects in the social structure.

- Social structure theories are macro-theories. These theories have been designed to account, in particular, for the higher incidence of crime among the less advantaged or lower class members of society. The assumption is that areas in

which large-scale poverty and social disorganisation occur will have a higher incidence of misconduct and crime.

- Crime is regarded as being largely a lower-class phenomenon which breeds criminal behaviour that begins in youth and continues into young adulthood (Siegel, 2004:80). Shortcomings in the social structure increase the likelihood of people in the lower social strata resorting to illegal actions. The assumption here is that there is a link between a person's socioeconomic situation and the likelihood of him or her resorting to misconduct and crime. Consequently, a person who is low on the social scale, and who has fewer economic resources at his or her disposal and more cultural barriers to overcome, will engage in misconduct and crime.
- Structural issues contribute to poverty, unemployment, poor education and racism, all of which are regarded as the root causes of high crime rates among members of socially deprived groups.
- Structure theorists are not concerned to find out why an individual commits crime. The argument is that misconduct and crime are functions of a person's position in the socioeconomic structure of that particular society. The focus, therefore, is on certain ecological areas that experience a high incidence of misconduct and crime.
- Social structure theories reflect a fundamental trust in the social system and assume that there is consensus among all people in society about the validity of laws, but that shortcomings in society must be pointed out and rectified (Brown et al, 200:263).

3.1.3 Structure theories: branches

We can identify two branches of structure theories. We can also refer to these branches as two independent, but interrelated, subgroups:

- Social disorganisation (also known as ecological theory)
- Strain (also known as anomie theory)

Strain theories regard crime as the result of shortcomings in the social structure, and ecological or disorganisation theories analyse the social and economic conditions in the environment. These two subgroups of theories are closely related and, to a large extent, overlap, but there are differences between them, which is why we shall analyse each one separately.

3.1.3.1 Ecological theory

Ecology studies the relationship between the organism and its environment. Social ecology is the study of peoples and institutions in relation to the environment (Williams, 2004:270).

The term "social ecology" refers to a type of research that examines the following (Beirne & Messerschmidt, 2006:315):

- various geographical areas within cities, communities, and neighbourhoods
- the area concentrations, regularities, and patterns of social life in fields such as work/leisure, health/sickness, and conformity/deviance

The three variables that are central to ecological theory are poverty, mobility of residents and racial heterogeneity. These independent variables generate social disorganisation which, in turn, contributes to crime and misconduct. These theories attempt to explain why crime rates are high in areas characterised by urban decay. In such environments, there is a high turnover of residents, large-scale unemployment, and a large number of broken and troubled families (who frequently require welfare intervention). Such a socially disorganised environment obviously does not provide essential services such as proper education, healthcare and housing. This means that the key social control agents in society can no longer function properly.

It is important that the community has the means to control crime itself. Social organisation is maintained when a group is committed to certain social rules, but when this commitment diminishes and breaks down (e.g. when a significant number of people leave the community and/or the community's composition changes frequently), social control obviously declines (Barlow, 1996:446).

The popularity of the theory of social ecology waned as support for strain and control theories increased. At present there has been a revival of interest in social ecology theory as part of a fresh attempt to understand the causes of misconduct and crime. Today greater use is made of more complex statistical models to determine the influence of urban ecological conditions on crime patterns. Criminologists now include new techniques, such as data from self-reports and victimisation studies. Research has shown that the social context of an environment has a significant influence on the incidence of misconduct and crime. Densely populated urban environments that show signs of decay perpetuate social disorder which, in turn, weakens residents' ties with both their primary groups (family and peer groups) and the community. There is a lack of social support, and it is social support that integrates and involves the community in conventional social institutions such as the school, religious activities and family. Instead of a sense of community, there is a feeling of alienation, which means that residents become psychologically distanced from the surrounding community. Furthermore, the general sense of anonymity makes people more susceptible to criminal behaviour.

ACTIVITY

Read through your local newspaper and try to find cases where the social context of an environment may have had a significant influence on the crime in question. Start by examining reports relating to densely populated areas (where urban decay is more likely).

3.1.3.2 Strain theory

Strain theory supports the view that disorganised urban slum areas are the source of crime. According to this theory, the societal structure exerts the greatest pressure on the lower class, which is why these theorists explain crime as a lower-class phenomenon. They concentrate on those elements within lower-class structures from which antisocial patterns of behaviour emerge.

Strain is also associated with distorted aspirations, unrealistic objectives and materialism (Brown et al, 2001:263; 295). According to these theorists, crime is

the consequence of the frustration and anger that people experience as a result of their inability to achieve social and financial success by legal means. Stress, frustration or strain caused by unfulfilled aspirations increase the likelihood that norms will be contravened. In short, certain groups commit crime to relieve the strain associated with failure. The key objectives of strain theory are therefore to identify the sources that cause strain and the way in which people adapt to this strain. It is assumed that most people share similar values and goals, but that a person's ability to achieve these goals is determined by his or her socioeconomic position. In middle- and upper-class communities, strain does not occur because educational opportunities and status careers are readily accessible. In lower-class areas, strain occurs because young people do not have access to any legitimate means of success. As a result of these obstacles, people may resort to deviant (illegal) means to achieve their goals, or they may reject socially accepted objectives and replace them with objectives of their own.

Strain theory emerged during the early 1960s as the dominant explanation of crime (Lilly et al, 2007:64). Although its emphasis on crime as a lower-class phenomenon has been widely criticised, the strain perspective does contribute to our search for an explanation of crime.

ACTIVITY

Why would a sense of anonymity make individuals more susceptible to crime?

Read about the relationships between world mega-cities and how urban anonymity causes institutions to break down at http://www.nber.org/papers/w19745.

This article models the connection between urban size and institutional failure, and shows that urban anonymity causes institutions to break down.

Read more about the South African situation at:http://uir.unisa.ac.za/bitstream/handle/10500/2693/dissertation_kihato_%20c.pdf?sequence=1

3.1.4 Summary and conclusion

Social structure theories emphasise the social forces that cause people to commit criminal acts. Ecological studies applied the study of plants and the environment to the study of human beings and the environment. Ecological theory emphasises the fact that there are deviant places that lead to criminal behaviour (regardless of the personal characteristics of the individuals who live in these areas). The concept of social disorganisation is one of the primary contributions of this perspective. A disorganised community does not have the stability or resources to formulate or realise collective objectives, and this contributes to an increased incidence of crime.

People commit crimes in reaction to the disorganised condition of the community. Increasing urbanisation, industrialisation and immigration problems (which occur

primarily in urban areas) also add to the sense of disorganisation. This sense of disorganisation gives rise to values and traditions that encourage criminal activity.

Strain theories focus on the frustration generated by society's emphasis on success and its simultaneous denial, to some people, of legitimate opportunities to achieve this success (Walsh & Ellis, 2007:07). The key argument of strain theory is that most people share similar values and aspirations (to live in a good residential area, to own a car and to have a steady job). However, relatively few people have the ability or means to achieve socioeconomic success. These disproportional opportunities for success give rise to feelings of resentment and anger, which in turn, lead to crime. Unprivileged individuals may well be prepared to work hard and to be productive members of society, but large-scale unemployment or a lack of opportunity to learn certain skills may well result in such individuals having no choice but to turn to crime. (For example, they may commit theft through sheer economic desperation.)

Shoemaker (2000:77) shows that social disorganisation and anomie share the following common assumptions:

- Crime is caused primarily by social factors such as poverty and economic inequality. This does not mean that individual factors should be ignored, but that social factors are dominant.
- The structure and institutions of society are regarded as a condition of disorder and disorganisation. The social disorganisation theory emphasises group processes and the way in which this influences the occurrence of crime in a specific area. Anomie theory focuses on how feelings of alienation, anger and frustration lead to criminal behaviour.
- The uncertainty or confusion which goes hand in hand with social disorganisation and anomie is precisely what makes people interested in, and receptive to, crime. Stable social conditions help to keep crime under control, but when these conditions are absent, crime becomes more prevalent.
- The disintegration of stability in a social structure is particularly found in minority groups, lower-class groups and "drop-outs". Structure theory was developed to explain the high level of crime in less affluent areas.

These two perspectives (social ecology and strain theory) are similar in so far as the lower class or a minority group is singled out as the social class or group within which serious social and criminal problems occur. The perspectives of the two theories differ, however, regarding the views, values, attitudes and objectives of offenders and the role of personal sentiment in criminal behaviour.

3.1.5 Self-assessment

1. "Social disorganisation theory studies the incidence of crime in terms of the ecological features of the environment." Explain this statement.   [5]
2. "The focus of strain theory is on the feelings of anger and frustration as a result of blocked objectives." Explain this statement.   [5]
3. Social ecology and strain theory, as branches of structural theory, regard crime as a lower-class phenomenon. Describe this viewpoint in full.   [25]

3.1.6 Answers to self-assessment questions

1. Here you need to emphasise the three independent variables: poverty, mobility and heterogeneity, all of which lead to social disorganisation and contribute to crime. You also need to describe the environment, which includes lack of essential services, unemployment and the failure of the social agents of control.

2. Start by showing the similarities between disorganisation and strain theory. Strain arises from people's failure to achieve aspirations, and therefore the lower class is identified as the source of frustration because this is the group of people whose goals have been blocked.

3. You should give a complete outline of both ecology and strain theory, with the emphasis on crime as a lower-class phenomenon. Ecology theory depicts an environment conducive to crime, whereas strain theory focuses on the negative feelings that result from a disorganised environment.

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STUDY UNIT 3.2

Social disorganisation theory

LEARNING OUTCOMES

After studying this study unit, you should be able to

- define what is meant by "social organisation" and "social disorganisation"
- explain the assumptions of the Chicago School
- explain Shaw and McKay's theory of social disorganisation

3.2.1 Introduction

Cartographic schools of criminology were established in various European countries during the 19th century, most notably by Adolphe Quetelet (1797–1874) and in France by AM Guerry (1833). Maps were drawn to plot regional patterns of crime, compare rural and urban differences and survey the relationship between crime and other socioeconomic conditions (McLaughlin, 2006:185). Many of these early surveys were undertaken with a view to bringing about social and moral reform.

REMEMBER

> Go back to the definitions in the previous study unit (theme 3) to refresh your memory of the definition of "cartographic".

In the first half of the 20th century, a group of sociologists at the University of Chicago undertook research into the structure of the city of Chicago and the social and cultural forms that had developed in this city (Coleman & Norris, 2000:56). The social disorganisation theory developed as a result of their findings; if you remember, social disorganisation theory focuses on the wide variety of environments and urban conditions that influence crime rates. The theory concentrates on the development of high-crime areas associated with the disintegration of conventional norms and values as a result of migration, industrialisation, and urbanisation. Social disorganisation theory originated in the process of social change and relates to the fact that certain groups of people live in communities characterised by heterogeneity, a variety of subcultures and value conflicts.

3.2.2 Definition of key concepts

3.2.2.1 Social organisation

To understand social disorganisation, one should first have a clear understanding of social organisation. Social organisation occurs when people's behaviour is guided by uniform norms and expectations. People in all societies depend on each other to survive and achieve their goals. People also develop social organisation to regulate their own behaviour and the behaviour of others. This gives rise to reciprocal expectations between people as they become increasingly dependent on one another. In other words, in societies characterised by social organisation, people learn what to expect from themselves, what to expect from others and what others can expect from them. Cultural traditions, customs and a system of rules and

regulations are thus developed, and these guide people in their various actions and activities. Society's laws, which are codified rules of culture, determine which forms of social behaviour are desirable and which are not. In short, a society is organised according to behavioural patterns that contribute to human survival and that encourage compliance with socially and culturally prescribed values.

3.2.2.2 Social disorganisation

Social disorganisation can be defined as the inability of a community structure to realise the common values of its residents and maintain effective social control (Bartollas, 2003:96). Social disorganisation theory suggests that macro-social forces (e.g. migration, segregation, structural transformation of the economy and housing discrimination) interact with community-level factors (concentrated poverty, family disruption, residential turnover) to impede social organisation. The concept of social disorganisation is based on three variables: poverty, residential mobility, and racial heterogeneity (Jones, 2001:129). Poor communities result in social disorganisation because they do not have adequate resources to deal with their problems. The high level of mobility among residents causes anonymity and makes it all but impossible to engender any sense of community. The decline of social control through the absence of common values allows a pattern of delinquent behaviour to develop, which tends to be handed down from one generation to the next through the process of cultural transmission. Urban crime, therefore, is portrayed as resulting from the failure of the inner city environment to encourage true integration and a sense of community for its different cultures (Jones, 2001:129).

Not only does social disorganisation lead to the breakdown of informal social control in communities and families, but it also weakens the capacity of a community to protect itself from crime. Survey findings suggest that poor and socially disorganised communities are increasingly resorting to social isolation as a means of protecting themselves against crime. Evidence is accumulating both in South Africa and abroad that social disorganisation is not only strongly associated with high rates of crime and violence, but also has a major impact on the effectiveness of crime prevention at community level (Emmett, 2001:4).

3.2.3 The Chicago School of Sociology

In its attempts to explain why crime seemed endemic to certain neighbourhoods or localities, the Chicago School of Sociology focused on the environment. Starting from the assumption that the environment influences the way that the poor in society behave, the Chicago School focused on the urban situation. Tierney (2006:90) highlights the assumptions of the Chicago School as follows:

- Crime and crime rates were viewed as social phenomena and could not be explained in terms of the individual's biology or psychology.
- Crime was linked to social disorganisation, by which they meant that family and community-based bonds had been weakened. Low levels of social integration were associated with high levels of crime.
- It was the social life of certain neighbourhoods that was seen as pathological, and

not the people living in these neighbourhoods. Criminal behaviour was regarded as a normal response to an abnormal situation.

● There should be government intervention to improve the basis of social organisation in the city's criminal neighbourhoods.

The starting point for the Chicago School was Robert Park's theory of human ecology (1921). Park argued that the development of urban areas was shaped by certain patterns of social process. Different kinds of human beings share the same environment and are dependent on each other. The urban environment can therefore be examined in a scientific way, through the careful and detailed observation of social life in different parts of the city (in this case, the city of Chicago). By comparing the results of such observations, one can establish causal explanations for crime (Lawson & Heaton, 1999:51). It was a research agenda that a number of researchers were to pursue.

Ernest Burgess (1928) produced a model of the city that provided a framework for understanding the social roots of crime. He argued that, as cities expand in size, the development is patterned socially; cities grow in a series of concentric zones or rings. Burgess (in Burke, 2005:97) outlined five different zones and claimed that a competitive process decided how people were distributed spatially among these: commercial enterprises were located in the central business district in close proximity to the transport systems; the most expensive residential areas were in the outer zones, away from the bustle of the city centre, the pollution of the factories and the homes of the poor.

It was the "zone in transition" – containing rows of deteriorating houses and often built in the shadow of ageing factories – that was the particular focus of Burgess's study. The outward expansion of the business district led to the constant displacement of residents. As the least desirable living area, this zone of transition was the focus for the influx of immigrants who were too poor to reside elsewhere. Burgess (in Burke, 2005:97) observed that these social patterns weakened family and communal ties and resulted in social disorganisation. Social disorganisation was therefore presented as the primary explanation of criminal behaviour.

Read more about the five zones as explained by Park and Burgess at:

http://www.sage-ereference.com/view/urbanstudies/n46.xml

http://thebackyardgeographer.org/2011/11/04/urban-dendrochronology-concentric-zones-of-building-age-in-chicago/

http://www.s-cool.co.uk/a-level/sociology/introduction-to-deviance/revise-it/urban-ecology-and-crime

3.2.4 Social disorganisation theory

Clifford Shaw and Henry McKay (1942) set about statistically testing the assumption that crime was greater in disorganised areas than elsewhere in the city. They plotted data on where juvenile delinquents lived on a map of Chicago that had been divided into concentric zones, radiating from the city centre to the outer commuter zone (Coleman & Norris, 2000:56). They focused, in particular, on one zone, the zone in transition, which is an area of a city characterised by low rents and deteriorating buildings adjacent to the city centre; in this zone there was a concentration of

delinquents. This diverse and rapidly changing population, Shaw and McKay (in Coleman & Norris, 2000:57) argued, led to social disorganisation – an absence of stable or common standards and a breakdown in community institutions – and a resulting failure to effectively socialise or control children.

Read more about Shaw and McKay at:

http://www.children.gov.on.ca/htdocs/English/topics/youthandthelaw/roots/volume5/
    chapter04_social_disorganization.aspx
http://www.ehow.com/about_6736498_shaw-mckay_s-social-disorganization-
    theory.html

Shaw and McKay's findings (cited in Hayward, 2006:39; Coleman & Norris, 2000:56–57) were as follows:

● Delinquency rates were highest in run-down inner-city zones.
● Delinquency rates declined progressively the further one moved out into the more prosperous suburbs.
● The concentration of delinquents was found to persist over long periods of time, despite the fact that the composition of the population living in the area changed frequently over time (because it was the area where the various new immigrant groups tended to live until they could afford to move elsewhere).

These findings enabled Shaw and McKay to conclude that delinquency was the product of sociological factors within the transition zone rather than individual pathology or any inherent ethnic characteristics. Their conclusion did much to dispel earlier criminological theories, which located the root cause of crime as being within the individual. Shaw and McKay (in Hayward, 2006:39) went on to claim that socially disorganised neighbourhoods perpetuate a situation in which delinquent behaviour patterns are culturally transmitted. Delinquent traditions are established and passed on in play groups and gangs.

ACTIVITY

Do you agree with Shaw and McKay's view that delinquency is a product of sociological factors rather than individual pathology? What is your opinion? Try to illustrate your point of view with a case study. You could use the gang activities in the Cape Flats as an example.

The Cape Flats are townships situated on a barren, sandy strip more than 15 km from Cape Town. Street gangs consisting of unsupervised youths (whose parents work in the city) first appeared in these areas about 40 years ago. They have rapidly become well-organised criminal units, involved in drugs, extortion, and international smuggling rings. The gangs extend their influence into the neighbourhoods, prisons and schools. Approximately 150 gangs, such as the Americans and the Hard livings, operate freely in the Cape Flats. Their battles over turf and dominance have turned the area into a near war zone. Uzi and AK-47 assault weapons and hand grenades are common tools of the trade, and an estimated 70 per cent of crime in the Cape Town area is believed to be gang-related.

In contrast to orderly neighbourhoods, where community integration is strong and conventional/law abiding values are deeply ingrained, the prevailing value-system in disorganised environments is likely to be both conducive to, and supportive of, delinquent and criminal behaviour. In other words, criminal conventions and delinquent traditions are transmitted through successive generations of boys, in much the same way that language and other social forms are transmitted (Hayward, 2006:39).

3.2.5 Impact of the Chicago School

Versions of the ecological model developed by the Chicago School dominated studies of urban crime undertaken between the 1920s and 1960s in cities across the United States and Europe (McLaughlin, 2006:185). As a result of theoretical and methodological developments in the 1980s and 1990s, environmental criminology has given way to research on how crime is spatialised. A new generation of criminologists from a variety of disciplinary backgrounds became interested in theorising the complex human public interactions and relationships associated with living in the city.

Contemporary spatial approaches to the study of crime can be grouped into four broad research areas, as set out by McLaughlin (2006:186):

● Studies concerned with identifying the spatial distribution of crime, criminogenic localities, vulnerable areas and defended spaces.
● Studies of how and why the risk of crime victimisation is distributed over space and the differential risks within and between different localities and various sections of the population.
● Studies of how and why the fear of crime is spatialised. This involves analysing the public's perception of where the crime problem is located and working through their mental mappings of safe and dangerous places.
● Studies of the flow and movement of specific crimes such as drugs and prostitution between different localities and countries.

Now that we have a basic understanding of the Chicago School, we can move on to take a critical look at their approach.

3.2.6 Evaluation

There are several problems with the work of the Chicago School. Their reliance on crime statistics to provide information on the distribution of crime within a city meant that they focused their attention on lower social classes and thus ignored criminal activities committed by persons in higher social categories (Joyce, 2006:18).

The ecological approach utilised by the Chicago School discussed the relationship of people and the urban environment. The study of rural crime was neglected. Instead, certain assumptions were (and continue to be) made regarding the problem, which include the assertion that stronger social bonds exist in rural areas and that the opportunities to commit crime in these places are relatively limited (Joyce, 2006:19).

The Chicago School also assumes that the growth of cities is a natural social process,

and ignores the role that power and class domination (social inequality) can play in the creation and perpetuation of slums (Lawson & Heaton, 1999:53; Burke, 2005:98).

However, the fact remains that the Chicago School had a significant influence on the development of sociological explanations of crime and criminal behaviour. Because they recognised the importance of environmental influences on crime, they provided a more plausible explanation of crime than individualistic explanations (Burke, 2005:99). Williams (2004:275) contends that the link between crime and areas of social disorganisation is more or less accepted. He indicates the broad signs of disintegration as being:

● a move towards rented and multiple occupancy dwellings
● an increase in the number of households, creating communities of individuals who are unrelated and unknown to each other
● an increase in the turnover of residents
● increase in number of empty properties
● more unskilled or unemployed occupants

These broad signs have also been linked with visual signs of disorder, such as broken windows, graffiti, litter, visible signs of drug use and prostitution.

The ideas of the Chicago School have helped to shape social policies on crime. A number of community projects directed to combating crime and delinquency were based on the theory of social disorganisation. The Chicago School called for efforts to reorganise communities: the emphasis on cultural learning suggested that treatment programmes that attempt to reverse offenders' criminal learning could counter crime. Young offenders should be placed in settings where they would receive pro-social reinforcement (e.g. through positive peer counselling (Burke, 2005:99; Lawson & Heaton, 1999:53)).

Shaw and McKay's insights certainly helped to explain gang formation. They saw the delinquent gang as a group of people who were, in fact, responding normally to the slum conditions and the social deprivations of local environments. Shaw and McKay regarded delinquent behaviour as an understandable choice, given the lack of legitimate opportunity for lower-class families in the inner city (Bartollas, 2003:101). This argument seems plausible when one looks at the history of gang formation on the Cape Flats.

TAKE NOTE

Information on South African gangs:

http://www.sahistory.org.za/topic/gangsterism

http://www.independent.co.uk/news/world/africa/the-cape-of-bad-dope-gang-warfare-in-south-africa-is-out-of-control–and-set-to-get-worse-as-a-key-leader-leaves-prison-8827661.html

http://thepatterns.info/gareth-newham-crime-in-south-africa/

http://thenumbersgang.weebly.com/history-of-the-numbers-gang.html

http://www.sickchirpse.com/the-numbers-gang-south-africas-biggest-gang/

3.2.7 Summary and conclusion

Through painstaking research, Shaw and McKay (cited in Lilly et al, 2007:38) used juvenile court statistics to map the spatial distribution of delinquency throughout Chicago. Their data analysis confirmed the hypothesis that delinquency flourished in the transition zone and was inversely related to the zone's affluence and corresponding distance from the central business district. By studying Chicago court records over several decades, they also were able to show that crime was highest in slum neighbourhoods, regardless of the racial or ethnic group who lived in these neighbourhoods. They also were able to show that, as groups moved to other zones, their crime rates decreased commensurately. This observation led to the inescapable conclusion that it was the nature of the neighbourhood – not the nature of the individuals within the neighbourhood – that regulated involvement in crime.

But what social process could account for this persistent spatial distribution of delinquency? Borrowing heavily from Burgess and other Chicago sociologists, Shaw and McKay (cited in Lilly et al, 2007:38) emphasised the importance of neighbourhood organisation in preventing or permitting juvenile delinquency. In more affluent communities, families fulfilled youths' needs and parents carefully supervised their offspring. But in the transition zone, families and other conventional institutions (e.g. schools, churches, voluntary associations) were strained, if not broken apart, by rapid and concentrated urban growth, people moving in and out (transiency), the mixture of different ethnic and racial groups (heterogeneity) and poverty. As a result, social disorganisation prevailed. This, in turn, meant that juveniles received neither the support nor the supervision required for wholesome development. Left to their own devices, slum youths were free of the type of social controls operative in more affluent areas; there was no guiding force to stop them from seeking excitement and friends – usually the wrong kind of friends – in the streets of the city.

Shaw and McKay were able to collect data showing that crime was distributed across neighbourhoods in a pattern consistent with social disorganisation theory. They believed that juvenile delinquency could be understood only by considering the social context in which youths lived – a context that itself was a product of major societal transformations wrought by rapid urbanisation, unbridled industrialisation, and massive population shifts. Youths with the misfortune of residing in the socially disorganised transition zone were especially vulnerable to the temptations of crime. As conventional institutions disintegrated around them, they were given little supervision and were free to roam the streets, where they would become the next generation of "carriers" for the neighbourhood's criminal tradition. In short, when growing up in a disorganised area, it is this combination of (1) a breakdown of control and (2) exposure to a criminal culture that lures individual youngsters into crime and, across all juveniles, creates high rates of delinquency. This vision of crime led Shaw and McKay to assert that delinquency prevention programmes must be directed at reforming communities, not simply at reforming individuals (Lilly et al, 2007:40–41).

The work of the Chicago School established a tradition of research into the spatial distribution of offenders. The focus in understanding crime was not on the characteristics of individuals, but on the social circumstances brought about by rapid change in certain parts of the city. The policy implications involved the physical

renewal of such areas and a need to redress social disorganisation through community development (Coleman & Norris, 2000:57).

3.2.8 Self-assessment

1. List the differences between social organisation and social disorganisation.   [10]
2. Write notes on the social disorganisation theory as interpreted by Shaw and McKay.   [10]

3.2.9 Answers to self-assessment questions

1. See sections 3.2.2.1 and 3.2.2.2.
2. For background information use sections 3.2.3 and 3.2.4 regarding Shaw and McKay. Section 3.2.5 should also be included.

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STUDY UNIT 3.3

Anomie and strain

LEARNING OUTCOMES

After studying this study unit, you should be able to

- explain Durkheim's view of crime
- explain the concept of anomie
- explain Merton's theory in terms of
    - assumptions
    - social inequity
    - coping mechanisms or modes of adaptation
    - evaluation

3.3.1 Introduction

The most important version of strain theory is Robert Merton's theory of anomie. Merton applied the concept of anomie, which was first used by the French sociologist Emil Durkheim, to society. "Anomie" describes normlessness as a condition of social malaise that occurs when the existing social structure can no longer exercise control over the individual's needs and desires. Merton's revised version of the concept of anomie is regarded as one of the most durable theoretical concepts of 20th century social thought.

3.3.2 Durkheim's view of crime

Durkheim's work was influential in shifting the analysis of criminality away from sources rooted in the individual to sources rooted in sociocultural factors. He was a proponent of the positivist school of thought, especially with reference to methodology; in other words, he attempted to develop an objective scientific understanding of society (Tierney, 2006:81).

3.3.2.1 The concept of anomie

Anomie is a French word, and although the term may be traced back to ancient Greek (it literally means "lawlessness"), Durkheim used the term "anomie" to refer to a state of normlessness (absence of norms). Norms or socially expected behaviour determines how people act, and contravening these norms poses a threat to social control. In his classic work, the division of labour in society (as translated by George Simpson in 1933), Durkheim developed the ideas inherent in the concept of anomie (Williams & McShane, 2004:96).

According to Durkheim, societies develop and change from a relatively simple and uncomplicated existence (mechanical) to a more complex setup (organic). Societies that are characterised by a collective conscience are an example of societies characterised by mechanical solidarity. For Durkheim (Burke, 2005:93) societies with high levels of mechanical solidarity are characterised by group conformity: there is a likeness and a similarity between individuals and the members of this society hold common attitudes and beliefs that bind one person to another. Laws are established

to prevent people from damaging the group's collective conscience. However, this form of social solidarity severely restricts the individual's ability to develop a sense of personal identity or uniqueness. As societies develop, they become characterised by population density as well as economic and technological development: such societies necessarily become more complex. The structure of social relationships changes to what Durkheim calls organic solidarity. Organic solidarity is characteristic of modern societies with high degrees of occupational specialisation and a diversity of experiences and circumstances. This diversity weakens common values and social bonds and antisocial behaviour tends to become more frequent (Walsh & Hemmens, 2008:111). Roles and positions are divided and specialises and, to survive, people become interdependent. This, in turn, changes the role played by the law.

ACTIVITY

Do you think South Africa is part of organic solidarity?

Reading through the following article will assist you with your argument:

http://www.studymore.org.uk/ydurmer.htm

In societies organised on the basis of organic solidarity, the purpose of legislation is compensation (restitution). The idea is to punish the offender for harm caused to another person. In other words, the punishment is not imposed because the group's collective conscience has been injured in some way. In such complex societies, there is also greater emotional distance between people, and this leads to increased incidences of depression and loneliness. Both depression and loneliness may stem from a sense of isolation which, in turn, may lead to a loss of self-identity. This loss of identity may be the start of anomie or normlessness: people no longer know which rules to follow or they do not care about rules. It is not difficult to see that, in such societies, crime may become commonplace.

Durkheim's most important contribution to criminology lies in his revival of the concept of anomie, a concept clearly described in *Suicide* (1897/1951) (Brown et al, 2001:246). This work provided the foundation for the theory of anomie as developed by Merton. As in Durkheim's previous work (*The division of labour in society*), anomie is used to explain how the disintegration of social conditions may lead to a sense of personal loss and dissolution. Durkheim studied the most individual of all forms of deviant behaviour, namely, taking one's own life. He found that suicide occurs when rapid or extreme social changes or crises threaten group norms. People become uncertain about how they should behave, and this leads to a state of confusion or normlessness. Criminologists subsequently expanded on this idea of anomie (or "strain") to account for the causes of crime.

3.3.2.2 Durkheim on crime

Durkheim (Walsh & Hemmens, 2008:111) made two important statements about crime:

- Crime is a normal phenomenon in any society.
- Crime is therefore functional.

a. Crime as a normal phenomenon

Societies are complex structures made up of people who often have very diverse values. Some people's ideas of socially acceptable behaviour (e.g. smoking dagga or sniffing cocaine) may be a breach of the rules or norms of the greater group.

For this reason some actions (e.g. drug abuse) are described as criminal or illegal by those who control group norms. According to Durkheim (in Fattah, 1997:235), crime is the result of the creation and application of norms. Just because some behaviour is regarded as "wrong", so other behaviour is regarded as "correct". Crime is therefore a normal phenomenon because, while there are people in every society who obey the norms and laws, there are always others who disobey them (and who therefore deserve to be punished).

Durkheim (Tierney, 2006:86) believed that crime is both inevitable and necessary. For him, crime is a social fact, and a stable suicide rate (for example) is just that: a social fact. If crime and suicide are found in the average society then, almost by definition, they must be normal. This means that crime is normal. As far as Durkheim was concerned, a complete absence of crime would depend on all members of a society being in total agreement with each other about what constituted acceptable norms and values.

b. Crime is functional

Crime is functional in a society because, according to Durkheim, it forms the basis of social change. Crime often highlights those aspects and processes that need to be changed. In South Africa, the high incidence of crime has made it necessary to identify priority crimes, and a national crime prevention strategy has been established to address the problem. Crime, in fact, helps society prepare for change.

Durkheim (Tierney, 2006:87) argues that crime is functionally useful; it helps to maintain a healthy society. Crime fulfils an adaptive function and a boundary maintenance function.

- Adaptive function: Crime's adaptive function is to introduce new ideas into society, thereby preventing society from stagnating.
- Boundary maintenance function: Media reports and conversations between people lead to the criminal event being inserted into people's lives and this, in turn, functions to reaffirm the boundary between good and bad behaviour. The collective nature of the responses to the criminal event in fact promotes social solidarity.

3.3.2.3 Merton's theory of anomie

Merton developed his theory of anomie in 1938, and this theory is still considered to be a classic explanation of the causes of crime (Shoemaker, 2000:93). Although Merton used Durkheim's concept of anomie, his formulation was broader in orientation and more specific in application. In order to remain true to his belief that criminal behaviour was concentrated among the deprived; Merton had to move away from Durkheim's definition of anomie (i.e. that anomie applied to society as a whole). Merton equated anomie with a lack of equality of opportunity. At a time when crime was assuming serious proportions in America, Merton set out to clarify the problem.

According to Merton, social conditions bring uneven pressure to bear on people of different classes, and people react as individuals to such conditions. In other words, this pressure will cause some people to commit crime (Fattah, 1997:237).

According to Merton, people are not bad by nature. People are basically good. When people depart from norms, we need to examine the social environment.

TAKE NOTE

Do you agree with Merton that people are basically good? Given the level of violence in all societies, this is a highly debatable statement. Can certain factors in the environment really cause an individual to act against his or her nature? Or are people inherently bad? Think about this statement and give some practical examples. To assist you with your arguments go to:

http://www.cdc.gov/violenceprevention/youthviolence/
    riskprotectivefactors.html
http://thrive.preventioninstitute.org/schoolviol4.html

Merton (Williams, 2004:306) argues that society will not be characterised by anomie if its members use only legitimate means of advancement (even if people's desires are totally unrestricted). It is the relationship between desires and the means of achieving those desires that is fundamental. This link between desires and means has led to his theory being regarded as a version of strain theory. In other words, everybody is under pressure to succeed, but those who cannot or who are least likely to succeed legitimately are under strain to use illegitimate or illegal opportunities for advancement.

3.3.3 Assumptions of Merton's theory

According to Merton (Burke, 2005:100; Bartollas, 2006:115), an integrated society maintains a balance between the social structure (approved social means) and culture (approved goals). This statement contains two main elements

(a) A society has cultural goals that are generally regarded as being worthwhile (e.g. wealth, material possessions and status).
(b) A society has institutionalised means or approved methods whereby these objectives may be realised, such as educational qualifications and steady employment. People should, therefore, be prepared to start at the bottom and to succeed through hard work.

The cultural emphasis on the goal to succeed, however, is stronger than the emphasis on approved means. This imbalance between goals and means brings about anomie (Siegel & Senna, 2000:145). People are encouraged and eventually socialised to pursue success, and success is idolised in the media, emphasised in schools and encouraged by governments. This means that the value of success is passed on from one generation to the next. Material and monetary success is measured by the material things that people are supposed to acquire by honest, hard work. But in Merton's opinion (in Brown et al, 2001:268), the values in a country such as America

revolve around achieving success and money at any cost. In this competitive world, anomie is created and undermines society itself and this, in turn, increases strain.

3.3.3.1 Crime as a lower-class phenomenon

Having put forward his views on goals and means, Merton (Vold et al, 2002:138) turned his attention to patterns of crime and delinquency. According to official statistics (bear in mind that Merton applied his theory to American society), most offences were committed by lower-class people. Merton explained the higher incidence of crime among the lower classes as follows:

● Those in the lower class (or disadvantaged minority groups) want to achieve wealth and financial success just as much as people from the middle and upper classes.
● However, people from the lower classes do not have access to the legal institutionalised means (e.g. education and career opportunities) to realise their ambitions.
● The resulting anomie leads to strain and pressurises these groups into using any effective means to obtain an income, including illegal means (e.g. theft). This is particularly true of societies in which there is little emphasis on obeying the law.

Social inequality exists in America because American society is structured in such a way that it obstructs or limits the access of the lower class or minority groups to the approved means to success. According to Merton, it is the structure of society itself that is anomic. This does not mean that anomic conditions remain constant. The degree of anomie will vary according to changes in society (i.e. changes that reduce or increase social inequality).

3.3.3.2 Reactions to anomie

When a society finds itself in a state of anomie, a number of reactions or modes of adaptation are possible. Each of these adaptations is a way of coping with the balance (or imbalance) between goals and means (Siegel & Senna, 2000:146–147).

Conformity is the most common reaction, even in societies characterised by anomie. This means that both the cultural goals and the institutionalised means of achieving them are accepted. People simply accept the status quo and continue their pursuit of success within the constraints of the conventional (accepted) means available. In Merton's (Williams, 2004:308) view, this approach (conformity) works because most people fall into this category – which means that society remains basically stable.

Innovation is the most common deviant reaction. In an anomic society, innovators (deviants) get the opportunity to act. These people pursue society's goals, but do not attach any value to the rules or accepted means, simply because society as a whole is unaware of any rules. The overriding principle is that the end justifies the means. Scarce goods such as money and jewellery may be obtained, for example, by stealing. It is interesting to note that, as far as the potential offender is concerned, innovation may be a more effective means of achieving success than conformity. Instead of saving money in the bank and earning interest, for example, robbing the bank is much quicker and enables one to obtain large amounts of money at once. It is in this

category that Merton (Williams, 2004:309) includes most of the individuals who make up the crime statistics. This is why Merton saw innovation as particularly common among the lower classes: they are stigmatised anyway owing to their low skill levels, low pay and greater vulnerability to unemployment. Their reaction tends to be to commit crimes against property (e.g. theft and burglary) and get involved in organised crime (where the sole end is financial gain).

Ritualism involves the acceptance of institutionalised means and the rejection of cultural goals. Ritualists are usually not regarded as deviant. These people are no longer trying to get ahead, but are concentrating purely on keeping what they have obtained already – by rigidly following the rules and norms. Ritualists' jobs (and keeping their jobs) are their security, and they do not try to use their jobs as a means to improve their positions (e.g. by working hard with a view to promotion). Ritualists include many lower middle-class people who have abandoned any dreams of bettering their lot in life, but who still abide by the rules of society (Williams, 2004:309).

Retreatism is an escapist reaction. Here, both the cultural goal of progress and the approved means are rejected. This category includes vagrants, drunkards, drug addicts and the mentally ill. Merton (Williams, 2004:309) felt that these people did not really belong to the society in which they lived. Retreatists might also include racial or religious minorities, particularly if these people are severely disadvantaged. Retreatists who are alcoholics and drug addicts may commit offences (either to fund their habit or while under the influence of alcohol or drugs).

Rebellion involves rejection of the system as such. Both the goals and the means are rejected and replaced by new ones. One example may be deliberately damaging property and a more extreme example may be a revolutionary who attempts to overthrow a government by force. In this category are street gang members, terrorists and/or freedom fighters. The rebellious reaction often involves destructive crimes, such as wilful damage to property and crimes of public disorder. It may even include murder, terrorist offences and, in fact, any crime designed to attack the basis of that society's culture (Williams, 2004:308).

When trying to explain crime, it is innovation, rebellion and, to a lesser extent, retreatism (withdrawal) that are relevant.

Read more about Merton's anomie theory at:

http://www.alexandrakp.com/text/2008/02/robert-mertons-personal-adaptations-to-anomie-aka-strain-theory/http://www.alexandrakp.com/text/2008/02/robert-mertons-personal-adaptations-to-anomie-aka-strain-theory/
http://www.s-cool.co.uk/a-level/sociology/introduction-to-deviance/revise-it/deviance-robert-merton

3.3.3.3 Evaluation of Merton's theory

The theory of anomie explains the concentration of crime, not only in the lower-class urban areas, but also among the lower-classes and minority groups in general. Merton's theory does not clearly address the reasons why a specific individual commits an offence. It focuses, instead, on explaining crime trends in society resulting from blocked economic opportunities. Although Merton's theory focuses on explaining crime in American society, it is also relevant to other societies. The high

prevalence of, in particular, organised crime in Russia can be ascribed to anomic conditions experienced after the collapse of the communist system.

South Africa also has structural shortages where large-scale poverty and unemployment are found which emphasise the economic disparities. Gaps in education – such as inadequate facilities and varying degrees of education (private schools versus schools in isolated rural areas such as KwaZulu-Natal) – block economic opportunities for certain groups. Frustration and anger then come to the fore in rebellious conformity to anomic feelings: school buildings are damaged by vandals and gang activities become violent. The dispute about land ownership also reflects economic disparity, and explains rebellious actions such as unauthorised squatting and farm attacks.

The theory of anomie sets the scene for clear policy implications. If obstruction of legal opportunities causes people to engage in criminal activities, then certain groups have to be given access to the legal means of achieving success (education and occupational training programmes (Akers, 1997:131)). Moreover, rehabilitation programmes in prisons should offer offenders an opportunity to improve their educational qualifications and to acquire career skills. However, Merton's theory fails to explain why it is that legal means of advancement are unevenly distributed in society and nor does his theory really explain the origins of people's motivation (i.e. to commit crime).

Merton's theory of anomie is a broad explanation in that it can be applied to a wide range of deviant and criminal activities. That said, the theory was developed mainly to explain one specific phenomenon: the concentration of crime among the lower classes. White-collar crime (e.g. fraud) is ignored and the impression is created that lawlessness is an exclusively lower-class problem. The scope of this theory is therefore limited mainly to property crimes committed by the lower classes.

3.3.4 Summary and conclusion

Durkheim used the term anomie to explain how the disintegration of existing social rules, laws and values may lead to a sense of personal loss and disillusionment.

Anomie may therefore be defined as a social condition where norms are uncertain or completely absent (Schmalleger, 1996:250).

Anomic conditions occur when the existing social structure can no longer control an individual's behaviour. The rule of law has disintegrated. Under such conditions, deviant behaviour such as suicide and other offences may be regarded as normal reactions to existing social conditions.

In South Africa, the abolition of the death penalty, the decriminalisation of abortion and a general distrust of the criminal justice system have enhanced the feeling of uncertainty about what constitutes the norm. The incidence of suicide among members of the South African Police Service and the crime wave may well be examples of anomie.

One feature of Merton's theory of anomie is the assumption of consensus concerning social values. A common value system teaches people what to pursue (cultural goals) and the most appropriate ways (societal means) of achieving these goals. Unless the

means to goal achievement have been evenly distributed in society, overemphasis of goals and unequal access to the means of attaining them will cause disorganisation in society and thus create anomic conditions.

Groups that have the greatest access to the legal means of achieving cultural goals are largely conformist (law abiding). In contrast, those with the least access to such means, namely the lower class, will display a higher incidence of deviant behaviour simply because the people in this group suffer most under anomic conditions. In short, structural inequality causes deviant behaviour and crime.

3.3.5 Self-assessment

1. Briefly discuss the six premises of structural theory.   [15]
2. Identify and briefly discuss the two branches of structural theory.   [4]
3. Name the three independent variables that are central to the ecological theory.   [10]
4. Critically discuss the work of the Chicago School regarding the study of crime.   [20]
5. Why does Durkheim believe that crime is functional in a society? Explain the various functions that crime fulfils (according to Durkheim).   [5]
6. Discuss the adaptations and reactions to anomie in a society.   [15]

3.3.6 Answers to self-assessment questions

1. See section 3.1.2.
2. See section 3.1.3.
3. Poverty, mobility of residents and racial heterogeneity (section 3.1.3.1).
4. See section 3.2.3. Pay attention to crime statistics, study of rural crime, power and class, sociological explanations, disintegration, and social policies.
5. See section 3.3.2.2(b).
6. See section 3.3.3.2 and discuss the five points.

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PART 4

Social positivism:
Process theories

_____THEME 4

SOCIAL POSITIVISM: PROCESS THEORIES

General introduction

Structure theories (which consist of two branches, namely "strain" and "disorganisa-tion") are based on the assumption that it is the social structure that pressurises members of the lower or disadvantaged class into delinquency and crime. Social process theories, on the other hand, attempt to explain how individuals become criminals. The emphasis is on social interactions or processes with groups such as the family and peer groups that the individual finds meaningful. Every individual learns law-abiding or law-breaking values via these social processes. Social process theories, therefore, examine the social mechanisms by which criminal behaviours are said to develop (Hunter & Dantzker, 2002:103).

Two branches of process theories can be identified: learning theory and control theory. As far as learning theory is concerned, in this study unit we look specifically at Sutherland's contribution and Akers' reformulation of this contribution. When we investigate control theory, we study Hirschi's explanation of social control.

Key concepts

ATTACHMENT is one of the four social bonds in social bonding theory. The emotional component of conformity refers to one's attachment to others and to social institutions (Walsh & Hemmens, 2008:56).

BELIEF, in social control theory, is one of the four social bonds. It refers to the ready acceptance of the correctness of pro-social values and attitudes (Walsh & Hemmens, 2008:561).

COMMITMENT is one of the four social bonds in social bonding theory. Commitment refers to the rational component of conformity, and refers to a lifestyle in which one has invested considerable time and energy in the pursuit of a lawful career (Walsh & Hemmens, 2008:562).

DEFINITIONS is a term used by Edwin Sutherland to refer to the meanings that our experiences have for us, our attitudes, values, and habitual ways of viewing the world (Walsh & Hemmens, 2008:563).

DEVIANCE refers to actions committed by individuals that society condemns, but which are not actually illegal. Those who engage in such activities may well encounter hostility from their fellow citizens (Joyce, 2006:559). Beirne and Messerschmidt

(2006:482) define deviance as any social behaviour or social characteristic that departs from the conventional norms and standards of a community or society and for which the deviant is sanctioned.

DIFFERENTIAL ASSOCIATION is a theory that attempts to explain both the process by which a person learns to engage in crime and the content of what is learned. According to Sutherland, differential association refers to the principle that criminal acts are related to an individual's frequent or constant exposure to antisocial attitudes and values (Beirne & Messerschmidt, 2006:482; Siegel, 2004:414–415).

DIFFERENTIAL REINFORCEMENT refers to behaviour that is reinforced by being either rewarded or punished in one's interactions with others. This is also called "direct conditioning" (Siegel, 2004:475).

DIFFERENTIAL REINFORCEMENT THEORY is an attempt to explain crime as a type of learned behaviour. First proposed by Ronard Akers in collaboration with Robert Burgess in 1966, it is a version of the social learning view that employs both differential association concepts and elements of psychological learning theory (Siegel, 2004:475).

INVOLVEMENT, in social control theory, is one of the four social bonds. It refers to a pattern of involvement in conventional activities that prevents one from becoming involved in criminal activities (Walsh & Hemmens, 2008:566).

LEARNING is a change in pre-existing behaviour or mental processes that occurs as a result of experience (Cassel & Bernstein, 2007:293).

REINFORCEMENT is a key concept in social learning theory, which states that crime is largely a response to reinforcing stimuli. If individuals are rewarded for committing crimes, they are more likely to commit them again (Beirne & Messerschmidt, 2006:488).

SOCIAL BOND is the tie that a person has to the institutions and processes of society. According to Hirschi, elements of the social bond include commitment, attachment, involvement, and belief (Siegel, 2004:482).

SOCIAL BONDING THEORY is a social control theory focusing on a person's bonds to others (Walsh & Hemmens, 2008:571).

SOCIAL CONTROL refers to any action on the part of others, deliberate or not, that facilitates conformity to social rules (Walsh & Hemmens, 2008:571).

SOCIAL CONTROL THEORY is the view that people commit crime when the forces that bind them to society are weakened or broken (Siegel, 2004:482; Bartollas, 2006:543). Theorists maintain that human beings must be held in check or somehow be controlled if delinquent tendencies are to be repressed (Bartollas, 2006:537).

SOCIAL LEARNING refers to learning by watching other people, called models, and vicariously experiencing the consequences of their behaviour (Cassel & Bernstein, 2007:295).

SOCIAL LEARNING THEORY is the theory that holds that social behaviour is a cognitive process in which personality and social environment are involved in a continuous process of reciprocal interaction (Beirne & Messerschmidt, 2006:489).

Human behaviour is modelled by the individual observing human social interactions, either directly (from contact with social intimates) or indirectly (from the media).

People copy interactions that are rewarded and avoid those that result in punishment (Siegel, 2004:482).

SOCIAL PROCESS THEORY holds the view that criminality is a function of people's interactions with various organisations, institutions, and social processes (Siegel, 2004:482). Theorists examine the interactions between individuals and the environments that encourage these individuals to become involved in delinquent behaviour (Bartollas, 2006:543).

STUDY UNIT 4.1

Process theories

LEARNING OUTCOMES

After studying this study unit, you should be able to:

- explain the assumptions of process theories
- explain the essential characteristics of learning and control theory

4.1.1 Introduction

Not all researchers view poverty, strain and social disorganisation as the primary causes of misconduct and crime. Self-report studies have shown that people from the middle class also commit offences such as car theft, drug abuse and vandalism. In other words, the incidence of crime is distributed across the entire social structure. The culture of poverty, therefore, cannot adequately explain crime. Instead, the initiation of criminal behaviour may be traced back to the quality of the young person's socialisation within the significant social institutions in society, namely, the family, the peer group, the school and the law. Each of these institutions has a powerful influence on a child's self-image, convictions, values and eventual behaviour. The consistent theme of social process theories is that negative or deviant socialisation and intimacy with criminal peers work together to breed criminality (Hunter & Dantzker, 2002:104).

ACTIVITY

Juvenile crime in Finland: trends, causes and control, a book by Honkatukia and Kivivuori (2006), is an anthology that provides an overview of Finnish juvenile crime and its control. The book is divided into three sections. First, recent trends in Finnish juvenile crime are described. The second part takes a look at some important factors that explain why juveniles commit crimes. These range from individual temperament and early environmental risk factors to broad social forces and cultural meanings.

Will the Finnish findings on juvenile crime be applicable to the South African youth as well?

Read the following articles to assist you with your arguments:

https://www.ncjrs.gov/App/publications/Abstract.aspx?id=244914

http://www.eucpn.org/pubdocs/A%20review%20of%20good%20
practice%20in%20preventing%20juvenile%20ccrime%20in%20-
the%20EU. pdf

4.1.2 Assumptions of process theories

- **Process theories are micro theories**

Social process theories attempt to explain how individuals (micro) become offenders. The focus is on social interactions or processes as experienced by the individual rather than the social structure (macro) (Williams & McShane, 2004:201).

- **Crime is not necessarily a class phenomenon**

Crime is not approached as being primarily a lower-class phenomenon. Process theorists claim that not all people who are subjected to social disorganisation become offenders, and they challenge the assumption that there is a value gap between the different social classes that make up a society. Even young people who have grown up in a poor urban environment learn the same values at home, at school and in religious settings as young people from the middle and upper class. Although young people from the lower class do experience economic difficulties, strain (in the family itself), inadequate education and a poor self-image, the majority of them are willing to abide by the rules (laws) of society (despite the fact that their peer group may well include people who regularly break the law). Those who do succeed in coping with all this and who remain law abiding are those who tend to have the support of a happy family, and law-abiding friends and teachers who take an active interest in them. In short, according to process theorists, misconduct and crime occur in any social class, rich or poor, if the socialisation process is inadequate and/or destructive.

- **Emphasis on social interactions**

According to social process theory, a person who engages in misconduct and crime is someone whose personality and behaviour (which are shaped by key social relationships and social processes) are out of line with conventional society. Process theorists focus, in particular, on the social interactions of individuals with intimate groups such as the family and the peer group. It is these interactions, they claim, that are the key to explaining criminal behaviour.

Special attention is paid to the family as the primary socialising agent. Where parental care is inadequate, absent or destructive, the child's development (i.e. towards emotional maturity) will be hampered. Although there is some debate about which elements of the parent-child relationship are the most important, there is general consensus that family relationships have a crucial influence on antisocial behaviour.

The influence of peer group relationships is also considered to be important. Young people who form close relationships with peer group members may end up acquiring undesirable attitudes. The young person may adopt the techniques and attitudes of a group that favours drug use, that engages in various criminal offences and that is prepared to use violence to attain its ends. Associating with such a group will obviously alienate the young person from his or her more conventional friends and institutions.

Misconduct and crime are also linked to factors such as underachievement at school and inadequate educational facilities. This, in turn, contributes to conflict which leads to the alienation of the person from a conventional social institution such as the school. The young person then develops a poor self-image and displays little interest in following a law-abiding lifestyle (Brown et al, 1998:301).

4.1.3 Branches of process theory

There are two main branches of social process theory. The first is learning theory, which contends that criminal behaviour is learnt by means of the close relationships

formed with other people. The techniques for committing crime and the necessary reinforcing attitudes are acquired via these close relationships.

The second branch is social control theory. This theory is based on the argument that people who commit crime feel isolated from the significant institutions in society, namely, the family, the peer group and the school. The ties with these institutions have been severed and subsequently the conventional societal control over people is absent. This then makes the individual feel that he or she is free to indulge in antisocial behaviour.

4.1.3.1 Learning theories

Learning theorists believe that poverty and social class are not sufficient, by themselves, to explain crime and misconduct. They emphasise that the norms, values and behaviour associated with criminal activities need to be learnt. Young offenders have to learn how to become criminals (e.g. they need to learn the techniques used to steal a car) and how to handle the consequences of their actions (e.g. shame and guilt). The values, norms and motives associated with committing criminal acts are learnt via interaction with significant others, such as family members or peer group members.

☑ TAKE NOTE

Can you see how learning contributes to juveniles becoming involved in gang activities and how relevant learning theory is to explaining why youths join gangs?

At present learning theories play a prominent role in the study of misconduct and crime. The learning principle has a significant influence on policy (e.g. advertisements pointing out the danger of drugs).

4.1.3.2 Control theories

Unlike learning theories, control theories are based on the view that various forms of misconduct, such as drug abuse and truancy, are attractive to virtually all teenagers. Such actions represent the exciting and adventurous behaviour portrayed in the mass media. So the question should be: why do some young people refrain from misconduct, obey conventional rules and finally become law-abiding adults? In other words, conformity itself needs explanation – it should not be assumed. Social control theorists in effect ask, "Why don't we all break the law?" (Coleman & Norris, 2002:67). According to control theorists, the answer to this question should be sought in young people's ties to conventional groups, individuals and institutions and, in particular, in the strength of these ties. Those who have a close relationship with their parents, family and teachers and who maintain a positive self-image will be able to resist the temptations of misconduct. Offences which lead to punishment and incarceration mean that the person will obviously lose his or her good standing in the community. People are law-abiding because they are controlled or constrained in some way.

4.1.4 Summary and conclusion

Social process theorists analyse the social processes or interactions associated with crime. They reject the view that individuals are born offenders and do not support the argument that offenders experience particular intellectual or psychological problems. They also reject the argument that misconduct and crime can be explained in terms of society's socioeconomic structure. Social process theories are micro theories: they focus on the individual and the way in which an individual becomes an offender rather than on a particular group of people (i.e. the lower classes).

Learning theorists emphasise the fact that both criminal and noncriminal behaviour is learnt behaviour.

Criminal behaviour is always normative, at least within a particular subculture. Car theft may be contrary to the laws of society, but in a juvenile gang it may be a prerequisite to maintaining one's status within the group. The individual is neither good nor bad; instead, he or she learns to be law abiding or deviant. People learn to commit crime because they have been exposed to antisocial or law-breaking influences (e.g. as members of a criminal gang or crime syndicate). Misconduct or crime is thus the product of a negative environmental experience.

According to control theorists, the forces of social control are important. If people are not controlled, they will pursue their own interests rather than the interests of society. This is why social institutions are so important, because people need to be educated into living a controlled social existence if they are to remain law abiding. If crime does occur, then this means that these social restrictions have somehow failed. People inherently seek pleasure and would far rather pursue their own interests than the interests of society. Intervention is necessary to ensure that people will conform and abide by the law through a process of socialisation and control. People are controlled or restrained from criminal behaviour by means of their stake in conformity. What do I have to lose? Who will get hurt in the process? It is people's bond with society and institutions (e.g. the family and school) that prevent them from breaking social rules. If this bond is weak, people will feel they are at liberty to commit crime, because the necessary social support is lacking and simply because they have nothing to lose.

Control theories are often to be found "lurking" in other theories; the concept of social disorganisation claims that there are certain conditions under which social control breaks down, and anomie is often seen as a lack of moral restraint or regulation that allows individual ambitions and self-interest a free rein (Coleman & Norris, 2000:67).

4.1.5 Self-assessment

1. "The study of the individual's interactions brings a micro theory orientation to process theories." Explain this statement.   [15]
2. "The key argument of learning theories is that crime is the product of certain learning processes." Briefly explain this statement.   [10]
3. "Control theories explain why most people are law abiding." What does this statement mean?   [10]

96   STUDY UNIT 4.1

4. Learning theory and control theory are important branches of social process theories. Describe both theories in detail.   [25]

4.1.6 Answers to self-assessment questions

1. The assumptions of process theories are based on a micro theory approach to criminology. Process theories emphasise the value of socialisation and the role played by the family is of particular importance. Attention is also paid to the influence of peer groups and to factors relating to education (e.g. poor school achievement and inadequate education facilities).
2. Crime, like any other behaviour, is learnt. You need to clearly illustrate the learning process, namely the occasion, the acquisition of values and norms that encourage crime, and the reinforcement of criminal values.
3. Law-abiding behaviour is regarded as the product of an individual's strong bonds with people within social institutions (e.g. parents and teachers). These bonds are reminders, to young people, of what they stand to lose by committing an offence.
4. Here you should outline the arguments of both the learning and the control perspectives. The summary is a good place to start.

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STUDY UNIT 4.2

Sutherland's theory of differential association

LEARNING OUTCOMES

After studying this study unit, you should be able to

- explain the principles of learning in Sutherland's theory
- evaluate the contribution of Sutherland's theory as such
- explain the key elements of Akers' social learning theory

4.2.1 Introduction

Before Sutherland developed his theory of differential association, criminology was dominated by the views of medical doctors and psychiatrists who found explanations for criminal behaviour purely in biological and psychological abnormalities. Sutherland's theory was responsible for the diminishing popularity of biological and psychological explanations of crime in that it argued that crime was the result of environmental influences on people who are biologically and psychologically normal. Sutherland created a general theory of criminal behaviour by insisting that behaviour was learnt in a social environment. In fact, all behaviour is learnt in more or less the same way. The main difference between conforming (law-abiding) and criminal behaviour is in what is learned, rather than how it is learned. Sutherland's contribution is regarded as one of the most influential theories of criminal behaviour (Brown et al, 2001:303).

4.2.2 The fundamental principles of differential association

Sutherland maintained that criminal behaviour was learnt through social interactions. To describe this learning process, he developed the concept of differential association. The fundamental principles of differential association have been set out in nine propositions that explain the process whereby a person becomes involved in crime (Siegel & Senna, 2000:168–170; Bartollas, 2006:136–138; Reid, 2003:162–163). These propositions are as follows:

Proposition 1: Criminal behaviour is learnt

The basic argument of differential association is that, like all forms of behaviour, criminal behaviour is learnt from other people. This eliminates the roles of heredity, human nature and innovation as causes of deviant behaviour.

TAKE NOTE

This proposition explains how and why juveniles learn criminal behaviour within group activities. These individuals may come from good homes, where social norms and values are accepted and followed – but it is the behaviour learnt from deviant friends that has an overriding influence.

Proposition 2: Criminal behaviour is learned through interaction with other people by means of a process of communication.

Proposition 3: The learning process takes place mainly within intimate personal groups.

The second and third propositions state that criminal behaviour is learnt through active involvement with others in a process of communication. Parents' influence in the process of education during which language, habits and customs are acquired is accepted as a given. The learning process is expanded, however, to include the sphere of crime. As a child gets older, the behaviour initially shaped by the parents comes increasingly under the influence of peers, which is why parents are often concerned about their children's choice of friends.

In Sutherland's theory, the influence of the media on the learning process is regarded as minimal. One should nevertheless bear in mind that the nature of the media has changed considerably since Sutherland's theory was first formulated (1939). Modern technology has given us a media that is considerably more attention-grabbing, dynamic and enticing.

ACTIVITY

> According to proposition 3, the learning process takes place mainly within intimate personal groups. With this in mind, scan newspaper reports to find examples of crime that was the result of the influence of group dynamics.

The following is an example where a crowd turned into a riotous mob:

Lonmin platinum mineworkers' fatal strike in Marikana took place on 12 August 2012, 34 mineworkers were killed by the SAPS.

Read more about the incident at:

http://marikana.mg.co.za/

Read the following sections about group dynamics and violent behaviour:

http://gangsters-cops-politicians.blogspot.com/2012/04/behavior-and-group-dy-
    namics-in-gangs-by.html
http://ymaa.com/articles/saving-yourself-in-a-crowd
http://ramonspaaij.nl/wordpress/wp-content/uploads/ISS351328-proofs.pdf

Proposition 4: When criminal behaviour is learnt, this learning process includes the following:

● learning the techniques needed to commit specific crimes (which may be simple or complex)
● the presence of the necessary motives, drives, rationalisation and attitude

However, learning the techniques for committing crime is less important than acquiring the disposition needed to commit crime, which will include motives, attitude and drives. Once this disposition has been acquired, learning certain criminal

techniques (e.g. how to rob a bank or commit cheque fraud) will then contribute to the eventual success of the criminal action. Learning such a skill is a specific prerequisite for the eventual success of the offence (this is particularly true of white-collar crime such as fraud and forgery). Offenders may steal or rape because they have learnt specific attitudes and rationalisations, such as a lack of respect for the possessions of others ("they have too much and I need what they have") or abuse of a woman as an outlet for aggression ("she was asking for it"). Of course, the "skills" needed to rape someone or steal from them are minimal indeed.

Read more about how people rationalise their criminal actions at:

http://ethicalrealism.wordpress.com/2011/05/24/ethics-and-rationalization/
http://www.hrzone.com/hr-glossary/fraud-triangle-definition

Proposition 5: The specific direction of motives and drives is learnt from definitions of the legal codes as favourable or unfavourable.

Anybody may come into contact with definitions (or views of crime) that are favourable or unfavourable towards criminal activities. The dominance of either the criminal or the conventional influences in a person's life will determine whether the particular person will regard crime as an acceptable way of life. The definition that is favourable or unfavourable (i.e. towards breaking the law) provides the key to differential association, because it is this definition that determines an individual's values or mindset. All of us are exposed to a combination of definitions, regardless of whom we associate with. Even in the parental home, children learn definitions that favour breaking the law. Examples are parents regularly committing traffic violations, bringing home office supplies such as paper and pens, or discussing possible ways of evading tax. Together with these "minor" transgressions, attitudes and rationalisation are also significant. A traffic violation may be justified by saying, for example, that there was no oncoming traffic and that it was therefore justifiable to cross against a red light or exceed the speed limit. Taking supplies from the office may be justified by pointing out that nobody at the office notices or needs the supplies. Tax assessments may be regarded as excessive and the receiver of revenue as the common enemy of all people who work for their living.

The transfer of values, no matter how positive the intention, may lead to the development of a negative definition. An otherwise law-abiding parent who says that it is acceptable to steal to feed your children probably regards it as an argument that will reinforce a sense of commitment to the family ("I will do anything for my children, even steal"). On the other hand, a parent who has violated the law and who has been to prison, for example, may make his or her children aware that theft is wrong. In both these instances, the child receives conflicting definitions or messages.

Proposition 6: A person engages in delinquency or crime when the preponderance of definitions is in favour of breaking the law.

This sixth proposition illustrates the fundamental principle of the theory of differential association. When the influence of definitions favouring crime carries more weight than the influence of definitions that discourage breaking the law, this preponderance will encourage the learning of criminal behaviour. One should not take a simplistic view of the influence of this preponderance. The preponderance should have a value attribute which is determined by the quality and intimacy of the interaction with others (hence the emphasis on frequency, priority, duration and intensity). A school

pupil or student who associates regularly with friends who abuse drugs may also eventually learn to smoke dagga or use other drugs.

Proposition 7: Differential association varies in respect of frequency, duration, priority and intensity.

Not all associations carry the same weight. Sutherland's theory makes provision for variation in frequency, duration, priority and intensity. Frequency refers to how often a person is exposed to favourable definitions of crime, and duration relates to the time spent in each such exposure. Priority specifies the phase during which certain associations begin (e.g. definitions absorbed during childhood have a greater impact than definitions learnt later in life). Intensity reflects the degree of identification with certain associations. The more a child identifies with a person (admiring such a person), the more weight will be attached to the definitions provided by that person.

Proposition 8: The process of learning criminal behaviour by means of association with criminal and anti-criminal patterns involves all the mechanisms that apply in any learning process.

✓ TAKE NOTE

What are the mechanisms that apply in the learning process? Let us briefly look at cognition, conation and affectation, which are the three mechanisms of learning.

Intelligence, levels of abstraction and the individual's life experiences are indicators of an individual's cognitive aptitude. Cognition forms the information control centre where all incoming stimuli are processed. Cognition stores our thoughts and experiences. The function of conation within the learning process is the "performance guiding factor." Conation establishes the pace at which we perform a learning task and the autonomy we exercise when learning. Some people will be slow to respond and first think a matter over and consider the options. Others respond more quickly. Conation also consists of our skills of fluidity, dexterity, mobility and coordination.

These include the tactics or skills used by the individual to solve real-life problems and his or her unique perspectives or view of the world.

Affectation runs concurrently with the interaction of cognition and conation in the learning process.

Affectation is made up of feelings, emotional responses and values.

Proposition 9: Although criminal behaviour is an expression of general needs and values, the offence is not explained by such needs and values, because noncriminal behaviour is an expression of the same needs and values.

The last two propositions illustrate the link with general learning principles. Both propositions emphasise the fact that criminal behaviour is learnt in the same way as any other behaviour, and that both types of behaviour are the product of similar needs and values. It is therefore meaningless, for example, to explain theft in terms of

the desire for a high income, because many law-abiding people would also like a high income.

Sutherland's theory (Vold et al, 2002:160) has two basic elements:

- The content of what is learnt includes specific techniques for committing crimes, appropriate motives, drives, rationalisations and attitudes and more general "definitions favourable to law violation". All these are cognitive elements; that is, they are all ideas rather than behaviours.
- The process by which the learning takes place involves associations with other people in intimate personal groups.

In a nutshell, this theory states that criminal behaviour is learned in association with intimate others through interaction and communication with these others.

Read more about Sutherland's differential association theory at:

http://www.alexandrakp.com/text/2008/02/sutherlands-differential-association-and-
        its-nine-propositions/
http://kenmentor.com/courses/crimtheory/module7.htm

4.2.3 Evaluation of differential association

Vold et al (2002:175) claim that Sutherland's legacy to criminology is not his theory of learning as such, but his argument that criminal behaviour is normal learnt behaviour. The adequacy of Sutherland's argument can only be assessed in the context of general theories and research about human learning. The main strength of the theory of differential association, according to Jones (2001:147), is that it showed that crime was not just a product of poverty, but that it could occur in all settings, ranging from slum areas to large business operations.

A valid criticism is the argument that differential association alone is not sufficient to explain crime. If this were the case, one could expect officials of correctional services, for example, to become criminals because of their constant and continued association with prisoners. Moreover, if Sutherland's theory is valid, people who may have been wrongfully punished will turn to crime as soon as they are released from prison. In fact, there is no evidence that either of these scenarios actually happens. Schmalleger's (1996:245) criticism is that differential association does not really make provision for freedom of choice in individual circumstances. There are people who are surrounded by those intent on following a criminal career who nevertheless succeed in upholding noncriminal (law-abiding) values.

Another criticism is that the theory cannot be tested empirically. Concepts such as definitions and associations are vague and, as a result, researchers attach their own interpretations to these concepts. The theory has also been criticised as being too wide, for although it attempts to explain all forms of crime, the theory does not succeed in explaining any specific offence.

Despite this criticism, a number of researchers have tested the principles of Sutherland's theory. Haynie (Jones, 2001:149) discovered that the proportion of delinquent friends in a person's network had a strong positive effect on the person's subsequent delinquency – indeed, stronger than the absolute level of the friend's delinquency. Hochsetter and others (Jones, 2001:149) found that friends' attitudes

and behaviour were significant factors in a person's offending, irrespective of the person's own attitudes, or whether the friends were present when the offence occurred. These research findings therefore partially support Sutherland's theory, because there is no doubt that peers play a crucial role in delinquency; however, it is questionable whether disposition can be transferred from one person to another.

4.2.4 Ongoing research and policy implications

Sutherland (in Brown et al, 2001:305) believed that he had formulated a general explanation of criminal behaviour which could be applied to a wide range of illegal activities. His investigations were therefore not limited to delinquency and crime among juveniles in poor neighbourhoods. For example, he compiled the familiar life history of a professional thief (Lilly et al, 2007:43). This study showed how differential association among thieves is the critical factor in determining whether a person will become a purse-snatcher or, say, a shoplifter. Contact or association was essential because it provided aspiring professional thieves with the necessary training, values and associates needed to learn to carry out a sophisticated criminal role.

Sutherland (in Brown et al, 2001:491) claimed that differential association can account for offences committed by people with a high social status (Lilly et al, 2007:43). Sutherland called these illegal acts "white-collar crimes". His investigation revealed that lawlessness is common in the business, political and professional world. In fact, his own study of the illegal actions of large American corporations showed that legal standards were regularly breached. The research into white-collar crime reinforced Sutherland's argument that crime cannot be attributed to poverty, because most white-collar criminals were not poor, and neither were they raised in slum neighbourhoods. White-collar workers start their careers in good neighbourhoods and come from stable homes. However, when these people enter the business world, they come into regular contact with illegal practices and these practices are commonplace. Similarly to young people from the slums and offenders who become professional thieves, the association of white-collar workers with definitions that favour violation of the law will eventually shape their orientations and transform them into white-collar criminals. The principle of differential association can, therefore, explain why wealthy people commit crimes.

As far as policy is concerned, Sutherland's theory has implications for the treatment and even the study of alternative types of crime. In South Africa, for example, concerted efforts are being made not to detain juveniles together with adult offenders; hence the establishment of juvenile detention units. The influence of negative associations is therefore recognised in principle. School programmes also use role models (e.g. sport heroes who warn against the use of drugs). Conditions for parole may also include warnings to stay away from criminal associations, especially syndicate members.

4.2.5 Reformulation of differential association: Akers' social learning theory

Various attempts have been made to reformulate Sutherland's theory of differential association, but the most significant of these reformulations was Akers' social learning theory, also known as differential reinforcement (1977).

Akers (in Brown et al, 2001:312) argues that both law-abiding behaviour and criminal behaviour can be explained by means of his social learning theory.

4.2.5.1 Key elements in terms of behaviour

Akers (Vold et al, 2002:173) identified four key elements which form part of the complex learning process that influences human behaviour:

- differential association
- definitions
- differential reinforcement
- imitation

The most important source of social learning, according to Akers, is differential association. This refers to the patterns of interactions with others who are the source of definitions that either encourage or discourage violating the law.

The definitions themselves, according to Akers, reflect the meanings one attaches to one's behaviour. Definitions refer to a person's disposition, to his or her experiences of life, and to the principles of right and wrong. These definitions are influenced by religion and other moral values and norms and by the individual's own opinions on various matters. A person who smokes dagga, for example, may be fully aware that it is illegal to do so, but may also feel that what he or she does is perfectly acceptable because he or she is harming no one by smoking dagga.

Differential reinforcement is the element that represents the core of Akers' theory (Binder et al, 2001:181) and refers to the real or expected results of a specific action. The original feeling of wellbeing that often accompanies drug use is a reward and a positive reinforcement for continuing to use drugs. The opposite is also true. If the experience is unpleasant, however, the reinforcement will be negative and will discourage further experimentation with drugs.

Imitation involves observing what others do and may occur outside the learning process. A role model's behaviour determines how first-time offenders, in particular, will behave.

Akers also proposed a specific sequence of events during which criminal behaviour is learnt. Social learning occurs first in a process of differential association. The person interacts and identifies with groups that provide models for social reinforcements and behaviour. The individual learns definitions of behaviour through imitation within these groups; these definitions are reinforced by the group and serve as reinforcers for the person's behaviour (Reid, 2003:167). Firstly, there is an association with members of the peer group who advocate or tolerate crime, when definitions that favour law-breaking are learnt. This behaviour is strengthened by others (e.g. gang members) who support or defend criminal behaviour.

Behaviour will be repeated when the positive reinforcers outweigh the negative reinforcers. This includes taking account of all the positive results of crime. These include external gains (e.g. financial and material gains) and the less obvious reinforcement from peer groups (e.g. either some concrete reward by participating in the crime or enhanced status within the gang). Positive reinforcers also include internal gains, such as feelings of power or autonomy (Williams, 2004:254). Negative

reinforcers are also important. Examples of external negative reinforcers may be the possibility of arrest, loss of liberty, fear of injuring someone or oneself, or fear of being ostracised by family and friends (Williams, 2004:254).

Read more about Akers at:

http://www.nwmissouri.edu/library/Owens/Awards/2007/AkersPaper.pdf

4.2.6 Summary and conclusion

Sutherland is a prominent exponent of learning theory and, in his theory of differential association; he portrays the offender as a person who has been exposed to a preponderance of law-breaking definitions with which he or she has come to identify. This leads to the acquisition of deviant values. According to Sutherland, poverty and social class differences are therefore insufficient reasons for explaining misconduct and crime. The person learns to break the law and learns how to deal with the emotional consequences of this learnt behaviour.

To Sutherland, the difference between law-violators and law-abiders could be found in the contents of that which they learned. Those who are fortunate enough to grow up in a conventional (mainly law-abiding) environment will, in their spare time, learn to practise sport and, say, regularly participate in religious activities. The less fortunate, who grow up in slum areas, will learn instead to rob drunks and wander the streets looking for trouble.

According to Sutherland, two basic things are learnt: the technique needed to commit crime and the definitions (values, motives, drives, attitudes and rationalisations) that support such behaviour. Sutherland emphasised the need for an actual relationship to exist between people, and that skills or values are not established by means of, for example, illustrations in books or movie scenes. The techniques therefore refer to the how of the criminal act and the definitions refer to the whys or the reasons for committing crime.

Akers acknowledged Sutherland's theory of differential association, but regarded it as only one element within the context of social learning. Akers' explanation for criminal behaviour centres round the consequences or results of behaviour; these consequences are to be seen as positive or negative reinforcers for future behaviour.

Akers' theory successfully combines the learning concept from a social and physiological viewpoint (Siegel & Senna, 2000:173). Criminal behaviour is learnt as a result of the influence of others (who have a positive view of crime) and this behaviour is reinforced by reward (e.g. acceptance by the gang).

4.2.7 Self-assessment

1. "Acquiring the disposition needed to commit crime is more important than learning the techniques used in committing crime." Analyse this statement in terms of Sutherland's nine propositions.   [25]
2. Evaluate the contribution of Sutherland's theory of differential association to the study of criminology.   [25]
3. Analyse the elements of Akers' social learning theory.   [10]

4.2.8 Answers to self-assessment questions

1. The question deals mainly with the fundamental principles of differential association. You should not only state the propositions, but also interpret them.
2. The essence of the nine propositions should be addressed, but the emphasis should be on the strengths, shortcomings, research and policy implications of the theory.
3. Here you must explain the four elements of the theory. Focus on differential reinforcement as the core of Akers' theory.

Notes

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STUDY UNIT 4.3

Hirschi's social bonding theory

LEARNING OUTCOMES

After studying this study unit, you should be able to:

- explain the assumptions of Hirschi's theory
- explain the elements of the social bond by using examples
- evaluate the contribution of Hirschi's theory to criminology

4.3.1 Introduction

Theories of social control all rely on social factors to explain how people are restrained from acting in ways that harm others (Williams & McShane, 2004:195). Social control theories specifically attribute delinquency and crime to social variables such as family structure, education and peer groups.

Strain and differential association presuppose that the environment within which a person develops creates both the motivation and the opportunity to commit crime. Social control theory rejects this assumption and regards crime as a morally neutral concept. It assumes that people are, by nature, inclined to break the law. The motivation for crime forms part of human nature, and all individuals will commit crime if left to their own devices. For this reason, people need to be controlled and the restraining forces of society need to be examined.

Although there are differences regarding the way in which social control theories explain criminal behaviour, they all share the following basic thinking:

- Delinquency and crime are unavoidable. Hirschi (Jones, 2001:288), who was a major proponent of control theory, did not view crime as the expression of free will, but simply as normal behaviour. This argument is a reflection of Durkheim's influence, who regarded crime as a normal phenomenon in any society.
- It is necessary to explain why people obey rules (and not why they break them).
- The essential component of all social control theories is, in short, their attempts to identify those factors that prevent people from engaging in delinquency and crime.

4.3.2 Assumptions of Hirschi's social bonding theory (1967)

Travis Hirschi is the theorist most closely identified with social control theory, or bonding theory. Hirschi (Bartollas, 2006:147) ascribes delinquent behaviour to the quality of the bond an individual has with society; Hirschi states that "delinquent acts result when an individual's bond to society is weak or broken".

Williams and McShane (2004:202) identify the following as the main assumptions of Hirschi's theory:

- Self-preservation and reward are the major concerns of human nature, which means that human behaviour tends to be self-centred.
- Given the above argument, human behaviour has to be controlled and regulated for the benefit of everybody.
- Society's rules and regulations constitute the moral order.

- A person bonds with the moral order of society initially by way of socialisation (as a child) and later by means of social institutions.
- The bond formed with the moral order consists of elements that maintain and reinforce conformity (obedience to the law).
- The elements of the bond are identified as:
  - attachment to significant others (e.g. parents and peers) and institutions (e.g. church and school)
  - commitment to or investment in conventional society (e.g. respect for and obedience to the rules and laws of society)
  - involvement in conventional activities (e.g. participation in sport)
  - belief in society's values (ability to distinguish between right and wrong)
- All these elements are present to varying degrees. If the elements become weaker or absent, individuals feel they have greater freedom to pursue their own interests by means of delinquency and crime.

Hirschi (in Siegel & Senna, 2000:178) did not see the individual as either deviant or conformist. For Hirschi (as for Durkheim), people's behaviour reflects different degrees of morality. The power of internalised norms, a person's conscience, and the desire for approval encourage law-abiding or conventional behaviour. Hirschi attributed a person's feeling that he or she is free to break the law to the disintegration or weakening of bonds with society. In other words, the individual has failed to bond with the social group or society; in his or her case, socialisation has failed. The individual who pursues his or her own interests is always prepared to act in order to secure the advantage for himself. Society therefore has to exert a restraining influence on this type of behaviour. When social restraints get slack, self-interest triumphs and crime is committed. Hirschi therefore regards society's common value system as being extremely important.

4.3.3 Elements of the social bond

Hirschi (in Binder, Geis & Bruce, 2001:182–183; Shoemaker, 2000:168) identifies four dimensions or elements of the social bond, namely attachment, involvement, commitment and belief.

Attachment is the most important element because it enjoys the most attention in Hirschi's theory. A young person's degree of attachment to significant others (e.g. parents, friends and role models) or to institutions (e.g. school or a club) may inhibit deviant behaviour. A test of conformity is to ask juveniles whether it matters what their parents think of them. Attachment is important in creating conformity, even when others are delinquent (e.g. parents who have committed crimes for which they have been convicted). Hirschi mentions the psychopath as an example of a person whose attachment to society is virtually non-existent. The attachment of other relatively "normal" individuals to society weakens when they become alienated from other people as a result of interpersonal conflict. Such conflict, according to Hirschi (Schmalleger, 1996:261), can create strong feelings of hostility, which explains the aggressiveness of those whose attachment to others has disintegrated.Commitment represents a person's existing investment in conventional society. Examples of commitment are the number of years that a young person has spent (and progressed)

at school, having a good reputation among his or her friends, or establishing a business. People with commitments simply have more to lose if they are apprehended for criminal actions. When considering crime or delinquent behaviour, a person also has to take the costs and consequences of such behaviour into account. A university student, for example, will have invested a great deal of time and energy (and money) in a career, and being arrested for an offence represents the potential loss of such investment. For Hirschi, commitment is pure common sense, because abiding by the rules of society helps one retain or enhance one's status in society. Hirschi assumes that society is organised in such a way that the interests of the majority will be at risk if they commit crime. In South Africa, with its social problems of unemployment, housing shortages and cultural conflict, this commitment does not exist, which explains our high crime rate.

Involvement refers to the amount of activity, time and energy available for conventional or unconventional behaviour. Those who are most involved in conventional activities (participating in sport and participating in religious activities) simply have less time to become involved in delinquent behaviour and crime. Participation in recreational activities, for example, increases people's level of conformity. Hirschi agrees with the old saying that "the devil makes work for idle hands".

Belief, in Hirschi's theory, refers to the recognition that society's rules are legitimate. A person with this belief respects society's rules and norms and feels morally obliged to obey them. The more a person believes in behaving properly, the more likely it is that such a person will conform (be law-abiding). Control theory assumes the presence of a communal value system within a society or group. A person who disobeys the rules or departs from social norms by committing crime may well accept those rules and realise that his or her behaviour is wrong. However, he or she has no respect for the rules and simply does not care. The existence or acceptance of the rules is therefore not in question, but the necessary attitude of respect is.

These four elements all influence the bond between the individual and society. Hirschi believes that the question criminologists should ask is: To what extent does this bond have to weaken before delinquent behaviour and crime will be committed? If any of the four bonds weaken or disintegrate, the freedom to commit crime increases.

ACTIVITY

Read through the following case study.

THE CASE OF SUSAN FRYBERG

The name and certain details of the following case have been altered to protect the identity of the person involved, but all the basic facts of this story are true and were revealed by the girl to one of the authors.

Susan's first contact with the juvenile authorities occurred when she was nine. At that time, she was removed from her mother's care and placed in a foster home, after it was determined that her home situation was deficient.

Susan had spent her early childhood in a rural area of Tennessee. She

recalls that her father left home when she was very young and that she, with her six older brothers and two older sisters, had to run the household. Her recollections of her mother from this early age were that she was pretty and that she had many men visitors. This did not present a real difficulty for the little girl, because she and her siblings liked having company and receiving occasional treats from these men. The one disturbing thing she remembers is that some of the men who visited her mother were black, although her mother was white. Other neighbourhood children ridiculed and taunted her because of this.

By the time Susan was nine, most of her older brothers and sisters had left home. About this age, she began to act in a rebellious manner toward her mother, who by this time had developed a severe drinking problem. It was at this point that the juvenile authorities first intervened in her life and placed her in a foster home.

Susan ran away from this foster home, and from two subsequent placements. Eventually she was placed in an institution for delinquent girls. There she was rebellious and unable to adjust to the routine. Finally, at the age of 13, she was returned to her mother, and she remained with her for three years. During this period, there were intermittent difficulties with the juvenile authorities. At the age of 16, she left home for good and ran away to a large city in Ohio. Her reason for running, as she explained it, was that her mother was grooming her to share her boyfriends in return for money.

Apparently no one was too concerned about her leaving home, because no action was taken to find her. She remained in the city, did not attend school, and earned money working at a fast-food restaurant. She also began receiving money from various men. Before long, she gave up her job and used shoplifting and prostitution as her means of support. At the age of 17, she was prostituting for a man who arranged contacts for her. On one occasion she and two girlfriends overpowered women in a restroom of a bus terminal and stole her purse. When she was apprehended by the store detective for shoplifting, a check of her identity and records revealed that she was a juvenile. After a hearing, she was placed in an institution for delinquent girls (Kratcoski, 1956:140–141).

Let us use Hirschi's theory to explain Susan's behaviour:

Attachment

Attachment to significant others/institutions may inhibit deviant behaviour.

From the case study we can see that there is no close bond between Susan and her parents. The siblings were closer because they had to run the household. However, like Susan, they had no role models.

Interpersonal conflict was obviously present – no dad, a prostituting and drinking mom and nine children running the household. This well explains Susan's hostility towards her mother and juvenile authorities –

and, indeed, to the world. In short Susan's interactions with and feelings towards her mother did not matter to her, thus conformity did not take place. Conformity was replaced by feelings of hostility.

Commitment

Why should Susan invest in conventional society? What does she have to lose? As a child, she and her siblings were ridiculed and taunted by the neighbourhood children because some of the men who visited her mother were black. (It is not clear from the case study whether Susan and her siblings attended school.) Susan was probably forced to attend school when she was in placement, but after that she became a prostitute and a shoplifter. Susan clearly did not abide by the rules of society – in other words, the rules that help one retain or enhance one's status in that society. The sentence "apparently no one was too concerned about her leaving home," says it all.

Involvement

When we read through the case study, we can see that Susan's involvement in society only refers to the negative aspects of society, including poor role models, an absent father and a prostituting, drinking mother, juvenile authorities, foster homes, and an institution for delinquent girls. Susan spent her energy on prostitution and shoplifting. No energy went into participation of recreational activities. In short, Susan "conformed" to the unconventional.

Beliefs

Susan's socialisation agents were non-existent. She had no respect for rules, norms, values, et cetera, and therefore could not recognise that the rules of society are, in fact, legitimate. Her "society" justified normlessness and hopelessness. Parents are supposed to protect their children and yet, according to Susan, her mother groomed her to share her boyfriends in return for money.

After reading this explanation, is there anything that you feel you can add?

Which other theories can explain Susan's behaviour?

4.3.4 Evaluation and policy implications of Hirschi's theory

Social control theory has a great deal of support. Bartollas (2006:149–150) points out the various advantages of this theory as follows:

- Social control theory is amenable to empirical examination. Hirschi could test his theory on a population of adolescents. Concepts such as "attachment to parents" and "involvement in school" are clearly defined and measurable.
- Social control theory has given us valuable insights into delinquent behaviour. The importance of the intra-family relationship, for example, has been substantiated.

● Researchers are increasingly using this theory to develop integrated theories of delinquent behaviour.

TAKE NOTE

Why is it important to move away from single theory explanations to the development of integrated theories (i.e. to explain delinquent behaviour)?

One reason is that a variety of theories gives us a wider understanding of the dynamics of criminal behaviour.

Questions have been asked, in particular, about the causal sequence of Hirschi's bonding elements or dimensions. To what extent can weakening or disintegration of one element influence the other elements? For example: would the strong presence of three elements and the absence of one element mean that a person will commit crime? What is the relationship between the elements? There should be some interaction between the four dimensions. Can delinquency lead to the disintegration of the social bond? Hirschi believes that further empirical research will help to answer these questions.

The origin of the social bond is also vague. If weakening of the social bond is the cause of delinquency and crime, then we need to study the social bond very closely indeed. Hirschi also states that the strength of this bond varies and that we need to be able to account for this. A study by Kandel and Davies on drug abuse among young adults failed to find a difference in bonding between offenders and non-offenders (Brown et al, 2001:334). It was interesting that the drug abusers showed greater attachment to friends than non-users.

The policy implications of social control theory are less direct than in the case of strain theory and focus more on childhood education. Most parents try to ensure that their children have an attachment to conventional people and institutions, which is why they encourage their children to participate in conventional activities such as sport and hobbies. Parents also encourage their children to commit themselves to educational, professional and other (approved) social goals and want to instil in their children beliefs that will enable them to participate in conformity.

Some critics believe that social control theory is supported by only one type of data, namely, self-report studies. The theory does give us a good explanation for certain types of crime, namely, juvenile delinquency and street offences. Social control theory does not, however, really address the issue of how to prevent and control professional, organised, corporate and white-collar crime.

As far as prevention is concerned, social control theory offered considerable support for programmes aimed at reinforcing family ties and effective childhood education. Support by both the parent and the school is regarded as the key to academic success.

Control theory continued to develop as a significant criminological perspective. One example of a developed control theory is Hirschi and Gottfredson's general theory of self-control (1990) to which you were introduced in the first year of study.

Read more about Hirschi at:

http://www.children.gov.on.ca/htdocs/English/topics/youthandthelaw/roots/volume5/
    chapter12_social_control.aspx

4.3.5 Summary and conclusion

Social control theory states that human nature is inclined towards self-interest and personal gain, and therefore regards delinquent behaviour and crime as natural. The real question to be answered and explained is, in fact, conformity (law-abiding behaviour). Within a conventional framework that reflects society's moral order there are social institutions that reinforce the bond between individual and society. When these institutions are weak or disintegrate, for whatever reason, the bond that ties the individual to the moral order is also weakened. This weakened bond automatically allows the individual a greater degree of freedom to become involved in crime and delinquency.

Attachment refers to the individual's affection for others and the individual's sensitivity to other people's opinions. Commitment involves long-term investment in society and refers to those social goals that are culturally approved (as spelled out by Merton in his theory of anomie). Involvement simply makes the point that a person who is constructively occupied has fewer opportunities for criminal behaviour. Beliefs refer to social values and, in terms of criminal behaviour, refer in particular to respect for authority.

Social control theory is popular, but it is not new. According to Williams and McShane (2004:202), it is probably the one theory that best reflects the public's view of why people commit crime. Arguments on whether a person becomes a criminal by associating with the wrong friends, or as a result of poor education, lack of friends or lack of the necessary educational qualifications are all included in the beliefs that form the assumptions of this theory.

Social control theory includes issues such as social disorganisation, differential association and anomie, which makes it particularly attractive to criminologists who are sceptical of conflict theories.

4.3.6 Self-assessment

1. Name and discuss the two main branches of social process theory.   [5]
2. Discuss the nine propositions within the theory of differential association.   [25]
3. Distinguish between the theory of differential association and differential reinforcement.   [15]
4. Explain shared basic thinking within social control theories.   [5]
5. What are the main assumptions of Hirschi's social bonding theory?   [15]
6. Briefly discuss the four dimensions of the social bond.   [15]

4.3.7 Answers to self-assessment questions

1. See section 4.1.3. Here you need to discuss learning theory and social control theory.

2. See section 4.2.2.
3. See sections 4.2.2 and 4.2.5. Note that Akers accepts differential association theory, but builds upon it and proposes a sequence of events in which behaviour (criminal) is learnt. He regards it as only one element within the context of social learning.
4. See section 4.3.1.
5. See section 4.3.2.
6. Here you need to discuss attachment, involvement, commitment and belief. See section 4.3.3.

Notes

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PART 5

The victimised
actor model

THEME 5

THE VICTIMISED ACTOR MODEL

General introduction

In theme 1 of this study guide we saw that the rational actor model of crime and criminal behaviour regards human beings as possessing free will. This means that human beings have the ability to make rational decisions and to engage in activities of their choice; according to this theory, criminal behaviour is simply a rationally chosen activity.

The predestined actor model, on the other hand, claims that crime emanates from factors (be they biological, psychological or social) that are outside the offender's control and which determine his or her behaviour. Thus the major concern of this theory is to identify and analyse what is considered to be the causes that drive individuals to commit criminal acts.

The third model of crime and criminal behaviour claims that the criminal is in some way the victim of an unjust and unequal society: it is the behaviour and activities of the poor and disadvantaged that are targeted and criminalised, while the actions of the rich and powerful are simply ignored or not even defined as criminal (Burke, 2005:138).

The victimised actor model's two theoretical foundations are labelling and conflict. Although labelling and conflict differ, these two perspectives share an important characteristic that distinguishes them from other explanatory theories. Biological, psychological and environmental theories portray the offender as a person who is unable, for some reason or other, to conform to the rules of society. Labelling and conflict theories draw attention to the role of social institutions in delinquency and crime. Both these perspectives are based on the premise that those members of society with political power control the behaviour of others. The way in which the powerful elite views and responds to certain behaviour determines whether a particular action will be regarded as legal (acceptable) or criminal (against the law).

These two perspectives came to the fore during the 1960s and 1970s in America, when traditional social institutions were being called into question and criticised. The Vietnam War and the corruption of the Nixon administration caused some academics to become suspicious of the effectiveness and possible discriminating practices of the criminal justice system. Even the education system was criticised for not giving all members of society equal educational opportunities (Siegel & Senna, 2000:209). The role of powerful social institutions such as the government, education, corporations and the criminal justice system came under the spotlight, because some social

scientists believed that these institutions actually encouraged delinquency and crime. Those in positions of power protected their own interests by controlling the behaviour of the lower class or the disadvantaged. As a result of this critical investigation, two essential issues came to the fore:

- The law and the criminal justice system were not applied equitably in the American society.
- Those who had been involved in the criminal justice system were labelled as deviants, and this put them on the road to a career in crime.

In South Africa the criminal justice system has also been subject to considerable criticism. Although labelling originated in America, this perspective can also be applied to the criminal justice system in South Africa.

Concepts

BOURGEOISIE are the wealthy owners of the means of production (Walsh & Hemmens, 2008:561). These people are powerful not because of their superior skill, but because they own and control the means of production. Marx believed that the bourgeoisie used deception, force, and fraud to steal the production of the working class (proletariat), whose labour created most of society's wealth. The bourgeoisie are those members of society who create the shape of criminal law (Anderson, Dyson, Langsam & Brooks, 2007:23).

CLASS STRUGGLE is a Marxist principle that claims there is continuous conflict between political and economic groups (e.g. the bourgeoisie and the proletariat) for power. All history is the history of class struggles (Walsh & Hemmens, 2008:561).

COMMUNISM is a theory advocating the elimination of private property. Its proponents believe that, with the abolition of private property and the disappearance of the class nature of the state (i.e. when communism triumphs), crime will virtually disappear (Beirne & Messerschmidt, 2006:480).

CONFLICT MODEL OF CRIME is a model based on the assumption that differences in race, class, income and age cause groups to fight for power. Groups with the most power pass laws that protect the status quo against resistance by marginalised groups. Definitions of crime depend on who is in power, with less powerful groups characterised and targeted as criminals to keep them in a subordinate position (Anderson et al, 2007:41).

CONFLICT PERSPECTIVE maintains that society is composed of diverse groups with conflicting values and interests. In all societies, these groups have differential access to power, prestige and wealth. The Marxist approach to conflict theory focuses on economic determinism and the importance of social class (Anderson et al, 2007:41).

LABELLING PERSPECTIVE, in essence, explains criminal behaviour as a reaction to having been labelled as a delinquent. When subjects are stigmatised as delinquents, they are frequently driven to acting out a self-fulfilling prophecy. In short, labelling pushes violators onto a path of further deviance. Labelling theorists assert that those in power place labels on the powerless, labels that cannot be removed. The labelling

perspective is also known as the Societal Reaction School (Anderson et al, 2007:121–122).

LUMPENPROLETARIAT is the lower classes; the criminal class (Walsh & Hemmens, 2008:566).

MODE OF PRODUCTION is a Marxist concept that refers to how things are produced and the social relations of production (Beirne & Messerschmidt, 2006:486).

PRIMARY DEVIANCE is a term coined by Edwin Lemert to describe criminal conduct that has no real long-term influence on the perpetrator. These acts are quickly forgotten and do not cause any chronic syndrome (Anderson et al, 2007:172).

PROLETARIAT refers to the working class (Walsh & Hemmens, 2008:569).

SECONDARY DEVIANCE is deviance that results from society's reaction to offenders' primary deviance, often causing them to accept their identity as deviant (Walsh & Hemmens, 2008:571; Beirne & Messerschmidt, 2006:488).

SOCIAL CLASSES are groups of people who share the same position in the same production system (Beirne & Messerschmidt, 2006:489).

STUDY UNIT 5.1

The labelling perspective

LEARNING OUTCOMES

After studying this study unit, you should be able to:

● explain Lemert's contribution to criminology (Lemert was an exponent of the interactionist approach)
● explain Becker's contribution to criminology (Becker is an exponent of the social response approach)
● describe the advantages and disadvantages of the labelling perspective

5.1.1 Introduction

The labelling perspective challenges our view of crime and criminal justice. According to proponents of the labelling perspective, crime is a social process. As such, it involves different perceptions of what constitutes "good" or "bad" behaviour (or persons), and those specific power relationships that determine what (or who) is deemed to be "deviant" or an offender. Crime is not an "objective" phenomenon – instead, it is an outcome of specific types of human interaction between the offender, the victim and the officials of the criminal justice system (White & Haines, 2004:78). Labelling theorists argue that earlier theories focused excessively on the individual deviant while neglecting the different ways in which people react to deviant behaviour; hence the term social response theories (Williams & McShane, 2004:140). (Labelling can be said to be an example of a social response theory, but see below for two types of labelling theory.) Labelling theorists criticised criminologists for overemphasising the original (initial) deviant act and the characteristics of the offender. However, the definition of crime changes over time (an example here is the decriminalisation of abortion) and therefore labelling theorists question the argument that, because crime is bad, those who commit crime are also bad, and that a criminal act is necessarily bad. If an act is not a crime in one country, and a person commits the same act in another country where it is a crime, is that person necessarily bad or is the criminal legislation that applies in that country the "cause" of the crime?

One may say that the basic argument of labelling is that continued crime is the result of limited opportunities for acceptable behaviour, which is the result of the negative responses of society to those people defined (labelled) as offenders.

The labelling perspective has also been described as the theory of societal reaction, sociology of deviance, social interactionism, the neo-Chicago School and the "new deviancy" theory (Beirne & Messerschmidt, 2006:378).

There are two variations of labelling theory:

● the interactionist approach, which focuses on self-identification and deals with the thoughts of the deviant
● the social response approach, which focuses on the identity of individuals as attributed to them by others and that deals with the opinions of others, especially the social agents of control

5.1.2 Interactionist approach

Lemert's theory can be described as the "model" of the interactionist approach.

5.1.2.1 Edwin M Lemert (1912–1996)

The main assumptions of Lemert's theory are explained by Hunter and Dantzker (2002:111):

● Individuals enter into a criminal career after they have been labelled, especially if the labelling is done by people important to the individual.
● Labelling creates a stigma and influences an individual's self-image.
● Labelled individuals see themselves as deviant and will increasingly commit criminal behaviour.

Lemert focused on the process that leads juveniles to describe themselves as delinquent. Lemert explained this phenomenon partly by referring to the juvenile's social class and interaction with the formal decision-making powers (e.g. the juvenile court). He was critical of rehabilitation – in his opinion, such attempts merely encourage recidivism.

Lemert (White & Haines, 2004:86) developed the concepts of "primary deviance" and "secondary deviance".

● Primary deviance refers to initial deviant behaviour. An example of this is a person who uses an opportunity to steal an item from a shop (without being caught) or who drives a car under the influence of alcohol (without being caught). These actions are regarded as wrong, but the person (offender) is not seen as a bad person or labelled as deviant by others because he or she has not been caught. Lemert does not attach much value to primary deviance, because the person's self-image is not damaged in the process. There is no change in identity, and deviance is seen as nothing more than a passing event.
● Secondary deviance refers to the phase when a person's deviant behaviour is repeated regularly, is visible, and is the subject of social reaction (punitive measures). The offender is now stigmatised and labelled as a bad person. It is possible that the offender may act in a way that shows acceptance of the new deviant label (e.g. "thief" or "criminal").

However, not all people who have been labelled, assume these roles. Some offenders resist labelling by denying or downplaying the seriousness of their actions (Walsh & Ellis, 2007:127).

The labelling perspective emphasises the process of labelling and does not see deviance as a state of being, but as an outcome of social interaction.

5.1.3 Social response approach

Recent statements on labelling show little interest in the causes of delinquency and crime. The attention is focused on the response to behaviour (the social response perspective), as highlighted by the contribution of Howard Becker. Becker's work *Outsiders: studies in the sociology of deviance* was published in 1963. In this work, Becker fully developed the labelling perspective. In *Outsiders* Becker describes the deviant subculture of jazz musicians and the process whereby an individual becomes a user of marijuana (dagga) (Tierney, 2006:142).

Becker's contribution can be divided into the following three segments:

- labelling as a cause of crime
- the process of labelling
- the typology of deviants

5.1.3.1 Labelling as a cause of crime

In developing his labelling theory, Becker attempted to explain how some rules carry the force of legislation, while other rules carry less weight or apply only within the context of marginal subcultures (e.g. black people having to carry a pass book during the apartheid era).

Once a person has been labelled as deviant, opportunities for conforming (law-abiding) behaviour become limited. Instead, the behavioural opportunities that are available are largely deviant. Continued deviant behaviour is therefore not a matter of choice, but takes place because a person's choices have been limited by society. Becoming a "successful" offender then requires techniques and the resources to carry out the deviant (criminal) act (e.g. knowing where to obtain drugs and how to smoke, sniff or inject such substances).

Labelling is a cause of crime because society regards the actions of the offender as deviant and this forces the offender further in the direction of continued crime.

5.1.3.2 The process of labelling

The primary focus of Becker's study was to explain how a person is labelled as an outsider. Deviant behaviour, according to Becker, is a social product created by society. Whether a juvenile is therefore labelled as deviant will depend on the reaction of other people to the act, and not on the nature of the activity itself.

Becker describes this process whereby a person acquires the label of deviance in a series of phases which culminate in the deviant behaviour achieving master status, a status which then becomes the most significant, both for the labelled person and for others.

First phase: A person carries out a deviant action (even if not consciously). The offender may have no idea that others will regard the action as deviant.

Second phase: The person is caught, which puts him or her in a different light and others then attach a new status or label to the person. It is assumed that the particular person will continue with similar behaviour, simply because people expect offenders to commit other crimes as well. The stigma (negative label) thus becomes generalised.

Third phase: The deviant behaviour reaches master status. Regardless of other good qualities, the person is labelled as deviant and this carries the greater weight in the minds of others. This leads to the self-fulfilling prophecy (Reid, 2003:183): as a result of labelling, the person is forced to break ties with conventional (law-abiding) groups and to turn to illegal activities in order to make a living. Deviant behaviour is, therefore, the result of other people's reactions (Bartollas, 2006:170).

Final phase: The person joins an organised deviant group where each member

learns to rationalise deviant (criminal) activities. They find reasons to continue such activities.

5.1.3.3 A typology of deviants

Becker (Williams & McShane, 2004:145) distinguishes three types of deviants, and this typology helps explain labelling:

- The pure deviant engages in norm-breaking behaviour which is regarded as such by society (e.g. the burglar who is caught red-handed, followed by arrest, a hearing and conviction). Such a person gets what he or she deserves.
- The falsely accused deviant is a person who is, in fact, innocent, but who may sometimes be imprisoned. The impact of conviction and prison experiences lead to a negative self-image. The life of a person who has been falsely accused changes just as dramatically as the life of the pure deviant, purely as a result of the process of labelling.
- The secret deviant is a person who contravenes social norms, but his or her behaviour goes undetected. No negative reaction follows. This is the category that once again illustrates the power of social response, because there are no negative consequences (i.e. for the deviant).

NOTE

Hundreds of convicted US prisoners have been freed after DNA testing cleared their names. Read more about the topic at:

http://edition.cnn.com/2013/12/04/justice/prisoner-exonerations-facts-innocence-project/

According to Becker, deviants are not a homogeneous group. Some people who have been labelled as deviant have not broken any rules (the falsely accused) and others have broken rules, but have not been officially caught and labelled (secret deviants).

ACTIVITY

Labelling is disabling. We label ourselves and our significant others without realising the detrimental effect this can have on their lives and our own lives. For example, if a child is labelled as a criminal for taking home his friend's ruler, this can encourage deviant behaviour in the future. In other words, the label "criminal" becomes a self-fulfilling prophecy – the person has little choice but to conform to the essential meaning of that judgment (i.e. deliberately making an effort to steal), because he has already been labelled. For more information, go to:

http://www.empoweringparents.com/How-Labels-Stick-to-Your-Child.php#
http://digitalcommons.uconn.edu/cgi/viewcontent.cgi?article=1074&context=srhonors_theses
http://www.digitaljournal.com/article/217431

5.1.4 Evaluation of labelling

The term "labelling" refers to the focus on the informal and formal stigmatisation and labelling of certain individuals (i.e. by society).

As far as labelling theorists are concerned, the deviant behaviour itself is of less importance. Instead, this perspective asks the following basic questions:

- Who attaches the label to whom?
- Who determines when such deviant labels should be attached?
- What produces this stigmatised label?
- What determines the way in which the label is attached?

These questions place the spotlight on the formal agents of control (police and courts) in society (Siegel, 2004:237). According to labelling theorists, the agents of control who act on behalf of those with power in society force such labels on the less powerful. In short, it is the powerful who decide which behaviour will be labelled as deviant or unlawful.

Whether or not an individual is labelled as criminal is not decided directly by the fact that the person has violated the law. It is important that for the same law-violating behaviour, individuals from less powerful groups will be subjected to more official labelling and punishment than the powerful who break the same rules. Stigmatising a person by labelling him or her as criminal is the result, therefore, of who that person is rather than what he or she has done. The law and the criminal justice system represent the interests of the middle and upper classes and the various dominant groups in society. The likelihood that a person will be arrested, convicted and imprisoned is determined by a person's race, gender, age, social class and whether he or she belongs to the more or the less powerful groups in society. This last argument is the argument advanced by conflict theorists regarding the criminal justice system (Akers, 1997:99–100).

The viewpoint of more traditional theories is that deviant behaviour and crime lead to social control (e.g. stricter penalties). Labelling, on the other hand, asserts that social control leads to deviant behaviour and crime. Labelling theory is not restricted to explaining delinquency and crime. It is often used to explain other forms of deviant behaviour, such as mental illness, alcoholism and suicide.

Labelling theorists have contributed a number of unique ideas to the literature of criminology. Schmalleger (1996:277) lists the following:

- Deviant behaviour is the result of social processes that include the definition of such behaviour and is not the result of any characteristic that is inherently part of human behaviour.
- An individual is awarded the status of "deviant" as a result of social definition, rather than because he or she possesses certain inherent characteristics.
- Society's response to deviant behaviour and to deviants is the key element in determining the criminality of the person and the behaviour in question.
- A negative self-image is the result of the formal mechanisms of the criminal justice system, and does not precede delinquency.
- Labelling by society and treatment by the criminal justice system tend to encourage, rather than discourage, crime and delinquency.

The labelling perspective sheds light on the process of labelling as a cause of continued delinquency and crime, but it does not explain the origin of crime (Coleman & Norris, 2000:72).

In other words, to use Lemert's terminology, labelling does not explain the beginning of primary deviance. A significant number of offenders offend only once, they are punished and do not offend again and nor do they embark upon a criminal career. Labelling focuses mainly on the role of social responses to deviant behaviour and crime, especially the long-term consequences, for the individual, of labelling and stigmatisation. But it does not deal with the reasons why the person offended in the first place. It is too simplistic to argue that a label causes specific behaviour, and more specifically future behaviour.

Also, there is a lack of empirical support for secondary deviance, and studies have not proven that offenders do, in fact, have a deviant or criminal self-image. Furthermore, there is no empirical proof that the personal life of an offender is adversely affected by contact with the criminal justice system. Yet another criticism of labelling theory is that it places too much emphasis on the impact of formal interactions (e.g. between a juvenile and the police or juvenile court). What about the significance of informal interactions? Labelling theory relieves a person of moral responsibility for his or her behaviour.

Furthermore, some criminologists describe the argument of labelling theories that no action is inherently evil or criminal as "naïve". Certain crimes (e.g. rape and murder) are condemned universally. The phenomenon of child abuse, for example, is condemned by all population groups in South Africa.

Nevertheless, this criticism does not mean that the contribution of labelling should be disregarded. Labelling focuses attention on the importance of the roles of those who function as agents of social control in the criminal justice system, namely the police, the courts and correctional services. The labelling perspective also confirms that delinquency and crime are not a disease or a pathological aberration (Siegel, 2004:237). Instead, it focuses attention on social interactions and the reactions that shape individuals and their behaviour. Labelling and Lemert in particular, distinguish between primary deviance (the deviant act) and secondary deviance (criminal career). These concepts need to be interpreted and addressed in different ways. It is therefore necessary to study the similarities between secondary deviance and the position of the chronic offender or recidivist.

Read more about the labelling theory at:

http://forensicpsych.umwblogs.org/psychological-theories/psychological-theories-2/
    the-labeling-theory/
http://www.oxfordbibliographies.com/view/document/obo-9780195396607/
    obo-9780195396607-0078.xml

5.1.5 Summary and conclusion

Two fundamental components may be identified in labelling theories. The first is the concept of social response. This component is concerned with the different responses to deviant behaviour and focuses on the meanings that others attach to such deviant behaviour.

The second fundamental concept is secondary deviance as developed by Lemert, which deals with the meaning of a label as such and the effect of such a label on the particular person.

Becker's contribution clearly illustrates why labelling theories are also classified as process theories. The process whereby a person becomes an outsider is described in four phases. In his typology of deviants, the emphasis is on the falsely accused and the secret deviant, because these two types effectively illustrate the arguments of labelling.

Labelling's most important contribution is that it has forced criminologists to question the middle-class values that they use to describe deviant behaviour and criminality. Labelling takes a critical view of the criminal justice system and makes it clear that offenders are not objects but people – people who should be dealt with humanely.

Finally, the labelling perspective was the precursor to conflict theories.

5.1.6 Self-assessment

1. Evaluate the contributions of Lemert and Becker as exponents of the labelling perspective.   [25]
2. Why is the labelling perspective important to criminological thought?   [5]

5.1.7 Answers to self-assessment questions

1. See sections 5.1.2.1, 5.1.3, 5.1.3.1, 5.1.3.3 and 5.1.4.
2. Reread section 5.1.3 and include relevant examples.

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STUDY UNIT 5.2

The conflict perspective

LEARNING OUTCOMES

After studying this study unit, you should be able to

● describe the assumptions of the conflict perspective in terms of power and the struggle for scarce resources
● explain Bonger and Chambliss's contributions to criminology in terms of Marxist influence
● explain Chambliss and Quinney's contributions to criminology (both are exponents of the radical conflict perspective)
● debate the criticism of contemporary radicalists regarding Chambliss and Quinney's theories
● evaluate the contribution of the radical conflict perspective to criminology

5.2.1 Introduction

Conflict theories came to the fore in the middle to later part of the 20th century (1950s, 1960s and 1970s), shortly after labelling theories. Like labelling theories, conflict theories focus on the political nature of crime and examine the introduction and enforcement of criminal legislation. As you know, labelling theories attempted to explain the process of labelling and its consequences but, according to Brown et al (2001:223), failed to explore the way in which political interests and political power influence social response. Theories that focus attention on the struggle between individuals and/or groups in terms of power fall within the general category of conflict theory. Some conflict theorists attempt to determine the origin of such conflict, while others attempt to develop a theoretical basis for the elimination of this conflict.

In this study unit we discuss some of the major conflict theories. These theories are classified in different ways, but for the purposes of this study guide, we distinguish between the following:

● the traditional or conservative conflict perspective
● the radical (Marxist) conflict perspective
● the contemporary conflict perspective (also known as neo-critical theories)

The conservative conflict perspective, with exponents such as Vold and Turk, approach conflict from a group perspective. According to Vold (1958), intergroup conflict is a social process without which society cannot survive. Like Durkheim (see theme 3), who regarded crime as normal and functional, Vold regarded societal conflict as normal and beneficial (Hunter & Dantzker, 2002:120). Intergroup competition prevents one group from dominating the others, and leads to laws being made – and laws being broken.

In this discussion we focus mainly on the contributions of radicalists because of their relevance to South Africa at present. We pay more attention to contemporary conflict theories at honours level.

5.2.2 Assumptions of conflict theory

Conflict theories share one fundamental assumption, namely, that societies are characterised by conflict and not by consensus. Consensus is a temporary state of

affairs, but the use of power to establish and maintain consensus is the central issue and should be investigated (Williams & McShane, 2004:165). The main outcome of conflict is that somebody gains power and somebody else loses power. The most powerful groups in society control the law, and it is the values of these groups that are accepted as the legal standard for behaviour.

According to Schmalleger (1996:312), the conflict perspective may be described in terms of the following six key elements:

- Society is made up of diverse social groups. The distinction between groups is reflected in gender and social class.
- Each group has different definitions of right and wrong. Moral considerations and standards of behaviour vary from one group to the next. (The activities of PAGAD (People Against Crime and Gangsterism) illustrate the grey area between right and wrong.)
- Conflict between groups is unavoidable and conflict is based on differences that are socially significant (e.g. ethnicity, gender and social class). Groups that are distinguished on the basis of these characteristics will compete for power, wealth and other forms of recognition.
- The fundamental nature of group conflict focuses on the exercise of political power. Political power is the key to obtaining wealth and other forms of power.
- The law is a tool of power and promotes the interests of the powerful. Laws provide those in control with access to scarce resources, and the same laws keep others from gaining access to power.
- Those with power are invariably interested in retaining such power.

Even if society were to reach consensus about values and goals, the existence of resources and their uneven distribution mean that one group will benefit to the detriment of another. Karl Marx and Friedrich Engels pointed out these very conflicts as long ago as the 19th century.

The struggle for scarce resources usually revolves around three related issues, which are money, power and influence. Those who have a greater share of the resources strive to maintain the status quo, while those who have less pursue change in order to increase their share in these scarce resources.

Those with wealth, power and influence possess the resources to place themselves in a dominant position. The "haves" make the rules, control the content and flow of ideas and information, and devise and mete out punishment to those who break the law. Dominance means that the dominant are in a position to promote their own interests, including at the expense of others.

The struggle for scarce resources may be blatant (even bloody), but is more often subtle and restrained. The reasons for such restraint are complex. For example, since the dominant group controls the ideas and information, they can promote perceptions and values that support the existing order. The disadvantaged classes thus develop what Marx and Engels referred to as a "false consciousness" – the perception that the prevailing social conditions are in their own interests when, in fact, the opposite is true (Barlow, 1993:506). Marx and Engels applied this argument to the law. The law is presented to the masses as the will of the people, and this juridical illusion undermines the development of opposition and resistance among the

disadvantaged. In reality, the law reflects the interests of the ruling class and is by no means based on public consensus.

A second way to restrain the struggle for scarce resources is to institutionalise conflict. Special mechanisms such as courts, arbitration and civil rights hearings are introduced to resolve differences. Differences between individuals and groups are often based on conflict over the distribution of scarce resources. When disputes are "resolved" by means of institutionalised channels, the underlying struggle is watered down and concealed. The aggrieved parties are calmed by the emphasis on procedure. This is particularly true of crime: the victim is subjected to delays and endless legal complexities.

Example: Rape legislation (from the conflict perspective)

Whose interests are served by rape legislation? The answer is: men (the dominant group). In other words, women are victimised by the very thing that is supposed to protect them. Although there is general consensus that rape is a crime, the laws are applied in such a way that successful prosecutions depend as much on the actions of the victim as on those of the attacker. Conflict theory therefore regards rape as a manifestation of the unequal power relationships between males and females (Barlow, 1996:507).

ACTIVITY

Even though Reimans book on *The rich get richer and the poor get prison* is based on the American society, many factors also apply to the South African context. Read more about Reiman's book at:

http://paulsjusticepage.com/RichGetRicher/summary2.htm
http://unisa.worldcat.org/title/rich-get-richer-and-the-poor-get-prison-
    ideology-class-and-criminal-justice/oclc/308172282

5.2.3 The radical (Marxist) conflict perspective

5.2.3.1 Introduction

Radical criminology, which came to the fore in the 1970s, originated in the works of 19th century social utopian thinkers, and in particular in the works of Karl Marx. Marx's works on conflict as an inherent part of capitalism gave rise to the formulation of communist ideals (Schmalleger, 1996:316).

5.2.3.2 The legacy of Marx and Bonger

According to Marx (in Brown et al, 1998:222) the economic means of production (the way in which people develop and produce material goods) is the core of any society, since it determines the nature of people's social, political and spiritual existence. The economic structure of society moulds and shapes human consciousness (what we think and believe). However, there are contradictions within the system. A capitalist society, for Marx, is one in which property and wealth become progressively concentrated in fewer and fewer hands. Society polarises into two groups (or classes) whose interests are fundamentally in opposition. Eventually,

the contradictions of capitalism will become so serious that, following revolution, it will be replaced by a whole new social system – communism (Beirne & Messerschmidt, 2006:302).

Marx identified two fundamental social classes within any capitalist society, namely the proletariat (the "have-nots") and the bourgeoisie (the "haves"). The proletariat represent the masses, who have less education and no power. The proletariat may also be referred to as the working class, while the bourgeoisie are the capitalists who are the wealthy owners of the means of production (e.g. factories, businesses and other elements of the organisational infrastructure of society). The proletariat owns no capital or means of production and earns money by working. The bourgeoisie, on the other hand, are the capitalist class whose members are locked, by virtue of their privileged position in society, in an ongoing class struggle with the proletariat. Marx regarded this struggle between the two classes as unavoidable and believed that the natural outcome of this struggle would be the overthrow of the capitalist social order and the birth of a truly classless (or communist) society.

The ruling class controls production and therefore also controls labour. The workers are therefore pawns in the game of competition and profit maximisation. The bourgeoisie necessarily exploit the workers. In Marx's critical thought it is important that he did not separate people from society. People were a social product and therefore cannot be studied in isolation from society.

Marx did not say much about crime as such, but Willem Bonger, a Dutch criminologist, attempted to apply a number of Marx's arguments to crime in capitalist societies. In his work *Criminality and economic conditions* (1916), Bonger remarks that capitalist societies appear to have more crime than other types of societies and that crime rates increased as capitalism developed. Bonger (Vold et al, 2002:253) argued that the capitalist economic system encouraged everybody to be greedy and selfish and to pursue their own benefits without regard for the welfare of their fellow human beings. Crime is concentrated in the lower classes because the justice system criminalises the greed of the poor while it allows legal opportunities for the rich to pursue their selfish desires. The emphasis is on maximisation of profits and competition, while social relations are class structured. As a result, capitalist societies encourage intraclass and interclass conflict as individuals strive to survive and flourish. Interclass conflict, however, is biased because those who own and control the means of production are in the position to exploit and coerce the less advantaged.

Bonger argued that a socialist society would ultimately eliminate crime because it would encourage a concern for the welfare of society as a whole and would remove the legal bias that favours the rich.

Criminal legislation is seen as an instrument of coercion and is used by the ruling class to protect their position and interests. Behaviour which threatens the interests of the ruling class is designated as criminal. Egoistic inclinations weaken internal control. Both the bourgeoisie and the proletariat become susceptible to crime.

The working class is further demoralised because they are exploited by the ruling class – long hours of work, monotonous work, poor housing conditions and absolute poverty.

Although a lot of crime is the result of poverty, it is not wealth as such which is meaningful, but how wealth is distributed in society. It is precisely the disproportional

distribution of wealth which is primarily responsible for crimes such as theft, burglaries and robbery.

According to Bonger, economic conditions promote egoism, together with a system where the creation and enforcement of laws are controlled by the capitalist class. These circumstances account for the following (Barlow, 1993:511):

● higher crime rates in capitalist societies than in other societies
● crime rates that increase with industrialisation
● the working-class character of official crime, as reflected in crime statistics.

Today, radical criminologists are considerably more sophisticated than their Marxist precursors. Current radical criminologists believe that the cause of crime can be found in those social conditions that empower the affluent the politically organised.

Social class is a central theme within the radical conflict perspective.

5.2.4 Exponents of the radical conflict perspective

William Chambliss and Richard Quinney are two well-known exponents of the radical conflict perspective.

5.2.4.1 William Chambliss

Chambliss's work, *Law, order and power*, was published in 1971. This work represents a bridge between the earlier conflict theorists (conservatives or traditionalists) and the more radical approach of the Marxists. The emphasis is on social class, class interests and class conflict. The more economically stratified a society becomes, the more necessary it becomes for the dominant groups in society to enforce the behavioural norms that guarantee their supremacy.

Lilly et al (2007:164–165) explained the five propositions of Chambliss's argument as follows:

● People's life situations influence their values and norms. Complex societies are composed of groups with different life situations.
● Complex societies are therefore composed of divergent and conflicting sets of norms.
● The normative systems of different groups are not equally represented in the law.
● The stronger a group's economic or political position, the greater the likelihood that such a group's views will be reflected in the law.

Chambliss also believed that it would be more probable for offenders from the middle and upper classes to escape detention and punishment by the criminal justice system. The reason for this is not that these offenders are cleverer or better able to disguise their crimes, but that it suits the law to ignore those offenders who may cause difficulties for others in the middle and upper class. Prosecuting offenders from the lower class, on the other hand, will lead to the community praising the law for taking action.

Since the publication of that work in 1971, Chambliss has become more obviously Marxist orientated. He even uses Marxist terminology and asserts that the more

industrialised a society becomes, the greater the gap between the proletariat and the bourgeoisie. Criminal law will expand in an attempt to force the proletariat to surrender. Socialist societies, according to Chambliss, should have a lower crime rate because the class struggle in such societies will not be as intense and this should reduce the power of those forces that lead to crime and the functioning of crime.

Chambliss established the intellectual base for radical criminology, but it is Quinney's contribution that clarified the position of the radicalists.

5.2.4.2 Richard Quinney

In order to gain a better understanding of crime, Quinney formulated the following six propositions (Williams 2004:405):

- Societies such as America (and South Africa?) are based on an advanced capitalist economy.
- The state is organised to serve the interests of the dominant economic class, namely, the capitalist ruling class.
- Criminal law is an instrument of the state and the ruling class aimed at maintaining the existing social and economic order.
- Crime control in a capitalist society is brought about by means of a variety of institutions and agencies established and administered by government elite. This elite represents the interests of the ruling class and its aim is to establish internal order.
- The subservient classes are oppressed in whatever way necessary, but especially by means of coercion and the sheer power of the legal system.
- Only the collapse of capitalist society and the creation of a new society based on socialist principles will provide a solution to the problem of crime.

Later on, Quinney argued in his work *Class, state and crime* (1980) that virtually all crime committed by members of lower classes is essential for the survival of individual members of those classes. Quinney came to the conclusion that crime is unavoidable under capitalist conditions, because crime is the reaction to the material conditions of life. Permanent unemployment and the acceptance of such conditions may lead to a lifestyle where crime is an appropriate response. (Unemployment is a very real and intractable problem in South Africa, of course.)

5.2.5 Radical criminology and policy implications

Contemporary writers of radical criminology point out that Marxist criminology has been rejected as a utopian view which had no applicable policy implications other than revolution. Furthermore, revolution is regarded as an extremely impractical approach to the crime problem. The current approach of radicalists is to consider what may be done within the context of the existing system. The focus falls on a gradual transition to socialism and socialist government activities. Attention is paid to a more equitable application of bail conditions, abolition of compulsory penalties, prosecution of corporate crime, improved employment opportunities, and promotion of community alternatives to imprisonment. Other strategies that are receiving attention include programmes aimed at reducing overcrowding in prisons, attempts to highlight injustices within the current system, eliminating racism and other forms

of inequality in dealing with both victims and offenders, as well as greater equity in the criminal justice system. These strategies are applied to bring about a more equitable judicial system which will be closer to the radical ideal. Such strategies are also being promoted in South Africa at present, although there are those who contend that victims' rights are being neglected in the process.

Radicalists themselves, however, do not expect large-scale changes in the near future. According to them, the criminal justice system has failed as an agent of social change because the system is aimed at the individual and not at social recovery (remedial). In fact, efforts should be aimed at creating economic equality or more employment opportunities.

Radical criminology has been criticised for almost exclusively emphasising methods of social change at the expense of developing a carefully thought-out theory.

There is also the point that radicalists ignore the public consensus that crime is undesirable. The fact is that crime is an activity that is condemned by everybody, which is why criminal activities must be controlled. If criminal activities were the true expressions of the sentiments of those who have been denied their civil rights, why does public opinion not support at least some of these criminal activities? Even drug dealing, which is a type of crime that provides an alternative means of wealth to those who have been denied their civil rights, is condemned by members of the working class community.

Radicalists confuse personal politics and social reality. Political convictions influence their view of criminology as a whole, and in the process they lose their objectivity. Toby (Schmalleger, 1996:323), for example, states that Marxist and radical theorists build on the tradition of sentimentality towards those who violate social rules. How effective is such sentimentality, given that more colour televisions and cars are being stolen than basic necessities (e.g. food and blankets)?

Radicalists furthermore deny the multiplicity of problems that contribute to the problem of crime. Society simply does not consist of only two social classes. As Mannheim (Schmalleger, 1996:323) points out, the development of semi-skilled workers, together with highly schooled workers, creates multiple classes and a more even distribution of the available wealth in society, and this necessarily reduces the likelihood of a revolution.

Marxism lost considerable prestige, of course, when the former Soviet Union collapsed in 1991.

Read more about the conflict perspective at:

http://kenmentor.com/courses/crimtheory/module7.htm
http://www.sociology.org.uk/devtrc3.pdf

5.2.6 Summary and conclusion

Conflict and scarce resources (money, power and influence/status) are prominent issues in the assumptions of those who support the conflict perspective. Competition for power and money increases the incidence of relative deprivation. The positions and possessions of others are coveted, and this encourages crime (which may be the only way of obtaining scarce resources).

For Marx, power was centred round those who controlled labour. His identification of two social classes within a capitalist society oversimplified the social situation and

completely disregarded intellectual ability and the significance of individual input. Bonger applied Marx's contributions to capitalist societies in order to explain crime. No provision was made for the presence of a middle class, and the causes of crime were attributed solely to the exploitation of workers by the ruling class.

Chambliss failed to recognise the fact that societies have divergent values and norms. The influence of Marx is strong in Chambliss's thought because he is so thoroughly convinced that those with economic and political power (the bourgeoisie) will eventually be forced to surrender to a socialist dispensation – and crime will then decrease.

Quinney built upon the arguments of Chambliss. His explanation of crime, however, was also class-bound in that he regarded crime among the lower classes as simply a matter of survival.

Both Chambliss and Quinney saw a socialist dispensation as the solution to crime, which implies that both men realised that a revolution would be impractical. The recommendations of contemporary radicalists for improvements within the current dispensation which deal with bail, penalties, imprisonment and employment are more realistic, and these strategies can also be identified in South African criminological studies today. Radicalists do not recognise the consensus in society's condemnation of crime, a condemnation that is currently true of South Africa. The causes of crime are portrayed simplistically and no recognition is given to the multiplicity of factors that account for the complex nature of crime.

5.2.7 Self-assessment

1. "Scarce resources and underlying group conflict figure prominently in the assumptions of conflict theory." Explain this statement.   [15]
2. Explain how the influence of Marxism is reflected in the contributions of Bonger and Chambliss.   [25]
3. Both Chambliss and Quinney saw the solution to the crime problem as being in the establishment of a socialist dispensation. Evaluate this argument from the viewpoint of contemporary radicalism.   [25]
4. Evaluate the contribution of the radical conflict perspective to criminology. [25]

5.2.8 Answers to self-assessment questions

1. To answer this question, you need to refer to the contents of the study unit as a whole.
2. You should first discuss Marx's views of society. Bonger emphasises the exploitation of the working class by the ruling class, and Chambliss uses Marx's terms (i.e. the bourgeoisie and the proletariat).
3. The question involves three steps. You first need to discuss Chambliss's contribution and then Quinney's development of Chambliss's work. You should then turn to section 5.2.5, which discusses the shortcomings of both these theorists' perspectives on crime.
4. The summary (section 5.2.6) is a good starting point. Because the instruction is to evaluate, you should pay more attention to policy implications and the various criticisms of the radical conflict perspective.

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