

Theories of Crime and Delinquency (chapters 6-7)

Two Major Types of Theories of Crime

- Kinds of people theories
 - “What makes a person turn to crime" or "why did Billy kill his mother"
 - Involves motives, situational factors, subjective feelings, etc.
- Kinds of environment theories
 - “Why is crime higher in the inner cities?" or “Why does the US have a much higher rate of crime than other nations?" or “Why is the highest rate of violence in the Southern states?"
 - Explaining rates more often takes into consideration factors external to the individual actor
- These two types focus, in other words, on the question of individual motivation and crime *rates*, respectively
- The key point here is that we develop theories in order to *explain* something; we are not *excusing* it

Classical School of Criminology

- The classical school of thought about crime and criminal justice emerged during the late eighteenth century with the work of an Italian named Cesare Beccaria and an Englishman named Jeremy Bentham.
 - Classical thinking derives its core ideas from a period known as the *Enlightenment*, first emerging in France during the early eighteenth century.

Underlying Principles of the Classical School

- humans have *free will* and are *hedonistic*
 - They try to *maximize pleasure and minimize pain*.
- The main instrument of the control of human behavior is *fear*, especially fear of *pain*.
 - Punishment, as a principal method of operating to create fear, is seen as necessary to influence human will and thus to control behavior.
- Some code of criminal law, or some system of punishment is necessary to respond to crime

- The main purpose of the criminal justice system is to *prevent* crime through *deterrence*.
 - A potential criminal will decide against committing a crime because the punishment would be too costly.

Classical School Summary

- six principles underlie the Classical approach to crime:
 - all people are by their nature self-seeking and therefore liable to commit crime;
 - in order to live in harmony and avoid a "war of all against all" people agree to give up certain freedoms in order to be protected by a strong central state;
 - punishment is necessary to deter crime and the state has the prerogative to administer it;
 - punishment should fit the crime and not be used to rehabilitate the offender;
 - use of the law should be limited and due process rights should be observed;
 - each individual is responsible for his or her actions and thus mitigating circumstances or excuses are inadmissible

Cesare Beccaria (1738-1794) & Utilitarianism

- *On Crimes and Punishment* (1764) had a profound influence as many countries (including the US) modeled their systems after his work.
 - the major principle that should govern legislation was "the greatest happiness for the greatest numbers"
 - This philosophical doctrine is known as *utilitarianism*, the idea that punishment ought to be based on its *usefulness* or *utility* or *practicality*.
 - "For a punishment to attain its end, the evil which it inflicts has only to exceed the advantages derivable from the crime."
 - In other words, punishment *should fit the crime*.

Beccaria's Basic Thesis

- "In order for punishment not to be, in every instance, an act of violence of one or of many against a private citizen, it must be essentially public, prompt, necessary, the least possible in the given circumstances, proportionate to the crimes, dictated by the laws."
 - Punishment should be "swift and certain"

- The purpose of the criminal justice system is to *prevent* crime through *deterrence*.
 - According to this line of thinking, a potential criminal will decide against committing a crime because the punishment would be too costly.

Rational Choice Theory

- *routine activities theory*
 - Criminals plan very carefully by selecting specific targets based on such things as vulnerability (e.g., elderly citizens, unguarded premises, lack of police presence) and commit their crimes accordingly.
 - Thus people who engage in certain “routine activities” during the course of their daily lives place themselves at risk of being victimized
- One flaw in this view is that there is an assumption that people should stay home more often to avoid being a victim when in fact certain groups (especially women and children) seem to be much more vulnerable at home than anywhere else
- See comment by Klein on p. 187 about “Operation Hammer” that illustrates some problems with deterrence
- *Availability of alternative choices*
 - A good analogy is that of a “menu” at a restaurant.
 - Some have better “menus” than others

Cause & Effect

- Free will – does such a thing exist?
 - Everything has a cause – the world would not exist without causes
 - People often fail to examine causes when it comes to crime
 - Police seek causes of a homicide all the time
 - See discussion of “Dr Laura” on p. 188

The Crime Control and Due Process Models

- The classical school of thought has generally led to two contrasting models of the criminal justice system

- Roughly the equivalent of two differing political ideologies, namely, conservatism and liberalism.

Crime control model – conservative

- It is better to emphasize protecting citizens from crime than protecting the civil liberties of citizens.
 - Repressing crime (often by any means necessary) should be the goal of the cj system
 - The CJ system should be like an "assembly line" where cases are expedited rapidly – no release of offenders on "technicalities"
 - The concern should be more over "public safety" than individual rights.

Due process model - liberal

- The CJ system should be an "obstacle course" rather than an "assembly line."
 - Better to let several criminals go free than to falsely imprison an innocent person.
 - Based upon the assumption that the criminal justice process is plagued by human error throughout.
 - At each stage of the criminal process individual rights should be safeguarded.

Problems with the Classical Approach

- People do not always act rationally and not all people are hedonists and self-serving
- Incorrectly assumes that people are equal in terms of life chances – but you cannot have equal justice in an unequal society
 - Famous quote from the French philosopher Anatole France who praised the "majestic equality of the law" in that it "forbids rich and poor alike to sleep under bridges, to beg in the streets and to steal bread."
- The classical school does little to address the causes of crime
 - Almost like saying that a person for no apparent reason "chooses" to commit a crime, with no consideration of why this happened.
 - One critic noted that under this view justice is "an exact scale of punishments for equal acts without reference to the nature of the individual involved and with no attention to the question of special circumstances under which the act came about"
 - It is based upon an "atomistic" view of humans which sees human behavior disconnected with any sort of social context – I call this "de-contextualization"

- From the atomistic point of view, deterrence means that when the state punishes person X, other persons are unaffected by that punishment in every way except in calculations of the desirability of engaging in crime.

An illustration of Classical School Logic

- It assumes that fear of consequences will deter, meaning fear of losing something you have (respect, status, etc.)
- What if you don't have anything, that you are "down and out" and have "nothing to lose"?
- Listen to Bob Dylan's classic song, rated the no. 1 rock and roll record of all time by Rolling Stone Magazine:
- <http://www.youtube.com/watch?v=qeErkbnkavrg&feature=related> - here are the words:

Once upon a time you dressed so fine
 You threw the bums a dime in your prime, didn't you?
 People'd call, say, "Beware doll, you're bound to fall"
 You thought they were all kiddin' you
 You used to laugh about
 Everybody that was hangin' out
 Now you don't talk so loud
 Now you don't seem so proud
 About having to be scrounging for your next meal.

How does it feel
 How does it feel
 To be without a home
 Like a complete unknown
 Like a rolling stone?

You've gone to the finest school all right, Miss Lonely
 But you know you only used to get juiced in it
 Nobody has ever taught you how to live out on the street
 And now you're gonna have to get used to it
 You said you'd never compromise
 With the mystery tramp, but now you realize
 He's not selling any alibis
 As you stare into the vacuum of his eyes
 And say do you want to make a deal?

How does it feel
 How does it feel
 To be on your own
 With no direction home
 A complete unknown
 Like a rolling stone?

You never turned around to see the frowns on the jugglers and the clowns
 When they all did tricks for you
 You never understood that it ain't no good
 You shouldn't let other people get your kicks for you
 You used to ride on the chrome horse with your diplomat
 Who carried on his shoulder a Siamese cat
 Ain't it hard when you discover that
 He really wasn't where it's at
 After he took from you everything he could steal.

How does it feel
How does it feel
To be on your own
With no direction home
Like a complete unknown
Like a rolling stone?

Princess on the steeple and all the pretty people
They're all drinkin', thinkin' that they got it made
Exchanging all precious gifts
But you'd better take your diamond ring, you'd better pawn it babe
You used to be so amused
At Napoleon in rags and the language that he used
Go to him now, he calls you, you can't refuse
When you ain't got nothing, you got nothing to lose
You're invisible now, you got no secrets to conceal.

How does it feel
How does it feel
To be on your own
With no direction home
Like a complete unknown
Like a rolling stone?

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The Positivist School of Criminology

- *Positivism* - a method of inquiry that attempts to answer questions through the scientific method.
 - The researcher examines the "real world" of "empirical facts" through the testing of "hypotheses" with the main goal of arriving at the ultimate "truth" and deriving "laws" (e.g., the law of falling bodies, the law of relativity).
- This school of thought argues that humans do not have free will, that their behavior is determined by various biological, psychological and sociological factors.
 - Thus, responsibility for one's actions is diminished
- Need to address the various factors that are thought to be the most likely causes of why crime occurs in the first place (e.g., poverty, mental illness).
- *Make the punishment fit the offender*, rather than fit the crime, as the classical school proposes.
 - The CJ system should try to *rehabilitate* the offender

Quételet & Guerry

- Adolfe Quételet (a Belgium mathematician) and Andre-Michel Guerry (a French statistician) in Europe during the 1830s and 1840s were the first to do detailed statistical studies of crime.
- Quételet found strong correlations between rates of crime and such factors as illiteracy, poverty, and similar variables
- He also noted that these same variables remained the same as the highest crime rates continued to occur in the same parts of the city through several decades
- Some called this school of thought the “Cartographic School” since it used maps to plot crimes within a certain geographic area.
- Interestingly, this idea was to take hold in the early 20th century with the “Chicago School” and the “concentric zone” theory (more about this later)

Cesare Lombroso

- Italian doctor who stressed the biological roots of crime and argued that there was such as thing as a “born criminal”
 - Such a person was a sort of an “atavistic” throwback with various *stigmata* or characteristics that are throwbacks to more primitive people.
 - Criminals, said Lombroso, are essentially biologically inferior.
 - Like the Neanderthal Man
- Can you identify a “criminal”?
 - There continue to be stereotypes of what criminals “look like” within American society (with the media playing a major role in this).
 - Unfortunately many of these stereotypes center on race (mostly African-American and Hispanic) and class (mostly lower class or the “underclass”).
 - “Cops” on Fox is a good representation of many stereotypes.
 - For instance, it seems as if just about everyone they arrest is a black man who is seen spread-eagled on the ground or against the hood of a police car, and not wearing a shirt.

Variations of Positivistic Criminology

- Today there are three major versions of positivist criminology: biological (which began with Lombroso), psychological, and sociological.
 - Biological positivism locates the causes of crime within the individual's physical makeup;

- psychological positivism suggests the causes are in faulty personality development;
- sociological positivism stresses certain social factors within one's environment or surrounding culture and social structure
- Some of these variations will be explored here, especially the sociological views.

Body Types

- Humans can be divided into three basic body types or *somatotypes*.
- These body types in turn are said to correspond to certain innate *temperaments*.
- *Endomorph* - excessive body weight and
 - Described as being “soft” and having an extroverted personality (the stereotype of the “jolly fat man” comes to mind).
- *Mesomorph* - athletically built and muscular.
 - Described as being active and behaving aggressively.
 - Said to be most likely to be involved in serious criminal activity and to join gangs.
- *Ectomorph* - thin and delicate and having an introverted personality (they are also said to be loners and hence not likely to engage in crime).

Criminality as an Inherited Trait

- Pretty much discredited within scientific circles, but some still claim there is a “criminal gene”
 - Alive and well today – see section called “Gene Warfare”
- Mostly explained by social and cultural factors
- No such thing as a “born criminal”
- Likewise with the so-called XYY chromosome abnormality (see text)
 - One variation is PMS to explain female crime

Psychological Theories

- Feeble-mindedness and Crime – closely related to genetic theories, claiming that low IQ causes crime

- This can easily be dismissed when considering white collar and corporate crime
- Psychoanalytic Theories – based largely upon Freud’s theories (id, ego, superego)
- Mental illness and crime
 - Although it has never been proven that various kinds of mental illnesses “cause” crime, it is nevertheless true that a large proportion of inmates (as many as 1/3) have suffered from one or more symptoms of various mental diseases.

The Psychopathic Personality

- This is a variation of the “personality trait” perspective noted in the text (but a topic I only mentioned in passing)
 - What is interesting is that a researcher came to the conclusion that the characteristics associated with this personality type fit the modern American corporation!

Institutional Characteristics of Corporations & Psychopathic Traits

- *Irresponsible* – in an attempt to satisfy the corporate goal (profits) everybody else is put at risk
- *Manipulative* – they try to manipulate everything, including public opinion, not to mention politicians
- *Grandiose* – we’re no. 1 or the best
- *Lack of empathy and asocial tendencies* – no concern with victims
- *Refuse to accept responsibility and unable to feel remorse* – when corporations get caught breaking the law they pay big fines and then continue doing what they were doing before
- *Relates to others superficially* – present themselves to the public as doing good, when in fact they may not
 - psychopaths use charm to hide what they are really all about

Key Sociological Theories

Social Disorganization/Social Ecology

- Crime stems from certain community or neighborhood characteristics, such as poverty, dilapidated housing, high density, high mobility, and high rates of unemployment.

- Concentric zone theory is a variation that argues that crime increases toward the inner city area.

Social Ecology

- One of the key ideas of the social ecology of crime is the fact that high rates of crime and other problems persist within the same neighborhoods over long periods of time *regardless of who lives there*.
 - Thus there must be something about the *places* themselves, perhaps something about the *neighborhoods*, rather than the people per se that produces and perpetuates high crime rates
- *One explanation is the Concentric zone theory* which argues that crime increases toward the inner city area
- Studies of the rates of crime and delinquency, especially by sociologists Henry Shaw and David McKay in Chicago, demonstrated that over an extended period of time, the highest rates were found within the first three zones *no matter who lived there*. These high rates were strongly correlated with such social problems as mental illness, unemployment, poverty, infant mortality, and many others

Illustrations of Concentric Zones

For examples go to this web site:

<http://images.google.com/images?q=concentric+zone+model&hl=en&rls=RNWN,RNWN:2006-42,RNWN:en&um=1&ie=UTF-8&sa=X&oi=images&ct=title>

Why is Crime So High the nearer you get into the inner-city?

- According to the Concentric Zone view, this is caused by a breakdown of institutional, community-based controls, which in turn is caused by three general factors: industrialization, urbanization, and immigration.
- People living within these areas often lack a sense of community because the local institutions (e.g., schools, families, and churches) are not strong enough to provide nurturing and guidance for the area's children.
- It is important to note that there are important political and economic forces at work here.
- The concentration of human and social problems within these zones is not the inevitable "natural" result of some abstract laws of nature but rather the actions of some of the most powerful groups in a city (urban planners, politicians, wealthy business leaders, and so on).

Thrasher's Theory of Gangs

- Frederic Thrasher did the first detailed study of gangs in Chicago in the 1920s

- He concluded that the control mechanisms of local institutions is revealed by:
 - the disintegration of family life
 - inefficiency of schools
 - formalism and externality of religion
 - corruption and indifference in local politics
 - low wages and monotony in occupational activities
 - Unemployment
 - Lack of opportunity for wholesome recreation.
- All these factors enter into the picture of the moral and economic frontier
- Coupled with deterioration in the housing, sanitation, and other conditions of life in the slum, gives the impression of general disorganization and decay.
- The gang functions with reference to these conditions in two ways
 - It offers a substitute for what society fails to give
 - It provides a relief from suppression and distasteful behavior. It fills a gap and affords an escape

Strain/Anomie Theory

- Cultural norms of “success” emphasize such goals as money, status, and power, while the means to obtain such success are not equally distributed
 - As a result of blocked opportunities many among the disadvantaged resort to illegal means, which are more readily available.
- The concept of *anomie* refers to inconsistencies between societal conditions and opportunities for growth, fulfillment, and productivity within a society
 - The term *anomia* has been used to refer to those who experience personal frustration and alienation as a result of anomie within a society).
- It also involves the *weakening of the normative order* of society- that is, norms (rules, laws, and so on) lose their impact on people.
- Anomie was first used by 19th Century sociologist Emile Durkheim who described it as follows:

- Under capitalism there is a more or less chronic state of “deregulation” and that industrialization had removed traditional social controls on aspirations.
 - The capitalist culture produces in humans a constant dissatisfaction resulting in a never-ending longing for more and more.
 - And there is never enough - whether this be money, material things, or power.
 - There is a morality under capitalism that dictates “anything goes,” especially when it comes to making money (it certainly applies to the modern corporation).
- The basic thesis of strain theory is this: Crime stems from the lack of articulation or “fit” between two of the most basic components of society: *culture* and *social structure*
 - *Culture* consists of
 - the main value and goal orientations or “ends” and
 - the institutionalized or *legitimate means for attaining these goals*.
 - *Social structure*, as used here, consists of the basic *social institutions* of society, especially the economy, but also such institutions as the family, education, and politics, all of which are responsible for distributing *access* to the legitimate means for obtaining goals.
 - This “lack of fit” creates *strain* within individuals, who respond with various forms of deviance.
 - Thus people who find themselves at a disadvantage relative to legitimate economic activities are motivated to engage in illegitimate activities (perhaps because of unavailability of jobs, lack of job skills, education, and other factors).
 - Within a capitalist society like United States, the main emphasis is on the “success” goals, while less emphasis is on the legitimate *means* to achieve these goals.
 - Moreover, these goals have become *institutionalized* in that they are deeply embedded into the psyches of everyone via a very powerful system of corporate propaganda.
 - At the same time, the legitimate means are not as well defined or as strongly ingrained. In other words, there is a lot of discretion and a lot of tolerance for deviance from the means but not the goals. One result of such a system is high levels of crime.
 - Another important point made by strain theory is that our culture contributes to crime because the opportunities to achieve success goals are not equally distributed.

- We have a strong class structure and incredible inequality within our society, which means that some have extreme disadvantages over others.
- Another way of saying the same thing is that *culture promises what the social structure cannot deliver*, that being equal access to opportunities to achieve success. People faced with this contradiction (one of many under capitalism) face pressures, or “strains,” to seek alternatives.

Crime and the American Dream

- The pursuit of the “American dream” creates a high rate of crime
- Core values of the Dream
 - *Achievement*
 - *Individualism*
 - *Universalism*
 - *Fetishism of Money*
- There is a "dark side" to the American Dream, which stems from a contradiction in American capitalism
 - the same forces that promote "progress" and "ambition" also produce a lot of crime since there is such an incredible pressure to succeed "at any cost."

An example of the importance of money is taken from an early rock and roll song called "Money" by Barrett Strong with words included here:

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<http://www.youtube.com/watch?v=5sZTcdrt0g0>

The best things in life are free

But you can keep 'em for the birds and bees;

Now give me money, (that's what I want) that's what I want,
 (That's what I want) That's what I want (That's what I want) yeah,
 That's what I want.

Your lovin' give me such a thrill,
 But your lovin' don't pay my bills;

[refrain]

Money don't get everything it's true,

What it don't get I can't use;

[refrain]

Well, now give me money, (That's what I want)
A lotta money, (That's what I want)
Oh yeah, I wanna be free, (That's what I want)
Oh, lotta money, (That's what I want)
That's what I want (That's what I want) yeah,
That's what I want.

Well, now give me money, (That's what I want)
A lotta money, (That's what I want)
Wo, yeah, You need money (That's what I want)
Gimme money, (That's what I want)
That's what I want (That's what I want)
That's what I want.

Delinquency and Opportunity

- Blocked opportunity aspirations cause poor self-concepts and feelings of frustration and
- These frustrations lead to delinquency, especially within a gang context.
- A key concept here is *differential opportunity structure*, which is an uneven distribution of legal and illegal means of achieving economic success, especially as they are unequally available according to class and race.

Social Embeddedness

- For disadvantaged youths, involvement in crime begins well before they can legally be involved in the labor market.
- just as one can become socially embedded in the world of regular job contacts and the world of work, so too can one become embedded in a network of crime and deviance.
- In most of the high-crime, inner-city neighborhoods, the odd jobs of middle-class youths noted above do not exist in large number (for example, in the projects there are no lawns to be mowed).

Cultural Deviance Theories

- criminal values and traditions emerge within communities most affected by social disorganization
- Cohen's "culture of the gang" perspective

- a high proportion of lower-class youths (especially males) do poorly in school;
- poor school performance relates to delinquency;
- poor school performance stems from a conflict between dominant middle-class values of the school system and values of lower-class youths; and
- most lower-class male delinquency is committed in a gang context, partly as a means of meeting some basic human needs, such as self-esteem and belonging.

Lower Class Focal Concerns

- Basic thesis:
 - there are concerns (norms and values) within the lower-class culture and
 - *female-dominated households* are an important feature within the lower class and are a major reason for the emergence of street-corner male adolescent groups in these neighborhoods
- Two key concepts here are
 - (1) *focal concerns*, which include trouble, toughness, smartness, excitement, fate, and autonomy; and
 - (2) *one-sex peer units* that serve as alternative sources of companionship and male role model development outside the home

Focal Concerns of lower class culture

- Trouble
- Toughness
- Smartness
- Excitement
- Fate
- Autonomy

One-sex peer group

- Very important because:

- Gangs provide male members opportunities to prove their own masculinity in the absence of an adequate male role model within their family of origin.
- The principal unit in lower-class society is an age-graded, one-sex peer group constituting the major psychic focus and reference group for young people.
- The adolescent street-corner group is one variant of the lower-class structure, and the gang is a subtype distinguished by law-violating activities

Belonging and status

- two central concerns of the adolescent street-corner group are belonging and status
 - One achieves belonging by adhering to the group’s standards and values and continues to achieve belonging by demonstrating such characteristics as toughness, smartness, and autonomy.
 - When there is conflict with other norms (for example, middle-class norms), the norms of the group are far more compelling because failure to conform means expulsion from the group.
 - Status is achieved by demonstrating qualities adolescents value (for example, smartness, toughness, and others, as defined by lower-class culture).

Control/ social bond theory

- Instead of asking “Why do they do it?” this theory asks “Why *don't* they do it?”
- What prevents people from crime is that we are “bonded” to society, especially the norms of society that we have internalized.
- There are four major elements of this bond:
 - *Attachment*
 - *Involvement*
 - *Commitment*
 - *Belief*

Social Learning Theory

- Simply put, criminal behavior is learned, just like anything else
- Sutherland’s “differential association” is the most famous variation

- The key point is that one becomes a delinquent/criminal because of an excess of definitions favorable to violation of law over definitions unfavorable to violation of law
- Over time, the duration and intensity of association with others involved in crime further reinforces one's own values and behavior.

Techniques of Neutralization

- Rationalizations
 - He deserved it
 - Appeal to higher loyalties (e.g., peer group, doing it for the hood)
 - Everyone else does it
 - No one was harmed

Labeling Perspective

- three key parts:
 - (1) how and why certain behaviors are defined as criminal or deviant;
 - (2) the response to crime or deviance on the part of authorities (for example, the official processing of cases from arrest through sentencing); and
 - (3) the effects of such definitions and official reactions on the person or persons so labeled.
- This view does not concern itself with why people violate the law in the first place, but rather the effects of how society reacts to law breaking

Primary and secondary deviance

- *Primary deviance* includes acts that the perpetrator and/or others believe are not indicative of one's true identity or character.
 - Commonly expressed by others as "this is not like you."
- *Secondary deviance* refers to a process whereby the deviance takes on self-identifying features
 - that is, deviant acts begin to be considered as indicative of one's true self, the way one "really" is
- Guilt v. shame

- Guilt – you did something bad (primary)
- Shame – you are a bad person (secondary)

Social reality of crime

- Based upon the view that “crime” is a matter of definition resulting from a social process
- A key term is “power” which helps shape legislation, as law often reflects the interests of the most powerful groups
- Six propositions offered in the text describe how the “reality of crime” is created and perpetuated.
- Based upon the view of society as “segmented” into different class, racial, gender and other divisions, each with their own interests.

Critical/Marxist Perspectives

- capitalism produces a number of problems including crime
- material conditions is key term
 - Class, gender and racial inequalities
 - Big economic changes (downsizing, etc.) produce problems including crime
- Surplus population or underclass is created
- crime control industry is another result – crime is functional for capitalism