



## Crime and Deviance – Sociology AQA

Revision notes based on CGP revision guide

Aliza Samorly

✚ *Synoptic links with forensic psychology.*

### **(1) Definition of crime and deviance**

- Crime.
- Deviance.
- Sanctions.

### **(2) Theories of crime**

2.1: Functionalist theories: Durkheim, Strain Theory, Bonds of Attachment, Differential Association Theory, Status Frustration, Focal Concerns, Illegitimate Opportunity Structures, Subterranean Values and 'Drift' Theory.

2.2: Interactionism: Labelling theory.

2.3: Marxists theories.

2.4: Left and Right Realist theories.

### **(3) Patterns of crime**

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3.2: Crime and social class.

3.3: Crime and gender.

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4.3: The media and state crime.

### **(5) Victims and justice**

5.1: Victims.

5.2: Prevention.

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## Remember

All evaluation is predicated on generic principles based on:

1. The different 'how and why' provided by different theories to different topics: for example, Marxist explanation versus functionalism, and structural explanations versus micro theories.
2. The comparison of each theoretical perspective for one topic – like the role of education – to culture and identity, for example. Thus, Marxist explanations of the role of education can be assessed with regard to the Marxist explanation of the role of the media, especially that both education and media are secondary agents of socialisation.

Any evaluation points below are key anchors for the above guidelines – application of generic principles of evaluation.

## (1) Definition of crime and deviance

**Crime** = any behaviour that breaks the law and is punished by the legal system.

**Deviance** = behaviours against acceptable norms, values and expectations of a social group or society as a whole. Thus, against the consensus and shared values.

Crime is often deviant, but deviance is not always criminal.

### Crime and deviance are socially constructed

**1** – Culturally determined. Thus, cultural differences. Different political systems mean different legal systems and rules that must be obeyed and if not, are punishable by formal agencies.

**2** – Norms are different between different cultures and subcultures within a given culture, and they change over time for the same culture.

Michel Foucault in the 1970s suggested how the definition of criminal and sexual deviant behaviour, including the definition of madness, have changed throughout history.

Remember though, subcultures cannot have a legal system that is different to the legal system of the political system, except sometimes with relation to matters in the private sphere. But it cannot be against the general law. However, for deviance, there could be a difference between the subculture's norms and the ones upheld by the mainstream culture.

**3** – Plummer (1979) made a distinction between situational and societal deviance:

**Situational deviance:** behaviours that can be defined as deviant or normal depending on the situation they occur: in the privacy of your own home versus in the public sphere, in the workplace versus leisure time.

**Societal deviance:** behaviours that are perceived by most of society as deviant, in most situations: swearing at an authority figure, kicking a dog.

### Social order and social control create consensus of how to behave

**1** – Social order and control shape the consensus about how to behave, and through socialisation we learn such norms of acceptable versus unacceptable behaviours.

Thus, primary and secondary agents of socialisation.

**2** – Some norms can become second nature: not standing too close to someone during a conversation, personal space.

**3** – Sanctions serve as rewards and punishments to reinforce social norms:

### Formal sanctions by an official agency

**Positive** = reward for those conforming to a norm: a medal for winning a sporting event.

**Negative** = punish those who deviate from a norm: a fine for speeding; a yellow card from a referee.

### Informal sanction by the public

**Positive** = a pat on the back, saying 'well done'.

**Negative** = ignoring someone, a telling-off someone.

## (2) Theories of crime

Some theories argue that the cause of crime lies within the individual, whereas other theories argue that the cause of crime lies within society. In essence, structural versus micro, but it needs to be examined with relation to each theory.

It is a similar debate to individual versus situational factors/differences in psychology.

**2.1: Functionalist theories:** Durkheim, Strain Theory, Bonds of Attachment, Differential Association Theory, Status Frustration, Focal Concerns, Illegitimate Opportunity Structures, Subterranean Values and 'Drift' Theory.

**2.2: Interactionism:** Labelling theory.

**2.3: Marxists theories.**

**2.4: Left and Right Realist theories.**

In understanding theories of crime and deviance, it is helpful to think of the core argument of the specific sociological theory and how arguments regarding crime and deviance emanate from this core argument. It would be also helpful when applying evaluation to any theory to refer back to core arguments of alternative theories. The same as in psychology, by relying on your theoretical framework.

This is a similar analytical approach to psychological theories and their core arguments; and how arguments for mental disorders/abnormality and treatments emanate directly from these core arguments.

### 2.1: Functionalist Theories

Society is composed of different institutions that function together as a whole.

- Different organisations perform different functions yet work in cooperation based on shared values, consensus.
- Deviance is functional, normal, inevitable. Thus, positive functions.
- Deviance would happen even in a 'society of sinners', or in a 'society of saints', depending how one looks at it.

#### Durkheim

- Crime and deviance serve an important function.
- By reinforcing consensus about norms and values, especially because the majority of the population is non-deviant nor criminal. Conformity positively rewarded, non-conformity/disobedience is punished – 'watch and learn' mindset, social learning theory in psychology.

Durkheim suggested that deviance had the following functions:

- Reinforcing **boundary maintenance**.
- Facilitating **social change** = minority influence and social change.
- Crime becomes dysfunctional when it is too high = threatens the social order; or too low = there is no social change, **stagnation**.
- Connect with anomie = change needs to be evolutionary thus gradual, rather than intensive and revolutionary, because socialisation is a slow gradual process.

Durkheim argued that there was little deviance in pre-industrial societies because of the mechanical solidarity of the society = the nature of the economy and society meant that social bonds were rather tight. However, the increased isolation, alienation and privatisation characterising modern societies increased deviance.

Additionally, a rapid social change, such as during industrialisation, increased the likelihood of deviance because of **anomie** = normlessness or an absence of social control and cohesion. The old cluster or norms is relinquished without enough time and space to learn (socialisation) the new set. Consequently, a vacuum.

### **Cohen (1966): deviance serves as a safety valve.**

- Releasing tension without threatening social stability = like prostitution.
- Civil disobedience, protests, and truancy = serve as a warning signal to society to identify and address social problems.

### **Deviance in modern industrial society**

- Weaker social bonds and less solidarity resulted in higher levels deviance: **isolation**.
- **Anomie** = the result of rapid changes, lack of social cohesion, lack of values and a feeling of normlessness.
- Dysfunctional society is characterised by too much or too little deviance.

### **Evaluation**

- **Realists** -- these ideas do not provide a way to tackle crime, abstract ideas rather than practical solutions.
- **Marxists** -- there is no examination of who makes the rules, and why. And, how breaking the rules and by whom is being 'treated'.
- **Other functionalists** -- why do some people deviate whereas others tend to conform? Link with psychological theories, individual differences.

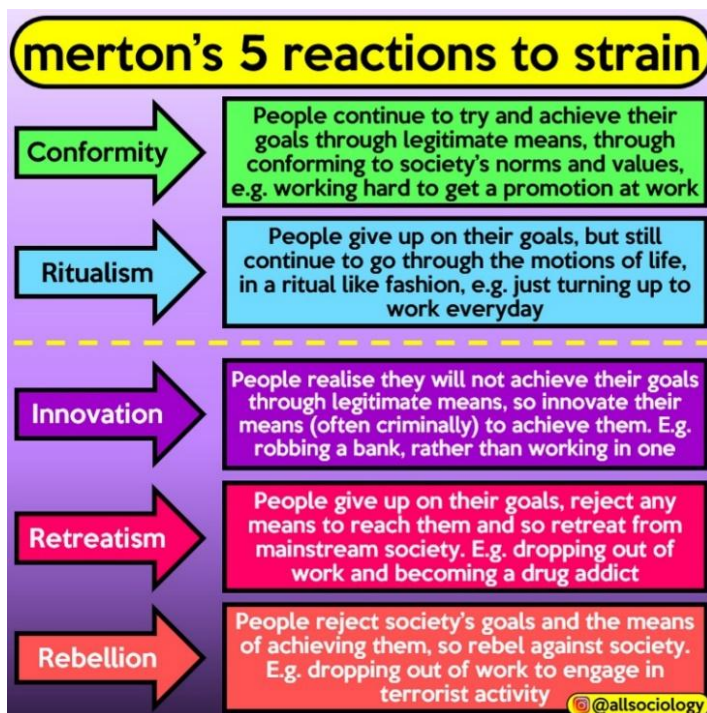
## Strain Theory

Robert Merton (1968) argued that people are socialised to have the **'American Dream'** but not everyone has an equal opportunity to achieve it.

When an individual is unable to achieve the shared goals due to external factors (such as discrimination or deprivation), this creates anomie and **strain** that can lead to deviant behaviour.

- Most people share the same goal but do not have equal access to the means of achieving this shared goal.
- The American Dream as the shared goal: success and wealth.
- The main institution as a mean to achieve this goal is the education system.

There is a strain between social goals and the means to achieve them and Merton identified five adaptations to strain, some of which can lead to crime:

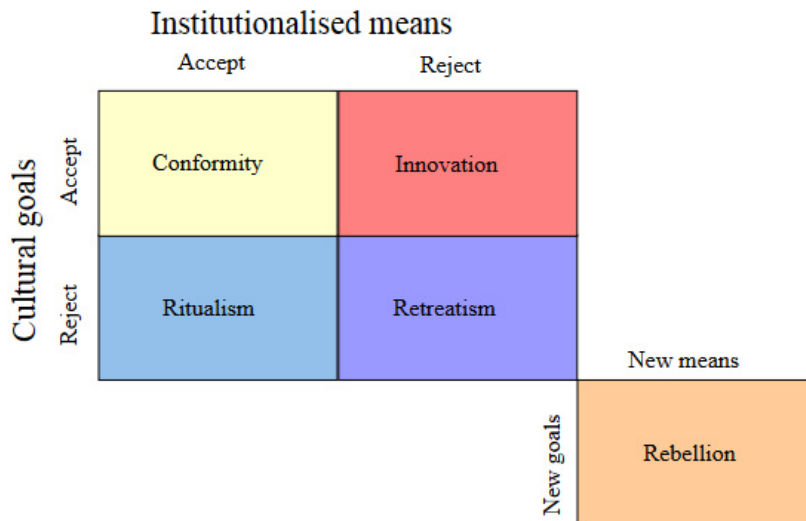


Conformists and ritualist are less likely to resort to crime and deviance.

These three types are likely to be engaged in criminal and deviant behaviour, as an alternative routes.

<https://slidesharenow.blogspot.com/2019/10/robert-merton-s-strain-theory-examples.html>

## Robert K. Merton's Deviance Typology



<https://quizlet.com/225702565/enculturation-socialization-conformity-and-deviance-diagram/>

ADAPTATION	MEANS	GOAL	LIKELY CRIME?
CONFORMIST	✓	✓	⊘
INNOVATOR	✓	✓	✓
RETREATIST	⊘	⊘	✓
RITUALIST	✓	⊘	⊘
REBEL	✓ ⊘	✓ ⊘	✓

<https://www.tutor2u.net/sociology/reference/robert-merton-strain-theory-explained>

While some people will conform and work harder to achieve and improve their status despite the challenges, others will adapt. The clearest adaptation that might lead to crime is that of the innovator: those who seek material success but don't want to work hard at school, thus, they find a route to achieve success without working hard.

Others may reject both the means and the goals and become retreatists, they withdraw from society altogether although they may still commit crimes such as illegal drug use.

The other adaptation that might lead to criminal behaviour is rebellion: some individuals seek to replace the means and the goals with new ones. This may lead to illegal protest and political violence.

### Evaluation

- Developing Durkheim's concept of anomie and its impact.
- Marxists = the goals and means derive from the ruling class, not from consensus over shared values and goals. Thus, perpetuation of inequality.

### Infrastructure determines the superstructure.

- Meritocracy = mobility and achievements of success, wealth and power, through demonstration of abilities and merit. Equality of opportunities versus equality of outcomes.

Merton doesn't question why some people manage to achieve through meritocracy whereas others fail: what can explain such personal abilities, and the related social mobility?

- The theory doesn't explain non-utilitarian crime like vandalism.
- Why do majority of people, most of the time, do not commit crime nor deviate?
- Why do some groups of individuals deviate together?
- Connect with sociodemographic factors and educational achievement and patterns of crime.
- Individual differences explaining the different reactions to strain?

### Bonds of Attachment

Travis Hirschi (1969) identified four bonds of attachment to explain why people do NOT commit crimes and how is social control maintained. Bonds of attachments make the individual less likely to commit crime.

	MEANING
ATTACHMENT	How much do we care what others think? We might particularly care about what our spouses or children would think if we committed crimes.
COMMITMENT	What have we got to lose? If we have a good job (for example) committing a crime puts a lot at risk.
INVOLVEMENT	How involved are we with society? What takes up our time? If we work and are involved in group hobbies or leisure activities or volunteering, would we have time to commit crime?
BELIEF	To what extent do we believe obeying the law is the right thing to do? How strong is our personal moral code?

<https://www.tutor2u.net/sociology/reference/hirschi-bonds-of-attachment-explained>

The question remains why do some people have more secure bonds than others? And, individual differences – some people with bonds of attachments commit crime and some people without bonds of attachment do not commit crime. The same issue with regard to the different reactions to strain.

## Evaluation

- Hirschi asks an important question = why some people don't resort to crime rather than asking why do people commit crime. Surely these questions are two sides of the same coin: an absence of bonds of attachment is likely to lead to criminal and deviant behaviour. Thus, it implies also how to prevent crime and consolidate social order.
- This argument had influenced social policy by suggesting that attachment ought to be promoted and deviance reduced: encouraging activities for youth, marriage and employment, and values and morality in education = all are means to promote attachment bonds. Similar to the conservative ideas of New Right.
- However, the wider question remains, why do some people have more secure bonds than others, compared with those who are more likely to be marginalised. Marxists and feminists would argue that there is no value consensus that benefits all members of society in the first place = the conflict argument, and the camouflage of this conflict, be it class or patriarchy.

## Differential Association Theory

Edwin Sutherland (1939) argued that deviance is **a learned behaviour from others**: criminals learn to be criminals from other criminals. Social learning theory in psychology, vicarious learning (indirect experience): observation and imitation, and mediated by cognitive factors.

Deviance and criminal attitudes, beliefs and techniques, are learned through association with other deviants and criminals.

## Evaluation

- Social learning theory.
- Implications on punishment, imprisonment, and rehabilitation considerations.
- Individual, situational and cultural differences, and subcultures.

## Status Frustration Theory

Albert Cohen (1955) further developed Merton's strain theory, particularly in addressing the question: why do some groups commit crime and why do some people commit non-utilitarian crimes such as vandalism. His arguments shed light on why crime rates are higher among working-class boys.

Cohen argued that working-class boys experience **status frustration**: those who fail at school have low social status. At the same time, delinquent gangs provide prestige for frustrated adolescents, a sense of belonging and adopting the related values and norms; subcultures.

Thus, the response of forming subcultures or gangs can invert mainstream values.

### Evaluation

- Some values of some subcultures encourage delinquency: a form of deviance is, in fact, in accordance with the social norms of some groups.
- Working-class boys have less opportunities due to cultural deprivation, leading to dissatisfaction, leading to frustration, leading boys to turn to alternative values that are in contrast to the general society: like petty crimes and drug-taking.
- Marginalisation and exclusion, labelling and cultural capital.
- This theory can explain random non-utilitarian crimes such as vandalism and fighting.
- Can explain the high rate of crime among working-class boys.
- Individual differences and connect with self-fulfilling versus self-refuting theory and labelling.

### Focal concerns

Walter Miller (1958) suggested that working-class boys are socialised into a **distinct set of values** which makes it more likely for them to commit crime.

For example:

- Excitement – seeking exciting activities especially when they are not working.
- Toughness – seeking to prove they are ‘tough’, strong.
- Autonomy – seeking to be independent.
- Fate – they believe their fate is ‘sealed’ already; external locus-of-control, and lower levels of self-esteem.
- Smartness – they use wit.
- Trouble – they might as well find themselves in trouble.

### Evaluation

- None of these values, on their own, mean that criminal and deviant behaviour is inevitable, but they make it more likely. However, many working-class boys with these focal concerns do not engage in crime and deviance.

- Hence, there is still the wider question = why do some people who share the same characteristics/reasons, do not turn to crime and deviance. This is a crucial question because it means there must be some other factors involve that can mitigate the influence of the common characteristics between criminals and non-criminals.
- Another related issue is that any given concern may lead to a different route = for example, autonomy may lead some to take matters to their own hand rather than asking for help; fatalism may mean that they do not consider the consequences of their actions as the future is already 'sealed'.
- It might be helpful to take into account psychological and dispositional factors such as self-esteem, locus-of-control, authoritarianism, etc.
- Gender: do the above values tend to be masculine values and how does it relate to working-class girls, do they or don't they share these values, and what are the consequences of gender differences, or the lack of differences?
- Men tend to externalise negative emotions whereas women tend to internalise: violence versus depression. However, we need to take into account the significant changes in gender roles and characteristics: more men internalising, more women externalising. Situational versus dispositional factors.
- All the above considerations are relevant for the other theories as well.

### Illegitimate Opportunity Structures Theory

Cloward and Ohlin (1960) combined the arguments suggested by Merton and Cohen.

They identify a **legitimate opportunity structure** (passing exams and getting a job) compared with **illegitimate structure** (like being part of a gang and committing a crime).

Access to both legitimate and illegitimate structures could be unequal, depending often on the area where people live. These can explain why not all boys that experience frustration resort to crime.

The theory helps to explain why not all individuals that experience strain/anomie commit crime, and why those who commit crime can resort to different types of criminal behaviour.

	EXPLANATION
CRIMINAL SUBCULTURE	Organised crime (e.g. the mafia) where career criminals can socialise youths into their own criminal career that might result in material success.
CONFLICT SUBCULTURE	Gangs organised by young people themselves, often based on claiming territory from other gangs in so-called "turf wars".
RETREATIST SUBCULTURE	Those who are unable to access either legitimate or illegitimate opportunity structures might drop out altogether (as Merton said) but might do so as a group rather than individually. These groups might abuse drugs, for example.

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## Evaluation

- We need to take into account both structural factors (material deprivation, marginalisation) and dispositional factors such as personality. Personality factors such as self-esteem can be explained by both sociodemographic variables and innate predispositions.
- Subculture theories were criticised for assuming that all people aspire to achieve mainstream goals of success and wealth, by mainstream channels, and based on mainstream values of what success is measured by.
- The theory doesn't take into account the potential overlap between these three subcultures: you can be part of retreatist and criminal at the same time: most criminal gangs are likely to have elements of two or more of these subcultures. Drug use, for example, often plays a part in criminal gangs, while some 'turf wars' are being carried out by conflict subcultures that is linked with organised crime. Plus, the overlapping features can change across time and situations.
- As with most functionalist theories, the current one refers predominantly to working-class crime and males, rather than social class, gender and ethnicity in large.
- Gender: how does the theory apply to girls? Or doesn't apply?

## Subterranean values and 'Drift' theory

David Matza (1964)

**Subterranean values:** *'whatever it is, it wasn't me' ('and if it was me, I didn't mean it, and if I did mean it, you deserved it').*

Instead of arguing that some subcultures hold delinquent values, it is suggested that we all fluctuate between delinquent and mainstream values, at different points and situations.

- Alternative to theories of subcultures.
- Instead of arguing that some people hold delinquent values, it is argued that we all do, and most people can suppress it. However, at times, we **drift** between mainstream and delinquent values.
- As we get older, we are better skilled and we tend to 'drift' less...
- Matza suggests that evidence for subterranean (underground and suppressed) values derive from the fact that people seek to **neutralise** deviant acts.
- Below different **techniques of neutralisations**:

TECHNIQUE	EXAMPLE
DENIAL OF RESPONSIBILITY	"It wasn't me" / "it wasn't my fault".
DENIAL OF INJURY	"It didn't hurt" / "they have insurance".
DENIAL OF THE VICTIM	"You deserved it" / "what did you expect?"
CONDEMNATION OF THE CONDEMNERS	"You're just as bad" / "You're only blaming me because...".
APPEAL TO HIGHER LOYALTIES	"I had to help my friends/family" / "I did it for my country / race / religion".

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## Evaluation

- **Defence mechanisms** = all involve some distortion of reality and have a positive function, until they don't... rationalisations of behaviours.
- The interplay between objective 'facts' (reality, sensation) and subjective interpretations and meanings (the role of perception).
- Techniques of neutralisation seem to be more as excuses and rationalisations, similar to defence mechanisms suggested by Freud to protect the ego from violent impulses and bad behaviours.
- As such, they serve as a mechanism to avoid punishment and sanctions by 'drifting' back to mainstream values. Including self-inflicted punishment by form of minimising shame, guilt and anxiety.
- Matza argued that people can become more mainstream as they get older and take on responsibilities that they didn't when they were younger. Their ability to conform to mainstream values as they grow up demonstrates that they were as socialised into the value consensus as those who did not take part in crime and deviant behaviour when they were young.

## General evaluation of functionalist theories

- Marxists – functionalists don't consider who makes the rules and what and whom the rules serve. Infrastructure determines the superstructure.
- Feminists – functionalist theories tend to ignore women. Patriarchy.
- Postmodernists – functionalists fail to explain why some people commit crimes because they are bored or for the sake of excitement: it cannot be explained in terms of norms, values and functions. Including vandalism but also psychopathy etc.
- Realists – functionalists may 'normalise' deviance and crime and focus on its 'function' in society instead of seeking to eradicate it. Crime is not an interesting social phenomenon, it is instead a real detrimental problem and arguing that it serves some 'positive' functions is dangerous, especially to social cohesion and stability.

## 2.2: Interactionism – Labelling theory

### Interactions between individuals' behaviours determine how society works.

- An ongoing interaction between society (structural) and individuals (micro).

### Labelling Theory

Deviant behaviour is a behaviour that is labelled as such, and labels that are attached to behaviours can change.

Therefore, interactionists (or interpretivists) argue that crime and deviance are not 'reserved' for specific groups. It varies over time and across places because the concept itself is socially constructed. Thus, cultural differences, and subcultures.

- Becker (1963) argued that the problem is not what causing people to deviate, but how a behaviour can be labelled as deviant by society, and the consequences of that label.
- Thus, the focus is on the societal reaction to specific behaviours, such as deviant and criminal acts.
- The same behaviour may get different reactions depending on the social situation: killing someone in a battle, or randomly on the street; fancy dress at a party compared with inappropriate settings.
- The reaction makes us recognise that this behaviour is deviant.
- Being labelled as 'deviant' can often act as self-fulfilling prophecy and increase the likelihood of repeating the deviant behaviour.



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Being labelled as deviant can affect future behaviour:

Interactionists argue that we form identity based on interpretations we give to the reactions to our behaviours. **'Self-concept'** = formed by the positive or negative effects of the reactions to our behaviour. Negative self-concept derives from a negative reaction/label attached to the behaviour.

The label of 'criminal' often becomes a **'master status'** and cannot be easily erased.

If the label is 'criminal', the person is more likely to increase deviant behaviour = **'deviant career'**. Such process also provide escape from feelings of shame and rejection. Vicious cycle.

It is like a cycle of self-fulfilling prophecy that feeds negatively into the cycle: drug-taking, mental illnesses – and the continuing conformity to the label.

- Link with labelling theory in education.

It raises the question of the impact on potential rehabilitation by reversing the 'label'?

Lemert (1951) distinguishes between primary and secondary deviance:

**Primary deviance** = an initial act of deviancy.

Most people commit some acts of primary deviance, but there aren't inevitable social reactions to these acts.

When there is a social reaction, from the general society, or specific groups (family, police, peers), the individual is labelled as deviant.

**Secondary deviance** = is when the individual carries the label 'deviant' and tend to commit more delinquent acts. This is similar to the idea of deviance amplification.

**Deviance amplification** = social control can cause more deviance, a negative vicious cycle. Moral panic.

Aaron Cicourel (1968) compared levels of delinquency between two California cities:

It was concluded that the different levels can be explained by the way the label was applied, rather than by the nature of the behaviour itself.

He identified a **negotiation process** in which young wealthy individuals were dealt with completely different from young poor individuals:

**Stage 1:** police interpretations of the act = influenced by stereotypes and prejudice; profiling.

**Stage 2:** further interpretations by the authorities and courts that are based on whether someone is a 'typical delinquent'; profiling.

- We have to account to individual differences and their related explanations between self-fulfilling versus self-refuting prophecy.

Such observations may also suggest that the statistics is a reflection of the labels rather than genuine patterns of delinquency.

Goffman (1961) argued that a deviant career can also be found in mental illnesses: some patients adhere to their label of being 'mad', adopt it, and behave accordingly. Including for secondary gains (such as seeking attention).

### Folk devils and moral panic

Stan Cohen (1972) studied fights which took place primarily in English seaside resorts on bank holidays, between two youth subcultures, the mods and rockers. He was influenced by Becker and labelling theory and was interested in response to events rather than the events themselves, especially in the media response to these events. The study was a mixture of observation, content analysis and interviews, and the findings supported many of the ideas above, including a new one: folk devils and moral panic.

**Folk devils** = Cohen argued that when the media report on deviant behaviour it tends to construct a narrative which features a clear villain = the folk devil. In the study, the villain, the folk devils were the violent youth subcultures, the mods and the rockers. This is linked with telling the story when it is clear who the 'baddies' are.

The creation of folk devils can instigate and spread moral panic. Amplification.

**Moral panic** = any sensationalist or over-the-top reaction to an issue that is perceived to be linked to morality, to what is right and wrong, what is good and bad. It implies that the reaction is disproportionate to the issue itself and may serve the phenomenon it is reacting to (similar to deviancy amplification).

There were scuffles between the rival subcultures, but it is the reaction of the media and the police that turned it into a phenomenon which in turn led to more people coming to beaches on bank holidays to engage in deviant behaviours which in the first place were 'created' by the moral panic. **Engineering conflict and reality.**

Other moral panics included the acid house scene in the late 1980s and the 2011 London riots. The 2011 riots erupted out of a peaceful march demanding information about the death of Mark Duggan, a black man from Tottenham who was shot dead by the police.

## General evaluation of interactionism theories

- Individual and situational differences = self-fulfilling versus self-refuting prophecy.
- A relatively effective criticism of positivist approaches = apparent patterns of crime are not a reflection of the objective 'truth' because so much of it depends on labels.
- Realists would argue that none of these arguments assist in providing solutions to crime = the act doesn't matter, but the reaction to it does make the difference and can increase or decrease crime.
- Marxists of course would argue that there is not enough attention to the social class of those that are negatively labelled. And labelling itself depends on the infrastructure and is aimed to serve the ruling class.
- High profile cases of wealthy individuals who were caught and severely punished (even more harshly 'to make an example') such as the millionaire's daughter in the 2011 London riots.
- A relatively deterministic theory that doesn't take into account that not everyone acts in accordance with their label, or at least, not consistently. However, because the theory takes into account internal processes of the individual it is less deterministic.
- Offenders are not just passive 'slaves' to their labels. People have free choice and are accountable to their actions.
- The theory provides offenders with a 'victim status' and some argue it undermines the real victims of crime.
- The theory emphasises the negative aspects of labelling rather than the positive ones with their potential to reverse the consequences of specific labels.
- Difficult to explain why acts of primary deviance occur in the first place.
- Structural sociologists argue that the labelling argument can be simplistic because explanations of crime require complexity that the labelling theory cannot offer: it isn't powerful enough in explaining the nuances and variations that are observed. However, the same lack of explanatory power can be attributed to functionalist theories.
- Patterns of crime often conceal a complex underlying dynamic that is not the same as the 'simple' explanation reflected in these patterns. Structural versus micro level orientation.
- Patterns of crime are based on sociodemographic factors.
- Realists – argue that the labelling theory focuses too much on the label based on the reaction to the act, whereas the criminal act should be the focal point.
- Marxists – criticise interactionism for not paying enough attention to the social class of those who 'receive' negative labels, more often than others. In other

words, there is an institutional reason (structural) why some individuals are more likely to be labelled as criminal. And connect with neo-Marxism and the ideological state apparatus – determining who is labelled and how.

- On the other hand – there are some cases where high profile individuals were caught and disproportionately punished to ‘make an example’.

## 2.3: Marxist Theories

Capitalism is criminogenic = causing crime.

- Marxists argue that capitalism causes crime because it creates inequality leading to property crimes, and in for itself, it reflects criminal values around money and wealth.
- Capitalism exerts social control to prevent a revolution and perpetuate the plight of the working class.
- Consequently, laws exist to protect the ruling class and aimed to control the working class. Law enforcement agencies (or agents of social control) are engaged in protecting the bourgeoisie and control the proletariat. Laws are being formulated and pass on by the ruling class and to protect its interests. Including selective enforcement.
- The infrastructure determines the superstructure.

The ruling class defines what is deviant or not, and it has the power to create the laws that perpetuate the power imbalance with the working class, thus, reinforcing the conformity of the poor and powerless. The infrastructure determines the superstructure.

- Laws reflect the interests of the ruling class, not the will of the people, nor consensus and shared values.
- Capitalist society exploits the working class, leading to its poverty and constant struggle to survive providing basic needs like food and rent. Poverty breeds frustration which turns into violence.
- The never-ending chase after money can lead to criminal behaviour (fraud, blackmail) also amongst professional workers and the ruling class. White collar and corporate crime.
- Chambliss (1976): the ruling class (including bosses and politicians) ran crime in Seattle and bribed police to allow them to continue with their criminal activities.
- Graham (1976): the US government war on drugs is not applied to big drug corporations with their massive profits and funding research into the safety and effects of their drugs.

- Pearce (1976): even laws that are supposed to protect the working class (health, safety) are actually designed to keep them on the constant treadmill of working and making profits for their bosses. Minimising absenteeism.
- Marxists argue that not only law-making process reflects and preserves the interests of the ruling class, but also law-enforcement.
- Ruling-class breakers are less likely to be punished for their crimes.

### Evaluation

- Capitalism is not criminogenic: crime is not limited to western societies but exists also in non-capitalist societies, like the former Soviet Union. Socialist societies such as Cuba still have crimes, and some capitalist societies like Switzerland have a low crime rate.
- Property laws protect everyone, including the working class.
- Law makers are voted by every person above the age of 18, not only by the ruling class.
- There is a broad consensus over most criminal laws shared by all groups and many societies and cultures.
- Working-class criminals are not passive actors in committing crime, it is a personal choice, and Marxists remove accountability and responsibility from their arguments. Furthermore, most individuals who may be defined as working class abide by laws and norms.
- Feminists argue that Marxists ignore the role of patriarchy in law-making and social control.
- More recent theories like the left realism argue that Marxism focused on corporate crime: they rejected the idea that other crimes, like burglary, don't cause harm, especially that most victims are workers that are poor.

### Neo-Marxist = Critical Criminology Theory

Neo-Marxist argue that criminals make a choice to commit a criminal act. This choice may even be a positive behaviour like a political choice for revolutionary activity or violent protest.

Also known as Critical/New/Radical Criminology.

### Key study

Taylor, Walton and Young (1973): *The New Criminology*

Argue that crime is a choice.

Sociologists should consider a wide array of factors around criminal behaviours:

- Distribution of wealth and power.

- Unique circumstances of each criminal act.
- The nature of the criminal act.
- The immediate cause of the criminal offence.
- The short and long-term consequences of the crime.
- The social reaction to the crime.
- Who holds powers involving in treatment of crime, and the response to it.

Hall et al. (1978) applied the '**social theory of deviance**' to media reports of large numbers of mugging involving black muggers. The situations were analysed according to:

- Social, economic and political conditions: the country was in economic crisis leading to unemployment, and Unions and militants were threatening the state power. Unemployment affected more black men, and some committed mugging.
- Motivation of the state: to feel in control of the situation, and used the situation to divide the working class: panic from black muggers.
- Motivation of the media: seeking dramatic stories and revenues.
- The result: the police arrested more people, the media reported these arrests and presented the muggers as a threat to the society, and stirred panic from black muggers.
- Attaching race to crime and diverting attention from other crises. Profiling.

Hall (1978) argued that a crisis of capitalism (recession) led to unemployment which disproportionately affected black men ('doing white men's shit work') and some of them committed street crime. The ruling class used this to divide the working class, thus causing **moral panic about black muggers** to divert attention from the ills of capitalism itself. As a result, there is an avoidance of reforms that can galvanise positive changes.

### **Evaluation**

- Only a small proportion of crime could be considered to be motivated politically or to be part of anti-capitalism protest. While such a motive is attached to all types of crime such as burglary and vandalism, it seems rare that criminals themselves attach that motive to their crimes.
- Left realists would highlight the fact that most victims of crimes are working class themselves. Thus, Marxists should be able to come up with solutions to the situation rather than merely analyse it.
- Some argue that Hall's theory about the black muggers is a conspiracy theory because no one could prove that anyone deliberately planned to divide the working class in order to prevent a revolution to occur. Even Hall himself recognised that a tangible motivation of the media to sensationalise villains and stories is driven by the motivation to increase profit rather than prevent a revolution.

## 2.4: Left and Right Realist theories

Traditional theories in sociology, especially of crime, are criticised for being too theoretical and abstract, and consequently, they are not offering much value in terms of actual social policy to deal with crime and deviance. The arguments and theoretical assertions of traditional theories, such as crime being functional or the result of labelling or capitalism, does not equip policy makers with practical outlets related to social policy. Especially with relation to structural theories.

While realists argue that crime needs to be dealt with as a real problem, they do not agree on what are the best solutions to the problem of crime and deviance. Furthermore, clearly their solutions are predicated on their explanations regarding the causes of crime.

### Right Realism

Right realists' views on crime are similar to functionalists and the New Right. However, they differ because they focus on how to prevent crime rather than understand the causes of crime. In that sense, it is a practical orientation aimed at appropriate measures.

- Link with New Right theory – core arguments.

#### Right realists believe there are three factors explaining crime

**1 – Biology:** some sociologists argue that there is a biological genetic predisposition to crime in some individuals, however the 'correct' socialisation can 'fix' and mitigate these innate tendencies. Determinist view yet could be influenced by intervention. Innate tendencies. Nature rather than nurture, but measures (external factors) of socialisation are taken into account.

**2 – Lack of socialisation:** lone-parents are more likely to have criminal children because their process of socialisation is incomplete (no father-figure). Also, psychological explanations, psychodynamic.

**3 – Rational choice:** people have free will and choice and are able to make rational decisions. Therefore, committing a crime is ultimately a personal choice the individual makes because, one way or another, the benefits and rewards outweigh the negative costs. This is why Murray (1997) argues that the higher the risk of going to prison, the lower the likelihood to commit a crime. This argument however doesn't explain reoffending behaviour.

Right realists agree with functionalist Travis Hirschi that strong social bonds and tightly knit communities help to prevent crime, and **zero-tolerance policy** ought to be applied to even minor crimes to nip them in the bud (see the broken window theory).

- Link with marginalisation, social exclusion and patterns of crime.

They also argue that rapid social changes in the late 20<sup>th</sup> century eroded that cohesion of communities and governmental agencies failed to deal effectively with criminals and deviant acts.

**A tough approach is proposed in the form of:**

**James Wilson's Broken Window Theory**

Levels of deviance are influenced by the extent to which the community regulates itself. If a broken window is left unrepaired it sends the signal that the community is not positively regulating itself and that minor crimes will be tolerated and not punished.

The theory argues that when one window will be left broken, there would be many to follow, thus, a domino effect of spiralling crime and deviance.

The theory was highly influential on social policy in the UK and the USA. During the 1990s in the USA, it was put into action in New York with dramatic results in the reduction of crimes because of zero-tolerance policy: people received custodial sentences for repeated relatively minor offences such as washing car windows, drug possessions or jaywalking (pedestrians walking onto the road violating traffic regulations). All crime levels in New York fell as a result of the tough policy including 50% reduction in serious crimes such as homicide. In general, there is evidence that zero-tolerance and a policy of 'tough on crime' is correlated with a significant reduction in crime levels.

Wilson, in fact, suggested that once the community doesn't regulate itself there is no point pouring resources and funds into it because it is sort of doomed because it lacks social order. Instead, it is preferable to divert resources and police supervision towards areas that are not as badly affected by escalating contagious crime.

**Evaluation**

- The period of Broken Windows and zero-tolerance in the USA was also a time of economic growth which can be the reason for the decline levels of crime. This is because economic growth is generally correlated with various positive effects on various parameters, crime included.
- Some sociologists argue that the policy achieves social control without justice. It is supported by evidence suggesting that the policy disproportionately affected people from minority ethnic groups from low-income background: again, patterns of crime. Thus, the police reactions depended on who committed the offence and where it was committed. In the USA, particularly African American and Latin Americans. While poor black people were arrested for drunkenness and jaywalking, white middle-class students on the street doing the same things

were not. Thus, police discretion meant that the implementation was unjust: again, patterns of crime.

- The above argument does not negate the argument of the theory. Its supporters nevertheless argue that such discretion is wrong and should be rectified.
- The theory is leaning towards rational choice of individuals that is not always supported. Postmodernists argue that some people do not act rationally and that some turn to crime for risk-taking thrills.
- The idea that criminals are born (innate) biologically different is highly controversial in the social sciences in general and not just in sociology. The theory is discredited and highly problematic for ethical and empirical reasons.
- Also, with reference to lone-families: while it is true that their children commit more crimes than two-parent families, these acts tend to be low level anti-social behaviour rather than serious offences. Additionally, it is difficult to isolate this factor from other factors that might be responsible to the somewhat higher level of crime observed.
- A major criticism is also directed at the increase in prisoners especially for life sentences as a result of tough policies = 'three strikes and you're out' = three serious offences and you get life imprisonment.
- Link with forensic psychology especially learning and cognitive approaches because of the link to sociodemographic variables.

## Left Realism

Like right realists, left realists argue that theories of crime, including Marxism, do not help policy makers to address the challenges posed by crime. They are structural, either too naïve and optimistic (functionalism) or too negative and pessimistic (Marxism).

Many left realists' ideas are rooted in Marxism and radical criminology, yet they criticise Marxism for being 'Left Idealism' because they argue that it ignores the fact that crime is real and rising. Furthermore, crime affects working class significantly in terms of being victims of crime rather than perpetrators of crime.

### Lea and Young (1984)

- Crime is a real problem particularly for the working class.
- While-collar and corporate crimes are not the only problem.
- Any working-class political choices must tackle crime, aiming to reduce it.
- There has been a consistent rise in crime in Britain since the Second World War.
- Being a victim of crime is a significant event in one's life.
- Fear of crime is a significant factor shaping modern urban life, especially for women.

## They identified a few factors to explain the reality of crime:

### 1 – Relative deprivation

When individuals feel/perceived to be deprived in comparison to similar social groups, they are more likely to turn to crime to 'solve' the deprivation and acquire what is needed to get rid of the negative feelings associated.

The theory of relative deprivation emphasises the subjective perception of deprivation to be the most potent factor. That can explain why crime can be found in all social groups including the rich who compare themselves to super-rich groups.

The feelings of deprivation are exacerbated by the consumer culture, globalisation and social media. The same applies to the impact on the psychology of mental health in contemporary society on individuals, and not only the young generation.

Nowadays also in cities, people on the poverty line may be living next street to the very rich.

It is plausible to suggest that the decline in economic growth and the crisis of living costs versus standards also have negative effects.

Remember, when we refer to 'relative' – we move our attention to subjective perception more than objective measurements that commonly pertain the material deprivation argument.

Surely, both measures are important and influential. But this has a direct impact of the application to suitable research methods.

### 2 – Subcultures

Left realists argue that subcultures are the result of the attempt to fight against relative deprivation. And as a result, marginalisation as well. Link with Willis anti-school subculture.

### 3 – Marginalisation and social exclusion

Globalisation is considered to be a factor that compounded all the above because it exported many manufacturing jobs to developing countries, increased unemployment and social exclusion, and the gap between poor and rich.

- Link all three explanations.

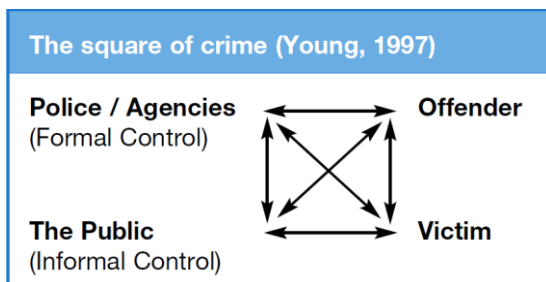
## How to fight crime by fighting social inequality

- British policing policy needs to be centred on creating and maintaining good **communication** between the police and local communities.
- They propose a democratically elected **Police Authorities** to develop policy and direct police action.
- This would create **consensus policing** = the police act on local community's instructions rather than by itself.
- The police should focus on the eroded role of proper **investigation of crime**.
- The police should improve **detection rates** = how many recorded crimes are successfully cleared up by the police. Since it is not possible to link individual detections to individual crimes, any detection rate calculated will be the number of offences recorded as detected in a given year as a proportion of the total number of crimes recorded in the same period.

**In the longer term**, left realists argue that social order would be achieved and maintained because of the society being fair and just.

Thus, all social agencies need to cooperate to uproot inequality, and that includes the public. In essence, this is a form of functionalist core argument – cooperation based on shared values and goals.

They offered, therefore the **Square of Crime**:



<https://www.shortcutstv.com/blog/left-realism/>

The Square of Crime demonstrates how the interactions between the four elements converge to affect crime. Consequently, the interactions between these four elements are also required to facilitate a reduction in crime = they must work together. Remember, working together is based on shared values and goals. Thus, it is predicated on the idea of an organism (as in functionalism) where all organs/elements have to cooperate albeit they perform different functions.

Left realists influence was particularly apparent on the 1997-2010 Labour government's social policy. It is embodied by **Tony Blair's phrase 'tough on crime, tough on the causes of crime'**.

## Evaluation

- Some sociologists argue that despite the intention of left realists to be 'practical', they are nevertheless quite idealistic rather than realistic, and their so-called 'solutions' are impractical and naïve.
- To the extent that crime is caused by marginalisation and exclusion, how can it explain why men commit many more crimes than women in a patriarchal society. Feminists argue that the opposite should have been true, that women would commit more crimes than men. Feminists criticise both left and right realism for ignoring the role of gender and advocating malestream criminology.
- Marxists argue that reforms would not resolve the inequality and marginalisation unless capitalism would be eradicated altogether, and that only the communist system could achieve genuine equality for all. Hence, the revolution and abolition of private ownership.
- Left realists argue that making policing more democratic would increase public cooperation and trust in the force. However, while the Conservative/Liberal coalition government (2010-2015) introduced directly-elected police and crime commissioners in 2012, there is no evidence to support a parallel increase in public confidence, including a very low turnout in the elections for commissioners.
- Hughes (1991) argued that left realism cannot explain why some people who experience deprivation, marginalisation and social exclusion nevertheless do not turn to crime. If anything, it would be expected that there should be more crime in reality based on the predictions of these arguments.
- Again, most people, across all sociodemographic variables, are law-abiding citizens.
- On the other hand, why some people who do not experience deprivation, marginalisation and social exclusion do commit criminal and deviant behaviours. Thus, individual differences and integration of other explanatory factors.

This is a very important argument that could and should be applied to all theories of crime, especially left and right realism = in fact, while they try to explain the increased levels of crime, their explanations mean that there should have been more crime compared with the reality of crime. Thus, higher levels of crime should be predicted based on the theories, higher than existing (empirical) levels of crime and deviance. On the other hand, it is possible that if we take into account the dark figure of crime – it supports the argument that there are higher levels of crimes than what we measure.

## (3) Patterns of crime

3.1: Crime and ethnicity.

3.2: Crime and social class.

3.2: Crime and gender.

- Consider alpha bias (exaggerating differences) and beta bias (minimising differences). However, the biases are juxtaposed with empirical evidence whether there are, or aren't differences, and the meanings of an existing difference or a lack of a difference. The same applies to cultural differences.

### Overview and measuring crime

- Crime statistics can be unreliable.
- Sociologists try to explain trends.
- Ethnic minorities are more likely to be victims of crime.
- Most criminal convictions are people with a working-class background.
- White-collar crime is often treated more leniently.

Sociologists attempt to identify and account for crime patterns in ethnicity, social class and gender, as key sociodemographic attributes. Parallel to sociodemographic factors in differential educational achievements.

- In both differential achievement and patterns of crime, the issue of sociodemographic factors and their correlates is significant to pinpoint patterns of social mobility (or lack thereof) and power relationships.

The first step is to pay attention to measuring crime, and examine the distribution of ethnicity, social class and gender in measuring crime. Thereafter, to account for the emerging picture.

### Measuring crime

There are different ways of measuring crime and handling it statistically, but it can be unreliable.

Crime rates are collected from official police statistics, and is referred to as the number of crimes per 1,000 individuals.

**1** – **Official crime statistics** = drawn from what is recorded by the police and then what is processed by the criminal justice system. Published quarterly. Important also for tracking changes in levels and patterns of crime.

In 2014, the UK Statistics Authority removed their 'national statistics' designation (considered to be the 'gold standard') from the official crime statistics because of inconsistencies in the process of data collecting arguing it is unreliable.

**2 – Crime Survey of England and Wales** = a large-scale Home Office survey of people who reported that they were victims of crime. Therefore, this survey includes many crimes that were not recorded/reported and included in police records. However, it doesn't include 'victimless crimes', for example: an illegal act that did not cause harm, or between consenting adults.

Conducted on a continuous basis. National representative sample of about 35,000 people.

Important also for tracking changes in levels and patterns of crime.

**3 – 'The dark figure of crime'** is a term used to describe the extent of criminal acts that is neither reported nor recorded, and it is assumed to be much higher than either two statistical sources: the dark figure of crime denotes the 'real' rate and characteristics of existing crime. Obviously, it is an important evaluation point in all essays analysing sources of crime, patterns of crimes, and solutions to minimise crime.

### **3.1: Crime and ethnicity**

**Ethnicity** = refers to an identity based on belonging to a group that is defined by shared common cultural and/or national traditions.

Compared with the measurement of gender and class nowadays, the operationalisation of ethnicity is based on an existing classification that is 'easier'.

#### **Statistics Ministry of Justice, 2013**

- 13.2% of prison population = black, while they make up 2.8% of the adult population, thus, overrepresented in prison.
- 73.8% of prison population = white, while they make up 88.3% of the adult population, thus, underrepresented in prison.

In considering statistical patterns of crime, it is useful to consider the options:

**1** – the recorded patterns are broadly accurate, and therefore we try to examine the factors that can explain these patterns.

**2** – the recorded patterns are broadly inaccurate, and therefore we try to explain the factors that can explain inaccuracies in these patterns.

## **If the statistics reflect reality**

Earlier, the explanations of theories of crime and deviance were explored. Below their explanations are expanded to account for why some ethnic groups are more likely to commit more crimes than others. It is important to integrate core arguments for sociological theories and their explanations of crime into their explanations to patterns of crime. The same applies when you analyse patterns of differential educational achievement. Below are the direct explanations, but it needs to be linked with core arguments.

### **(1) Functionalists**

**Strain theory** = members of some minority ethnic groups who statistically perform less at school may be denied social mobility. Similar argument regarding differential achievement.

**Bonds of attachment** = new and first-generation migrants often live in transient communities in inner cities where there are few tight-knit communities compared with other localities. Thus, more likely to turn to crime.

**Subcultures theories** = people from ethnic minorities are more likely to commit crimes and deviancy because they are more likely to establish subcultures that turn against existing laws and values. While class is often emphasised in subcultures, these working-class boys are often from minority ethnic groups.

### **(2) Marxists**

Laws are made by the bourgeoisie to control the proletariat. For a range of reasons, some minority-ethnic groups are much more likely to be working class than not and therefore the same arguments apply for ethnicity.

The infrastructure determines the superstructure.

Stuart Hall, suggested that black people were forced into the **informal economy** (neither taxed nor monitored by the government, such as paid in cash jobs: renovations, cleaning, car repairs) and as a result, to potential criminality, doing 'white men's shit work'.

### **(3) Interactionists**

**Deviance amplification and secondary amplification** = while most interactionists would argue the statistical picture is inaccurate, they nevertheless can explain the link of ethnicity to crime: the impact of labelling (what is a typical criminal) might lead to deviancy amplification, secondary deviance (from being labelled as a deviant by society) and self-fulfilling prophecy. This is in contrast to primary deviance.

**Primary deviance** = a deviant behaviour that does not have long term consequences and does not result in the person committing the act of being labelled as deviant. It is an initial act of rule-breaking that has not yet been labelled as such, hence it isn't likely to have long term consequences. Primary deviance could be amplified, spiral, and then secondary amplification with labelling and long-term consequences = master status. The question again is, what leads to primary deviance in the first place, and how and why primary develops into secondary rather than being terminated there.

**Differential association** = suggests that people learn 'deviant' values through their interactions and therefore people who live in areas with high levels of crime might be more likely to become criminal, as happening in 'ghetto' areas. Again, the problem of individual differences.

#### (4) Right Realists and New Right

**Underclass** = African-Caribbean families are statistically more likely to be lone-female-parent-families. New Right sociologists argue that children from single parent families are more likely to commit crime because of the lack of a male role model and the creation of workless, welfare-dependent culture. Link with psychological theories. Marginalisation, deprivation, exclusion.

**Broken window** = inner cities areas are transient communities that don't develop social solidarity and are therefore less likely to self-regulate than suburban or rural communities. As a result, they are more likely to have 'broken windows' with its accompanying negative effects. Marginalisation, deprivation, exclusion.

#### (5) Left Realists

**Relative deprivation** = for a range of reasons members of some minority ethnic groups are more likely to be also working class with low income.

**Social exclusion** = racial discrimination can lead to social exclusion and marginalisation which in turn is likely to lead to criminal and deviant acts.

In general, ethnicity here is linked with class. And class, with ethnicity.

#### **If the statistics are misleading**

#### **Most theories can explain high crime rates among some minority-ethnic groups:**

Strain theory, bonds of attachment, and right realism (transient inner-city communities); Marxist (overlap between ethnicity and social class); labelling theory (negative labelling of minority-ethnic individuals leading to self-fulfilling prophecy); left realists (social exclusion and relative deprivation, including 'simple'/objective material deprivation).

However, these explanations might be clouded by misleading statistics. And the statistics might be misleading for a range of reasons.

- Furthermore, the statistics do not represent a clear picture as well.

### 1 – Wrongly arrested

While minority-ethnic individuals are more likely to be stopped-and-search and more likely to be arrested, white people are more likely to be found guilty. How is that possible = one possibility is that minority-ethnic individuals are more likely to be wrongly arrested. Profiling.

### 2 - Institutional racism

Stephen Lawrence murder case, 1993 and the following McPherson Inquiry, the report concluded on 1999.

The Inquiry concluded that the Metropolitan Police is ‘institutionally racist’.

A similar conclusion was drawn by the BBC documentary ‘The Secret Policeman’ about Greater Manchester Police force.

**Institutional racism** = not only individual police officers are racist, but the policies and procedures of the organisation are racist. Thus, some ‘formal’ dimension, conscious or unconscious, intentional or unintentional, in contrast to specific individuals.

### Evaluation

- While Stuart Hall explained why some minority-ethnic groups may commit more crime he also pinpointed at the explanation of **moral panic** and how it could generate a **‘fantasy crime wave’** where the police actions can give the impression that there is a significant increase in a particular type of crime, such as mugging. Engineering reality through media amplification.
- Self-report studies tend to find that black and white people have actually similar rates of offending and far lower for Asians. The problem with such studies is of course the related self-report issues.
- Others suggested that stop-and-search rates might be proportionate to the ‘available population’. That means it tends to occur when people are out on the street and at dark, thus are more likely to be directed at young adults and minority ethnic individuals, compared with the general population. Thus, they are indeed accurate, given, and with regard, to the population available.
- Similar argument applies to occasions when police stop vehicles, especially at night, when they are unaware of the identity of the driver. However, other sociologists argue that what counts is whatever happens after the vehicle is stopped, and that may be highly dependent on recognising the ethnicity of the driver.

## 3.2: Crime and social class

**Social class** = refers to an identity based on shared socioeconomic status. Different sociologists examine social class differently.

- Be aware of the issue of operationalisation and the components of social class.
- Traditionally: SES socioeconomic status = education, income and occupational prestige, highly correlated as well. It does not apply nowadays: social media influencers with high income and no formal education, with high prestige at least for specific groups of people, etc.

Traditional Marxists focus on the bourgeoisie and the proletariat and their separate relation to the means of production. Others tend to look at job roles and income; and traditionally to education as well.

### Some figures:

The police and Crime Survey of England and Wales do not directly collect data on the social class of offenders. However, there are different ways providing indications on social class, such as postcode areas and the prison population.

- Data suggest that working-class people are significantly more likely to commit crime compared with middle-class people.
- There are more working-class people in prisons compared with any other social class.
- The majority of people appearing in court are working-class individuals regardless of whether they were found guilty or not.
- Middle-class people are more likely to commit specific types crimes such as fraud or tax evasion (white-collar crimes) compared with theft and violent crime that is more likely to be committed by individuals with lower income.

As with ethnicity, sociologists disagree about whether the data reflect social facts and reality, or instead it serves as a social construct created by the police.

### If the statistics reflect reality

As with regard to ethnicity, functionalist and Marxist theories can explain the social class link with crime in similar ways to ethnicity. Thus, they are relevant for the discussion here, as explained above.

Marxists would argue that the system of law and order is run by the ruling class and for the ruling class and against the interests of the working class. The infrastructure determines the superstructure.

Subcultural theorists argue that high working-class crime rates are the result of working-class subcultures which often accept and reward crime, and reject education

and hard work. Link with instant gratification (working class) principle rather than deferred gratification (middle class).

However, an additional explanation specifically for class derives from the New Right with the idea of an underclass.

Charles Murray suggested that the welfare state created welfare dependency and thereby created a criminal underclass of jobless and dysfunctional individuals.

New right journalist, Melanie Phillips, blamed the Labour Party for the 2011 London and UK riots, despite the fact they were not in power at the time. She argued that they had conducted a 'social experiment' that was undermining family values and a Christian moral code.

Other sociologists, however, directed the blame at poverty and material and relative deprivation.

Statistics from the 2011 riots seem to support the idea of the underclass = while 12% of the working-age population of the UK are in receipt of out-of-work benefits, 35% of the adults prosecuted after the riots were on benefits, and the majority of them had previous convictions. This data, however, could also be attributed in support of both functionalist explanations and left realists. The young rioters tended to be poor and struggling with education. Functionalists would argue that it could support the strain theory and status frustration; left realists would focus on relative deprivation of lower income families, accompanied by social exclusion and marginalisation.

When examining and explaining this data: it important to note that most individuals within the underclass are not criminals nor deviant. It requires an explanation beyond the above. Similarly, middle-class individuals can commit crime in the absence of all these factors such as relative deprivation or lack of education.

### If the statistics are misleading

Marxists are the first to argue that many crimes committed by the wealthy do not find their way into the statistics on crime and deviance. The rich are less likely to be investigated or to become suspects, and when they are, they have the resources to afford super lawyers to get them off the hook.

Therefore, white-collar crime, corporate crime and state crime become a focal point.

### White-collar crime

White-collar crime, as opposed to blue-collar working-class crime, refer to any crime that is committed by individuals with money. However, it often tends to relate to typical middle-class crime such as fraud and tax evasion.

White-collar criminals are less likely to be convicted because:

- Victims are diffused = they may be thousands of victims of fraud.
- Victims are remote = crime committed from a distance (computer) rather than face-to-face.
- These crimes are usually nonviolent and tend to be treated more leniently by society and the justice system.

Thus, white-collar crimes possess the illusion of being **victimless crimes**, people are less likely to report it and less likely to involve witnesses. Whether it is genuinely victimless or not isn't the only issue. Because the actions are nevertheless illegal, rule-breaking, hence, criminal all the same.

Marxists argue that white-collar crimes are unprosecuted because the bourgeoisie protects itself and the police fulfils its role to control the working class. The infrastructure determines the superstructure.

### Corporate crime

**Corporate crime** = refers to crimes committed by companies, and sometimes by individuals, such as CEOs who might be found to have criminal responsibility.

Crimes can involve fraud and tax evasion, and there were some cases of corporate manslaughter. Convictions are relatively rare.

When companies are held to account, it is often outside the Criminal Justice System, as often companies and governments reach an agreement for a settlement. It may look more like a 'conviction' by public court, often with little genuine effects.

Marxists, evidently, would argue that this exemplifies the point precisely = the law exists to protect the interests of the bourgeoisie and thus control the working class.

In recent years, it is important to note that white-collar and corporate crime at times seem to be treated more seriously, partly 'to make an example'. This is also true with regard to young rich youth who were arrested for various crimes and deviant acts, including riots and vandalism in London.

### Evaluation

Besides the Marxist objection to the data and its explanations, other sociologists argue that it is plausible that other factors can account for the data rather than social class:

1 – **Ecological explanations** = examine how crime is distributed among different geographical locations. Thus, they attempt to understand urban and rural divide in terms of crime rates and types of crimes. The difference exists not only between the urban and rural divide but also within the same city, between different neighbourhoods.

They argue there is a 'tipping point' for an area where it reaches a point of no-return after which it becomes characterised by increasing levels of crime. This may produce a correlation between crime and social class, but the process is not attributed directly to class.

**2 – Nocturnal economy** = sociologists are interested in where, but also when, crime is committed. Most crime occur at night, and the nocturnal economy can be one main reason. It involves the growth of pubs and clubs and selling of alcohol to young people. That is attributed specifically to the fact that most establishments close at the same time. This idea prompted the justification for introducing 24-hour licenses in 2005, but in actuality, it seems to just push the time of crime a few hours later. This explanation suggests that it is not the social class that plays a significant role.

### **3.3: Crime and gender**

#### **Some figures:**

- Men are more likely to commit crime than women.
- Men are more likely to commit violent crime; men commit 90% of murders.
- Statistics are more even, although still somewhat higher for men, with regard to crimes such as theft.
- Men are convicted of more crime than women.
- Women made up only 5% of the prison population in 2017 and lowest in 1969 when it was only 2%. It is still significantly very low.
- 16% of those arrested and 24% of defendants in court were women.
- When found guilty, women are more likely to be fined than men, but less likely to be sent to prison.
- When given a custodial (prison) sentence, women were generally more likely to be given shorter sentences than men.

#### **If the statistics reflect reality**

- Link with: men externalise emotions (frustration, strain) hence direct aggression outside, compared with women, internalise, higher levels of depression. However, it is changing as a result of changing gender characteristics and modernity.

#### **Explanations**

These theories tend to focus on the idea that men and women are different:

#### **1 – Sex-role Theory**

Girls are socialised to be passive and conformist and less likely to commit crimes. Boys are socialised to be 'tough' and are more likely to be aggressive.

This theory is supported by functionalists and feminists.

**Parsons** = men have instrumental role compared with the expressive role of women. The expressive role includes nurturing and caring and therefore women are less prone to violence.

**Marginalisation** = a feminist view, patriarchy means that women are marginalised in society and therefore have fewer opportunities for crime and for ties with criminal groups.

**Liberation thesis** = feminists like Freda Adler (1975) argue that these theories are outdated; but changes in women's social roles coincides with the increase in female crime.

Adler argues that female crime is increasing because society is less patriarchal. Therefore, women commit more male-dominated crimes such as violence and armed robbery than before.

2 – **Courts** treat women differently depending on how they conformed to gender roles.

3 – Miller (1962) and Merton (1968) **Subculture Theory**.

4 – Marsh (1986) argues that men commit more crime because they have more **opportunities** to offend. When women have the opportunity, they seem to be more likely to commit crime such as shoplifting. Lack of internalisation of values and norms – criminals learn how not to be caught rather than not to commit crime.

5 – **Feminist theory of Social Control Theory** = Frances Heidensohn.

Women are more closely observed by their families, and enjoy less freedom outside the home, and hence less opportunities.

Women and girls are more controlled throughout their lives by fathers, male siblings and husbands. Some argue that this an outdated view that no longer reflects the reality of women.

### **If the statistics are misleading**

#### **1 – The Chivalry Thesis**

Another view is that the statistics are wrong: women may be committing more crime in reality but they are not included in the statistics. It relates to the dark figure of crime.

Men are socialised to be protective of women. The idea is that the police and others who

are working in the criminal justice system tend to be men and therefore tend to protect women because of being gentlemen.

Additionally, men are less likely to suspect women of crime, or more likely to assume they were driven and coerced by someone else.

Some argue that there is evidence suggesting that many female prisoners were influenced by a controlling male. Male coercion; often involved romantically.

However, when women are found guilty of crimes, they tend to be considered to deviate twice = against the norms and law, and against their gender.

### Evaluation

- Many such ideas seem to be outdated and less relevant in contemporary modern world. Postmodernists would disagree that society is patriarchal. Others would dispute the idea that men and women are socialised differently in the current world we live in.
- However, Jones (2008) suggested that women in prisons were often co-defendants together with a controlling and coercive male. This explanation is in contrast to social control argument that suggests that controlling men are the reason why women are less likely to commit crime.
- Chivalry thesis also seems outdated: the number of female workers in the police and the justice system increased significantly.
- Carol Smart is critical of the term **malestream criminology**. She argues that feminists should be taking a transgressive approach to criminality and focus on what causes harm to women regardless of it being legal or not. She points that most existing theories are developed by men and focus on their own topics of interest, often violent and gang crime. Thus, it is impossible to expect them to come up with explanations for the issues that are of high concern to women.
- Link with: men externalise emotions (frustration, strain) hence direct aggression outside, compared with women, internalise, higher levels of depression. However, it is changing as a result of changing gender characteristics and modernity.

## (4) Contemporary crime – recent issues

4.1: Globalised crime.

4.2: Environmental crime.

4.3: The media and state crime.

### 4.1: Globalised crime

**Globalisation** refers to the increased interconnectedness and interdependence in the world in all spheres: economically, politically and culturally; it is becoming like a 'single big village'. Hence, crime that is globalised, operating on the global arena rather than restricted to the nation-state or to various geographical locations within a specific country.

The relevant questions: what are the influences on rates, types and patterns of crime, and what are the explanations for the potential changes that are associated with globalisation.

- Held et al (1999) argued that crime became globalised and transnational businesses drive the increase in global crime.
- Global criminal organisations, such as the mafia, operate in more than one country and can have thousands of members around the world.
- Globalisation has changed the structure of criminal organisations: they used to have a clear power hierarchy, but nowadays they tend to have small and almost independent networks in different countries = '**glocal**' = local networks with global links.
- The global criminal economy is worth hundreds of billions of pounds per year.
- Globalised crime can be hard to police, as it crosses borders and it is not always clear whose responsibility it is to police it and at which location, especially as many criminal networks obviously operate secretly. Furthermore, different legal systems in different countries (laws of extradition, international law, etc).
- It is hard for sociologists to study global crime in particular. The secretive nature of the networks often means sociologists have to resort to covert participant observations, with its obvious risks and limitations.

There are number of crimes that are global, and the globalisation of communications, travel and economy, enabled the development and increase of these crimes.

#### **The internet**

- Cyber-crime.
- Identity theft.

- International terrorism and radicalisation.

### **Transnational businesses**

- Tax evasion.
- Money laundering.

### **Travel**

- People trafficking, modern day slavery.
- Drug trafficking and trading, increasing social problems.
- Smuggling.
- International terrorism and radicalisation.

Taking into account that much of the crimes above are global in nature, the question becomes, in what ways globalisation might be the cause of crime?

Left realists argue that **relative deprivation** associated with globalisation is a major cause of global crime. Export of manufacturing jobs to the developing world is leading to unemployment (no jobs), under-employment (have jobs but less hours and/or lower pay) and de-skilling (reducing the level of skills that are required to carry out a job; advances in technology had deskilled many working-class traditional jobs) in countries like the UK and USA, which in turn, can lead to relative deprivation which is a major cause of crime.

Crime rates are higher in former industrial areas, such as ex-mining communities in the UK and former steel communities in the USA.

All these elements are often associated with sociodemographic variables, particularly class and ethnicity.

**A reaction to westernisation** = while a crime like international terrorism is facilitated by globalisation of technology, communication and travel, some argue that it is a direct reaction to globalisation, in particular the idea of westernisation and cultural imperialism.

### **Evaluation**

- Many of what we call global crimes existed for centuries. For example, smuggling and terrorism that crossed national borders. However, the features of such crime had changed as a result of globalisation and easy travel.
- While the nature of crime had changed in alliance with social changes, there is nothing unique about the recent changes associated with globalisation itself. Thus, crime always exists, national or international.
- The contemporary era is not uniquely characterised by unemployment and underemployment in industrial areas. Left realists note that crime rates were

much lower in the 1930s than in the 1980s, despite the Great Depression. Therefore, it is used to justify the argument that relative deprivation rather than poverty itself is leading to crime. Critics of left realists would undermine the focus on relative deprivation and/or poverty and turn their attention to other factors such as welfare dependency rather than factors related to globalisation per se.

- The above argument also relates to the different indicators we may use to measure poverty, and in which country, and based on which comparative dimensions? In that sense, while the extent of poverty can be debatable based on the objective parameters that are applied, relative deprivation can be considered a subjective measure based on perception of available resources. Thus, relative deprivation could always be a potent factor, because it is not limited to those who suffer from objective poverty based on low or absence of income. That can explain white-collar crime as well.
- Ian Taylor (1997) argued that economic liberalisation has caused an increase in crime. Economic deregulation provided opportunities for crime such as fraud, money laundering and tax evasion = **crimes of the powerful**. And those in power who make the laws.
- He also argued that globalisation and deregulation caused employment to become increasingly insecure together with increased economic instability because states have less control over their own economy.

## 4.2: Environmental crime

**Transgressive criminology** = a very important concept in crime and deviance is transgression. And particularly important in the context of both Marxist and feminist theories.

Most studies of crime begin with a clear definition of crime as acts that break the law. However, some sociologists argue that it bypasses harmful behaviours which are legal yet should not be legal, because of the damage they cause. This is also particularly important in forensic psychology, at the level of the individual and interactions between individuals.

Some Marxists would argue that legal yet harmful behaviour by companies (low pay and exploitation, setting up businesses in countries with cheap labour) are an example of transgressive crime.

Some feminists argue that feminist criminology should not focus on the laws made by patriarchal society and focus instead on all behaviours that are harmful to women

regardless of them being illegal or not; in fact, especially when they are not considered illegal.

State crime can also be understood to be transgressive crime.

Some **green criminologists** are interested in all activities that are harmful to the environment and therefore can be considered transgressive.

Green criminology was coined by Lynch (1990) and it is transgressive in nature.

Green criminology examines actions that cause harm to people, animals and the environment, rather than those that are breaking the law.

White (2008) argued that green crime can be:

**1 – Anthropocentric** = considers harm to the environment from the angle of humanity. For example, pollution is a problem because it causes damage to human's water supply and can cause diseases that are expensive to treat. Similarly, climate change is a problem because of the effects on people and the cost of dealing with it.

**2 – Ecocentric** = no distinction between humanity and the wider ecosystem. Any harm to the environment is detrimental to humans and all systems. Thus, crimes like animal cruelty or destroying habitats are indeed green crime, regardless of whether there is a specifically identified human cost to it.

Nigel South (2008) draws a distinction between primary and secondary green crime.

**1 – Primary crime** = crimes that are committed with direct impact on the environment such as: pollution, animal cruelty and deforestation.

**2 – Secondary crime** = crimes that are committed when individuals, companies or governments break the laws that are designed to protect us from environmental emergencies, such as: BP admitted guilty to environmental crimes after causing a massive oil spill in the Gulf of Mexico in 2010. Or violence against environmental groups (the French attack on the Greenpeace ship), and bribery/organised crimes to avoid environmental regulations.

## Evaluation

- Transgressive criminology, while it sounds good it is problematic. If we take into account all harm, rather than just harm that is illegal, the topic is massive and difficult to study. Same in psychology with regard to the difference between physical and emotional/psychological violence.
- Law breaking is useful because it also provides conceptual and operational clarity that is mostly objective. In contrast, the concept of **'harm'** is value-laden with political and ethical considerations. Most green criminologists consider animal

cruelty to be a green crime, yet some might regard all meat production green crime, even as far as any meat consumption.

- If green criminologists struggle to achieve any form of consensus over what is green crime and what isn't, it is difficult to reach conclusions and generalisations and compare data, especially taking cultures into account.
- Some sociologists raise questions about the usefulness of the concept of secondary green crime because of the challenge to determine causes and accountability.

### **4.3: The media and state crime**

#### **Media as a cause of crime**

Some argue that media can be viewed as a cause of crime.

#### **The hypodermic syringe model**

The perception of the audience as passive, simply absorbs messages from the media. One way influence: media is influencing the audience. It is still considered relevant especially with regard to media influences on children, particularly aggressive behaviours.

- Link with media topic: especially theories and the sub-topic of influence on violence.

#### **Examples**

**1 – Bandura's bobo doll study** = how children observe and imitate violent behaviour of adult role models. Social learning theory, with its strengths and weaknesses.

**2 – Real life examples** = violent crimes that 'mimic' movies, lyrics etc, such as the Columbine school massacre in the US (the killer listened to violent song lyrics).

Young people might not only learn how to behave violently but also learn how to get away with violent behaviour by watching detective programmes such as CSI.

More significantly, they might also learn that violence can be 'normalised', that it is ok and not such a bad 'thing'.

- Link with Frustration, Strain and Bonds of Attachment theories.

**Desensitisation** = the idea that repeated viewing of violent media desensitises the viewers; they become less shocked/appalled by violence, crime and deviance.

On the other hand, the argument of **sensitisation** = predicting that viewing violent media is more likely to reduce aggression because we learn the damage and negative consequences of violence.

Link with psychology: catharsis and personality traits such as empathy.

### Evaluation

- Viewing violence in the media must be a factor that 'operates' together with other factors. Most people who watch violent media do not engage in criminal and deviant behaviour. Thus, individual differences, the relationship is not direct, and it is mediated by various mitigating or risk factors.
  - **Diathesis-stress-model** and **Frustration-Aggression Hypothesis**.
  - **Psychological factors** in combination with **sociological factors**.
  - While it is argued that repeated viewing can desensitise to violence, on the other hand it could be argued that it increases sensitivity because it amplifies the understanding of the negative consequences of crime and deviance.
  - Pluralists and postmodernists, including other models of media involving active audience, argue that the audience is sophisticated, actively engaged and influence media, rather than being passively affected by media (see media topic).
  - Consider effects and the role of **regulation** of media.
  - Media can be seen to cause crime indirectly, thus, mediating factors.
  - Realists argue that the media bombard society with images of luxury products that most people cannot afford, yet others can buy = an increase in relative deprivation: some resort to crime to gain the money to fund these goods, or directly steal them. **'Us' versus 'They'**.
  - **New media** = internet, smartphones, instant messaging, social media etc.
- Jewkes (2003) argued that new forms of media are facilitating criminal activity, including with alliance with globalisation:  
Identity theft, cyber bullying, fraud, radicalisation and terrorism.  
Furthermore, in social media interactions – bullying etc.

### Media and deviancy amplification and moral panics

Interactionists (see core arguments, as a theory of crime, and media topic) such as Stanely Cohen (1972) argue that the media helps to create the deviance it predicts or anticipates; thus, it amplifies deviance through the process of labelling and creating folk devils and moral panic.

The perceived risk of being a victim of crime is amplified by over-reporting by the media and it creates public response of anger and panic.

When the media 'find' an isolated incident of bad behaviour (like students) it is reported to be part of a pattern, it is exaggerated and consequently labelled. Then self-fulfilling prophecy is kicked into action, the panic increases etc.

See also the study 'folk devils and moral panic'.

This is part of the interactionists arguments that increase in social control ultimately can cause an increase in deviance.

### The amplification of the deviance process

1 – the media presents a distorted view of the level of crime.

2 – the distorted view creates public concern.

3 – related incidents of crime and deviance are over-reported and given more dominant role in reporting.

4 – reports keep the issue high on the public agenda.

5 – the public demands actions to be taken place.

6 – the police are over-vigilant and sensitive to the problem and tend to discover more crime.

7 – police records reinforce the idea that there is an increase in crime and deviance.

It is a form of vicious cycle that feeds itself and thereby engineering reality.

A contemporary example is the 2011 UK riots: the initial rioting followed local protests but subsequent nationwide riots are argued to not have happened without the reporting of the original protest. The initial rioting was in response to the shooting of a suspect, Mark Duggan, by the police in London. A peaceful vigil escalated into rioting that was reported on 24-hour news and quickly spread further. The media amplification created that spread and moral panic = young people are lawless with no respect to community and authority agencies. Media representations of the protestors were highly and utterly negative.

People suggested various reasons for the riots during this summer, including hostile policing, relative deprivation, blocked opportunities, welfare dependency and lone-parent households. However, one important factor was the media. While the media did not create the initial protests, it is argued that it did create the larger scale protests that spread to other cities and towns.

## Evaluation

- However, it is a problematic argument = because we don't know what would have happened in the absence of the coverage. There are many potential factors involved, otherwise it is a reductionist argument for a complex situation.
- In the 2011 riots, the vast majority of rioters processed by the criminal justice system had previous convictions. Thus, the question remains – would they have joined the riots without the media coverage.
- Similarly, why the majority of law-abiding citizens is not influenced by the amplification and moral panic to join in with criminal and deviant behaviour.
- Therefore, the media coverage must be touching an existing nerve and factors, yet, that doesn't mean that in the absence of media coverage, riots would not have spread. History teaches us that riots can spread even at times when there wasn't media amplification.
- Functionalists argue that the response to deviance and to public demands for stricter forms of social control is a good way to reinforce social norms from the consensus. Thus, a positive function. Society defines itself in opposition to acts that deviate from the consensus. However, left realists argue that marginalisation of deviant groups in fact increases deviance that goes against the consensus, as explained above. Therefore, it is important to remember that crime and deviance ought to be implanted within sociological, political and psychological context.
- Hall et al (1978) argued that national concern for mugging in the 1970s was a **moral panic** = the media argued that mugging was a new kind of crime, whereas Hall et al pointed out that street robbery had been a long-term problem.
- This is a Marxist perspective that argued that the moral panic was used to distract the public from problems rooted in the capitalist system.

## State crime, including human rights

**State crimes** = acts committed by governments, or agents acting for governments, that break national or international criminal law. However, state crimes can also be viewed as **transgressive** = harming even if it doesn't break the law.

For example:

- War crimes.
- Genocide.
- Links with organised crime.
- Funding of terrorism and radicalisation.
- Corruption and/or censorship.
- Torture.
- Assassination.

- Imprisonment without trial.

State crimes are often carried out on a large scale because of the sovereignty and power of the state. In Cambodia in 1975-78, 2 million civilians (20% of the population) were killed by the Khmer Rouge government.

**McLaughlin (2001) divides state crimes into four different types:**

**1 – Politically motivated**, such as rigging elections.

**2 – Criminal activity in the police or security forces**, such as assassinations of prisoners.

**3 – Economically motivated**, such as cooperating illegally with TNCs, corruption, fraud, tax evasion, etc.

**4 – Crimes of social and cultural nature**, such as vandalism of cultural sites and monuments and various symbols or institutional racism.

## Human rights

**Human rights** are legal and moral entitlements that all people should have regardless of any characteristics such as place of birth, religion, ethnicity etc.

While there is no conclusive definition of human rights, most sociologists accept the distinction between two categories:

**1 – Natural rights** = emanate from being human, such as the right to life and liberty.

**2 – Civil rights** = made by humans, such as the right to education, a vote and a fair trial.

Most human rights violations and abuse involve torture, oppression of minority groups, ethnic cleansing and genocide.

Cohen (1996, 2001) and others criticise this view by arguing that the fact that an act is morally wrong doesn't make it criminal.

Transgressive criminology refers to a broader definition of crime = activities that cause harm, rather than those that break the law (harm = denotes some normative considerations that are open to interpretations, subjective, and can be based on specific narrow interests).

Consequently, some argue that any action that violated human rights should be classified as criminal regardless of it being illegal or not.

After the Second World War and the Holocaust, the United Nations set out a list of 31 human rights in the Universal Declaration of Human Rights. A similar document was

achieved at the European Convention on Human Rights. These provisions were legally enforced by the European Court of Human Rights, and in the UK, through national courts following up on the Human Rights Act 1998.

Human rights abuses and violations can be committed by individuals, companies and governments. Despite the embrace of the international community and law of human rights and their protection, human rights abuses continue to exist especially with regard to marginalised groups, and are often state crimes.

### Examples

- The European Court of Human Rights repeatedly rule against UK policy not to allow prisoners to vote in elections.
- Guantanamo Bay.

The USA has clear laws to protect human rights. However, in the year following the September 11<sup>th</sup> New York World Trade Centre attacks in 2001, there were numerous allegations of abuse of human rights of terror suspects, especially in Guantanamo Bay detention centre: some were detained for many years without a trial, and there were records of 'enhanced interrogation' which could be categorised as torture.

Nobody involved were accountable, from individuals as guards all the way up to decision makers and enforcement agencies.

- **Hate crimes:** can also be seen as an abuse of human rights but it is commonly carried out by individuals rather than states. Hate crimes often involved discrimination that is based on specific characteristics such as ethnicity, religion and sexual orientation.

In the UK, legislation such as the Equality Act and the Incitement to Racial Hatred and Incitement to Religious Hatred acts, were established to fight and enforce discriminatory actions.

There are two ways in which the state can try to deny or cover up abuses of human rights:

#### **1 – The spiral of denial, Cohen (2001)**

- 1 – 'it didn't happen' = denying the abuse.
- 2 – 'if it did happen, it is something else' = it is not what it looks like. This often happen as the next stage for the first one; questioning the version of events.
- 3 – 'even if it is what you say it is, it's justified' = 'it had to be this way', suggesting it is the fault of the victim.
- Link with defence mechanisms and theories of conformity and obedience.

## 2 – Neutralisation theory

Sykes and Matza (1957) argued that there are five ways in which deviants try to make their actions seem reasonable, rather than plainly deny them = **neutralisation**, and Cohen argued that it can be used by states as well.

- **1 – the denial of injury** = they are merely fighting back against someone's aggressive first step.
- **2 – the denial of victims** = the target of the abuse/criminal activity is not a victim. The victim is violent in far worse ways.
- **3 – the condemnation of condemners** = the criticism is unfair, others committed far worse crimes.
- **4 – the appeal to higher loyalty** = there is a bigger reason for committing the abuse, rather than personal gain and motivation (nationalism, national security etc).
- **5 – the denial of responsibility** = they are acting on orders of someone else or just doing their duty, **agentic state**. Link with authoritarian personality.
- Link with 'collective' defence mechanisms, public opinions, rigid thinking. All about various forms of rationalisations, rigid schemas and cognitive biases.

### Evaluation

- Marxists regard all forms of harmful activities as being a state crime. Others raise the issue of what criteria should and could be used to attribute the act to states and hold them accountable. One difficulty is obviously the nature of transgressive crime, especially because it is open to subjective interpretations, and inevitably to manipulation.
- It is relatively 'easy' to agree that torture and genocide are state crimes, but it becomes more complicated to think of whether the absence of health, safety and equality legislation could and should be considered as a state crime and as harmful transgressive crime. Marxists and feminists tend to describe such conditions as states that cause harm, thereby, a state crime.
- Some scholars also claim that the discourse concerning human rights is ethnocentric = seeking to apply western norms to all societies and cultures. This argument is often used to oppose international intervention in other countries, in the name of protecting human rights (such as in Iraq). At the same time, it is difficult to argue that women in the UK should or deserve to enjoy human rights that women in other countries do not, such as Iran or Saudi Arabia, simply because they live in a different society and culture with their own different norms. Some human rights, by definition, are based on being human, regardless of place of birth, culture, etc.

## (5) Victims and justice

5.1: Victims.

5.2: Prevention.

5.3: Punishment.

### 5.1: Victims

#### Some figures:

From the CSEW Crime Survey of England and Wales data released in 2017

- Men slightly more likely to be victims of crime than women.
- Young people (male or female) most likely to be victims.
- Mixed-race people more than twice likely to be victims than white people.
- Long-term unemployed and students most likely to be victims of crime.
- People living in urban areas much more likely to be victims than those in prosperous areas.
- Those with a significant disability were much more likely to be victims of crime, especially among children.
- Children who had recently been victims of bullying were more than 6 times as likely to be victims of crime than those who had not.

#### Victims

- Repeated victimisation happens when people or households fall victim to the same type of crime on more than one occasion.
- Some crimes are more likely to involve repeated victimisation than others: less likely in burglary, more likely in victims of violent crimes.

#### Victimology theories try to explain how people become victims of crimes:

**1** – Positivist victimology = people are more likely to become victims either because of their actions or because of their characteristics.

- This theory can explain some patterns of criminality, for example, why some young people are more likely to be victims of crimes = drinking, night clubs etc.
- It was criticised heavily for **'blaming the victim'** attitude.
- It takes away the blame from the criminal. Criminals have agency but this theory seems to ignore the fact that they are the ones that choose to commit the crime, rather than being provoked or being triggered to perpetrate a crime. Link with rational choice, weighing costs and benefits and risks.

**2 – Critical victimology** = influenced by both Marxism and Feminism; groups that are more likely to be oppressed, such as working class and women, are also more likely to be victims = **structural powerlessness** (Mawby and Walklate, 1994).

This theory refers particularly to the structural risk to poor people especially in deprived areas, and to women.

- Those in power can fail to label sufferers as victims, either by refusing to acknowledge the harm or to blame the victim.
- Statistics suggest that men are more likely than women to be victims of crimes, but more women than men for specific types of crime such as sexual assault and harassment.
- Data suggest that the very rich are more structurally at risk of crime because they are an attractive target, in property or on the street.

**3 – The social construction victimhood** = some interactionist sociologists see ‘victim’ as a social construction, such as ‘deviance’ that can become someone’s master status.

They argue that some individuals are not perceived as victims by society because they do not conform to the idealised image of what constitute a victim (thus, profiling of a victim versus profiling of a criminal).

- Therefore, it is argued that we need to approach statistics on victims with the same caution as statistics on offenders.
- In the CSEW 2017, a strong correlation between victims of bullying and victims of crime. Are some people more likely to self-identify as a victim? Is it possible that two people share the same experience yet when they complete a questionnaire/survey each one of them self-report a different ‘label’ and experience, because of their self-image?

**4 – Feminists** argue that women become victims because of **patriarchal attitudes** =

- Domestic violence is the result of an unequal power relationship between men and women.
- Radical feminists: domestic violence as a form of patriarchal power and control.
- Marxist feminists: domestic violence as a result of shifting frustration and lack of control a man experiences in the workplace, onto the woman at home: the chain of aggression argument.
- Liberal feminists: less radical, the issue of access to opportunities which is mostly ‘rectified’ yet women experience more types of crimes such as harassment, workplace issues etc.

## 5.2: Prevention and crime control

Different approaches to prevention of crime, linked with the arguments for the reasons for crime:

### 1 – The situational approach, and right realism

Changing the physical environment = such as gated communities, more surveillance, lighting in streets and car parks.

This approach is based on **rational choice theory** = criminals are less likely to commit crimes if the crime is likely to fail. A utilitarian mindset. Also, integrate calculation of costs and benefits. Eventually, there is a combination of situational factors with the 'internal' calculation of the individual.

This approach is situational in nature, because it focuses on preventing crime through 'controlling' situational factors affecting crime.

1 – **Target hardening** = initiatives such as anti-theft paint (to identify stolen items), window locks, CCTV and care security features, aimed at making it harder for criminals to commit crimes, including gated communities and street lights.

2 – **Designing out** = some features of an area are redesigned in order to make it impossible for some crimes to be committed. Sloping seats at bus shelters prevent people from sleeping on them, or anti-homeless spikes, including spikes and other designs erected in different areas and buildings to make it harder to climb, breakthrough etc.

- Some of the measures can be used by the Criminal Justice System to prosecute offenders (anti-theft paint), the primary purpose of these measures is to prevent crime in the first place. Thus, it is pre-emptive in nature.
- These measures can be quite effective, especially for councils, businesses and home owners who approve of them.
- Some specific crimes were reduced because of specific measures, such as intruder alarms reducing burglaries.
- **Displacement** = however, these measures may simply 'transform' crime to a different neighbourhood. For example, CCTV that are prevalent in city centres might have moved crimes to other areas in the city.
- **Fortress cities** = some argue that such measures turned contemporary cities into 'fortress cities' where people are controlled and safe and unwilling to venture and travel out; similar to how people used to seek protection in medieval fortified towns.

- Some of the activities targeted by the situational crime prevention might actually not be considered criminal or deviant in the first place, at least not by everyone. For example, sleeping rough should be dealt with by housing policy and relevant charities rather than by crime prevention measures.
- Some postmodernists argue that for the very least some criminals are excited by crime and thrilled by the risk associated. From that perspective, situational preventive measures provide a challenge rather than a deterrent.

## 2 – Environmental crime prevention

Trying to stop specific areas from becoming vulnerable to crime.

- Keeping an area's environment clean, and in good repair.
- **Zero-Tolerance Policing**: antisocial behaviour is tackled quickly and harshly.

This orientation is inspired by the **broken window theory**. It involves curfews, no-alcohol zones, security guides and patrols, and various zero-tolerance policing methods associated with the broken window theory.

- Many of the problems associated with situational crime prevention are the same as environmental.
- Other issues involve elements discussed previously in realist explanations of crime.
- The theory assumes that criminals make a rational choice when often they actually do not.
- The measures can be implemented arbitrarily or in discriminatory ways.

3 – **Surveillance** = used to detect and prevent crime. It is a type of situational crime prevention.

### **Formal surveillance**

**Physical surveillance** = such as CCTV cameras are used to watch neighbourhoods, and they are designed to deter criminals because it increases the chance that they would be caught and punished.

**Technological surveillance** = involves screening online communications and phone calls and collecting personal data. Governments and the police use these methods to keep track on known criminals and to detect terrorist activities.

Some argue that the ability of government to access personal data and online communication grants too much power over those who haven't committed any crimes. This is, thus, considered to be a **breach of privacy**.

Surveillance is also used to deter bad and criminal behaviour inside prisons.

### **Internalised surveillance**

The postmodernist Michel Foucault argued that we are now used to being watched and we monitor ourselves to ensure we behave in a socially-desirable manner; we try not to be labelled as being deviant.

It is like we 'police' ourselves because we fear judgement and reprimand from formal and informal agencies, because we are so used to being watched. Thus, surveillance increases conformity.

### **4 – Controlling crime through formal and informal agents**

**Formal social control** = controlling behaviour and prevent deviance through formal mechanisms and agents such as the police and criminal justice system:

The police = responsible for enforcing the law;

The parliament = legislation;

The Crown Prosecution Service = who is taken to court;

The courts = who will be punished;

The Prison Service = imposing custodial punishments.

**Informal** = the public, family, education system, religion and media. This form of control is through informal mechanisms that include disapproval, censure and peer pressure. Informal agents of control include the media and schools.

### **There are two sociological approaches to policing:**

1 – **Consensus policing** = functionalist sociologists regard the police as coming from and working for the community they police. Individuals agree about the law and order and work with the police to keep their communities safe and peaceful. Left realists recognise that this is not the reality of policing in many areas but it is a desirable model to emulate and organise around. Right realists would argue that the police shouldn't necessarily rely on cooperation nor agreement from the public but enforce the law swiftly: tough on crime, zero-tolerance.

2 – **Conflict policing** = is more of a Marxist orientation to policing because the police are not considered to be part of the community; rather it is viewed as a hostile outside force. The police are one more agent protecting the interests of the bourgeoisie. The infrastructure determines the superstructure.

## **Discretion**

Police officers can use their discretion to decide when and when not to enforce the law, and how:

1 – **Individual discretion** = individual police officers can use their personal discretion; that discretion of course may well be discriminatory and biased.

2 – **Cultural discretion** = the '**canteen culture**' of the police can influence the discretion. That means that officers are more likely to be suspicious and hostile towards specific groups. Canteen culture refers to the way in which people working in the same place can share a set of values, stereotypes and prejudices. A conservative canteen culture sometimes suggested to be responsible to police discrimination.

3 – **Structural discretion** = the classic Marxist argument where the police are directly representing the interests of the bourgeoisie and therefore enforce law and order to match and protect the interests of the powerful and wealthy against, and at the expense, of the interests of everyone else. As such, they would tend to ignore and minimise white-collar crimes for example.

**The McPherson report** conclusion was that the metropolitan police was **institutionally racist**. It was published in 1999, a public inquiry ordered by the Home Secretary Jack Straw to investigate matters related to the death of Stephen Lawrence. The report concluded that the murder investigation was 'marred by a combination of professional incompetence, institutional racism and a failure of leadership by senior officers'.

Stephen Lawrence was a black 18-year-old teenager, who was stabbed to death in an unprovoked racist attack by a gang of white youth when he waited at a bus stop in south-east London, 22 April 1993.

**The CJS Criminal Justice System** = a broad and collective term for a wide range of institutions and systems that aim to prevent, detect and prosecute crime, including to punish and/or rehabilitate offenders.

In the UK, the police, the Crown Prosecution Service, courts, prison system and probation service.

All criminal cases are initially heard in the Magistrates Court, and then serious cases, indictable offences, are heard in the Crown Court, with a full judge and a jury, while less serious cases, summary cases, are heard in the Magistrates Courts.

## 5 – **Social and community crime prevention**

Also known as an **actuarial approach** = relating to the insurance industry.

It involves identifying those that are at a high risk of committing crimes and intervening with specific measures = such as parenting classes, pre-school classes, relationship counselling and various social and community programmes.

This approach is supported by left realists.

For example:

Troubled Families Programme 2012 (aimed to support families with multiple disadvantages, now known as The Supporting Families) that was introduced by David Cameron and criticised as 'hug a hoodie' – when Cameron in his speech (2006) on crime called for softer more understanding and loving attitudes towards 'hoodies'. It was considered to deviate from conservative views on crime (Cameron was PM in a conservative government).

- Assessment of the Troubled Families Programme found that it didn't make any visible positive impact.
- It ignores white-collar crime.
- It assumes that crime statistics are an accurate reflection of crime reality.
- Marxists argue that it does not contribute to address and change structural inequalities that are inherent in the capitalist system.

### **5.3: Punishment**

Most societies have systems for punishing criminal behaviour.

**Punishment** has two key objectives: prevention and retribution.

While right realists emphasise deterrence, left realists emphasise compensation and restoration.

Sociologists examine the purpose and importance of punishing criminals:

**1 – Functionalists** = argue that punishments keep society going. If crimes will go unpunished it would result in anarchy and a collapse of society. Positive function, socialisation.

Durkheim: punishment encourages solidarity, consensus and unity, social cohesion.

Parsons: boundary maintenance.

**2 – Marxists** = punishments serve the needs of capitalism by keeping the working class under control: the rich escape justice, and punishments are likely to be for people from poor working-class areas.

**3 – Interventionists** = prison as a deterrent: then why do criminals reoffend?

**4 – Rehabilitation** = some argue that punishment is a way to rehabilitate criminals, it helps criminals reform through education and counselling. However, often they learn 'better' ways to be 'better' criminals so they would not be caught. Prisons in that sense are considered to be a school for effective criminal techniques.

**5 –** Some sociologists argue that **the role of prisons is changing:**

While prisons need to remove criminals from the street, zero-tolerance-policy led to mass incarceration.

Bodies that are associated with criminal justice and welfare are increasingly cooperating and prisons are associated with welfare programmes more than ever.

This may also lead to 'transcarceration' where vulnerable individuals are constantly moving between different types of institutions: prisons, mental institutions, young offender facilities = prisons became more of one component in a wider network.

### **A summary for forms of punishments and the aims:**

#### **Prevention**

**1 – Rehabilitation** = rehabilitate the offender to ensure there is no reoffending after release from prison.

**2 – Deterrence** = a significant punishment can serve to deter others from committing similar crimes because of the consequences. This of course is dependent on the criminal making rational choice, which is not always the case.

**3 – Incapacitation** = some punishments such as prison sentences physically prevent the crime from happening because the criminal is detained. The most extreme example is the death sentence. However, many prisoners report that they learned a lot about crime and how not to be caught in prison, and many prisoners still commit crime while imprisoned.

#### **Compensation and restoration**

**1 – Fines** = some crimes involve paying fines or any form of financial compensation to cover the cost of the damage caused by the offence.

**2 – Restorative justice** = when people are encouraged to make amends for their criminal and deviant actions. That might include meeting victims and/or their families to apologise and ask for forgiveness, and performing acts to restore damage caused.

## Retribution

For many people, and not only victims that were directly affected by crime, punishment is about criminals paying for their criminality, for violating norms and laws. It is a mindset that 'balances' back the situation: the criminal caused harm and therefore punishment is aimed to cause some harm in return.