

January 12, 2017  
Lecture 2  
Crim 1300

### What is criminology?

- A rendezvous point for many disciplines, provides unique perspectives on issues of crime, criminal justice, security, public safety
- “The body of knowledge regarding crime as a social phenomenon. It includes the processes of making laws, breaking laws, and reacting to the breaking of laws. Its objective is the development of a body of general and verified principles and of other types of knowledge regarding this process of law, crime, and treatment.” ( a very broad definition from the textbook)
- Crim is a science for the state
  - Deductive - testing predictive theories based on observed data, with the objective of improving theories’ predictive power
    - deductive - start with a theory and then test it
  - post -modern - analytic, more inductive - looking at the world to explain HOW we have gotten to where we are, not so much WHY
    - inductive - don’t have a hypothesis to start with, notice the patterns after going out into the world and test them to see if they align
- Different types of policing, not always in the blue uniform
  - Mall police, campus security, employees, etc,

### Why are we here?

- Objective 1: Conceptualization/Categorization
  - Individualistic VS macro accounts
    - Micro is the individual’s experience
    - Macro is a group’s experience. For example crime is disputed by a certain factor like by a age or ethnic groups
  - Consensual VS conflict perspective



- Conflict theory is inequality in society
- Stream one: systems analysis and critique
  - Cesare Beccaria
    - *On Crimes and Punishments (1764)* is one of the most influential texts of this "classic school" of criminology.
    - Beccaria concerned himself with the question of how the criminal justice system -- of which the law is of course an important component -- ought best to be structured in addressing the issue of crime.
    - Science of criminal justice: certain, swift, proportionate – what WORKS to reduce crime and produce collective safety?
    - Beccaria = the beginnings of a scientific theory of punishment and criminal justice: building theories as to ‘what works’ to control crime
    - If you have a fair punishment then there will be a positive reaction from the people
    - Break down his worldview in terms of our categorisation of theories grid = what does he think about individuals? Why do we behave the way we do? What is society like? Is it perfect, fair but flawed and correctable, or fundamentally unjust?
      - The people weigh ideas and measure the punishments to the crime
      - The consequences must be swift and just
  - Cesare Lombroso
    - Pathology of criminals - instance on the accurate and deliberate measurement of the physical abnormalities of known criminals has for many established him as the first fully “scientific” criminologists
    - This theorizing crime causation was discredited through the wake of evidence supporting counterargument, the Italian school of positivism were gradually to become influential not only in intellectual circles but in the development of less uniform and more individually oriented forms of penal treatment.
      - According to Lombroso he said criminals had bumpy heads, high cheek bones, squarely built, pronounced brows (this set criminals apart)
        - Never had a control group
      - Ever since Lombroso we have been obsessed with finding criminal indicators that made more sense than Lombroso’s

### **Context of the Rise of Criminology**

- Birth of the nation-state

- A shifting balance from private power to state power - in reality and in our imaginations (corporate power has never gone away)
- Criminology matured over the course of the heyday of the nation-state: it is a 'state knowledge'
- Merchants went to kings telling them to sell them private land so they can build factories so that the kings would get more taxes, so they took away land from landowners
  - The conflict view was that there was a lot of problems but we could make it better
  - The consensual view was that everyone in their right mind would take this
- Conflict Views: Modes of Production as Driving Forces for Change
  - Hunting and Gathering to Agriculture
  - Industrial – forcing a progression from local (tribalist) to sovereign (mercantilist/feudalism) to elected state (capitalist) authority
  - Instrumental vs. Structural vs. Conceptual accounts
- Macro context: the Enlightenment
  - A macro social belief in the power of the scientific method to illuminate the truth of social life, and thus help us solve our problems.
  - 400 years of conflict and continuing problems have made us wary and skeptical of uncritical or unreflexive scientific social intervention (promoting post-modern approaches)

### **Consensualist Views of Society: Hobbes' Leviathan and the 'Social Contract'**

- According to this worldview, "the Sovereign" derives his power from us: each one of us, assuming we are "rational", would agree to give up a bit of our freedom in order to be safe. If we did not, we would be killed and harmed by other humans, who are assumed to be nasty, selfish critters. So, in this drawing, you see the body of the sovereign is



made up of millions of little citizens...he watches over us, and can smite anyone who misbehaves with the sword...and the scepter means he has to do so fairly (according to rules and codes).

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### **Counting crime**

#### **The truth, the media, and the popular imagination**

- Any more than 30 people then the laws of large number applies

#### **Uses and abuses of crime statistics**

- The enlightenment and science
- Reflective science
- Theory and policy require statistics about the decisions of those who break law; about the decisions of those who maintain it; and about what people think of all this
- As our technology get better there are more aspects to govern

#### **The basic principles of measurement**

- Reliability: consistency of results over time
- Validity: the extent to which a tool or instrument actually measures the concept a researcher claims to be interested in
- Crime rate = amount of crime/population size x 100,00 = standard rate by 100,00

#### **Official crime statistics**

- Administrative records can be compiled to form statistics: you must first decide upon you data elements; your levels of aggregation; and you're counting procedures
- Canadian criminal justice statistics - compiled by the canadian center for Justice Statistics (CCJS) - provide good nation data on criminal justice inputs such as resources and expenditures; weaker data with respect to output such incidents, arrests, charges, convictions and dispositions

#### **Canadian Uniform Crime Reports**

- Common crime classifications across canada render national aggregation feasible - but how are we grouping crimes?
- Seriousness rule: only the most serious crime is scored in an incident involving multiple crimes
- A good picture of what the criminal justice system is doing; some indication of the overall crime rates - these numbers give us absolutely no indication of the <<dark figure of crime>>

#### **Victimisation surveys**

- Give us a snapshot into dark figure of crime
- Reporting problems: stigma; lack of awareness; mistrust of state authorities

### **Self-report surveys**

- Give us a window into victimless forms of crime
- Reporting problems: reluctance to self-report serious forms of deviance

### **Crime in Canada**

- Gross counts of crime have increased massively over the course of the last half-century - but overall rates have been declining for violent crimes (especially) and also property crimes since 1992
- Prison rates have increased from 21,834 in 1978-1979 to 39,679 in 2012-13 (keeping pace with population growth, approx. 118/100K)
- Violent crimes have consistently been a small proportion of total crimes: about 13% as opposed to the more frequent property crimes at 50% of the total
- 2013: Canada had 505 homicides and 642 attempted murders: less than half 1% of reported violent incidents
- Fear of crime is massively disproportionate to the risk of victimization
- Victimology: young unemployed males who go out a lot are the most likely to be victimized; the elderly are the least likely to be victimized, but the most likely to be fearful
- The media: if it bleeds it leads
- Trends in governance and privatisation: crime is big business and it pays for people to be frightened!

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## Counting Crime 2

### The Correlates of Crime

#### The concept of correlation

- A relationship/association between two variables – the relationship should not be assumed to be causal. Beware spurious correlations (epiphenomena)
- A correlation is a good first starting point as the basis to develop and test *theory*
- For the testing of theory, there is a need to *triangulate* data sources, and *discount* plausible alternative explanations (i.e., control for competing independent variables)
- Can have a negative or positive correlation

#### Age

- Crime is a young man's game
  - Very strong negative correlation
  - 16-24 is the most common age for recorded crime
  - A large drop after the age of 40
  - However younger people are more often in public spaces
  - Many factors
- Property crime is especially prevalent amongst the young
- The age range of persons accused of violent crime is much wider

#### Popular explanations: Maturation reform

- Leniency in the criminal justice system?
- Increased skill to avoid detection with advancing age?
- Physical decline with age?
- Maturation reform: the shifting social position of youth in urban, industrial society -- moving from turbulent adolescence through to the responsibilities and privileges of adult status
  - High value and low detection rates with older criminals

#### Sex differences

- In Canada, in 2002, adult males constituted 82% of adults charged with Criminal Code offenses, while 75% of youths charged with Criminal Code offenses were male
- Violent crime, in particular, is correlated with being male

- The rate of female crime has been expanding more rapidly than male crime since 1968 – the rate at which males were charged for violent crimes increased by 141%, while for females the rate was 652%; for property crime, the male rate declined slightly (by 5%) while the female rate increased by 123%

### **Competing explanations**

- Leniency in the criminal justice system (the chivalry hypothesis) giving way to more equal treatment
- Role convergence: similar behavior/criminality as female roles become similar to those of men in social world

### **Race**

- Canadian research on race and crime is very limited since such information is generally not collected by the criminal justice system (hot button debate). There is an exception for Aboriginal peoples
- Aboriginal people are grossly overrepresented in Canadian correctional system. While Aboriginal Canadians represent approx. 4% of population, they account for upwards of 14% of federal prison inmate
- Aboriginal inmates are generally younger, have more prior contact with the criminal justice and correctional systems, and come from more dysfunctional backgrounds than non-Aboriginal offenders.
- Proportionately, more Aboriginal than non-aboriginal offenders are serving time for fine defaults
- 2000: 24% of all homicide suspects and 15% of all homicide victims were Aboriginal persons – thus, about one in four people accused of committing homicide and approximately 1 in 6 people killed in a homicide incident were of Aboriginal background
- Shorter the time an immigrant is in Canada the less criminal rates due to fear of losing family bonds

### **Competing explanations**

- Cultural explanations: emphasize the lack of certain traits in Aboriginal culture that are valued by the dominant “white” culture, bringing Aboriginal persons into conflict with the law and under the control of criminal justice system
- Structural explanations: emphasize the economically and socially dependent position of Aboriginals in Canadian society
- Colonialism: destruction and demoralisation passed through generations
- The role of alcohol a long-running relationship with violence and criminal activity (not necessarily causal)

## **Social Class**

- Official crime statistics reveal higher rates offending amongst lower social classes
- However the law pays less attention to the “crimes of the powerful”
- The degree of economic inequality rather than total amount of poverty is the most important variable in accounting for higher crime rates (see especially: societies in transition to inclusive democracy)

## **Region**

- The highest rates of murder in violent crime are generally found in less economically developed countries
- Property crime is concentrated in the most developed nations
- Canada: the highest rates of both violent and property crime are in the West – Saskatchewan and Manitoba reported the highest rates of violent crimes in 2001; British Columbia shows the highest property crime rates.
- Urban areas have higher rates of most forms of violent crime and all property crimes; intimate partner violence is marginally higher in rural areas.

## **Competing Explanations**

- Social disorganization theory: weakening of community cohesiveness and informal mechanisms of social control in cities
- Economic deprivation arguments: lack of hope in marginalized communities
- Straightforward demographics: young male populations
- Routine activities theory (opportunity): the practical features of urban landscapes such as density of potential targets and increased potential for social interaction, greater anonymity, and ease of transportation are all conducive to crime

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### **Early theories in criminology**

- Theories of crime: “a number of fitful leads from one partially examined thesis to another”
- Explanations of crime arise from particular historical contexts and reflect the social, political, and intellectual fashions of the day
- Every theory contains (explicit or implicit) statements about the nature of human agency and the nature of human agency and the nature of social structure.  
Always identify a particular theorist’s take on this set of issues.

### **Pre-modern theories of crime**

- Crime as sin and the effect of evil external forces which become internalized
- Temptation
- Possession
- Absolutely no social/structural influence on deviance/crime
- Witchcraft and “troublesome economically independent women”
- Punishment as trial and ordeal by authorities who had the unique/divine capacity to “restore order” (mystical knowledge)

### **The rise of Enlightenment/Modernity**

- “Classic school” (beccaria) --Crime as the product of rational behaviour
- Therefore the need for a system of justice and punishment that focuses upon responding to the act
- In the context of the rise of states under the theory of the “social contract”
- No focus upon power differentials in society/ability to make rules
- Exclusive focus on preventing the breaking of existing rules

### **Impacts of the Classical School**

- Specific criminal codes
- Curtailment of judicial discretion (ironical impact of increasing centralized governmental authority in setting the rules)
- Due to process safeguards

### **The Early “Statistical school”**

- Adolphe Quetelet

- This group of French empiricists began to explore the structure of emerging European societies through statistical analysis.
- Began with the observation that long historical analyses of crime data reveal overall rates to be constant. Given that society changes, but crime remains constant, suggests that it must in some significant part be beyond our internal/rational control but rather is the product of many forces that are external to us
- The development of sophisticated structural explanations for crime concerning population density, levels of education, and poverty.
- The influence of the statistical school was limited. Simply stated, their ideas for structural explanations of crime were not in keeping/did not resonate with currently popular evolutionary theory and the dominant power structures of the day

### **The positive school: Lombroso**

- The first “scientific theory” of criminality: criminals are biological “atavisms” - throwbacks to earlier stages of human evolution
- Atavism is scientifically observable/quantifiable through physical; stigmata: pointy ears, thick eyebrows, square jaws, tattoos (??) ect.

### **Other biological theories**

- Crime and intelligence
  - How to measure intelligence? IQ?
- Crime and body type
  - Somatotypes: fat (endomorph), tall (ectomorph), or squarely built (mesomorph)?
- We continue to be obsessed with looking for individualist explanations for crime
- The popularity of positivistic science applied to social world arose with the emergence of a powerful capitalist class and expanded colonial activity. Both of these developments welcomed the ideological justification contained within evolutionary theory and notions of “survival of the fittest”.

### **Impact of positivism**

- All efforts to ensure that punishment must fit the criminal that we see in contemporary justice: probation, parole, indeterminate sentences, and the consideration of mitigating circumstances by the court
- “The classical school exhorts men to study justice; the positivist school exhorts justice to study men”

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### **Biological and Psychological perspectives on Criminality**

#### **Biological <<causes>> of <<crime>>**

- We are talking about a correlation between individual characteristics and a socially defined phenomenon
- Much of this domain of research is thereby concerned with identifying reliable \*subgroups of people defined as <<criminal>>
- Biological theories are for the most part individualistic and assume a fundamentally consensual model of society
- Longitudinal studies versus cross-sectional investigations
  - Two main studies
  - Longitudinal studies is a long term such as following twins throughout their lives
  - Cross -sectional is like a snapshot

#### **Direct Causation**

- Destructive brain processes/brain damage
- Certain rare forms of epilepsy have been associated with aggressive behaviour- where there is extensive brain damage
- Endocrine disorders: hormonal imbalance

#### **Indirect relationships**

- Most biological factors are related to criminal behaviour in indirect ways: tendencies or proclivities that are brought out or suppressed through physical environment or social influences
- Hereditary factors: twin studies and adoption studies confirm higher rates of criminality amongst siblings and offspring who shared the greater degree of genetic similarity
- 

#### **Brain Neurochemistry; psychophysiological factors; endocrine factors**

- Each of these factors indicate the subgroups of persistent offenders lack the critical structures and indicators for anticipating and learning from negative stimuli: neurotransmitter shifts (serotonin); diminished and abnormal electrodermal responses; abnormally low levels of adrenaline and high levels of testosterone

- Psychopathic offenders additionally demonstrate language processing abnormalities that suggest lack of connection between communication and emotion
  - Abnormal serotonin is a big one
  - Trying to get back to a normal level of something like serotonin or adrenalin are the most likely to get into trouble

### **Impacts**

- Inability to learn from experience
- Unchecked proclivities towards impulsiveness
- In the particular case of psychopathy: a lack of ability to empathize with others; a sense of personal grandiosity
- Criminal psychopaths tend to have a higher IQ

### **Theoretical accounts**

- Given that most biological <<causes>> of crime are mediated through environmental and social influences, there are a variety of proposals for how this happens
- These are the competing (but sometimes complementary) psychological theories of crime
- These theories differ based upon their level of analysis: individual level; small group level; organizational level; institutional or community level
  - Individual level: personal deficit
  - Small group level: problems in group functioning – interpersonal communication and understanding
  - Organizational level: organizations of society have not accomplished what they have been designed to accomplish
  - Institutional or community level: problems are created by institutions rather than by persons, groups or organizations (emphasis upon underlying values and policies)– therefore this is the most socially critical/conflictual model of psychological theory

### **Psychoanalytic theory**

- Id: reservoir of biological urges
- Ego: the rational part of the personality (awareness)
- Super ego: the ethical and moral dimensions of personality (conscience)
- In this model, crime is the result of the inadequate development of the super ego based largely upon inadequate parenting, consequently suppressed feelings and

memories, and therefore the failure to progress through the stages of normal development (oral - anal - phallic - genital) to carry on being driven by the id

- Crime is a particular type of <<neurosis>>

### **Moral development theory**

- Piaget - Kohlberg
- Stages of childhood/moral development:
- Preconventional level: morals and values of society are understood as 'do's' and don'ts'
- Conventional level: understanding and acceptance of the values and rules of society
- Post-conventional level: customs are critically examined with regard to universal rights, duties and moral principles
  - Only about 20% of people get to this stage

### **Eysenck's Theory of crime and personality**

- Responsible personalities are formed through <<classical conditioning>>: wrong acts combined with punishment ultimately produced fear of punishment and thereby fear comes to be associated with the act and so ultimately curtail the behaviour
  - A third variable that reminds the individual about the reward or risk (classical conditioning) such as the dog salivating
- Crime is therefore the product of inadequate punishment/conditioning or a diminished capacity for conditioning/fear on the part of the extrovert, neurotic and especially psychotic individual

### **Social learning theory**

- Essentially learning criminal behaviour through modeling others and desensitization to crime and violence through direct and media exposure

### **Operant conditioning**

- BF Skinner
- A more complicated form of conditioning whereby behaviour is shaped through reinforcement and/or punishment
- Crime is a thereby the result of failure to form fear of, or respond to, punishment stimuli - to appreciate their likelihood of being delivered or to fear their arrival
  - A behaviour that results in a positive or negative outcome

Psychopathic personalities: all of the above

February 2, 2017

### **Strain Theories**

- Moves us into the domain of sociological accounts of crime
- Strain theories can be variously consensual versus conflictual in their orientation towards society
- Strain theories have had very different meanings over time
- Consensus perspective: the vast majority of the population share similar values regarding right and wrong; morality is universal, and important values are shared by all members of society. Customs persist, and the law represents a codification of societal values.
- Conflict perspective: the criminal law does not represent the moral values of the majority but reflects the interests of groups that are in a position to create and enforce those laws (the powerful). The character of laws, the kinds of conduct they prohibit, and the types of sanctions depend on the nature of the powerful groups that influence legislation (gender? Capital? Race? Depends on how you define your dominant classes). Society is thus inherently unfair and so also unstable, at a deeper level.

### **Emile Durkheim: Anomie**

- Division of labor in society (1893): as societies modernize shared norms break down leading to a condition of anomie (normlessness)
- Anomie occurs in periods of rapid social change (i.e., industrial revolution)
- There is a balance between functional and dysfunctional aspects of deviance
  - There is more deviance because of two reasons, one is that the police is cracking down on it and the people either don't know what deviance is or they just commit crimes
- Suicide studies: protestants (greater individualism) versus catholics (greater solidarity) - more suicide amongst protestants

### **Robert K. Merton: Gaps**

- Adapted the anomie concepts: a situation in which people's goals - what they want to achieve - are beyond their means. Being in a state of anomie means that commitment to the goal remains so strong that individuals will adopt deviant means to achieve it
- Therefore a combinations of structural and cultural factors help to explain crime
- The strain resulting from the gap between goals and means to achieve those goals could result in some sort of innovation, usually deviant in nature. Thus, for

merton, anomie is less about an absence of restraints as it is about disparities in opportunity structures

- In the gap is where there is most crime because the poor sees what the rich has and wants it
- Relative deprivation becomes key as a concept
- Particularly relevant for lower-class forms of crime, and cutting corner in business amongst the upper class

### **Is this an individualistic or structural account of crime?**

- Western society - particularly North American culture - values the economy above all other institutions
- Mainly micro focused
- Within this structure, there is a divide between the production and financing aspects: this means that the idea of making a profit can be conceived and carried out. The idea of making a profit can thereby be valued without having a personal investment/stake/concern over what you are producing. This can encourage unethical behaviour
- On an individualistic level, strain triggers negative emotions, which in turn require that the individual cope with his emotions. If legitimate coping strategies are ineffective or unavailable, one may adopt illegitimate coping strategies
- The source of strain and coping mechanisms can be subgroup (especially socio-economic class). There is also empirical support for the interaction of strain variables and social psychological variables, such as having delinquent friends
- We are thereby speaking about a causal chain or network of associations rather than a linear cause and effect model

### **Differential Opportunity Structures in Communities**

- Stable slums
- Transitory slums
- Suburbia
- Unlikely (purely illegitimate opportunities)
- Most lower class communities have both legitimate and illegitimate opportunity structures: how these two structures interact and what draws people to one rather than the other means of dealing with strain has generated considerable debate among sociologically oriented criminologists. A uniform theory is unlikely to develop because all communities are likely to be different

**Richard Cloward**

- Individuals under strain must have access to illegitimate opportunity structures to pursue crime
- membership in particular subcultures kicks-off the processes of socialisation that lead to either criminal, conflict, or retreatist responses to strain
- Which is more desirable: having skid-row alcoholics with no opportunities, or having prostitutes, and gamblers engaging in activities that are seen as deviant by society?

### **Albert K. Cohen**

- The middle class measuring rod: a process through which lower class youth are demoralized and excluded from success in the mainstream through being constantly evaluated by the (unique and initially poorly understood) standards and values of the middle class (reaction formation) and further socialization through mutual conversion

### **Challenges**

- Given that women are under greater strain through greater exclusion to opportunity than men, these theories would predict higher rates of offending amongst women (although, perhaps women have been more experience in coping with injustice, and thereby respond to relative deprivation more adaptively or through withdrawal)
- Generally societies have become safer than more disorderly over the course of individualisation
- Difficult to explain non-deviance and differences within groups occupying similar socioeconomic positions (the theory does not always hold for people with similar situations)

### **Policy Implications**

- Greater class mix in society leads to a long term reduction in crime through providing access to legitimate opportunities for those experiencing strain. It also reduces upper-class crime by spreading power and opportunities more evenly throughout society
- In the short term, it is the interests of the wealthiest classes to segregate themselves, but this is to the long-term detriment of society
- 1960s: The Mobilization of Youth Project – attempts to improve education, create work opportunities, organize lower-class communities, and provide a variety of social services.
- Argued that these programs were eventually taken over by the interests of the social service bureaucracies charged with running them

- While it is extremely difficult to alter social structures, the evidence indicates that such programs have a positive impact upon the sense of « collective efficacy » evidenced in lower-class communities
- Are such programs merely window dressing? (Broader conflict critique)

## Midterm

- 20 MC questions
  - application types of questions
  - “Which of the following of psych theories are the most micro”
- Essay question
  - From the perspective of a couple of different theories what would they say the sources of crime was and what is some

February 7, 2017

Lecture 9

Crim 1300

## Interactionist Theories

### Symbolic interactionism

- People act towards the human and nonhuman objects in their lives according to the meanings that those objects have for them
- The meaning of those objects for each individual emerges from interactions between him and her and other people = social <<transactions>>
- The meanings of objects change depending on the situation and context: meaning = reality + individual interpretation in text

### Labelling theory

- Micro and (critical) consensualist theory (sometimes straddling the conflict line)
- Howard S. Becker: Outsiders (marijuana smoking)
- Deviance is not a quality of the act but of the label that others attach to the act
  - That means you follow the deviant child and see if they continue to be deviant or turn around
- The application of the deviant label is sometimes subject to considerable negotiation between possible deviant people and those in a position to apply the label of deviant to them: it is a transactional process
- Labeling and its consequences are viewed as unfolding within the deviant career
- One of the most important symbolic theories
- Interactionist theory in criminology helps to explain: (1) the establishment of moral rules; (2) their application through labelling; (3) the long-term consequences of these two processes for deviants and for society

### The Deviant Career

- The passage of an individual through recognized stages in one or more related identities associated with the labelling process.
- Primary deviation: where the individual commits deviant acts but does not adopt a primary self identity as a deviant (i.e., getting started)
- Secondary deviation: occurs when the individual accepts or can no longer resist the label of deviant (i.e., following down the deviant paths through internalizing the deviant identity ever more strongly)
- The process of internalizing a deviant identity begins with « drift »: when one is in a state of weak normative attachments to either conventional or deviant identities. According to this view, what would happen at this stage would be

critical to explaining whether or not a person commits to a deviant and criminal identity/lifestyle

- The management of « stigma » is a vital process in the deviant career: negative external pressures and internal emotions (i.e., guilt) come to be managed largely through « moral rhetorics », such as egoism and instrumental rhetorics.
- The primary is when you actually doing something like smoke weed, or dress up as a furry while secondary (see above)

### **Rule Setting: Moral entrepreneurs**

- Rule creators and rule enforcers: the crusading reformer who raises moralistic arguments which are seldom responsive to empirical evidence
- tremendous social impacts: the example of « three strikes and you're out » in the United States
- Typically powerful groups of people
- Play a key role -- explaining how individuals move from -- primary to secondary deviation

### **Secondary deviation**

- Career contingencies largely determine whether someone continues along the deviant career: contact with law enforcement agencies; significant life events like relationships or jobs; differential association with like-minded peers
- Deviation becomes secondary when deviants see that their behavior substantially modifies their ways of living: they either embrace or modify their behavior to attempt to reject the deviant label. They will find it very difficult to break from the behavior patterns that are ascribed ( and to a certain extent structurally determined by) their « master status »
- The Sopranos: « There's no gettin' outta dis thing of ours, once you're in »
- Continuance commitment: adherence to criminal or other identity arising from the unattractiveness or unavailability of alternative lifestyles: structural and personal penalties to « going straight »
- Self-enhancing commitments versus self-degrading commitments: responses which lead to better or worse opinions of oneself

### **Difficulties with the interactionist theories**

- It is very difficult to quantify/operationalize many of these constructs as the basis of « scientific » research

- Perhaps insufficient attention paid to those who set the rules: why they seek to do so and how they are able to do so
- Perhaps focused to greater degree upon how deviants understand their situation, with too little ethnomethodological examination of how so-called « normal » and powerful groups make sense of, and respond to, deviance.
- A sociology of « nuts, sluts, and perverts? »

### **Implications**

- Continuance commitment to deviance should be prevented through interventions that avoid the application of the label of criminal (e.g., decriminalisation; alternative sanctions)
- Reduce stigma for deviant behaviours that do not harm others (from labeling theory)
- Efforts should be made to increase the status of deviants in the dominant social order through opening up avenues for legitimate participation/self-enhancing commitments (e.g., sports programs for at-risk youth)

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Lecture 10

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**Critical theories: social control theories, marxism, feminism in criminology**

**Righest Conflict theories: social control theory**

- People are rational: there is nothing unusual about people who deviate from the norm or who commit crime
- Why don't we ALL do it?
- People do NOT commit crime because they do not want to jeopardize their bonds to conventional society.
- Durkheim, Hirschi: social bonds
- Encourage the nuclear family because they can't force it

**Social Disorganisation**

- Social control theory follows Durkheim more than merton: society fails to communicate norms, guidance and controls strongly enough (less on the idea that society unfairly distributes opportunity; or that society has no common standards – rather that society structurally fails to communicate deeply existing standards, norms, and the merits of opportunities available)
- Pay attention to the ecological fallacy: looking at aggregate data to make conclusions about individuals
- Thrasher, Shaw, McKay: ecological studies of the city (Chicago) – inner city disorganisation and gangs (the need to belong to SOMETHING)

**Hirschi's Bonds**

- Attachment -- affective (emotional) ties to others
- Commitment – stake in the pursuit of conventional goals
- Involvement – being busy with conventional activities
- Belief – in conventional values, morality and the legitimacy of law
- For the most part, research has supported Hirschi's theory, particularly for the variables of attachment and commitment. The evidence concerning involvement is mixed in that involvement in school activities is related to lower involvement in delinquency, while participation in hobbies and part-time jobs is not related to lower criminality and sometimes even higher rates of criminality.
- Some lack social control/self control: poor early childhood socialization is the proposed mechanism.
- Positive schooling experiences/the approval of teachers appears to be another important mechanism.

- Religion: appears to work to control people's behavior where the individual actually has an emotional stake, and holds important relationships with other members in a religious community; rather than on the individualistic psychological dimension of making you afraid of sacred punishment. This relates to the community costs of deviance/affective ties to others, rather than beliefs, per se.

### **Weaknesses/critiques of social control theory**

- Female criminality? As women conform to « acceptable behavior » more than men, should these theories not have focused greater degrees of attention upon the experience of women?
- What about crimes of the powerful – those with a strong stake in the broader social order?
- Is this too conservative a theory of crime? Should we always assume that the dominant normative order is correct?
- Our society has not clearly defined 'upper class' morality: politicians and business leaders rarely receive more than token punishments for illegal activities and are more likely to see their behavior as only technically wrong rather than see it as criminal. In the absence of moral constraints, the occurrence of such behaviors will depend largely on the risks and rewards associated with violating public and financial trust.
- These theories tend to focus upon the individual's immediate environment – rather than look at the impacts/fairness of the distribution of opportunities in broader social structure – it is critical, however, of society's inability to effectively communicate what are taken to be universal norms and values to individuals; thus it is a highly conflictual, albeit conformist, borderline micro/macro theory.

### **Policy implications**

- Dream of values « counter-revolution » (impossible), so:
- Monitor
- Detect
- Punish
- Reward
- Be relevant/meaningful to the lives of people governed

### **Leftist conflict theories**

- Conflict theories vary according to their assumptions regarding the *source* and *nature* of conflict
- They share a focus on macro social, political, and economic processes and structures
- They therefore make very different policy statements about how best to engage social transformation and the achievement of justice

## **Feminist Theories**

- Patriarchy is one of the primary mechanisms of power. Capital is sometimes seen as an additional important mechanism of power
  - Patriarchy: a social system in which men occupy positions of power and privilege and use those positions to maintain dominance over women
- Radical feminism – the focus is upon documenting and analyzing the ways in which the content of law and practices of law enforcement have served to enrich and strengthen male dominance in society; concern over the mobilization of violence against women as a tool in the arsenal of domination
  - Within radical feminism, patriarchy is seen as originating within biological differences between men and women – men attempt to dominate women within this structure in order to assure themselves control over both women’s reproductive capacity and their labor power
- Socialist feminism – a similar focus to radical feminism, but which is also open to exploring the ways in which patriarchy *and* capitalist exploitation are linked and support one another through the legal system
- Canadian law prior to 1983 did not allow a married man to be charged with raping his wife
- The reforms post-1983 (wherein the crimes of rape, indecent assault on a female, and indecent assault on a male were changed to differing degrees of « sexual assault ») are also considered by some to be unhelpful to the extent that they introduce neutral language which trivializes rape violence by making it appear no more harmful than other types of assault and no more serious than minor forms of sexual assault, such as unwanted touching.
- But, can rape be considered as a separate from other forms of violence in society? Does this perhaps overstate the influence of patriarchy in structuring contemporary affairs? What about the role of capital and economic relations which may be distinct from – if not completely separate from – patriarchy?
- This is precisely the domain of socialist feminism: establishing the links between capitalistic modes of production and male dominance – wherein the « productive sphere » of « the public » is largely understood to be a man’s domain, whereas

the « reproductive sphere » of « the private » is taken as women's domain and ultimately under the control of, and subservient to, the public sphere.

- These streams of feminism in criminology are certainly more critical and, I would certainly argue, interesting and applicable than less critical applications of women's concerns within the discipline (i.e., the « traditional » streams).
- Conservative approach: biological sex differences and explaining female criminality in terms of hormonal fluctuations and the reproductive cycle (e.g., PMS).
- Liberal approaches: tend to understand differences between men and women as resulting from gender roles and socialization patterns: and therefore, lesser levels of criminality would be associated with the greater degree of social control exerted over women from a very young age within the patriarchal family structure.
- The « add women and stir » approach to social theory is highly problematic, as most of the theories were derived with very masculinist concepts in mind.
- Why do you think should we have so much of the focus upon women as a category unto themselves within the discipline of criminology?

### **Violence against women**

- As a social/structural problem: consider the fact that in 1980, when the above statistics were reported in Parliament, they were met with laughter from Members of Parliament
- The numbers are in fact astonishing: in 1980, The Canadian Advisory Council on the Status of Women estimated that one in every five Canadian women will be sexually assaulted at some point in her life, and one in every 17 will be the victim of forced sexual intercourse. Only one in 10 sexual assaults are reported to police.
- Approximately 1 in 10 women who are married or in a relationship with a live-in lover are battered in some way.
- Criminology has been a part of the problem, in that the discipline has construed violence against women as being largely a problem of individual pathology rather than a social/structural issue.

### **Marxism**

- Marxists contend that all of the main features of society, including its cultural ideas, social organization, and, critically, system of law and responding to crime, are chiefly shaped by its form of economic organization – contemporarily, this is capitalism

- The precise levers/mechanisms through which capitalism orders society vary according to genre of Marxist theory. Note, critically, no stream of Marxism posits that the market controls society in simple terms.

### **Instrumentalism**

- Holds that the criminal law and entire political system is designed, run, and protected in the interests of the capitalist class, to the detriment of the proletariat (the workers). The bourgeoisie are the middle managers who are basically given trifles to serve the powerful class of capitalists above them.
- This is a theory that places the emphasis upon \*human actors: a conscious (and successful) effort to manipulate the system in their esoteric interests.
- Much of the enterprise of instrumentalist Marxist criminology would be to expose « crimes of the powerful » in the state-corporate nexus
- Consider the example of the Iraq war and the dealings of the Halliburton Company in its restructuring.

### **Structuralist Marxism**

- Rather than emphasize individual actors, structuralist Marxists posit that the state and the criminal justice system act in the interests of securing the necessities of the reproduction and accumulation of capital, even if that is against the short-term interests of particular capitalists
- Spitzer and the concept of the 'surplus population'
- Much of the interest here would be upon examining the purposes of particular laws that seem to serve the interests of marginalized classes in the short term (i.e., « smokescreen »)

### **Left Realism**

- Despite the fact that the state is largely in the pocket of capital, nevertheless, crime and disorder create real problems for marginalized segments of the community
- One must therefore engage empirical research to determine the sources of insecurity for marginalized communities, and develop models of crime control suited to their interests
- Typically, this would involve controlling/constraining the power of the state (i.e., robust accountability bodies to monitor the police) and seeking out alternative crime control measures that do not involve state agencies (i.e., restorative justice)

Midterm review

- Macro, micro, consensualist, critical
- Review the main theories
- Essay questions
  - (1) Compare and contrast the labelling and strain theory approaches to the problem of crime. Are they macro or micro in focus, consensual or conflictual? What do they regard as the sources of crime? What do they say we should do to help reduce crime in our society? Which approach do you think is most accurate/important and why?
  - (2) Compare and contrast Instrumental, Structural and Left Realist Marxist theoretical approaches to the problem of crime. Are they macro or micro in focus, consensual or conflictual? What do they regard as the sources of crime? What do they say we should do about the problem of crime? Which approach do you think is most accurate/important and why?
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February 14, 2017

Lecture 11

Crim 1300

## **Authority and Capacities of the Public Police (The birth of the Blues)**

### **What is policing**

- Policing is a process or set of processes wilfully directed towards the production of order and proffering assurances of safety and security.
- Throughout history, many agencies (mostly private) have been engaged in this set of functions
- The modern public police service has only for a little while been one of the most important agencies involved in policing

### **The historical origins of the concept of the police**