

## What is a crime?

- **Definition of criminology vs criminal justice**
  - *Criminology*
    - Scientific study of nature, extent, causes and management or control of criminal behaviour
  - *Justice*
    - Anything involving courts, police, corrections and the justice systems
- **Criminological enterprise**
  - *Criminal stats*
    - Create valid, reliable measures of crime
    - International crime trends (For example: won't touch on "illegal fishing")
  - *Sociology of law*
    - Interested in the role of criminal law in shaping society
  - *Theory Construction*
    - Explaining, Predicting, criminal behaviour
    - (Not a lot of criminologists predict the criminal behaviour of others)
  - *Criminal Behaviour*
    - Determining nature, cause of crime patterns
  - *Penology*
    - Correction and control of criminal behaviour
  - *Victimology*
    - Nature, Cause of victimization
- **Some concepts of society**
  - Norms are rules and expectations by which a society guides the behaviour of its members. They may be either prescriptive (Don't) or proscriptive (do)
  - There are two types of norms that were identified by William Graham Sumner: **Mores (Right and Wrong) and Folkways (Right and Rude)**
  - As we internalize norms, we respond critically to our own behaviour through shame or guilt
  - Social Control
    - Formal social control
      - Police
      - Government
    - Informal social control
      - Parents
      - Coaches
      - Friends
- **Some definitions**
  - *Crime*: Any form of human behaviour that is designated by law as criminal and subject to penal sanction
  - *Law*: A rule with consequences

- *Rule of Law*: We accept that laws are rules of society and when transgressed will have repercussions (No one is above the law, you will face the justice system equally)
- ***Criminology***
  - “Crim is the body of knowledge regarding crime as a social phenomenon. It includes... the process of making laws, of breaking laws, and of reacting to the breaking of laws... The objective of criminology is the development of a body of general and verified principles and other types of knowledge regarding this process of law, crime and treatment” - Sutherland and Cressey, 1960
- ***Criminal Behaviour***
  - Simply known as behaviour in violation of criminal law
  - Behaviour is not a crime unless it is prohibited by the criminal law
  - Laws are usually defined conventionally as a body of specific rules regarding human conduct
  - Laws are enforced by punishment administered by the state
- ***Legalistic definition of crime***
  - A crime is any intentional act or omission in violation of the criminal law, committed without defense or justification and sanctioned by the state
  - Problems with this definition
    - No proof of what is intentional and unintentional
    - Does not include the state as the perpetrator of crime
- ***Labeling definition***
  - Not the quality of act but the label that others attach to the act
    - Who applies the label and who is labeled
    - Applying a label such as: A rapist, A murderer
- ***Exercise***
  - Criminal Act+conviction= Criminal
  - No criminal Act+Conviction= Criminal
  - Criminal Act+No Conviction= Not a Criminal
- ***Chambliss, The saints and Roughnecks (1973)***
  - Saints-middle-class
    - Kids coming from rich/well off families
  - Roughnecks-Lower-Class
    - Kids coming from poverty/bad backgrounds
  - Same levels of delinquency
    - Smoking,Drinking,Vandalism
  - Different treatment by society
    - Town treats the Saints as good kids just like to get a little rowdy
    - Yet the roughnecks are criminals and will never be anything
  - Adulthood
- ***How are crimes determined***
  - Deviant behaviours are behaviours that violate the social norms
  - Are all deviations from social norms criminal?

- Marijuana use?
  - Not all crime is a deviation: A 2012 survey showed 53 percent of Canadians believe cannabis should be legal
- Bystander apathy?
  - Not all deviation is criminal
- **What is Crime?**
  - This approach implies that the definition of crime is a function of
  - The beliefs, morality, and direction of social authorities; and
  - Is applied uniformly to everyone in society
  - Therefore crime is a social phenomena
- **John Hagan's Varieties of Deviance**
  - Three interacting variables
    - *Evaluation of social harm*
      - Very harmful, somewhat harmful, not very harmful
    - *Agreement about the norm*
      - String agreement, strong disagreement, confusion or apathy
    - *Severity of societal response*
      - Very Severe, Moderate, mild
- **Types of crime and Deviance**
  - *Consensus Crime*
    - Rape
    - Murder
    - Robbery
    - Arson
  - *Conflict Crime*
    - Porn
    - Prostitution
    - Drugs
  - *Social Deviations*
    - Alcoholism
    - Sexual Fetishes
  - *Social Diversions*
    - Body piercing
    - Tattoos
    - Cross-dressing
- **How do criminologists view crime**
  - *Three perspectives*
  - *Consensus view*
    - Basic Assumptions
      - People are treated fairly under the law
      - Enforcement practices are fair
      - Consensus viewpoint predominates in North American Criminology

- People agree on what is repugnant
  - Peoples agreement is incorporated into criminal law
- The law is fair and impartial
- **Conflict View**
  - Basic assumptions
    - Laws reflect the power structure of society
      - Laws protect vested interests
      - Law enforcement targets the underdog, not the powerful
    - Focus should be on the crimes of the rich
      - Environmental crime, treatment of workers, consumer fraud, crimes against humanity
- **Interactionist View**
  - Basic assumptions
    - Laws are constantly changing
      - Laws result from interaction among individuals and groups
      - Moral entrepreneurs try to get their values enacted in law.
    - Being labelled deviant may promote further deviance
    - The focus is on the process of deviance and changing definitions
- **A composite definition**
  - Crime is a violation of societal rules of behaviour as interpreted by a legal criminal code created by people holding social and political power
  - Individuals who violate these laws are subjected to sanctions by state authority, social stigma, and loss of status
- **A critical approach**
  - Crime is a function of political and economic inequalities produced by a capitalist mode of production
  - Includes
    - Human rights violation
    - Crimes of the powerful
    - ISM'S
      - Sexism
      - Racism
      - Etc
    - Poverty