CRIME AND DEVIANCE:
FUNCTIONALISM

Key words: Socialisation, Value consensus, Structural, Anomie, Durkheim, Functions of crime, Boundary Maintenance, Safety valve, and Warning light.

Functionalism is a **structural** theory. It sees the root of crime in the structure of society. This explanation of crime is based on **socialisation** and social control. Meaning how the values, beliefs and norms of society are internalised into you, and how if you break these you are dealt with or praised when doing them right retrospectively. A **value consensus** arrives when everyone agrees these values and beliefs.

Durkheim believes that crime is inevitable in our capitalist society. This is because we are more individualistic and people have different experiences, beliefs and values now. Modern societies promote a diverse and specialised labour force, and a diversity of subcultures which incurs a diversion of groups and blurred values. This is called normal-less-ness, or **Anomie**.

Durkheim believes that there are four functions of crime; boundary maintenance, adaptation and change, safety valve and acting as a warning light.

1. Boundary Maintenance
Because crime gets a reaction from society it means that when someone commits a crime people are brought together in outrage of the values being broken. For example, when a murder happens the media is in a frenzy because values are being questioned over the value of a life. Courtrooms are publicized to affirm the values of society against crime.

2. Adaptation and change
Deviance means moving away from the norms, so when an individual has a new idea they are naturally deviating from the norm. Too much control would leave the society in a stagnate position of no change at all. Allowing some deviance is necessary in society today.

3. Safety valve
Crime can act as a release of stress in society. For example, **Ned Polsky (1967)** argues that pornography safely channels a variety of sexual desires away from alternatives such as adultery, which causes more problems

4. Warning light
Statistics like truancy and suicide highlight serious issues in society.
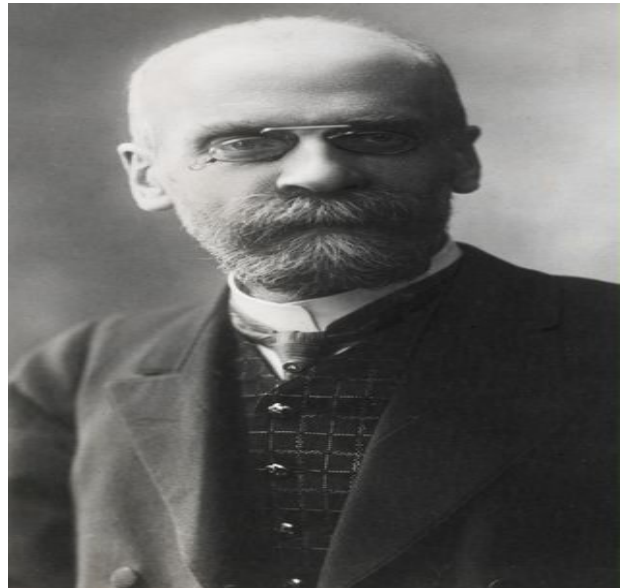
Evaluation of this theory:
Not clear exactly how much deviance is a good amount of deviance to create a good amount of change and development

It doesn't really explain why crime exists in the first place and where it comes from. Psychological and biological explanations at least try to do that

Assumes that crime has some positive roles for society, but ignores how it affects the individuals, especially how it is functional for the victim!

Useful in showing how crime is integral to society; that not everything that is deviant is bad

Taylor (1973) points out that many people have different values, religion for example values different things, and some may want to 'love' their job rather than climb the ladder. No value consensus today
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CRIME AND DEVIANCE:
STRAIN AND SUBCULTURES

Key words: Strain, Merton, Modes of Adaptation, Goals, Means, Conformity, A. K Cohen, Status frustration, Anomie, Alternative status hierarchies, and Cloward and Ohlin.

Merton's **strain** theory builds on why people commit crime, looking at the social values and means in society. He says that there is a strain between the goals society holds; wealth, success, love, material possessions etc; and the means the get them. He says there are **legitimate** means and goals and there are illegitimate means and goals.

When people are blocked from the legitimate means by deprivation, marginalisation or other factors they may turn to illegitimate means to achieve the goals the society wants them to strive for. People face a**nomie** because they are blocked from the normal path and desires.

Merton says that aside from **conforming** to the legitimate means and goals, there are four responses to the strain or 'Modes of Adaptation.'

Mode of adaptation	Accept means?	Accept goals?	Example
Conformity	/	/	The non-deviant, non-criminal conformist citizen
Innovation	x	/	Factors like poor educational qualifications or unemployment mean that some people can't achieve goals by approved means, so they turn to crime as an alternative
Ritualism	/	x	Give up on achieving goals but stick to means, - e.g teachers who give up on students success but still work.
Retreatism	x	x	Drop outs, like drugs addicts or tramps, who give up altogether
Rebellion	X (/)	X (/)	Reject existing social goals and means, but substitute new ones to create a new society, like revolutionaries or members of some religious sects

/ = accept   x= reject

Evaluation of Strain Theory
He explains patterns shown in official statistics; Property crime is the most common crime, because America holds material success so highly. The working class crime rates are overrepresented because they have less opportunity to use legitimate means
Merton doesn't explain how they could be perfectly respectable people who seem to be obtaining their success by legitimate means, but actually doing illegal things. Like white collar crimes

A. K Cohen thinks we should focus on deviant groups because there are big group differences in crime statistics. Cohen also focuses more on non-utilitarian crimes like violence whereas Merton ignores this or at least doesn't explain it. He says that working class boys are susceptible to offending because they face **anomie** from the mainstream middle class cultures and education system.

They fac**e status frustration** because they cannot achieve in this system. They create an alternative status hierarchy which flips these values to instead be valuing disrespect, vandalism and aggression. Because other working class boys are in this circumstance they band together and form a deviant subculture together. Thus creating group deviance and crime. They achieve status through deviance.

Evaluation of Cohen's theory
Miller (1962), agreed with Cohen that there was a delinquency subculture, but argued that it arose entirely from the lower class way of life, they had their own focal concerns that differed from the mainstream ones
Matza argued that there was no evidence of steady subcultures, but a drift of deviance over time lesser in adulthood
It explains what Merton can't about group delinquency rather than individual delinquency.
Explains non-utilitarian crime as its status frustration and rejection of values

Cloward and Ohlin argue that there are 3 subculture responses not just one, due to social circumstances. There is the **Criminal** subculture, the **Conflict** subculture and the **Retreatist** subculture. In the first there already exists an adult **illegitimate criminal structure** so people who slip under society become part of this and value utilitarian crime not things like vandalism. Conflict subcultures resonate with Cohen as there are no formal illegitimate structures because of high population turn over; so people release their frustrations through violence and non-utilitarian crime. Retreatist subcultures are 'double failures' who haven't achieved legitimately or illegitimately and turn to drugs.

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CRIME AND DEVIANCE:
CRITICAL CRIMINOLOGY

Key words: Traditional Marxism, Neo-Marxism, Taylor, Ruling class, Chambliss, David Gordon, and Criminogenic.

Marxist perspectives on crime take a structural approach, looking at how class conflict can shape and create crime. **Traditional Marxist** theory focuses on **ruling class** oppression. Whereas **Neo-Marxist** theory looks at more social factors influencing someone to commit crime.

Traditional Marxist views focus on the law, capitalism and ideologies. The law works in favour of the capitalist (ruling) classes, for instance private property laws stop poorer people taking the riches of the wealthy. **Frank Pierce (1976)** argues that these laws benefit the working class too by keeping the work force fit to work and giving a 'caring face' of the RC. **W.G Carson (1971**) in a sample of 200 firms found that they had all broken health and safety laws at least once, yet only 1.5% have been prosecuted.

Chambliss (1975) argues that laws to protect private property are the cornerstone of the capitalist economy. They illustrate this by looking at the introduction of English law in African colonies. The African economies were not fuelled by money. So by introducing a tax law which had to be paid in cash the Africans then had to work for them to earn cash to pay the tax.

They argue that capitalist society is criminogenic meaning that it's very structure of greed, wealth and materials breeds crime. **David Gordon (1976)** argues, crime is a rational response to the capitalist system hence why it is found in all classes.

Neo-Marxists like Taylor don't agree with Traditional Marxists thinking that the working class only commit crime due to laws working for the ruling class. He thinks that there is a political motive of the working class. He argued that no one was forced into crime so there is a conscious choice in it, also there are different meanings to different individuals.

Other sociologists have thought crime was a way to act out against ruling class rule, but also a way for the ruling class to reassert hegemony through moral panics about the working class. **Hall et al (1970)** argued that moral panics over black muggings in the 70's justified tighter policing, and
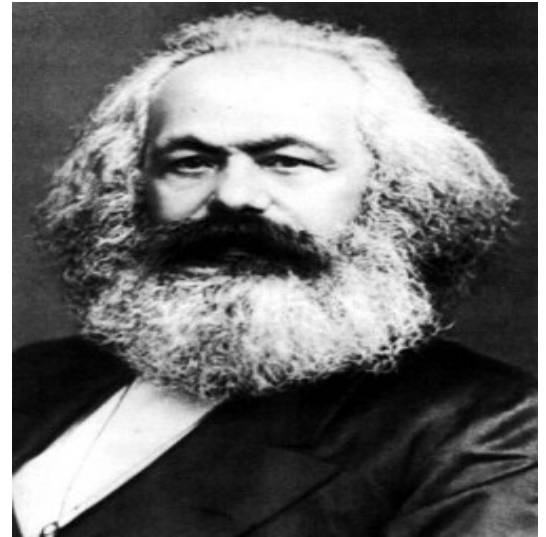
racism in the way of harassment of black citizens.

Taylor doesn't like other theories which see working class people offending out of necessity, anomie or strain. In this way he sees these theories as deterministic. Instead he synthesized Traditional Marxism with Labelling theory to create a fully social theory of crime. He wants to know;

the wider social reasons for crime e.g unequal distribution of wealth. The immediate reasons for crime; the specific situation. The actual act and how it is deviant; are they stealing money from the rich to give to the poor- political motive? The immediate social origins of the response; family or friends. Also what are the wider responses; do the media portray it as deviant? Then what happens after this, are they still deviant or controlled?

Evaluation of Marxist explanations

Both ignore that the victims of crime are often working class not ruling class
Both ignore that not all capitalist societies have high crime rates; Japan and Switzerland
Ignores explanations for domestic abuse and rape crimes
But T.Marxism does show a link between law making and interests of the capitalists.
Neo-Marxists romantisize the offenders as 'Robin hoods' serving to break capitalism

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Crime and Deviance: Labelling Theory

Howard Becker says that deviance is only deviance when something someone does is labelled as deviance by others and they react to it as if it were deviance. Nothing in itself is deviant or criminal, just the way society labels it. Labelling theorists argue that official statistics are **social constructions** which means they are created on a social level and not a solid objective fact. This is because they only represent crimes which are reported and labelled as deviant.

Becker argues that those who label people and make the laws to determine deviance are called **Moral Entrepreneurs**.

There is also an element of selective enforcement because there are no unlimited resources for tackling crime so a way to get around this is target specific people. **Piliavin and Briar (1964)** found that decisions to arrest were based on stereotypical things like dress, gender, class, ethnicity, time and place.

Cicourel (1976) found through an extensive 4 year participant and non-participant observation study of two US cities that the working class people were labelled as deviant for the same offences as the middle class more than the MC. He argued that justice is not fixed it is negotiable. And the middle class know how to negotiate.

Lemert (1972) says there are two forms of deviance; primary and secondary. Primary deviance is never seen, a person can download child pornography and not get caught and therefore only be primary deviance. But as soon as they get caught and are arrested they are labelled as deviant and this is secondary deviance Secondary deviance affects a persons self concept. Becker says that when someone is in secondary deviance and everyone thinks of them as deviant all other labels attached to them are forgotten. The woman who downloaded child porn is now thought of as a paedophile not a mother, sister, manager, Samaritan etc. This is called a **Master Status**.

Self Fulfilling prophesies arise when someone has been labelled as deviant and are cast as outsiders from society. From becoming outsiders these people bond together with others who have the same label and internalise their deviant status. Moral panics from this deviant behave create a 'Well they think I am, may as well be' attitude and creates more deviance. This is the idea of Becker, Cohen and Young.

This label and internalisation creates a **deviance career** much like an occupational career. For example **Triplett (2000)** notes how the CJS re-labelled status offences such as truancy as more serious offences resulted in harsher sentences- lead to increase in offending and more violence.

Evaluation of Labelling theory

Little to say about policies to stop crime, except removing 'naming and shaming'

It provides an insight into the labelling process that structural theories cannot

Tends to remove the blame for deviance away form the deviant and to the people who define their actions as deviant

It challenges the idea that deviants are different from normal people

It doesn't explain why there are different reactions to deviance, or where the stereotypes come from in the first place

Shows importance of stereotyping in understanding deviance

Deterministic; assumes once people are labelled they will be more deviant, but it could make people less deviant as they can choose to or not

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CRIME AND DEVIANCE: RIGHT REALISM

Right realists don't care about idealisms they only want practical solutions to a real problem. They think the best way to do this is through control and punishment. James Q. Wilson believes that crime is inevitable so we shouldn't waste time trying to stop it, instead we should lower the impact on peoples lives. There should be **heavy policing**, **heavier sentences** and **greater deterrents** to criminals so that they wont commit crime.

This position argues that people are weak and selfish and need strong regulations by agencies of social control like the law so that they don't take illegitimate short cuts, like committing crime.

RR'S reject structural factors like poverty as the elderly are very poor and yet have the lowest crime rates. They choose to look at 3 factors, biological differences, inadequate socialisation and choice.

1. Biological differences
Personality and genes cause things like aggression, or lack of control over impulsions and risk taking behaviour. **Herrnstein and Murray (1994)** argue that the main cause of crime is having low intelligence, which they think is biologically based.

2. Socialisation and the Underclass
RR's see the nuclear family as the best agency of socialisation but also the best way to prevent crime. **Murray (1990)** believes that the culture we have now of welfare dependency creates broken marriages between woman and men. Male role models are no longer needed because the woman can support herself and the kids through benefits. Without the male role model the kids turn to deviance and peer groups to satisfy this gap.

3. Rational choice theory
Offenders choose to offend. **Felson (1998)** says that criminals decide to offend when thinking about a suitable target and the absence of capable guardians For example, during Hurricane Andrew in Florida 1982 patrols of local neighbours prevented looting and crime rates went down

In tackling crime they believe that biology and socialisation issues cannot be changed, so we have to prevent crime becoming attractive to less advantaged. **Wilson and Kelling (1982)** had a theory now called '**Broken Windows**' which basically suggests that if neighbourhoods are allowed to get into a disorderly state then they would be more likely be targeted for crimes against property and vandalism including graffiti.

The way to tackle crime is to have a **zero tolerance** against it, mend what is broken and punish those who brake it, also police patrols of the streets to make the law abiding citizens feel safe. **'Target hardening'** is where crimes are sentenced with harsher terms and are given soon after crime is committed to deter more crime.

Evaluation of Right realism
The view that criminals have free will and are rational conflicts with being determined by their biology and socialisation. **Lilly et al (2002)** found IQ differences account for less than 3% of differences in offending.

Addresses immediate causes for crime (broken windows) and implements policies to tackle the opportunities for crime-related.

It suggest harsher policing will reduce crime, whereas it could create resentment for social control agencies.

Concerned only with street crime and ignores things like corporate crime which affects the public

Over-emphasises the disorderly neighbourhoods, and ignore underlying causes of crime

CRIME AND DEVIANCE: LEFT REALISM

Key words: Relative deprivation, Marginalisation, Aetiological crisis, and Democratic policing.

Taking the Marxist approach of capitalism being the root of crime, without the revolutionary edge, Left realists want a real reform in how we tackle crime. They feel that Marxists ignore the victims of crime as the same class as the offender, and romanticise the offender. They also think that labelling theorists think that criminals are victims of labelling not real offenders.

Most importantly Left Realists as well as all realists think that the statistics are real representations of what is happening with crime. They feel that an increase in stats about crime means a real increase in crime.

Lea and Young (Primary Left realists) believe that believe that there is an **aetiological** crisis with regards to explaining the increase in crime recently. You can see the real increase in crime through crime surveys like the British Crime Survey. They have 3 causes of crime however;

1. Relative deprivation
Whether people see themselves as deprived compared to other people. Although it's not always the case, for example in the 1930's poverty was high but crime was low. By contrast, since the 50's standards of living have risen and so has crime. **W.G. Runciman's (1966)** definition of relative deprivation is how deprived you feel in comparison to others. People commit crime because they feel poor compared to others.

2. Subcultures
WC subcultures form as response to social inequalities, some WC subcultures believe that offending behaviour is ok and acceptable. Like Merton, AK Cohen and Cloward and Ohlin Left Realists draw on the blocked opportunists and responses of subcultures, Some subcultures weren't just about crime though, some were religion. Pryce (1979) noted in Bristol there were groups of Afro-Carribean 'hustlers' and Rastafarians 'saints' and WC 'respectables'.

3. Marginalisation
Some people slip out of society because of poor education, lack of opportunities, unemployment and lack of community opportunities.

Young (2002) argued that the reason there was an increase in crime in the 70's was due to; harsher welfare policies, job insecurity, poverty and unemployment. But also destabilisation of family and communities, weakening informal social controls. They also argue that there is a lot of hatred downwards from the upper classes to the underclass. This breeds hate crimes and racist attacks especially to asylum seekers.

The solutions to crime are based on their causes for crime and come in two ways, changing the policing and changing the inequality in society.

Democratic policing:
Kinsey, Lea and Young (1986) argue that the policy rely on information provided by the public (90% of all crimes known to police are reported to them). But to their disadvantaged lines of investigation are drying up because the public are loosing faith in the police. To over come this they need to be more accountable to the people they serve but also involve the local communities in what they do; be it priorities or policy making.

Reducing inequality:
The main solution to crime is to get rid of underlying social inequality.The state needs to tackle discrimination, inequality of opportunity and unfairness of rewards and also provide house and decent jobs for all.

Evaluation of Left Realism at
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CRIME AND DEVIANCE:
POST MODERNISM

Key words: Uncertainty, Diversity, Individualistic, Harms of repression, and Harms of reduction.

Post-Modernists believe that crime cannot be solved by looking at the causes as crime is a purely individualistic entity and there are millions of potential causes for one individual to commit crime. **Katz (1988**) examines the pleasures and seductions of crime for individuals. **Lyng (1990)** examines crime as 'edgework' committed for the thrill of risk taking.

Society is changing so rapidly that there is no value consensus but **uncertainty** and chaos. They believe that now society is fragmented with huge **diversity** of groups with different interests. Social structures have collapsed (no social class) and been replaced by **individualism** with a consumer culture. Individuals choose their life styles, values and identities they wish to adopt.

In modern times crime is a social construction based on outdated laws that don't take into account the diversity and advancements we see today. Instead of using narrow legal definitions, post-modernists think crime should be based on justice and a respect for others chosen lifestyles and identities.

Henry & Milovanovic suggests crime should not be defined as breaking the law but of people using power to show disrespect for others by causing them harm of some sort. There are two forms of harm;

Harms of reduction – power is used to cause immediate loss or injury

Harms of repression – power is used to restrain human development e.g. threatening human dignity, sexual harassment, racist abuse & hate crimes

Post-Modernists see the only way of preventing crime is to turn to private methods and informal local agreements on dealing with crime. **Foucault (1991)** pointed out that surveillance techniques are penetrating more and more private aspects of our lives, with surveillance tech like CCTV. People are seduced into avoidance of social harm by participation in the consumer society. Those who aren't as seduced or can't participate face stricter control.

Post modernists also say there is a detachment of the criminal justice system from more centralised to localised arrangements. This reflects the fragmentation of society into a diverse range of smaller groupings of localised identities such as ethnic and gender identities. E.g. The voluntary use of Sharia courts.

Evaluation of Post-Modernism

Lea argues that post-modernism just rediscovered labelling theory and radical criminology which said that crime was a social construction.

It can explain developments like surveillance tech becoming widespread, like CCTV

Doesn't explain why most people don't use their power for harm and why some people/groups feel the need to engage in it to affirm their identity

Recognising other criminal dimensions aside from structural ones

It doesn't recognise that the decentralization of policing actually just benefits the middle classes who have the power to get their needs attended to

Fails to recognise that consumer markets can breed resentment of consumers by those who cannot participate, which can generate the want to cause harm

Offers an explanations of non-utilitarian crimes like hate crime and anti-social behaviour

Ignores justice and citizen rights for all not just those who are significant consumers

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