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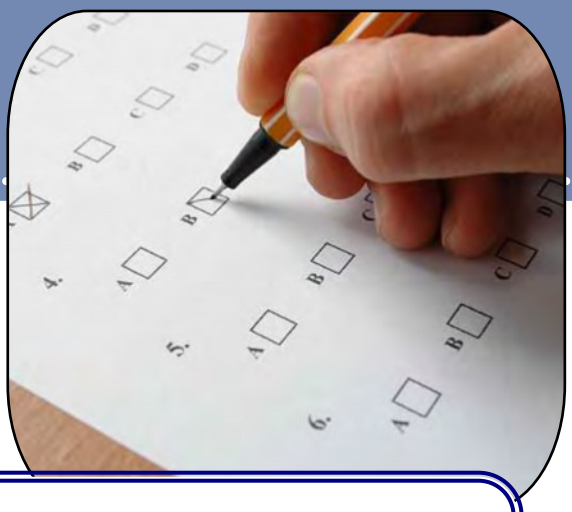
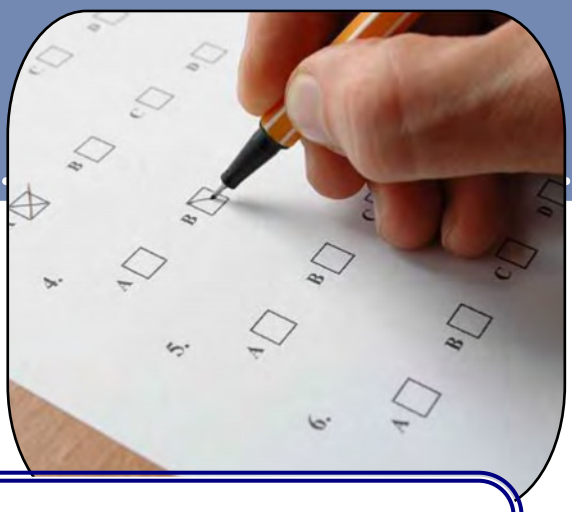


Crime and Deviance

Theories of Crime and Deviance

Chris Livesey



Contents

Different theories of crime, deviance, social order and social control.

Introduction

The concept of deviance refers to 'rule-breaking' behaviour (actions that violate (or 'deviate from') a *social norm* or rule) and while this relatively simple statement hides a number of sociological questions we will, at some point, need to confront and answer (questions about who makes rules, how rules are applied and why people break rules) for the moment we can begin by noting two basic types of rule:

1. **Formal norms** include *laws* and *organisational rules* and they represent official standards that apply in a given situation. Punishment (or a 'negative sanction' if you prefer) for deviance is clearly specified as part of the rule. For example, the punishment for murder in our society is a prison sentence of 25 years - a significant point because it illustrates the idea that where formal norms are concerned someone doesn't have to break the law in order to understand the punishment involved.

Organisational rules – while they have the same general characteristics as laws because they derive from formal norms – differ in the sense that they apply to a particular group or organisation, rather than to a society as a whole. For example, in an organisation like McDonalds there is a normative expectation that employees will wear a certain type of uniform while working in one of their restaurants. This rule doesn't apply to customers, nor does it apply to an employee outside their workplace.

2. **Informal norms** vary from group to group and there are no formal punishments for deviation. Smoking with a group of friends, for example, may be considered deviant or non-deviant depending on their particular attitudes towards such behaviour. Even if this is in a public place – a practice that is illegal – it wouldn't change the fact that in terms of the informal norms operating within a group such behaviour may not be considered deviant.

Ex-Liberal Democrat party leader Charles Kennedy shows his support for the ban on smoking in public places by being caught smoking on a train in 2007. He was "spoken to" by police after he explained that he thought it was legal if he "blew the smoke out of the window" (and they wonder why young people don't bother voting...)

This example illustrates a couple of important ideas about deviance in terms of what **Plummer** (1979) considers to be the distinction between:

Societal deviance, where there's a broad consensus in a society that behaviour is morally wrong, illegal, and so forth, and

Situational deviance, where a group defines its behaviour as non-deviant, even though such behaviour is considered societally deviant.

McDonald's staff - modelling their new uniforms created by well-known fashion designer Bruce Oldfield - get ready to party (or flog you a Big Mac with Xtra Cheese - it's one or the other but I can't quite make up my mind which...)

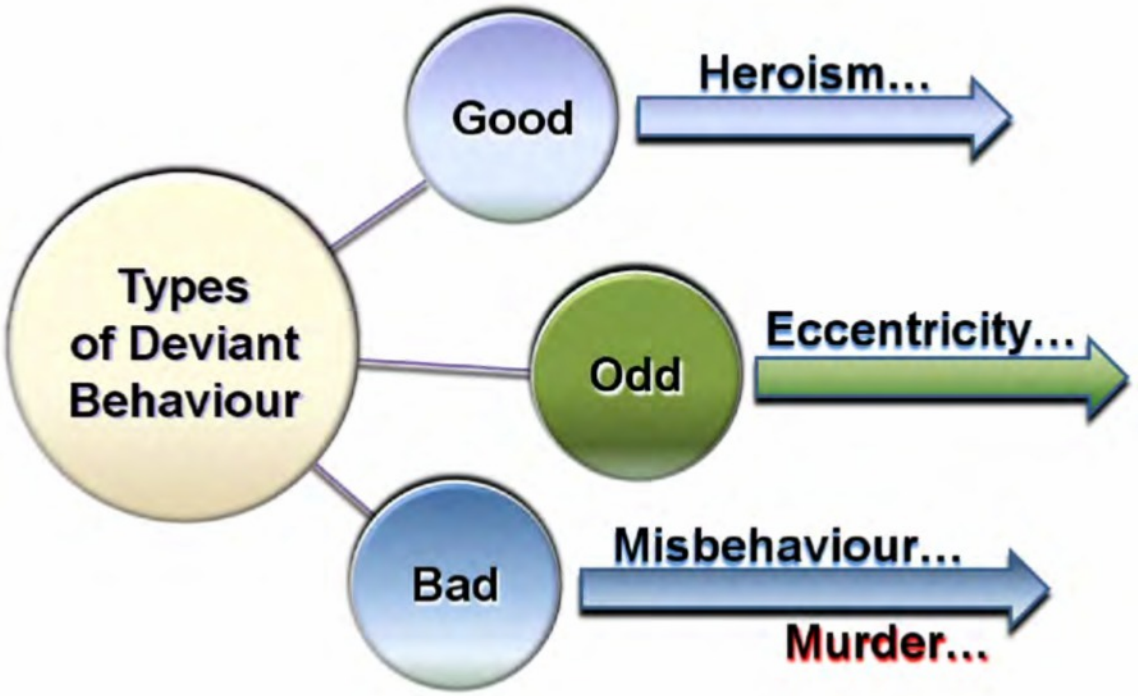
In everyday use, 'deviance' has certain *pejorative* (negative) overtones, but sociologically we can think about different types of deviance as involving ideas such as:

'Good' (admired) behaviour, such as heroism (or *altruistic* behaviour – putting the needs of others before your own)

'Odd' behaviour, such as eccentricity – the person who shares their house with 50 cats, for example

'Bad' behaviour, examples of which range from a misbehaving child to murder.

These general behavioural categories give us a flavour of the complexity of deviance, but they're not that useful in terms of thinking about deviance 'in the real world', mainly because of the relationship they presuppose between:



Interpretation and **classification**: To classify behaviour as 'good' or 'bad' involves taking a *moral* standpoint – to judge, in other words, different forms of behaviour *before* classifying them. This means deviance has two important characteristics:

1. Subjectivity: If decisions about deviance are based on judgements about behavioural norms, all behavioural classifications are based on subjective understandings and interpretations – an idea that raises questions about whether any behaviour can be 'inherently deviant" (deviant in all societies and at all times). It also raises questions about 'who decides' whether behaviour is classified as deviant or non-deviant – something that involves:

2. Power: This relates not only to how deviance is defined by social groups, but also to how it's explained. We can, for example, explain deviance in terms of ideas such as the qualities possessed by the deviant, the social processes by which rules are created (as **Becker**, 1963, puts it: 'Social groups create deviance by making the rules whose infraction constitutes deviance'), or a combination of the two.

These observations lead to some further dimensions to the concept of deviance that we need to note:

Absolute

Absolute conceptions have two main dimensions.

First, the idea that some forms of behaviour are *proscribed* (considered deviant) and negatively *sanctioned* in all known societies at all times.

Second, particular types of individual are inherently (genetically, socially or psychologically) predisposed to deviance – they can't help breaking social rules. The key idea here is that the *causes* of deviance (whether it be murder, theft or whatever) can be located "within" the individual in terms of something like their:

- **Biology** - a genetic predisposition to deviance.
- **Psychology** - the deviant as someone who is "not normal".
- **Sociology** - explaining deviance in terms of social factors such as poverty or faulty socialisation.

Deviance, in this interpretation, is a quality "of the individual" in the sense that something they possess (such as being raised in poverty) is the key determining factor in explaining why people deviate. If this is the case, therefore, in order to construct theories about why people deviate it is necessary to examine the various causes (genetic, psychological and / or social) that propel people into deviance,

Are you looking at me?

Relative

Relative concepts also have two dimensions.

Firstly the idea that *no* behaviour has always been considered deviant in all societies (a *cross-cultural* dimension) and at all times (a *historical* dimension). Secondly, that deviance, according to **Becker** (1963), is *not* a quality of what someone *does* but rather a quality of how someone *reacts* to what someone does; the relative dimension here is that the same behaviour can, for example, be seen as deviant in some societies but not in others. Attitudes to drinking alcohol differ from culture to culture (illegal in a Muslim culture such as Saudi Arabia, legal, in Britain). In addition, thinking about a concept like "killing someone" it's apparent that at different times and in different places there are different interpretations of this behaviour. Under some circumstances the behaviour may be classified as murder, whereas in other circumstances - such as soldiers on a battlefield – killing the enemy is not only not classified as murder it's something soldiers are actively trained and encouraged to do.

The main point to note here, therefore, is that relative concepts of deviance see it as something that is highly sensitive to social contexts and locations. **Roberts** (2003), for example, argues that 'swinging' ('an increasingly popular leisure choice for married and courting couples') fits this particular category – an idea that suggests deviance can be a matter of personal choice (if I don't want to 'swing' then I don't go to swinger parties).

Culpable and Non-culpable

Leading on from the idea of "choice", deviant behaviour carried out with an *awareness* of its deviant nature is called:

Culpable deviance; that is, behaviour for which the offender can be held personally accountable because they did something, such as break the law, in the knowledge that such behaviour is deviant (although we can stretch the idea of culpability to include the notion that the individual could be *reasonably expected* to know that what they were doing was deviant). Such "culpability" for one's actions differentiates this type of deviance from:

Non-culpable deviance. This generally refers to acts for which the offender is *not* held personally accountable (which would, for example, includes crimes committed by the mentally ill). However, non-culpable deviance also extends to individuals and groups who have certain **ascribed** forms of deviance; that is, they are given deviant status on the basis of certain characteristics. Examples in our society might include – at different times – homosexuals, the mentally ill and the physically disabled.

Non-culpable deviance

Finally, we can note that a significant dimension of deviance involves the distinction between behaviour which is criminal and behaviour that, while deviant, is not criminal. This distinction is important for a couple of reasons, the first of which relates to sociological preoccupations with the general idea of rule-breaking behaviour; sociologists are just as interested in why people break informal, non-criminal, rules as to why they break formal, criminal, rules. In this respect "deviance" is a much broader social category than "crime" in the sense that it covers a wider range of behaviours – some criminal, some not – that have a common root (rule-breaking).

Secondly, although "criminal deviance" is clearly an important area of study (much of the remainder of this chapter, for example, will focus on criminal deviance and how it can be theorised and explained) it needs to be remembered that crime is, at root, merely a subset of deviance – an idea that can be simply and succinctly summarised by the observation that while "all crime is, by definition, deviant behaviour, not all forms of deviance are criminal", although, having duly noted this idea it's possible to identify forms of "criminal behaviour" in our society that are not necessarily always seen as being particularly deviant. Examples here might include:

Victimless crimes – so-called because there is either no identifiable "victim" of the criminal behaviour (a motorist caught breaking the speed limit, for example, may have broken the law but no-one has actually been hurt by such behaviour) or the "victim" is the perpetrator (which may be the case in terms of drug-abuse, for example).

Thus far we've defined deviance in terms of "rule-breaking behaviour" and outlined some different dimensions to the general concept. Having done this we can move on to examine a range of different sociological perspectives on deviance, organised in terms of, firstly, outlining the perspective's general position on order and control and, secondly, reviewing the theories of deviance suggested by the perspective.

Functionalist Theories: Observations

Functionalist perspectives are generally based on concepts of order and control consisting of three basic ideas:

Consensus – something that involves a basic, but necessarily overarching (applicable to all) level of general agreement in any society over norms and values. In other words, social order is built on the epistemological bedrock of a shared evaluative and normative system; for order to exist, therefore, people have to develop at least a basic agreement about shared values and norms.

Conformity to social norms is not automatic - people are not seen as being naturally law-abiding, but neither are they seen as "naturally deviant" – and various forms of social control (both formal, in the guise of laws and organisational rules and informal) are necessary to maintain order within both social groups and society as a whole. A key idea here, therefore, is that social controls exist to *promote* normative conformity; in other words, such controls cannot guarantee order but merely encourage the idea of cooperation and orderliness.

Control: Deviant behaviour is explained in terms of the breakdown (for a variety of possible reasons) of the social controls that promote social order.

Functionalist Theories: Explanations

Durkheim

The classical expression of this perspective is the work of writers such as **Durkheim** (1895), who argued that all societies faced two major problems – how to achieve **social order** and maintain s**ocial stability** in a situation (a vast range of possible individual beliefs, behaviours and actions) that appeared *inherently unstable* and *disorderly*. In other words, the "problem of order" for Functionalist perspectives is how to explain its existence in a situation where hundreds, thousands and even millions of unique individuals – each with their own particular (self) interests – have to be persuaded to behave in a generally orderly way. The answer, **Durkheim** argued, could be found in the concept of a:

Collective consciousness: society, from this position, is an *emergent entity* (it emerges from – and reflects back on – the behaviour of individuals) and social interaction is possible only if it's based on shared meanings; once these are established they 'take on a life of their own', existing outside the consciousness of *individual* actors (but deeply embedded in each individual through primary and secondary socialisation processes). The collective consciousness is a mental construct and, as such, has no physical form; it needs, therefore, to be consistently reinforced if order, stability and control are to be maintained. For **Durkheim**, one way to reinforce the collective conscience was to repeatedly challenge and test its most fundamental beliefs through deviant behaviour. Deviance, therefore, had two broad characteristics. It was:

1. Normal (in the sense of being an essential and fundamental component on which social order is built). This is quite a radical idea to take on board for a range of reasons, not the least being that it is *counter intuitive*; it goes against the way we are generally encouraged to see and think about deviant behaviour (that it is, at best, not very nice and, at worst, murderously criminal). From a Functionalist perspective, however, deviance (and by extension crime) is a normal part of everyday existence because, as **Durkheim** argues, it represents a mechanism through which the collective conscience is both recognised and affirmed.

For **Durkheim**, as **Tierney** (2005) notes, crime and deviance are **social facts** and "If such things are found in an "average" society, then they are normal; hence crime is normal". This doesn't mean, however, that we should confuse "normal" with the idea that it can be equated to "right" or "beneficial". For example, illness in our society is both a social fact and normal (in the sense that it occurs all the time); it doesn't, of course, follow from this that falling ill is somehow beneficial to the individual; deviance, in this respect, can be both *normal* and *destructive* to a society (especially if there is so much crime it upsets the normal functioning of a society). However, it is also the case that crime and deviance can be:

2. Functional: Deviance is not only a necessary part of any society, it has this status because it performs a number of essential purposes. These include:

Boundary setting: As societies become more complex in their range of social relationships, *control mechanisms*, such as a legal system, must develop (society as a self-regulating (*autopoietic)* mechanism) to codify moral behaviour in terms of laws that mark the boundaries of acceptable and unacceptable behaviour. In other words, it is only through the fact that some people deviate from the norm that we know where the boundaries of acceptable behaviour lie.

In modern, complex, societies boundary setting takes place in a public context. That is, public boundary marking involves the idea of legal boundaries being 'given substance' by 'ceremonies' such as public courts and the media reporting of crimes.

Social change: deviant behaviour is a functional mechanism for change because it tests the boundaries of public tolerance and morality. It is a *social dynamic* that forces people to assess and reassess the nature of *social statics* (such as written laws). Laws banning male homosexuality in our society, for example, have gradually been abandoned as public tolerance has grown – an example of what **Durkheim** argued was the role of deviance in promoting things like freedom of thought and intellectual development. Challenges to the prevailing orthodoxy, he argued, are signs of a healthy society.

Social solidarity: deviance promotes *integration* and solidarity through its 'public naming and shaming' function. Popular alarm and outrage at criminal acts, for example, serve to draw people closer together 'against a common enemy'.

Evaluation

This type of traditional functionalist perspective has been subjected to a number of significant criticisms:

Collective conscience: Conflict theorists, among others, have challenged the idea that social behaviour is based on a broad social consensus. They argue such 'consensus' is manufactured by powerful interest groups (such as the media).

Social dynamics: Powerful groups in society can use the existence of deviance (such as *terrorism* in recent times) to curtail civil liberties and freedoms, thereby inhibiting social change.

Anomie: Not all crime is functional. Although **Durkheim** noted that 'too much crime' damaged the collective conscience (by creating 'normative confusion' or *anomie*), we have no *objective* way of knowing when crime might become *dysfunctional*.

Strain Theory

This development in functionalist theory was pioneered by **Merton** (1938) when he used the concept of anomie to explain crime and deviance as an *individual response* to problems at the *structural level* of society – an explanation, as **Featherstone** and **Deflem** (2003) note, based around two concepts:

Structural tensions: For societies to function, people have to be given incentives to perform certain roles (the cultural *goals* – or *ends* – of *social action*). **Merton** argued that, for societies like Britain and America, a fundamental goal was 'success' and, as part of the *collective consciousness*, such goals become incorporated into the general socialisation process – people are encouraged to want success. However, when societies set *goals* they must also set the structural *means* towards their achievement and the blocking or unavailability of the means to achieve desired goals results in:

Anomie

For **Merton**, this represented a situation in which, although behavioural norms existed, people were unable – or unwilling – to obey them, a situation that would result in a (psychological) *confusion* over how they were expected, by others, to behave. If societies failed to provide the means towards desired ends, people would resolve the resulting *anomic situation* by developing new and different norms to guide them towards these ends. A classic expression of this idea is that: **Success** (however it may actually be defined) is a universal goal in our society, learnt through the:

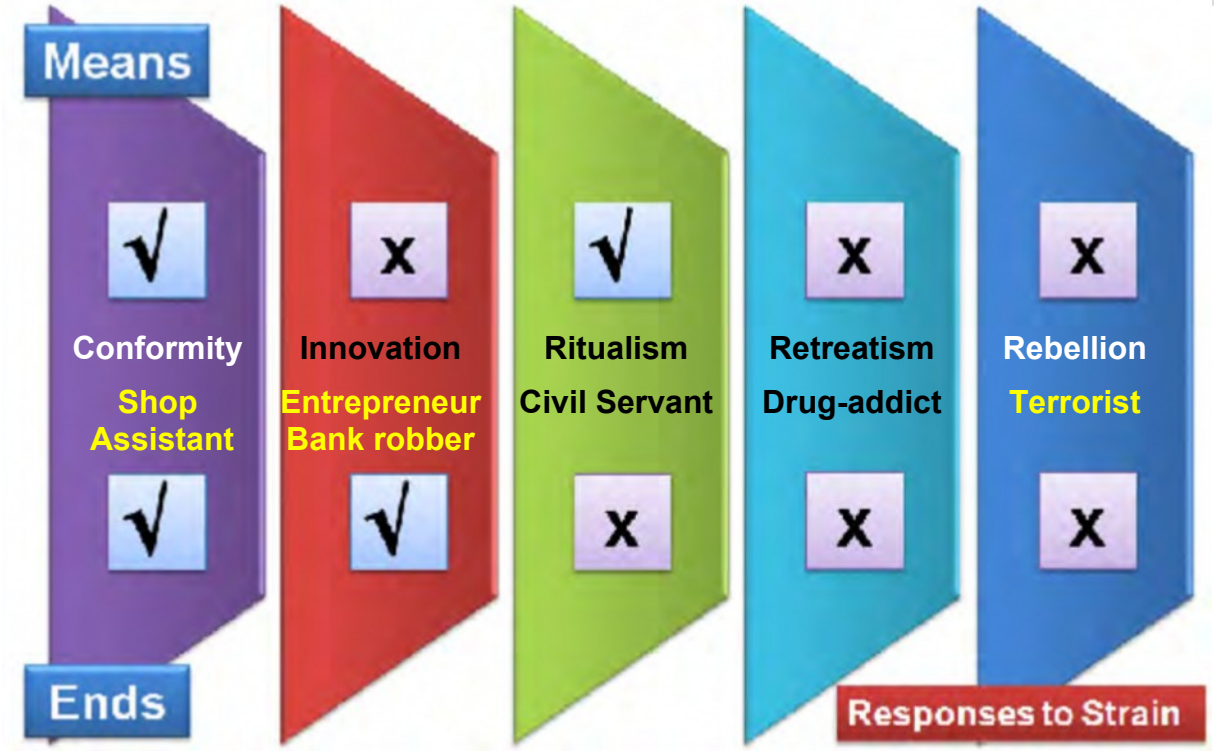
Until 1967 male homosexuality was illegal in England (it remained illegal in Scotland until 1980), after which date homosexual acts in private by consenting adults over 21 were decriminalised. This "age of consent" was lowered in 2000 to 16 (the same age as heterosexual consent).

In 1999 Barrie Drewitt and Tony Barlow became (after a long legal battle) the first British same-sex couple to register as joint parents on a birth certificate. They had fathered three children using an American surrogate mother (Tracie McCune).

Socialisation process: As **Akers** and **Sellers** (2004) put it: 'Everyone is socialised to aspire toward high achievement and success. Competitiveness and success are . . . taught in schools, glamorised in the media, and encouraged by the values passed from generation to generation. Worth is judged by material and monetary success.' Socialisation, therefore, stresses:

Socially approved (legitimate) means to achieve this goal. As **Akers** and **Sellers** suggest: 'Success is supposed to be achieved by an honest effort in legitimate educational, occupational, and economic endeavours (*sic*). Societal norms regulate the approved ways of attaining this success, distinguishing them from illegitimate avenues to the same goal.' However:

Strains occur at the *structural level* when people are denied opportunities to realise their success goal through legitimate means (such as work). Thus, although everyone 'wants success', only a limited number can actually achieve it through legitimate means. The *tension* between 'socialised desires' and society's inability to satisfy those desires through legitimate means results, for **Merton**, in anomie – something, in turn, manifested in a number of general individual responses, as shown in the following diagram.



Evaluation

Strain theory combines *macro* theories of structure (tensions) and *micro* theories of action (how individuals respond to anomie) to produce a *reactive theory* of deviance that has been criticised in terms of:

Scope: Although the theory may, arguably, explain 'purposeful crime' (such as theft, an 'alternative' way of achieving economic success), it's less convincing when dealing with what **Cohen** (1955) calls 'purposeless crime' (such as juvenile delinquency).

Cultural values: Shared values' are difficult to demonstrate empirically in culturally diverse societies such as Britain in the 21st century – 'success', for example, may mean different things to different people. Cultural diversity also exposes people to different, often contradictory, socialising influences. If goal diversity exists, then how are people socialised into the same general kind of 'success values'?

Choice: There is little or no concept of people making rational decisions about whether to conform or deviate.

Conformity: People are either conformists or deviants, but the question here is the extent to which there is always an easy distinction between 'deviants' and 'non-deviants'. **Clarke** (1980) argues that even those heavily involved in criminal behaviour actually spend a large proportion of their time conforming to conventional (noncriminal) social norms and values.

Operationalisation: **Agnew** (2000) has noted the difficulties involved in measuring concepts such as social strain, cultural goals and individual aspirations, whether using *subjective* measures (exploring how respondents feel about how they have been treated by society), or *objective* approaches that involve identifying causes of strain (such as divorce or unemployment) and measuring their relationship to criminal involvement.

Ecological Theories: Observations

The main focus of ecological theories is the relationship between the individual and their physical and social ('demographic') environment. As **Wilcox** and **Augustine** (2001) note, *human ecologists* examine how the '. . . social and physical characteristics of a community affect crime by altering the administration of resident-based social control'. In other words, this perspective examines how (mainly) informal social controls are enhanced or disrupted by the way a community is *physically* and *socially* organised.

Physical environments

Physical environments, for example, affect the conditions under which informal social controls apply and **Wilcox** and **Augustine** suggest a number of factors affecting the way people think about and relate to their physical environment:

Territoriality: who 'owns and controls' physical and social space?

Surveillance: the extent to which offenders move freely and unseen through a community.

Milieu: the level of 'civic pride and possession' people feel about where they live, for example.

These ideas are, in turn, affected by aspects of the physical environment. Poor street lighting, for instance, may make community surveillance difficult and consequently make it easier for offenders to control certain social spaces (the classic 'street-corner gangs of youths', for example).

The physical environment can make crime more - or less - likely

Concentric Zones

From this initial proposition **Shaw** and **McKay** sought to explain how and why some areas of a city (in this instance, Chicago in the USA) had higher levels of crime than others. In particular they noted that *inner-city areas* consistently had the highest rates of crime, an observation they developed into a:

Concentric zone theory (based on the work of **Park** and **Burgess** that linked physical environments to social environments). The basic idea here is that every city consists of *zones,* radiating from the centre - think about an archery target, with the bull's-eye being:

• **Zone 1** – the central business district – and each radiating ring being named successively).

• Zone 2 (the 'zone of transition', "interstitial zone" or inner-city area) – characterised by cheap housing that attracted successive waves of immigrants – had a consistently higher rate of crime than any other zone, regardless of which ethnic group dominated the cultural life of the area. This led **Shaw** and **McKay** to argue that high crime rates were *not* a consequence of the behaviour of any particular group. Rather, the *transient* nature of people's lives meant that no settled community developed in the inner-city zone. Immigrants, for example, who initially settled there, moved to the outer residential areas as they became established in the city, to be replaced by a further wave of immigrants. High population turnover

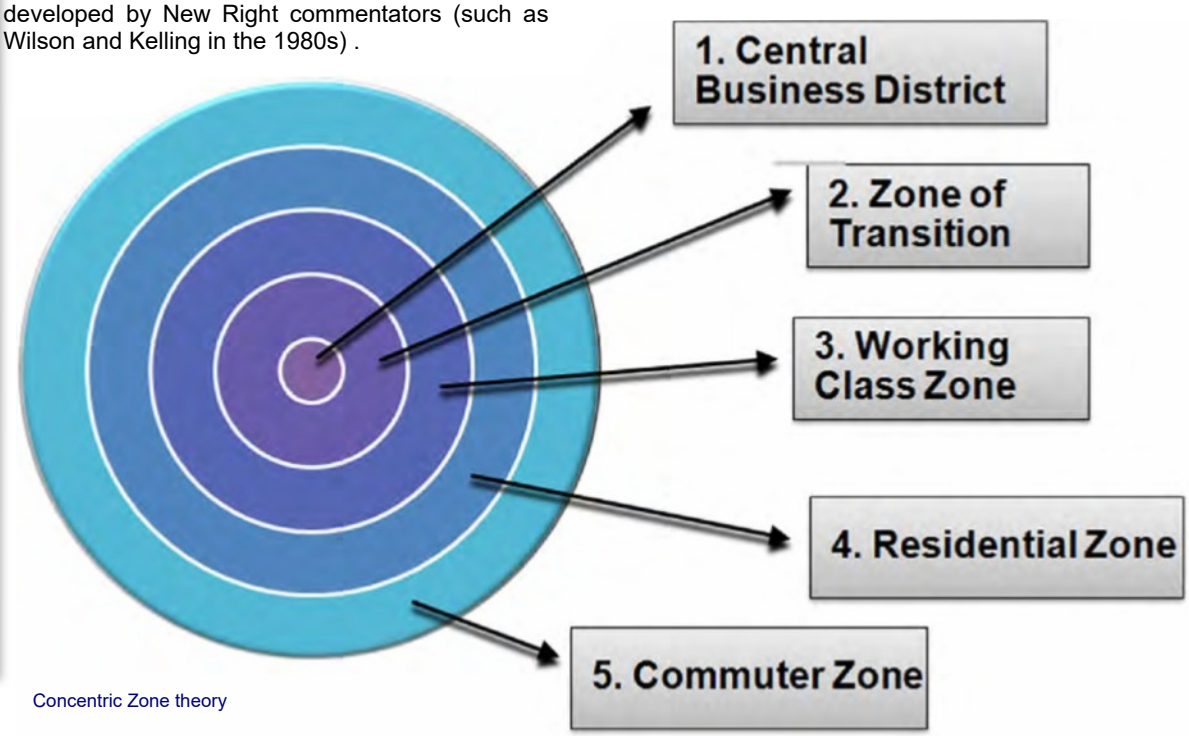
Social Environments

Social environments and organisations relate, **Wilcox** and **Augustine** note, to questions about 'poverty, ethnic heterogeneity . . . and residential mobility' in terms of how these 'enhance or diminish the cohesiveness among neighbours, thereby affecting their supervision and intervention behaviour'.

Ecological Theories: Explanations

The significance of social environments relates to the development of community bonds, a theme previously noted by **Shaw** and **McKay** (1932) in terms of:

Social disorganisation theory, based on the idea that if people develop a sense of communal living, rights and responsibilities, they also develop attachments to an area and its members (they care, in other words, about what happens in that area). This general set of ideas was, as we will see, later picked-up and developed by New Right commentators (such as Wilson and Kelling in the 1980s) .



Concentric Zone theory

(including people temporarily entering the transition zone from the outer, residential zones, looking for excitement and entertainment) resulted in a 'socially disorganised area' where informal social controls were either absent or ineffective.

Evaluation

Although the empirical demonstration of the relationship between conformity and the development of strong communal relationships is impressive, a major problem with this particular theory derives from the idea of:

Disorganised behaviour: Although this has echoes of *anomie theory* (subsequently developed to greater effect by **Merton**), it is theoretically inadequate because no form of social behaviour is ever 'disorganised' (in the sense of *chaotic*), although it may *appear* to have such characteristics to the outsider.

Tautology: 'Social disorganisation' is both a cause and an effect of crime – disorganisation creates high crime rates which, in turn, create disorganisation. The problem here, of course, is that we have no logical way of knowing which is the cause and which the effect.

Cultural Transmission

A response to such criticism saw the development of:

Cultural transmission theory, where the focus moved from disorganisation to how groups became *criminally organised* in the zone of transition (where opportunities for crime were greater and criminals could move 'anonymously'). When criminal behaviour becomes established it represents 'normal behaviour' for some groups and, once this occurs, criminal norms and values (culture) are transmitted, through the socialisation process, from one generation to the next.

Evaluation

A major advantage of this analysis is that it *isn't:*

Culture or **class specific**: Anyone, from any social background, is liable to offend if sufficient definitions encourage such behaviour, an idea that encouraged the recognition and study of middle-class forms of criminality ('*white-collar crime*'). However, potential problems relate to:

Operationalisation: The complex relationship between the variables (how does *priority* relate empirically to *frequency*, for example) and the difficulty of actually measuring ideas like 'frequency of definitions' make it a difficult theory to test.

Differential involvement: Crime data suggest some groups are more involved in crime than others. If differential association is significant, why don't those close to offenders (such as marriage partners) display similar levels of criminality?

Distinctions: There is, once again, a separation between 'criminals' and 'noncriminals', something that, as **Clarke** (1980) has argued, may not be as clear-cut as this theory suggests.

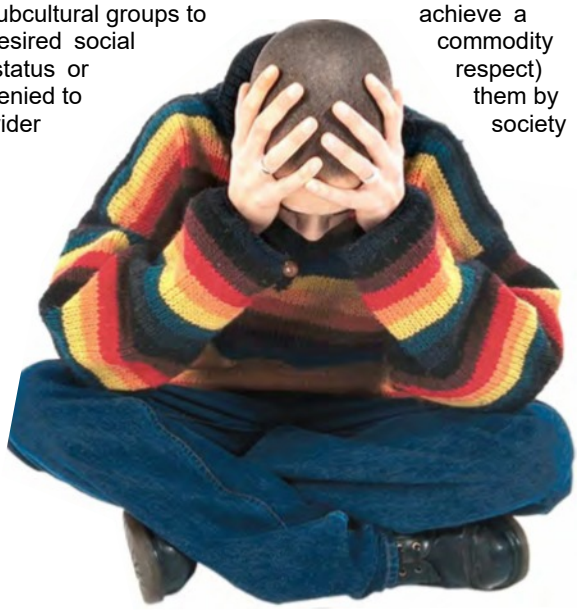
Subcultures

We can develop these general ideas by noting ecological analyses have been influential in relation to:

Functionalist subcultural theories, which distinguish between two basic forms of subculture.

1. Reactive (or oppositional) subcultures: These involve group members developing norms and values as a *response* to and *opposition* against the prevailing norms and values of a wider culture. **Cohen** (1955) argued that male delinquent subcultures developed on the basis of:

Status deprivation / frustration: People joined subcultural groups to achieve a desired social commodity (status or respect) denied to them by wider society



(note how this develops **Merton's** strain theory).

Hargreaves (1967) showed how status denial in school led the boys he studied to develop oppositional subcultures.

Cloward and **Ohlin** (1960) also noted a different form of reactive subculture that developed in terms of:

Opportunity structures: Like **Merton**, they noted the significance of 'legitimate opportunity structures' (such as work) as a way of achieving success. However, these were paralleled by 'illegitimate opportunity structures' that provided an 'alternative career structure' for deviants. They suggested three types of subcultural development:

• **Criminal**, that developed in stable (usually working-class) communities with successful criminal *role models* ('crime pays') and a *career structure* for aspiring criminals.

• **Conflict**: Without (structural) community support mechanisms, self-contained *gang cultures* developed by providing 'services', such as prostitution and drug dealing.

• **Retreatist**: Those unable to join criminal or conflict subcultures (failures, as it were, in both legitimate and illegitimate structures) retreated into 'individualistic' subcultures based around drug abuse, alcoholism, vagrancy, and so forth.

Cloward and **Ohlin** (1960)

2. Independent subcultures: The second basic form identified by functionalist subcultural theorists involves individuals holding norms and values that developed out of their experiences within a particular cultural setting. Subcultural development is an 'independent' product of – and solution to – the problems faced by people in their everyday lives. A classic example here is provided by **Miller** (1958) in his analysis of gang development in the USA, when he argues that the:

Focal concerns of lower-class subcultures (acting tough, being prepared for 'trouble', a desire for fun and excitement) bring such groups into conflict with the values of wider culture, leading to their perception and labelling as deviant. In a British context, **Parker** (1974) observed the same phenomenon in his study of Liverpool gang behaviour.

Evaluation

Although these subcultural theories identify the ways membership is functional to its participants (reflecting **Plummer's** (1979) notion of *situational deviance*), this general theory is not without its critics. **Costello** (1997) suggests that two crucial problems are left unanswered by subcultural theories (including those based around **differential association**):

Existence: Are subcultures simply an assumption that similar behaviour patterns are indicative of an organised group? **Cohen** (1972) suggests a similar criticism when he argues 'subcultural groups' reflect a *labelling process* by outside groups (especially the media) which impose a sense of organisation on behaviour that has little or no collective meaning for those involved.

Cultural transmission: Subcultural groups lack mechanisms for cultural transmission (socialising new and potential members, for example). This suggests they are not particularly coherent social groups.

Neo-tribes: **Bennett** (1999) argues that "subculture" has become a 'catch-all' category that has outlived whatever sociological use it may once have had. He suggests, instead, that the concept of neo-tribes has more meaning and use in the analysis of subcultural behaviour, since it reflects a (postmodern) emphasis on the way cultural identities are 'constructed rather than given' and 'fluid rather than fixed

Critical Theories: Observations

This section explores critical perspectives (in the Marxist tradition) that focus on the various ways deviant behaviour is constructed and criminalised in capitalist societies. In this respect, we can start by outlining some of the basic ideas underpinning:

Orthodox Marxism

Orthodox Marxist theories of crime take as their starting point the standard sociological line (from *functionalism* through *action theory*) that no form of human behaviour is inherently deviant – behaviour becomes deviant only through the creation and application of rules. In this respect:

Rule creation is a function of capitalist economic organisation and behaviour; to understand how and why criminal forms of deviance occur we must study the social and economic conditions that give rise to certain types of rule. In this respect, rule creation at the structural level (*laws*) reflects two things:

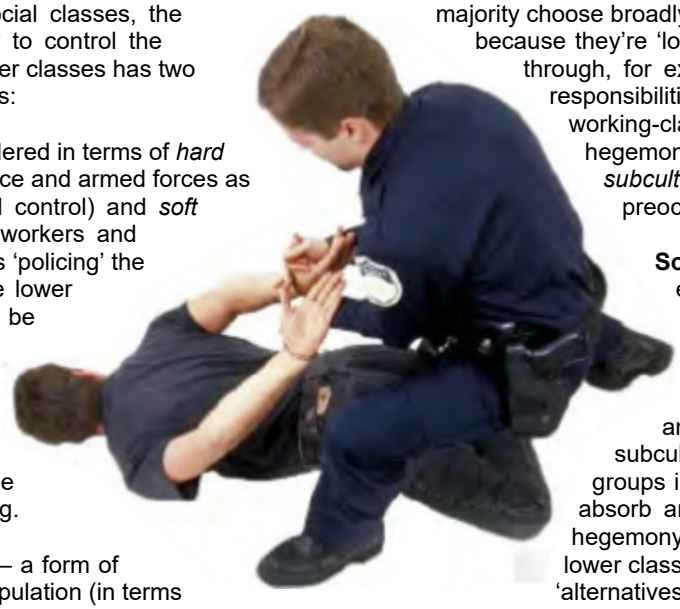
Power: Laws are created by the powerful and reflect their basic interests, either in a *relatively simple* way for instrumental Marxists like **Milliband** (1973), or in a more complex way for hegemonic Marxists like **Gramsci** (1972) or **Poulantzas** (1975). In terms of the latter, all societies require laws governing:

• **Social order** – relating to things like the legality or otherwise of killing people, violent behaviour and the like. On the other hand, laws of:

• **Property/contract** are structurally related to the requirements of capitalism and include areas such as private property ownership, theft, inheritance rules and the like.

Social inequality: Decision-making processes are dominated by those who hold economic and political power, and the exact form of law creation reflects the interests of those with the most to lose if the social and economic order is threatened. If the *economic* dimension sets the underlying parameters of social control and the *political* dimension specifies the shape and policing of legal rules, a third cultural dimension is important in terms of 'selling' these ideas to the wider population.

For powerful social classes, the problem of how to control the behaviour of other classes has two basic dimensions:



• **Force** – considered in terms of *hard policing* (the police and armed forces as *agents* of social control) and *soft policing* (social workers and welfare agencies 'policing' the behaviour of the lower classes) – may be effective in the *short term*, but it also creates *conflicts* between the policed and those doing the policing.

• **Socialisation** – a form of ideological manipulation (in terms of values, norms and so forth) that seeks to either convince people that the interests of the ruling class are really the interests of everyone or to present society as 'impossible for the individual to influence or change' (except through legitimate means such as the ballot box, where, for orthodox Marxists, political representatives of the ruling class achieve legitimacy for their political power). Socialisation may be more effective in the *long term* because people incorporate the basic ideology of capitalism into their personal value system, but t also involves making economic and political concessions to the lower classes to ensure their cooperation.

Critical Theories: Explanations

We can examine various ways these ideas relate to crime and deviance by looking at a range of explanations, starting with:

Critical subcultural perspectives that link orthodox Marxist preoccupations with law creation and, as we will examine in a moment, a *radical criminology* that explores structural and (sub)cultural relationships. For Marxists, the development of subcultures is initially explained in terms of:

Meaningful behaviour: Although not a particularly novel observation, **Downes** (1966) argues that deviant behaviour, from a subcultural perspective, involves groups and individuals attempting to solve particular social problems in meaningful ways.

Marxist subcultural perspectives have chiseled out a unique take on deviant subcultural development by focusing on two ideas:

1. Hegemony – considered in terms of how a ruling class exercises its leadership (*hegemony*) through cultural values. Although *cultural hegemony* is an effective long-term control strategy, it also involves the idea of:

2. Relative autonomy: People enjoy a level of freedom (*autonomy*) to make decisions about their behaviour, albeit heavily influenced by structural factors (wealth, power, and so forth). Although the vast majority choose broadly conformist behaviour (partly because they're 'locked in' to capitalist society through, for example, family and work responsibilities), others (mainly young, working-class males) resist 'bourgeois hegemony'. The focus on *youth subcultures* develops from preoccupations with:

Social change, especially at the economic and political level of society.

Cultural resistance as 'pre-revolutionary consciousness' and behaviour. Youth subcultures demonstrate how social groups in capitalist society can both absorb and counteract bourgeois hegemony and the various ways the lower classes develop cultural styles as 'alternatives to capitalist forms of control and domination' (think, for example, about the 'counter-culture' lives of travellers, environmentalist groups, peace-camp protesters and the like).

Jimmy's stared vacantly out of the window of his crumbling bedsit in a desperate - and probably doomed - attempt to counteract bourgeois hegemony.

Youth and Resistance

Historically, critical subcultural theorists have interpreted the *resistance* of subcultural groups in terms of two 'solutions' (*real* and *symbolic*) to problems.

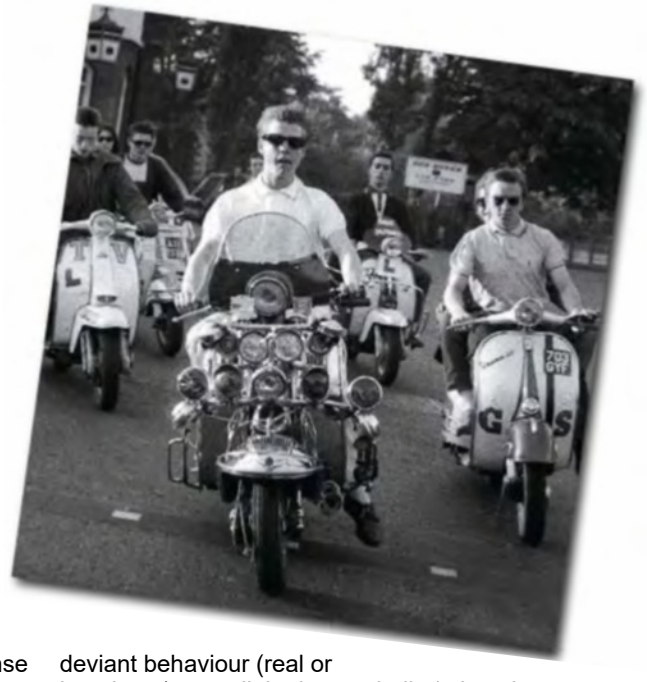
1. Real solutions: This approach is characterised by the **Centre for Contemporary Cultural Studies** (CCCS), with research focused on how working-class subcultures develop as a response to – and attempt to resist – economic and political change. For example, we can note how deviant subcultures developed as a reaction to changes in areas like:

Social space: This refers to both:

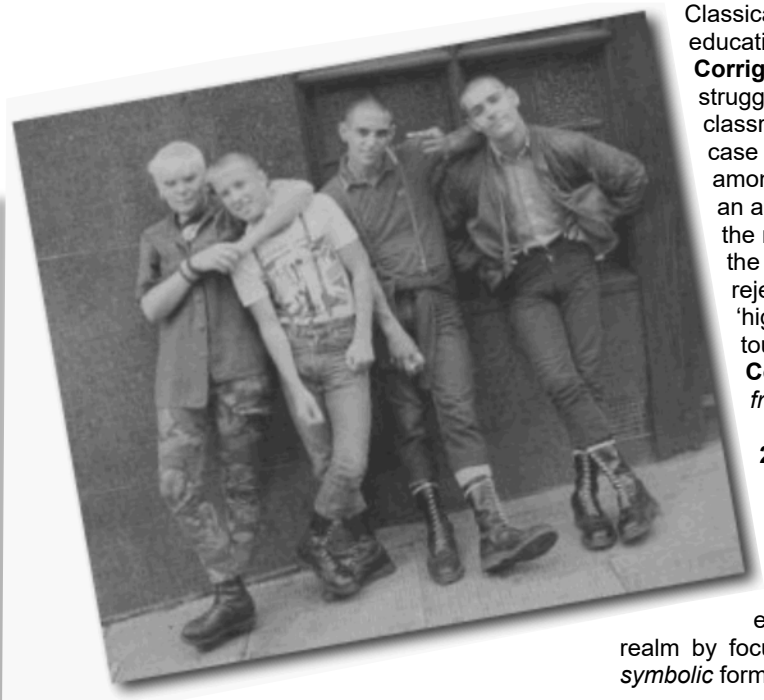
• **Literal space** – the 'loss of community' thesis put forward by writers such as **Cohen** (1972), where urban renewal in working-class communities created a subcultural (frequently violent and ill-directed) reaction among young, working-class males, and

• **Symbolic space –** a 'loss of identity' thesis to explain the emergence and behaviour of skinhead subcultures (**Cohen**, 1972), with their violent response to the loss of a traditional 'British' identity – anger directed towards immigrants ('Pakibashing') and 'deviant sexualities' ('queerbashing').

Mods - expressing their cultural resistance to changes in their locality and the "loss of community" by getting on their scooters and riding to the seaside for a nice day out?



deviant behaviour (real or imaginary) were linked to periodic 'crises in capitalism' (high levels of unemployment, poverty and social unrest, for example).



Skinheads (aka "Bovver Boys") - the epitome of early 1970s youth culture. Some commentators have suggested their look was an exaggerated form of working class dress - shaved heads, braces, jeans and "Doc Martins" (working-man's boots, not the slightly-eccentric character played by Martin Clunes).

Subcultural behaviour, therefore, represents a collective attempt to both deal with a sense of loss and, in some respects, reclaim spaces through the fear and revulsion of 'normal society'. Writers such as **Hall et al.** (1978) linked subcultural theory to structural tension and upheaval by suggesting that increases in

Classical studies of white, working-class male education from writers like **Willis** (1977) and **Corrigan** (1979) transfer the focus of 'class struggle' away from the streets and into the classroom. **Young** (2001) notes how, in the case of the former, subcultural development among lower-stream, lower-class 'lads' was an attempt to 'solve the problem of failure' (in the middle-class terms perpetuated through the school) by 'playing up in the classroom, rejecting the teacher's discipline' and giving 'high status to manliness and physical toughness' (ideas that have echoes of **Cohen's** (1955) concept of *status frustration*).

2. Symbolic solutions: Although all forms of subcultural behaviour have symbolic elements (the skinhead 'uniform' of bovver boots and Ben Sherman shirts ape 'respectable', working-class work clothing), the emphasis is shifted further into the cultural realm by focusing on how subcultures represent *symbolic* forms of *resistance* to bourgeois hegemony.

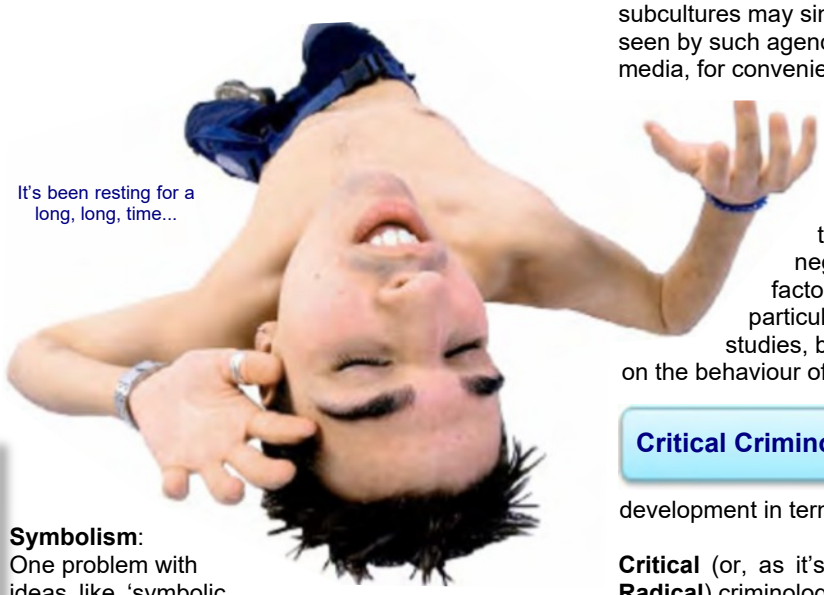
Hall and **Jefferson** (1976) and **Hebdidge** (1979) characterised youth subcultures as ritualistic or 'magical' attempts at resistance by consciously adopting behaviour that appeared threatening to the 'establishment', thereby giving the powerless a feeling of power. This behaviour is, however, 'symbolic' because it doesn't address or resolve the problems that bring subcultures into existence in the first place.

Evaluation

Although this type of subcultural theorising avoids reducing complex forms of group interaction to individual *pathologies* (such as some people having predispositions to 'bad' behaviour), this doesn't mean they are without their problems (and the observations we made about functionalist subcultural theories can also be applied here).

If punk's not dead...

Spectacular subcultures: In the 1960s and 1970s a number of highly visible, deviant subcultures developed (such as mods, skinheads, punks and hippies) that have not been replicated over the past 20 or so years. If subcultures are symptomatic of 'structural problems', why has their visibility declined? At best we can suggest some form of evolution in subcultural behaviour (using concepts like *subcultural capital,* proposed by writers like **Thornton** (1996), for example); at worst we may have to discard the notion of subculture as a useful concept.


It's been resting for a long, long, time...

Symbolism: One problem with ideas like 'symbolic resistance' is a reliance on *semiological analysis* for their explanatory power. Although semiology can reveal underlying (hidden) patterns in people's behaviour, the danger is that such analyses lack supporting evidence.

When **Hebdidge**, for example, writes about 'the meaning of style', the problem is that it's *his* meaning filtered through *his* perception. As **Young** (2001) points out, **Hebdidge's** assertion that some punks wore Nazi swastikas in an 'ironic way' is unsupported by any evidence (not the least from the people who wore them).

Semiological analysis 'There is a danger groups become sub-cultural Rorschach blobs onto which the theorist projects his or her own private definitions' (Young, 2001)

'The Other': **Stahl** (1999) argues that Marxist subcultural theory implicitly sets up 'the subculture' in opposition to some real or imagined 'outside group or agency' (the school, media, and so forth); however, by so doing they neglect 'the role each plays in the sub-culture's own *internal* construction'. That is, they neglect the idea that subcultures may simply be a reflection of how they are seen by such agencies – as social constructions of the media, for convenient *ciphers* that stand for whatever a theorist claims they stand for in order to substantiate their theories.

Identities: The focus on *class* as the key explanatory concept neglects a range of other possible factors (gender and ethnicity in particular – the majority of subcultural studies, both functionalist and Marxist, focus on the behaviour of white, working-class men).

Critical Criminology

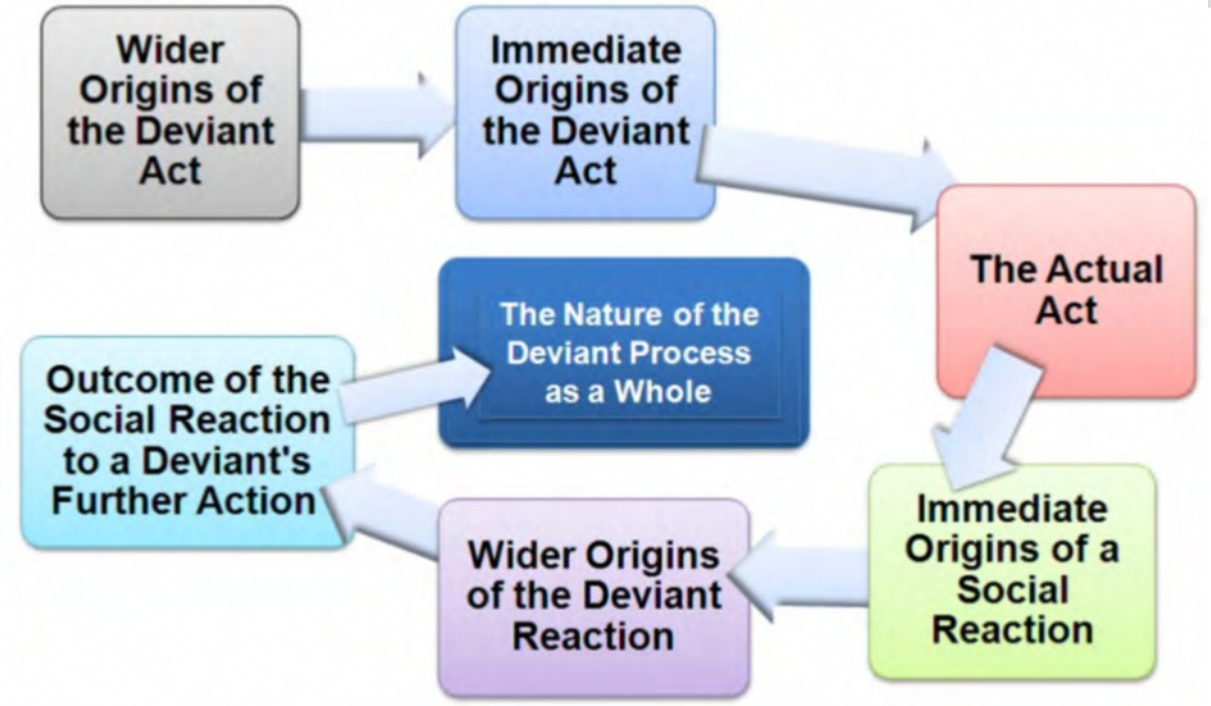
The final theory in this section is one that represents a major development in terms of explanations for deviance.

Critical (or, as it's sometimes known, the **New / Radical**) criminology builds on concepts of hegemony and subculture (especially the idea of *resistance*) to develop what **Taylor, Walton** and **Young** (1973, 1975) term a "fully social theory of deviance":

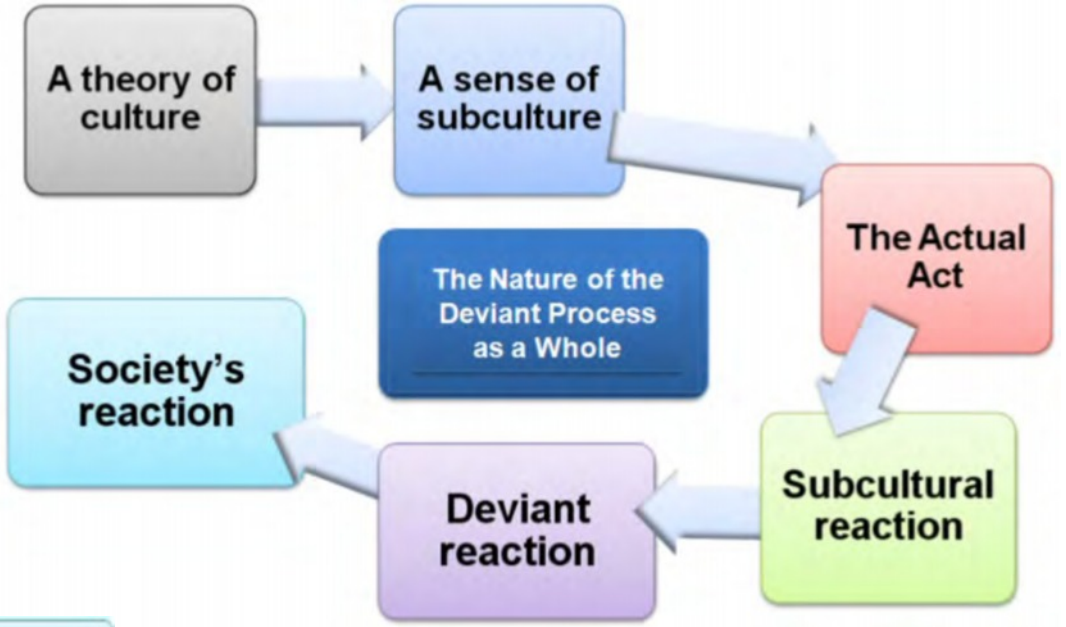
Methodologically critical criminology was based around a Marxist *realist methodology*. This involved thinking about all possible inputs into the creation of criminal behaviour (*structural* as well as *action based*).

Critically, **Taylor, Walton** and **Young** identified the main strengths and weaknesses of both conventional and Interactionist forms of criminology. Both, they argued, represented entrenched ideological positions that suffered from the problem of:

Overidentification: Conventional (*correctional)* criminology was seen to identify too closely with the aims and objectives of *control agencies* such as the police (how to catch and process criminals more efficiently – the "official" view of crime as a "social problem"), while Inter actionist theories were criticised for their overidentification with the 'victims' of labelling processes.



The Seven Dimensions of a 'Fully Social Theory of Deviance': Taylor, Walton and Young (1973)	
1. Wider Origins of the Deviant Act (A theory of culture)	To understand deviance we must understand how structures of inequality, power and ideology operate in capitalist society, whereby concepts of deviance are shaped at a very general level. For example, 250 years ago to own black slaves in England was a sign of success; in contemporary Britain slave ownership is illegal.
2. Immediate Origins of the Deviant Act	This involves understanding the specific relationship between the people involved in a particular act. An individual's cultural background is, for example, a significant factor in explaining their conformity or deviance. We must, therefore, understand how people are socialised –someone whose family background is steeped in racist ideology may be more likely to commit race-hate crimes than someone who has no such family background.
3. The Actual Act	What people do is as important as what they believe. It's possible, for example, to believe in white racial superiority without ever committing an act of racial violence. We need, therefore, to understand the factors surrounding any decision to deviate, which involves understanding the rational choices an offender makes.
4. Immediate Origins of a Social Reaction (Subcultural reactions)	How people react to what someone does is crucial, both in terms of physical reaction (revulsion, disgust, congratulation) and how they label the behaviour (deviant or non-deviant) in terms of particular (subcultural) standards. The reaction of control agencies such as the media and the police will also be significant.
5. Wider Origins of the Deviant Reaction (Society's reaction)	This examines how the (labelled) deviant 'reacts to the reaction of others'. Do they accept or reject the deviant label? Do they have the power to deflect any social reaction (something related to the individual's structural location in society, conditioned by factors such as class, gender, age and mental competence)?
6. Outcome of the Social Reaction to a Deviant's Further Action	How the deviant 'reacts to the social reaction' is significant on both a psychological (contempt, remorse and so forth) and a social level, such as the ability or otherwise to mobilise forces (like favourable articles in the press or the best lawyers) to defend/rationalise the original behaviour.
7. The Nature of the Deviant Process as a Whole We must look at the 'process as a whole' (as outlined above) and the connections between each of the dimensions.	



Evaluation

Essentially, critical criminology located deviance in a:

Structural setting – deviance is not random or arbitrary. On the contrary, critical criminology argued concepts of crime and law were based on the ability of powerful classes to impose their definitions of normality on all other classes. Crime and deviance, therefore, had to ultimately be understood in terms of *power relationships* that derived from ownership/non-ownership of the means of production in capitalist society. As **Scaton** and **Chadwick** (1991) argue, criminologists need to understand both how some acts come to be labelled criminal and the power relationships that underpin such labelling processes. Critical criminologists argued, however, it was not just a matter of looking at class positions and relationships and 'reading off' criminal / conforming behaviour (the working classes are 'more criminal' than the middle classes, for example) for the deceptively simple reason (informed by Interactionist sociology) that:

Decisions about deviance/conformity were played out at the individual level of *social interaction*. Critical criminology, therefore, wanted to understand not just *why* some forms of behaviour and groups (but not others) were criminalised and *why* some people (but not others) chose crime over conformity; it also added a political dimension by seeing crime as having wider significance for both capitalist society and the relationship between different social classes.

Although critical criminology is *suggestive* of what needs to be done to understand deviance – rather than a theory of deviance that can be operationalised – we can note a couple of studies 'in the critical tradition' that give a flavour of the general approach.

Hall et al. (1978) explain the 'moral panic' surrounding 'black muggers' in the early 1970s as a way of *scapegoating* a section of society (young black males) and, by so doing, deflecting attention and away from the political and economic crises of this period.

Schwendinger and **Schwendinger** (1975) questioned the role of the state in criminal activity and characterised government in capitalist society as *agents of a ruling class*. A contemporary equivalent might be to question the role of government in promoting genetically modified crops, the curtailment of civil liberties and the like.

In addition, **Chambliss'** (1974) observational study demonstrated a *symbiotic* (mutually beneficial) relationship between law enforcement agencies (police, judiciary and politicians) and the criminals controlling gambling and prostitution in Seattle, USA.

Evaluation

The New Criminology, as originally formulated by **Taylor, Walton** and **Young**, represented less a 'theory of deviance' as such (as we've suggested, it cannot be tested empirically in the conventional sense) and more a way of thinking about how any sociology of deviance should be constructed. Much of *The New Criminology*, for example, focuses on 'reassessing' (to put it politely) previous theories of deviance – only 8 out of 282 pages actually discussed this new formulation.

Critical reactions: This technique drew a strong reaction from defenders of these positions. **Cohen** (1979b), from an Interactionist position, suggested critical criminology was neither 'new' nor, in an important respect, 'critical' (in that, he argued, it romanticised criminals as somehow being at the vanguard of 'opposition to capitalism').

Hirst (1975), from an orthodox Marxist position, criticised the 'new criminology' project, both in terms of 'romanticising criminals' and for its application of a Marxist methodology which, he claimed, could not be applied to 'sociologies of . . .' anything.

Left idealism: Later, in the development of *New Left Realism*, **Young** was to argue along the same lines in terms of critical criminology being both *idealistic* in its representation of crime and criminals (the latter being considered in almost 'Robin Hood' terms) and a form of 'left functionalism', where the interests of a 'ruling class' replaced the 'interests of society as a whole'.

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