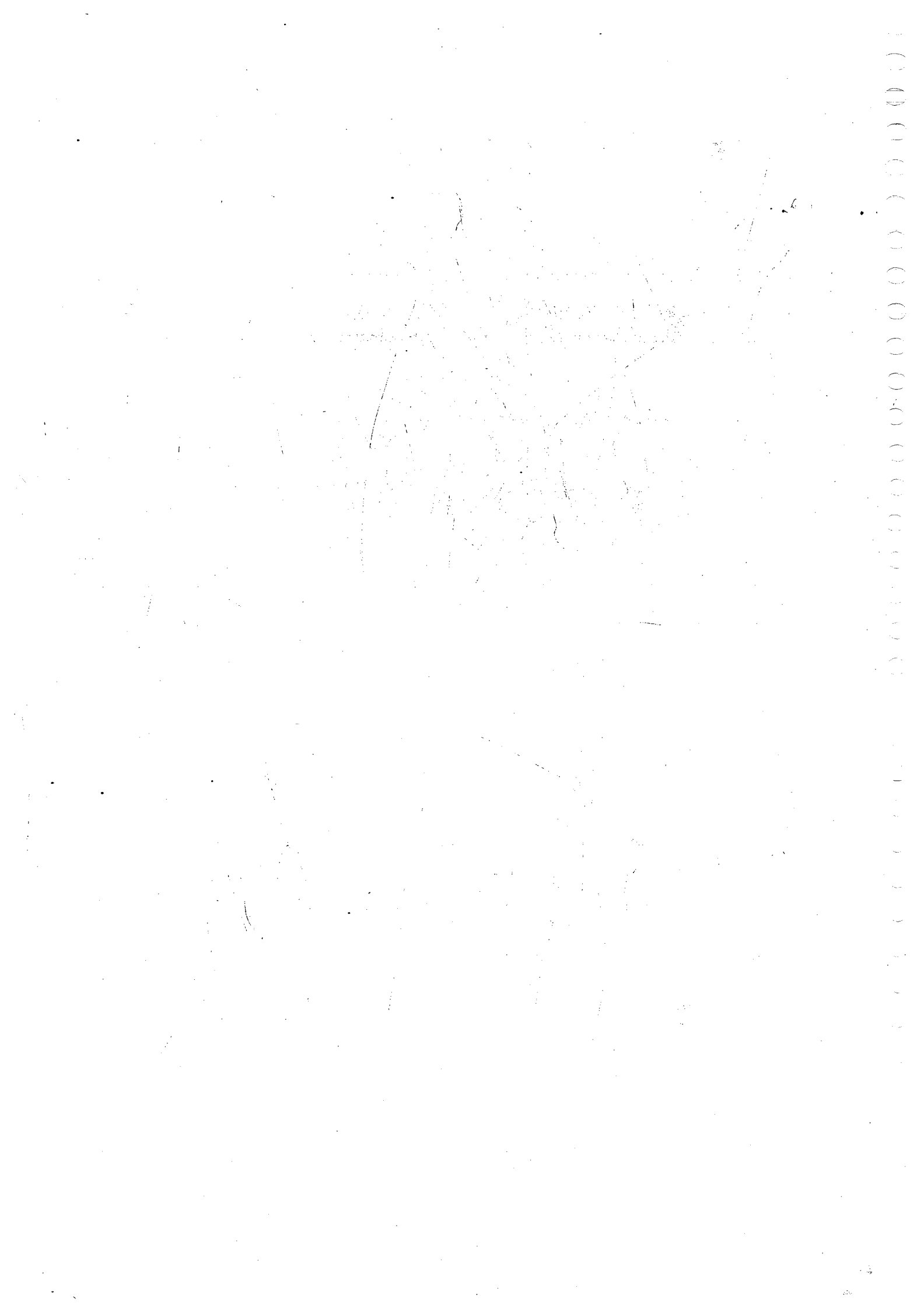
Chapter 6

Crime and deviance



verbal association are ultimately subjective and psychoanalysts do not agree on how to use them' (Jones, 1998). It is also difficult to make predictions on the basis of psychoanalytic theories, so the theories are difficult to test.

Despite the problems associated with psychological theories of crime, psychological processes are obviously involved in criminality. Thus the question marks surrounding them are more to do with whether the particular theories have correctly identified the psychological factors involved in crime, rather than whether psychology is important at all. Although Freudian theory is unfashionable in academic circles, individuals have found psychotherapy to be effective, and most people do now accept that there are unconscious parts of the mind. Nevertheless, psychological theories should be used very carefully. For example, theories such as Bowlby's can be used to justify the view that women with children should not go out to work. Psychoanalytic theories could be used to blame criminality on single-parent families. Biological and psychological theories risk portraying criminals as 'sick' and therefore in need of a cure. The suggested cures have ranged from psychoanalysis to castration – for sex offenders whose behaviour is blamed on hormones. Such 'treatments' tend to ignore the evidence that criminality is widespread in society, and not confined to small groups of people who have been convicted and who are deemed to be suffering from a sickness (see pp. 363–72 for a discussion of the extent of criminality).

Deviance – a functionalist perspective

The functions of deviance

Rather than starting with the individual, a functionalist analysis of deviance begins with society as a whole. It looks for the source of deviance in the nature of society rather than in the biological or psychological nature of the individual.

At first sight it seems strange that some functionalists should argue that deviance is a necessary part of all societies, and that it performs positive functions for social systems. After all, deviance breaks social norms and values. With the functionalist emphasis on the importance of shared norms and values as the basis of social order, it would appear that deviance is a threat to order and should therefore be seen as a threat to society. All functionalists agree that social control mechanisms, such as the police and the courts, are necessary to keep deviance in check and to protect social order. However, many argue that a certain amount of deviance has positive functions: that it even contributes to the maintenance and well-being of society.

Crime as inevitable

Emile Durkheim developed this argument with his discussion of crime in *The Rules of Sociological Method* (Durkheim, 1938, first published 1895). He argued that crime is an inevitable and normal aspect of social life. Crime is present in all types of society; indeed the crime rate is higher in the more advanced, industrialized countries. According to Durkheim, crime is 'an integral part of all healthy societies'. It is inevitable because not every member of society can be equally committed to the collective sentiments (the shared values and moral beliefs) of society. Since individuals are exposed to different influences and circumstances, it is 'impossible for all to be alike'. Therefore not everyone is equally reluctant to break the law.

Durkheim imagined a 'society of saints' populated by perfect individuals. In such a society there might be no murder or robbery, but there would still be deviance. The general standards of behaviour would be so high that the slightest slip would be regarded as a serious offence. Thus the individual who simply showed bad taste, or was merely impolite, would attract strong disapproval from other members of that society.

Crime as functional

Crime is not only inevitable, it can also be functional. Durkheim argued that it only becomes dysfunctional (harmful to society) when its rate is unusually high or low. He argued that all social change begins with some form of deviance. In order for change to occur, yesterday's deviance must become today's normality. Since a certain amount of change is healthy for society (so that it can progress rather than stagnate), so is deviance. If the collective sentiments are too strong, there will be little deviance, but neither will there be any change, nor any progress. Therefore, the collective sentiments must have only 'moderate energy' so that they do not crush originality: both the originality of the criminal, and the originality of the genius. In Durkheim's words:

> *to make progress individual originality must be able to express itself. In order that the originality of the idealist whose dreams transcend this century may find expression it is necessary that the originality of the criminal, who is below the level of his time, shall also be possible. One does not occur without the other.*
>
> Durkheim, 1938, p. 71

Thus the collective sentiments must not be too powerful to block the expression of people like Jesus, William Wilberforce (who was instrumental in the abolition of slavery), Martin Luther King (the American civil rights campaigner), Mother Theresa (who worked with the poor in India), Nelson Mandela (who helped remove apartheid in South Africa) or Princess Diana (in her campaign against land mines).

Durkheim regarded some crime as 'an anticipation of the morality of the future'. In this way, terrorists or freedom fighters may represent a future established order – consider the examples of Robert Mugabe, a freedom fighter who later became prime minister of Zimbabwe, and Nelson Mandela, an African National Congress leader who became president of post-apartheid South Africa.

If crime is inevitable, what is the function of punishment? Durkheim argued that its function was not to remove crime in society but to maintain the collective sentiments at their necessary level of strength. In Durkheim's words, punishment 'serves to heal the wounds done to the collective sentiments'. Without punishment, the collective sentiments would lose their power to control behaviour, and the crime rate would reach the point where it became dysfunctional. Thus, in Durkheim's view, a healthy society requires both crime and punishment; both are inevitable, both are functional.

The positive functions of deviance

Durkheim's views have been developed by a number of sociologists. Albert K. Cohen (1966) analysed two possible functions of deviance:

1. Deviance can be a safety valve, providing a relatively harmless expression of discontent. In this way social order is protected. For example, Cohen suggests that 'prostitution performs such a safety valve function without threatening the institution of the family'. It can provide a release from the stress and pressure of family life without undermining family stability, since relationships between prostitutes and their clients usually avoid strong emotional attachments.
2. Cohen also suggests that certain deviant acts are a useful warning device to indicate that an aspect of society is malfunctioning. This may draw attention to the problem and lead to measures to solve it. Thus, truants from school, deserters from the army, or runaways from young-offender institutions, may 'reveal unsuspected causes of discontent, and lead to changes that enhance efficiency and morale'.

Durkheim and Cohen have moved away from the picture of the deviant as psychologically or biologically abnormal. Durkheim suggested that society itself generates deviance for its own well-being. Cohen argues that certain forms of deviance are a natural and normal response to particular circumstances. However, Durkheim did believe that excessively high rates of crime did suggest that something had gone wrong with society. This view was taken up and developed by Robert K. Merton's famous work in the 1930s.

Robert K. Merton – social structure and anomie

Merton (1968, first published 1938) argued that deviance results not from 'pathological personalities' but from the culture and structure of society itself. He begins from the standard functionalist position of value consensus – that is, all members of society share the same values. However, since members of society are placed in different positions in the social structure (for example, they differ in terms of class position), they do not have the same opportunity of realizing the shared values. This situation can generate deviance. In Merton's words, 'the social and cultural structure generates pressure for socially deviant behaviour upon people variously located in that structure'.

Cultural goals and institutionalized means

Using the USA as an example, Merton outlined his theory as follows. Members of American society share the major values of American culture. In particular they share the goal of success, for which they all strive and which is largely measured in terms of wealth and material possessions. The 'American Dream' states that all members of society have an equal opportunity of achieving success, of owning a Cadillac, a Beverley Hills mansion and a substantial bank balance. In all societies there are institutionalized means of reaching culturally defined goals. In America, the accepted ways of achieving success are through educational qualifications, talent, hard work, drive, determination and ambition.

In a balanced society an equal emphasis is placed upon both cultural goals and institutionalized means, and members are satisfied with both. But in America great importance is attached to success, and relatively little importance is given to the accepted ways of achieving success. As such, American society is unstable and unbalanced. There is a tendency to

reject the 'rules of the game' and to strive for success by any available means. The situation becomes like a game of cards in which winning becomes so important that the rules are abandoned by some of the players. When rules cease to operate, a situation of normlessness or anomie results. In this situation of 'anything goes', norms no longer direct behaviour, and deviance is encouraged. However, individuals will respond to a situation of anomie in different ways. In particular, their reaction will be shaped by their position in the social structure.

Responses to cultural goals

Merton outlined five possible ways in which members of American society could respond to success goals:

1 The first and most common response is conformity. Members of society conform both to success goals and the normative means of reaching them. They strive for success by means of accepted channels.

2 A second response is innovation. This response rejects normative means of achieving success and turns to deviant means, in particular, crime. Merton argues that members of the lower social strata are most likely to select this route to success. They are least likely to succeed via conventional channels, and so there is greater pressure upon them to deviate. Their educational qualifications are usually low and their jobs provide little opportunity for advancement. In Merton's words, they have 'little access to conventional and legitimate means for becoming successful'. Since their way is blocked, they innovate, turning to crime which promises greater rewards than legitimate means.

   Merton stressed that membership of the lower strata is not, in itself, sufficient to produce deviance. In some more traditional European societies those at the bottom of the social structure are more likely to accept their position since they have not internalized mainstream success goals. Instead they have developed distinctive subcultures which define success in terms that differ from those of the wider society. (In Chapter 2, pp. 75–6, and Chapter 5, pp. 319–21, we discuss traditional working-class subculture and the 'culture of poverty'.) Only in societies such as the USA, where all members share the same success goals, does the pressure to innovate operate forcefully on the lower classes.

   Finally, Merton argues that those who innovate have been 'imperfectly socialized so that they abandon institutional means while retaining success-aspirations'.

3 Merton uses the term ritualism to describe the third possible response. Those who select this alternative are deviant because they have largely abandoned the commonly-held success goals. The pressure to adopt this alternative is greatest for members of the lower middle class. Their occupations provide less opportunity for success than those of other members of the middle class. (We analyse the market situation of the lower middle class in Chapter 2, pp. 66–9.) However, compared with members of the working class, they have been strongly socialized to conform to social norms. This prevents them from turning to crime. Unable to innovate, and with jobs that offer little opportunity for advancement, their only solution is to scale down or abandon their success goals. Merton paints the following picture of typical lower-middle-class 'ritualists'. They are low-grade bureaucrats, ultra-respectable but stuck in a rut. They are sticklers for the rules, follow the book to the letter, cling to red tape, conform to all the outward standards of middle-class respectability, but have given up striving for success. Ritualists are deviant because they have rejected the success goals held by most members of society.

4 Merton terms the fourth, and least common, response, retreatism. It applies to 'psychotics, autists, pariahs, outcasts, vagrants, vagabonds, tramps, chronic drunkards and drug addicts'. They have strongly internalized both the cultural goals and the institutionalized means, yet are unable to achieve success. They resolve the conflict of their situation by abandoning both the goals and the means of reaching them. They are unable to cope, and 'drop out' of society, defeated and resigned to their failure. They are deviant in two ways: they have rejected both the cultural goals and the institutionalized means. Merton does not relate retreatism to social-class position.

5 Rebellion forms the fifth and final response. It is a rejection of both the success goals and the institutionalized means, and it replaces them with different goals and means. Those who adopt this alternative wish to create a new society. Merton argues that 'it is typically members of a rising class rather than the most depressed strata who organize the resentful and rebellious into a revolutionary group'.

To summarize, Merton claimed that his analysis showed how the culture and structure of society generate deviance. The overemphasis upon cultural goals in American society, at the expense of institutionalized means, creates a tendency towards anomie. This tendency exerts pressure for deviance, a pressure which varies depending on a person's position in the class structure.

Evaluation of Merton

Critics have attacked Merton's work for neglecting the power relationships in society as a whole, within which deviance and conformity occur. Laurie Taylor argued:

> *It is as though individuals in society are playing a gigantic fruit machine, but the machine is rigged and only some players are consistently*

rewarded. The deprived ones either resort to using foreign coins or magnets to increase their chances of winning (innovation), or play on mindlessly (ritualism), give up the game (retreatism), or propose a new game altogether (rebellion). But in the analysis nobody appeared to ask who put the game there in the first place and who takes the profits.

Taylor, 1971

Thus Taylor criticized Merton for not carrying his analysis far enough: for failing to consider who makes the laws and who benefits from the laws. To continue Taylor's analogy, the whole game may have been rigged by the powerful with rules that guarantee their success. These rules may be the laws of society.

Merton has also been criticized for assuming that there is a value consensus in American society and that people only deviate as a result of structural strain. His theory has been attacked as being too deterministic because it fails to explain why some people who experience the effects of anomie do not become criminals or deviants. Some critics believe that Merton's theory over-predicts and exaggerates working-class crime, and under-predicts and underestimates middle-class or white-collar crime. Taylor, Walton and Young (1973) believe that Merton's theory cannot account for politically motivated criminals (such as freedom fighters) who break the law because of commitment to their cause rather than the effects of anomie.

However, some sociologists have defended Merton's theory. Robert Reiner (1984) points out that Merton himself has acknowledged that not all Americans accept the success goals of the American Dream. Nevertheless, such goals are sufficiently widespread in the lower strata to account for their deviance. Reiner also notes that 'Merton was well aware both of the extensiveness of white-coliar crime in the suites, and of the way that official statistics disproportionately record crimes in the streets'. Merton explained white-collar crime by suggesting that American society placed no upper limit on success. However wealthy people were, they might still want more. Nevertheless, Reiner maintains that Merton's view that there was more working-class crime remains quite plausible, since those failing to become wealthy in legal ways will be under more pressure to find alternative routes to success. Reiner also believes that Merton's theory can be developed to accommodate most of the criticisms. Thus Taylor, Walton and Young's political criminals could be included in Merton's rebellion adaptation. Subculture theorists, whose work will be examined shortly, have also criticized Merton. However, as Reiner points out, their work represents an attempt to refine and develop Merton's theory rather than rejecting it altogether.

Despite the criticisms, Merton's theory remains one of the more plausible attempts to explain crime rates in whole societies. For example, it could be argued that the influence of Thatcherism and New Right thinking in Britain after 1979 encouraged a greater emphasis on individual success and therefore contributed to a rise in property crime. Similar arguments could be applied to former communist countries as they have changed to free market economies, stressing the importance of competition and individual success. Joachim J. Savelsberg (1995) argues that Merton's strain theory can help to explain the rapid rises in the crime rate in post-communist Poland, Czechoslovakia, East Germany and Russia. Poland is an example of how dramatic these rises sometimes were. Poland had its first free elections in 1989. Between 1989 and 1990 the official crime rate in Poland increased by no less than 69 per cent.

Merton's work, however, can hardly explain all crime. Since his original work, other sociologists have modified and built on his theory in order to try to develop more complete explanations for crime and delinquency.

Structural and subcultural theories of deviance

Structural theories of deviance are similar to Merton's theory. They explain the origins of deviance in terms of the position of individuals or groups in the social structure.

Subcultural theories explain deviance in terms of the subculture of a social group. They argue that certain groups develop norms and values which are to some extent different from those held by other members of society. For example, some groups of criminals or delinquents might develop norms that encourage and reward criminal activity. Other members of society may regard such activities as immoral, and strongly disapprove of them. Subcultural theories claim that deviance is the result of individuals conforming to the values and norms of the social group to which they belong. Members of subcultures are not completely different from other members of society: they may speak the same language, wear similar clothes, and attach the same value to family life. However, their subculture is

sufficiently different from the culture of society as a whole to lead to them committing acts that are generally regarded as deviant.

Often, structural and subcultural theories are combined, as in Albert Cohen's analysis of delinquency. The development of subcultures is explained in terms of the position of groups or individuals in the social structure.

Albert K. Cohen – the delinquent subculture

Cohen's work (1955) was a modification and development of Merton's position. From his studies of delinquency, he made two major criticisms of Merton's views on working-class deviance:

1 First, he argued that delinquency is a collective rather than an individual response. Whereas Merton sees individuals responding to their position in the class structure, Cohen saw individuals joining together in a collective response.
2 Second, Cohen argued that Merton failed to account for non-utilitarian crime – such as vandalism and joy-riding – which does not produce monetary reward. Cohen questioned whether such forms of delinquency were directly motivated by the success goals of the mainstream culture. He agreed, however, that Merton's theory was 'highly plausible as an explanation for adult professional crime and for the property delinquency of some older and semi-professional thieves'.

Cohen began his argument in a similar way to Merton. Lower-working-class boys hold the success goals of the mainstream culture, but, due largely to educational failure and the dead-end jobs that result from this, they have little opportunity to attain those goals. This failure can be explained by their position in the social structure. Cohen supported the view that cultural deprivation accounts for the lack of educational success of members of the lower working class. (We outline the theory of cultural deprivation in Chapter 11.)

Stuck at the bottom of the stratification system, with avenues to success blocked, many lower-working-class boys suffer from status frustration – that is, they are frustrated and dissatisfied with their low status in society. They resolve their frustration, not by turning to criminal paths to success, as Merton suggested, but by rejecting the success goals of the mainstream culture. They replace them with an alternative set of norms and values, in terms of which they can achieve success and gain prestige. The result is a delinquent subculture. It can be seen as a collective solution to the common problems of lower-working-class adolescents.

The delinquent subculture not only rejects the mainstream culture, it reverses it. In Cohen's words, 'the delinquent subculture takes its norms from the larger culture but turns them upside down'. Thus, a high value is placed on activities such as stealing, vandalism and truancy, which are condemned in the wider society. Cohen described the delinquent subculture in the following way: 'Throughout there is a kind of *malice* apparent, an enjoyment of the discomfiture of others, a delight in the defiance of taboos.' He illustrates this theme with the example of a boy defecating on the teacher's desk.

But the delinquent subculture is more than an act of defiance, a negative reaction to a society that has denied opportunity to some of its members. It also offers positive rewards. Those who perform successfully in terms of the values of the subculture gain recognition and prestige in the eyes of their peers. Thus stealing becomes, according to Cohen, not so much a means of achieving success in terms of mainstream goals, but 'a valued activity to which attaches glory, prowess and profound satisfaction'. Cohen argued that, in this way, lower-working-class boys solve the problem of status frustration. They reject mainstream values, which offer them little chance of success, and substitute deviant values, in terms of which they can be successful. Cohen thus provides an explanation for delinquent acts which do not appear to be motivated by monetary reward.

Like Merton, Cohen began from a structural perspective: because there is unequal access to opportunity, there is greater pressure on certain groups within the social structure to deviate. However, he parted company from Merton when he saw some delinquency as being a collective response directed by subcultural values. In this way he showed how pressure from the social structure to deviate was reinforced by pressure from the deviant subculture.

Evaluation of Cohen

Steven Box (1981) believed that Cohen's theory was only plausible for a small minority of delinquents. He questioned Cohen's view that most delinquent youths originally accepted the mainstream standards of success. Rather than experiencing shame and guilt at their own failure, Box argued, they feel resentment at being regarded as failures by teachers and middle-class youths whose values they do not share and cannot accept. They turn against those who look down on them; they will not tolerate the way they are insulted.

Cohen has also been criticized for his selective use of the idea of lower-class subculture. David Bordua (1962) argued that he used it to explain the educational failure of lower-working-class youngsters, with the notion of cultural deprivation,

but he did not use it to explain delinquency. Thus, whereas cultural deprivation is passed on from one generation to the next, this does not seem to happen with the delinquent subculture. It appears to be created anew by each generation reacting to its position in the social structure.

Despite such criticisms, Cohen's ideas continue to offer insights into delinquency. Even Cohen's critics would generally accept that the search for status remains an important factor in the formation of delinquent subcultures.

Richard A. Cloward and Lloyd E. Ohlin – *Delinquency and Opportunity*

In *Delinquency and Opportunity* the American sociologists Cloward and Ohlin combined and developed many of the insights of Merton and Cohen (Cloward and Ohlin, 1961). While largely accepting Merton's view of working-class criminal deviance, they argued that he had failed to explain the different forms that deviance takes. For example, why do some delinquent gangs concentrate on theft while others appear preoccupied with vandalism and violence?

Cloward and Ohlin argued that Merton had only dealt with half the picture. He had explained deviance in terms of the legitimate opportunity structure but he failed to consider the illegitimate opportunity structure. In other words, just as the opportunity to be successful by legitimate means varies, so does the opportunity for success by illegitimate means. For example, in one area there may be a thriving adult criminal subculture which may provide access for adolescents; in another area this subculture may not exist. Thus, in the first area, the adolescent has more opportunity to become a successful criminal.

By examining access to, and opportunity for entry into, illegitimate opportunity structures, Cloward and Ohlin provided an explanation for different forms of deviance.

They began their explanation of working-class delinquency from the same point as Merton: that is, there is greater pressure on members of the working class to deviate because they have less opportunity to succeed by legitimate means. Cloward and Ohlin then distinguished three possible responses to this situation: the 'criminal subculture', the 'conflict subculture' and the 'retreatist subculture'. The development of one or other of these responses by young people depends upon their access to, and performance in terms of, the illegitimate opportunity structure.

Structure and subculture

1 Criminal subcultures tend to emerge in areas where there is an established pattern of organized adult crime. In such areas a 'learning environment' is provided for the young: they are exposed to criminal skills and deviant values, and presented with criminal role models. Those who perform successfully in terms of these deviant values have the opportunity to rise in the professional criminal hierarchy. They have access to the illegitimate opportunity structure. Criminal subcultures are mainly concerned with utilitarian crime – crime which produces financial reward.

2 Conflict subcultures tend to develop in areas where adolescents have little opportunity for access to illegitimate opportunity structures. There is little organized adult crime to provide an 'apprenticeship' for the young criminals and opportunities for them to climb the illegitimate ladder to success. Such areas usually have a high turnover of population and lack unity and cohesiveness. This situation tends to prevent a stable criminal subculture from developing. Thus access to both legitimate and illegitimate opportunity structures is blocked. The response to this situation is often gang violence. This serves as a release for anger and frustration, and a means of obtaining prestige in terms of the values of the subculture.

3 Finally Cloward and Ohlin analysed Merton's retreatist response in terms of legitimate and illegitimate opportunity structures. They suggested that some lower-class adolescents form retreatist subcultures, organized mainly around illegal drug use, because they have failed to succeed in both the legitimate and illegitimate structures. In this sense they are double failures: they have failed to become successful by legitimate means and they have failed in terms of either criminal or conflict subcultures. As failed criminals or failed gang members, they retreat, tails between their legs, into retreatist subcultures.

Evaluation of Cloward and Ohlin

Cloward and Ohlin have produced the most sophisticated version of structural and subcultural theory. By combining the work of Merton and Cohen, and adding the notion of the illegitimate opportunity structure, they attempted to explain the variety of forms that deviance might take. Nevertheless, they may not have provided a convincing explanation for every type of deviant subculture.

Taylor, Walton and Young commented that 'It would be amusing, for instance, to conjecture what Cloward and Ohlin would have made of the Black Panthers or the hippies' (Taylor, Walton and Young, 1973). They argued that Merton, Cohen, and Cloward and Ohlin share one major fault in common: they all assume that everybody in America starts off by being committed to the success goal of achieving wealth. Taylor, Walton and Young believe that there is a much greater variety of goals which individuals pursue. A man or a woman, for example, may refuse to take a new job or accept a promotion which offers higher pay, because it would disrupt their family life,

reduce the amount of leisure time they enjoyed, or result in greater stress. Furthermore, Taylor, Walton and Young claimed that some groups, such as hippies, made a conscious choice to reject the goal of financial success; they did not simply react to their own failure.

Nevertheless, it is clear that some people in the USA, Britain and elsewhere place considerable emphasis on material success. The marketization of capitalist societies (see pp. 402–6 for a discussion of crime and marketization) may have made these theories increasingly relevant. For example, Cloward and Ohlin's analysis of illegitimate opportunity structures could be applied to the organization of the supply of illegal drugs in towns and cities. Nigel South (1997) believes that the British drug trade is largely based around disorganized crime (which can be compared to Cloward and Ohlin's conflict subcultures), although some of the trade is based around professional criminal organization (more akin to criminal subcultures). Some drug users themselves could be seen as part of a retreatist subculture. Thus, once again, it is possible to use classic theories to understand contemporary patterns of criminality.

Walter B. Miller – lower-class subculture

The final two theories to be examined in this section explain crime in terms of class-based subcultures. The first of these theories, that of Walter Miller, sees crime as a product of lower-class culture. The second sees it as a product of underclass culture.

Miller (1962) did not believe that a deviant subculture arose from the inability of the members of lower social strata to achieve success. Instead he explained crime in terms of the existence of a distinctive lower-class subculture.

Miller believed that members of the American lower class had long had their own cultural traditions which differed significantly from those of members of the higher strata. He claimed that their values and way of life, which are passed on from generation to generation, actively encourage lower-class men to break the law.

Focal concerns

This distinctive cultural system, which may be termed 'lower-class', includes a number of focal concerns – that is, major areas of interest and involvement. Included in these focal concerns are 'toughness', 'smartness' and 'excitement':

1 Toughness involves a concern for masculinity, and finds expression in courage in the face of physical threat and a rejection of timidity and weakness. In practice, this can lead to assault and battery in order to maintain a reputation for toughness.
2 Smartness involves the 'capacity to outsmart, outfox, outwit, dupe, "take", "con" another'. It is expressed in the repertoire of the hustler, the conman, the cardsharp, the pimp, the pickpocket and the petty thief.
3 Excitement involves the search for thrills, for emotional stimulus. In practice, it is sought in gambling, sexual adventures and alcohol, all of which can be combined in a night out on the town.

This 'heady mixture' can result in damage to limb, life and property.

Two factors tend to emphasize and exaggerate the focal concerns of lower-class subculture in the lives of adolescents: first, their tendency to belong to a peer group which demands close conformity to group norms; and second, the concern of young people with status, which is largely achieved in terms of peer group norms. Thus the status of a lower-working-class youth can depend on his reputation for toughness and smartness in the eyes of his friends.

Delinquency and focal concerns

Miller concluded that delinquency is simply the acting out, albeit in a somewhat exaggerated manner, of the focal concerns of lower-class subculture. It resulted from socialization into a subculture with 'a distinctive tradition, many centuries old with an integrity of its own'.

Although this subculture has a life of its own, Miller did give reasons for its origin and maintenance. It stems from, and is partly sustained by, the necessity for a pool of low-skilled labour. Low-skilled workers need to be able to endure routine, repetitive and boring activity, and to tolerate recurrent unemployment. Lower-class subculture enables these workers to live with this situation. Its focal concerns provide satisfactions outside work which offset the dissatisfaction produced by work: the emphasis on excitement in the subculture compensates for the boredom of work.

Evaluation of Miller

Miller presented a picture of members of the lower class living in a world of their own, totally insulated from the rest of society. They appear to pursue their focal concerns with no reference to the mainstream culture. Many sociologists would disagree with this view. In his criticism of Miller, David Bordua stated:

> *Miller seems to be saying that the involvements in lower-class culture are so deep and exclusive that contacts with agents of middle-class dominated institutions, especially the schools, have no impact.*
>
> Bordua, 1962

(We analyse the concept of lower-class subculture in more detail in Chapter 5, pp. 319–23, and Chapter 11.)

Some studies have found working-class cultures in Britain with values significantly at odds with those of the middle class and the criminal justice system. For example, Owen Gill's study of *Luke Street*, a working-class area of Liverpool, found that the local residents did not believe it was wrong to commit some crimes (Gill, 1977). Stealing from houses that were not occupied was thought to be acceptable, and provoking the local police in various ways was widely accepted. Some sociologists, though, deny that there are significant differences in the values of different classes, which relate to crime. John Braithwaite argues that 'predatory crimes', which involve direct harm to the victims, are seen as wrong in all classes in Western societies (Braithwaite, 1989). He points to studies of delinquency, such as those conducted by West (1982), which show that even parents who are themselves criminals tend to disapprove of criminal activity by their children.

The underclass and crime

Charles Murray – welfare, culture and criminality

Many contemporary sociologists have pointed to a shrinking demand for unskilled labour in contemporary capitalist societies. This suggests that the proportion of the population making up a lower class might be declining, and that the relevance of Miller's theory might be decreasing. Communities such as that described by Owen Gill may no longer exist, at least not in the same form. However, some sociologists have suggested that, as the lower class have declined in number, some of the unemployed and unemployable have come to constitute an underclass. Some accounts of the underclass, such as that of Charles Murray (1989), do not accept that the underclass share the same values as other members of society. They see the underclass as responsible for a high proportion of crime, and explain their criminality in terms of their rejection of mainstream values and norms. Murray largely attributes the development of such values to the generosity of welfare states. The payments provided by welfare states have made it possible for young women to become single parents and for young men to reject the idea that it is important to hold down a job (see pp. 91–6 and 323–8 for further details on Murray).

Inequality, the underclass and crime

Although not a supporter of Murray's theory, Stephen Jones argues that there is 'a growing underclass who inhabit the run-down areas found in most American cities' (Jones, 1998). He believes that this gives rise to rather different criminal activities to those found in the lower class in America in the 1950s. He says, 'Gangs are now divided far more on racial grounds and their major activities centre on drugs. Disputes over territory are based on seemingly rational economic grounds rather than expressions of male machismo' (Jones, 1998).

Ian Taylor (1997) also believes that an underclass exists in American and British cities. However, he does not explain either the existence of the underclass or any involvement in criminality in the same way as Murray. He argues that the marketization of American and British society, the declining demand for unskilled labour, and rising inequality are all responsible for the development of an underclass. Young, unskilled, working-class males have been particularly affected by the long-term effects of increasing inequality and declining job opportunities. Taylor describes the situation in Britain in the following way:

> *Many of the older industrial areas of England, Scotland, and Wales ... began to be plagued by quite unknown levels of theft and burglary, car stealing, interpersonal violence, and also by a crippling sense of fear and insecurity, which cuts thousands of their residents off from the pleasures of the broader consumer society and the compensations of friendship and neighbourhood.*
>
> Taylor, 1997, p. 285

To Taylor, then, underclass criminality is a consequence of material deprivation rather than an unacceptable culture.

Evaluation of underclass theories of crime

Underclass theories have been extensively criticized. In both Britain and America, some people have questioned the view that there is a distinctive underclass culture, and some that there is an underclass at all. Some sociologists have seen the idea of an underclass as far more applicable in the USA than in Britain. Others have accepted that an underclass may exist, but deny that it has an ethnic component (see pp. 91–6, 283–7 and 323–8). Perhaps the strongest arguments against underclass theories of criminality have been against the sort of theory espoused by Charles Murray. For example, Henrik Tham (1998) has compared welfare policies and official crime rates in Britain and Sweden in the 1980s and 1990s. In Sweden, compared to Britain, there was less increase in inequality and less use of imprisonment; and Sweden's generous welfare payments were maintained at a much higher level than in Britain. However, crime rates increased more rapidly in Britain than they did in Sweden. Tham argues that this evidence undermines Charles

Murray's claim that the generosity of welfare payments can be held responsible for underclass crime. Rather, Tham argues, crime is more closely related to increases in inequality. Tham himself recognizes that the use of official crime rates is open to criticism, but his work does offer more support for theories such as those of Ian Taylor, than for cultural interpretations of the underclass.

Further criticisms of Murray are to be found in the work of Jane Mooney (1998). Mooney has reviewed research in Britain in order to evaluate Murray's claim that single parenthood is associated with criminality. She finds that 'there is not a single substantial scrap of evidence' that such a link exists. She quotes a leaked cabinet paper which found no direct association between single parenthood and criminality, and points out that 'The five million crimes reported to the police every year, with another ten million or more unreported, cannot conceivably be blamed on that fraction of single mothers who are on income support and have adolescent sons.' Mooney accepts that poverty may be linked to criminality, and that many single parents are poor, but denies that single parenthood as such is important. She believes that such views are blaming the victims of social inequality for society's ills. According to her own research into single parenthood in London, single mothers tend to be victims of crime, not perpetrators. Thus, about one in five single mothers in her research had been violently attacked in the previous year – twice the average rate for all women in her study.

In this section we have considered subcultural and structural theories which tend to see deviant behaviour as produced by forces beyond an individual's control. Pressurized by their position in the social structure, by their membership of a deviant subculture, a lower class or underclass, or by their presence in an area of social disorganization, individuals stray from the path of convention. In the following section we will look at a very different theory of delinquency, which includes some important criticisms of and modifications to subcultural theories.

David Matza – delinquency and drift

The American sociologist David Matza (1964) attacked some of the assumptions on which subcultural and structural theories are based, and produced his own distinctive explanation of delinquency. His work suggests that many sociological theories of delinquency are misleading in two ways:

1 They make deviants appear more distinctive than they really are.
2 They present an over-deterministic view of the origins of deviance. (Determinism is the doctrine that states that people have little or no freedom to direct their own actions since they are controlled by external forces.) 'Trapped by circumstances', the individual is automatically propelled down the path of deviance. Matza believes that this view ignores the choices and alternatives which are always available for human action.

In contrast to subculture theories, Matza argues that male delinquents are not in opposition to society's norms and values. In fact, to a considerable extent, they are committed to the same norms and values as other members of society. Society has a strong moral hold over them and prevents them from engaging in delinquent activities for most of the time. Matza backs up this claim by noting that delinquents often express regret and remorse when faced with what they have done. Furthermore, his own research suggests that most delinquents in training school express disapproval of crimes such as mugging, armed robbery, fighting with weapons, and car theft. Far from being committed to crime, delinquents are only occasional, part-time law-breakers; they are 'casually, intermittently, and transiently immersed in a pattern of illegal activity'.

Techniques of neutralization

If delinquents are generally committed to conventional norms and values, then how is it possible for them to contemplate illegal acts? Matza claims that in certain circumstances they are able to 'neutralize' the moral bind of society: they are able to convince themselves that the law does not apply to them on this particular occasion. Deviance becomes possible when they use techniques of neutralization which temporarily release them from the hold that society has over them.

Techniques of neutralization include:

1 Denial of responsibility for a deviant act – the delinquents may remove responsibility from themselves by blaming their parents or the area in which they live.
2 Denial of injury resulting from the act – the delinquents may argue that joy-riding does not harm anyone, it is just a bit of mischief, and that they were borrowing rather than stealing the car.

3 Denial that the act was basically wrong – an assault on a homosexual or a robbery from an extortionate store-owner can be presented as a form of 'rough justice'.
4 Condemnation of those who enforce the rules – the police may be seen as corrupt, or teachers as unjust and hypocritical.
5 Appeal to higher loyalties – the delinquents may argue that they broke the law not out of self-interest but to help their family or friends.

Matza argues that the use of techniques of neutralization throws serious doubts on the idea of deviant subcultures:

1 Techniques of neutralization are evidence of guilt and shame which indicates at least a partial acceptance of mainstream norms and values. If there really were a delinquent subculture, there would be no need to resort to techniques of neutralization, since there would be no guilt to neutralize.
2 Techniques of neutralization often employ one set of mainstream norms to justify breaking others. Thus, assaulting homosexuals is justified since it supports mainstream norms of sexual behaviour. Again, this shows some degree of commitment to mainstream culture.

Subterranean values

Once potential delinquents have freed themselves from the normal constraints society exercises over them, delinquency becomes a possibility. They are in a state of drift and may or may not break the law. Whilst the state of drift explains why people can break the law, it does not explain why they should wish to.

Matza explains the attraction to deviance in terms of subterranean values. This set of values encourages enjoying yourself, acting on the spur of the moment, self-expression, being aggressive and seeking excitement. These values, according to Matza, exist throughout society, alongside formal values which encourage hard work and planning for the future. The 'respectable' member of society will only act in accordance with subterranean values during leisure activities, such as drinking in a bar, visiting the bowling alley, or playing football. Delinquents do not hold different values to other members of society; they simply express subterranean values at the wrong place and time. For example, they may seek excitement at school, or they could be aggressive while at work. Again, Matza stresses that delinquents share more in common with other members of society than earlier theories would suggest.

The mood of fatalism and the mood of humanism

So far, Matza has explained why delinquency is possible, and why it is attractive to some adolescents. This is not sufficient, however, to explain why they embark on delinquency. Before this is likely, some 'preparation' may be necessary: they may have to learn some of the skills they will require (such as those needed to break into a car) from more experienced delinquents. They also need a strong push to step over the dividing line between deviance and conformity for the first time. As they drift, they may be pushed towards or away from deviance, according to the circumstances.

The final decision to step over the line comes when adolescents experience the mood of fatalism. They feel powerless: other people are pushing them around, telling them what to do. To overcome this feeling, they need to take some action that will make things happen, and 'restore their mood of humanism'. They wish to stop feeling like a victim of circumstances, and to prove to themselves that they too are human beings who can influence events around them. Committing a delinquent act assures them of at least some response, even if it is a negative one. At the very least, they can expect their action to be noticed, and to lead to a police investigation. Once they have taken this step, it becomes easier to contemplate other delinquent acts, but Matza emphasizes that delinquency never becomes more than an occasional activity.

The subculture of delinquency

Matza uses the term subculture of delinquency, rather than delinquent subculture. Although he has done no more than reverse the order of the words, the concept he uses is quite different from the traditional view of a subculture:

1 The norms and values of the subculture of delinquency allow delinquent acts, but do not demand them of members of the group.
2 The conventional values of society have a considerable influence on the behaviour of the delinquent.
3 The subculture of delinquency is a loose-knit group of adolescents. Individuals frequently drift into and out of the group; they are not committed, full-time members.

Evaluation of Matza

Matza's work is radically different from previous explanations of delinquency. He rejects the view that delinquents are pathological, that they are different from other members of society, that they are sick. He denies that deterministic theories can explain human

behaviour. Instead he stresses the choices that are available to all human beings, including delinquents. His work is important in challenging the assumptions on which earlier theories were based. Nevertheless, Matza himself has been criticized.

Taylor, Walton, and Young (1973) raised doubts about the view that those who use the techniques of neutralization are never challenging the dominant values in society. They pointed out that denying your behaviour is wrong is quite different from explaining it away as the result of sickness or an accident. It may indeed represent a complete rejection of society's norms and values; 'A homosexual who says he cannot help being a homosexual because he is sick is very different from the homosexual who denies the fact of harm to the victim, who declares that "gay is 'good'".

Steven Box (1981) questioned the evidence that Matza used in support of his theory. Box suggested that it may not be possible to take the statements of delinquents at face value: when they express regret and remorse for their offences they may not be sincere; when they explain the reasons for their acts they may be attempting to justify themselves, rather than to provide an accurate account of their motives.

Stephen Jones (1998) believes that Matza's theory is quite good at explaining occasional delinquency that is not particularly serious. On the other hand, it is not particularly good at explaining violence. Jones says that Matza:

> *is nowadays considered to have had a somewhat romanticised view of crime. It is clear that, while everyone engaged in delinquency at some stages in their lives, there is a hard core who continue to commit serious offences on a regular basis, sometimes even lasting into adulthood.*
>
> Jones, 1998, p. 169

Despite these drawbacks, Matza's work has raised some important questions about deviance. In particular, it has questioned the view that deviants always hold quite untypical values, and it has tried to overcome the pitfalls of overly deterministic theories. Now we will consider the relationship between deviance and official statistics.

Deviance and official statistics

Many theories of deviance are based in part on official statistics provided by the police, the courts, and other government agencies involved in law enforcement. In countries such as Britain and the USA these statistics consistently show that some groups are more involved in crime than others. The working class, the young, males, and members of some ethnic minorities are all more likely to commit crimes than the middle class, the elderly, females, and whites – according to official data. Some sociologists have taken these figures at face value and have then proceeded to explain why such groups should be so criminal. Merton, Cohen, Cloward and Ohlin, and Miller (see pp. 354–60) all assume that working-class men are the main offenders, although they differ in their explanations as to why this should be so. If it could be shown that the reliability of the figures is open to question, it would raise serious doubts about their theories.

In Britain, official statistics on crime are published annually. They provide criminologists, the police, the courts, the media, and anyone else who is interested, with two main types of data:

1 They provide information on the total number of crimes 'known to the police'. This information is often taken as an accurate measure of the total amount of crime. The data allow comparisons to be made between crimes, and with previous years. Often the figures receive widespread publicity through the media. The statistics often, though not always, show increases in crime over previous years, and they may lead to concern that the country is being engulfed in a crime wave.

   Figure 6.1 shows long-term trends in crimes recorded by the police in Britain from 1876 to 1996. It shows that rates remained very low until the 1950s, but have increased rapidly in the period since then.

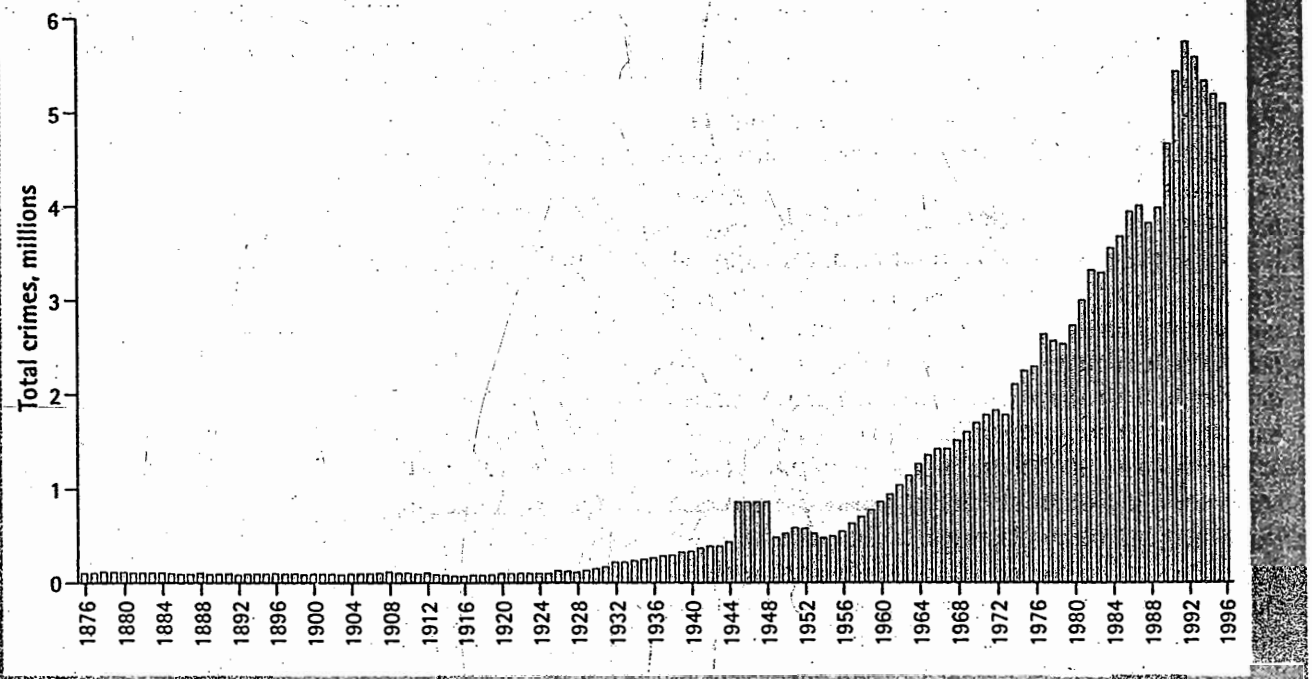
   Figure 6.2 shows trends since 1971 in more detail. It shows that the crime rate appears to have increased rapidly for most of the period since 1971 in England, Wales and Northern Ireland. However, it does show some decline in the mid-1990s, particularly in England and Wales.

   Table 6.1 provides a detailed breakdown of notifiable offences recorded by English and Welsh police forces (for April to March periods) from 1993 to 1998. It also shows percentage changes from the previous year. It shows that overall violent crime rose over this period, but other types of crime declined.

2 The official statistics provide information on the social characteristics of those who have been convicted of offences, such as their age and gender. It is on these figures that a number of theories of crime have been based.

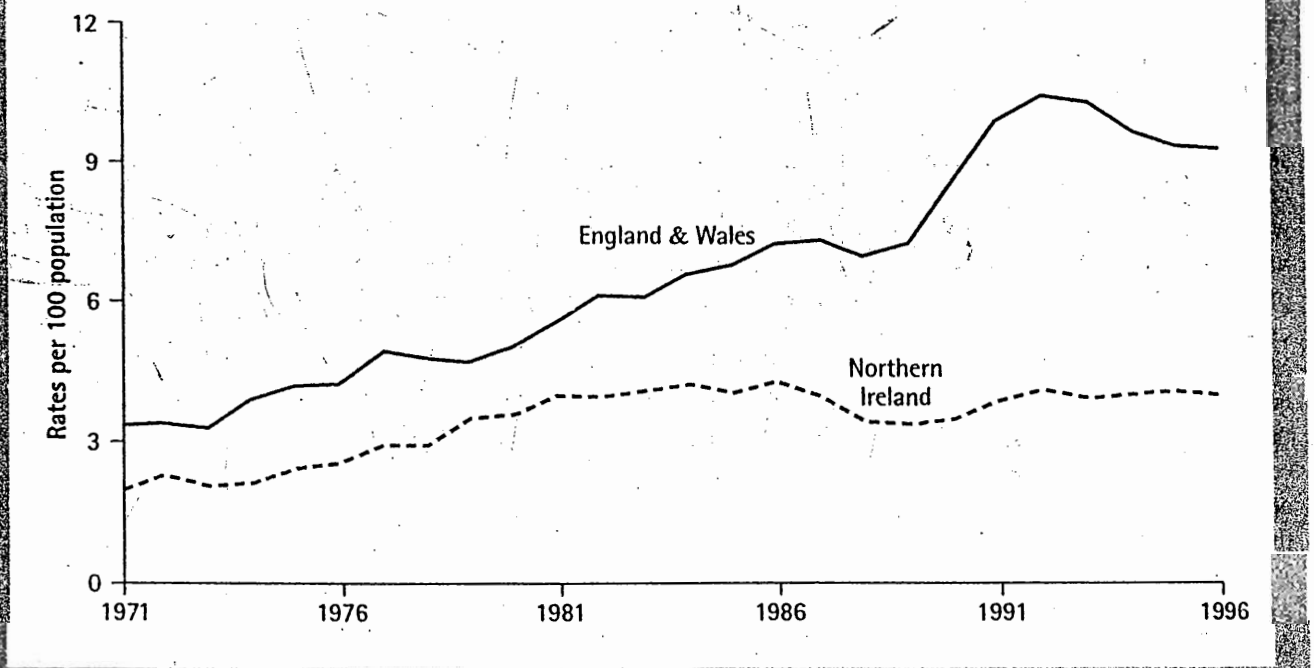
Each of these sets of figures will now be examined in detail.

Figure 6.1 Crimes recorded by the police, 1876–1996



Source: M. Maguire, R. Morgan and R. Reiner (eds) (1997) *The Oxford Handbook of Criminology*, Oxford University Press, Oxford, p. 58.

Figure 6.2 Notifiable offences recorded by the police



[1] Indictable offences up to and including 1979. Excluding offences of criminal damage of value £20 and under in England and Wales, and illegal possession of controlled drugs in Northern Ireland.

Source: *Social Trends* (1998) HMSO, London, p. 156.

only actually investigated six of the blindings. There were 302 fatal accidents at work in 1996.

John Braithwaite (1984) has studied corporate crimes committed by pharmaceutical companies and has discovered that they are alarmingly common.

The US Securities and Exchange Commission encouraged drug companies to reveal 'questionable payments' (or, in plainer language, bribery) in return for a promise that they would not be prosecuted. All the major companies had spent substantial amounts on such payments. American Hospital Supply had apparently spent $5.8 million on bribery. For example, it had bribed Mexican health inspectors not to enforce the Mexican Health Code at its plant in that country. Braithwaite found extensive negligence and fraud in the testing of drugs: test results were sometimes falsified, or results for tests that had never taken place were simply made up. There was a great deal of evidence of unsafe manufacturing practices being used, which could lead to faulty heart pacemakers or non-sterile medical products being distributed.

The most dramatic example of the possible effects of crimes like these is the 'thalidomide affair'. This drug was manufactured by Chemie Grunethal of Germany; it was used as a sleeping pill or tranquillizer. However, the use of the drug by pregnant women led to over 8,000 seriously deformed babies being born throughout the world. Despite numerous examples of adverse reactions from clinical tests, the drug was marketed with little delay, the advertising proclaiming that it was 'completely safe'. The company was slow to withdraw the product even when the drug's disastrous effects were known.

White-collar crimes involving politicians and state officials come to light from time to time. The 'Watergate' affair is one of the best-known examples. The US President Nixon was forced to leave office in 1974 as a result of his involvement in the break-in and attempted bugging of the offices of political opponents, and his involvement in using illegal sources of money to fund political campaigns. In another US political scandal, 'Irangate', government officials were found to have been involved in the exchange of arms for hostages with the government of Iran, which went against stated US policy.

In Britain, accusations have been made that members of the Thatcher government knowingly allowed companies to export products for military use, including parts for a 'supergun' to the government of Iraq. This contravened the British government's own ban on such exports during the Iran–Iraq war.

Another member of the Conservative government, Jonathan Aitken, was found to have accepted hospitality at the Paris Ritz from Mohammed Al Fayed in return for asking questions in Parliament. Aitken was later imprisoned for conspiracy to pervert the course of justice, as a result of trying to cover up what had happened.

Michael Woodiwiss (1993) claims that the US government has a history of promoting drug trafficking. During the Vietnam war, 'opponents charged that the CIA was knowingly financing its operations from opium money'. This was confirmed in a book written by Orrin DeForest, a senior investigations officer with the CIA. To raise more money, army officers allowed heroin to be smuggled back to America in the corpses of American soldiers. The bodies were cut open and had up to 25 kg of heroin concealed inside.

Gregg Barak (1994) accuses the US government of backing, at various times, repressive dictators in the Philippines, Brazil, South Korea, Cuba, Iran and Argentina; of helping to overthrow or undermine democratically elected governments in countries including Chile, Jamaica, Guatemala and Nicaragua; and of the use of illegal means to deal with domestic protest movements, such as the Black Panthers, the American Indian Movement, and anti-war movements during the 1960s.

More recently, in 1998, President Clinton ordered the bombing of a chemical factory in Sudan on the grounds that it was manufacturing chemical weapons. However, according to Ed Vulliamy and colleagues (1998), America's own tests could find no evidence that chemical weapons were being made there. The result was to destroy some of Sudan's capacity to produce desperately needed medicines.

British intelligence organizations have also been accused of engaging in illegal activities. For example, in his book *Spycatcher* (which the British government tried to suppress), Peter Wright claimed that during the period when Harold Wilson was prime minister the security services were involved in numerous unauthorized buggings and burglaries (Wright, 1987).

A number of factors combine to reduce the apparent extent and seriousness of white-collar crime:

1 It is difficult to detect: many white-collar crimes are 'crimes without victims'.

2 In cases of bribery and corruption, both parties involved may see themselves as gaining from the arrangement, both are liable to prosecution, and therefore neither is likely to report the offence.

3 In cases where the victim is the public at large (such as misrepresentation in advertising), few members of the public have the expertise to realize that they are being misled, or a knowledge of the legal procedure to redress the wrong. In such cases, detection and prosecution are often left to a government agency which rarely has the personnel or finances to bring more than a few cases to court in the hope of deterring the practice.

White-collar crimes, if detected, are rarely prosecuted. In the thalidomide affair no individual was ever found guilty of a criminal offence. Only one court case, in Canada, for compensation for one deformed baby, was ever completed. With their massive resources and skilled lawyers, the companies involved used delaying tactics to such an effect that every other case was settled out of court.

Often white-collar crimes are dealt with administratively by the various boards, and commissions and inspectorates are appointed to deal with them. 'Official warnings' rather than prosecutions are frequently the rule. In the case of professionals, their own associations usually deal with misconduct and, again, prosecution is rare. In extreme cases, doctors and lawyers may lose their licence to practise, but more often than not their professional associations simply hand down a reprimand.

The sociological study of white-collar crime provides some support for the view that there is one law for the rich and another for the poor. Edwin Sutherland (1960) argues that there is a consistent bias 'involved in the administration of criminal justice under laws which apply to business and the professions and which therefore involve only the upper socio-economic group'. The matter is neatly summarized by Willy Sutton, a professional bank robber, who stated:

> *Others accused of defrauding the government of hundreds of thousands of dollars merely get a letter from a committee in Washington asking them to come in and talk it over. Maybe it's justice but it's puzzling to a guy like me.*
>
> Quoted in Clinard, 1974, p. 266

Official statistics probably underestimate the extent of white-collar and corporate crime to a far greater degree than they underestimate the extent of crime in general. As a result, official statistics portray crime as predominantly working-class behaviour. Many sociological theories have seen social class as the key to explaining criminal deviance. This conclusion may not be justified in view of the nature of criminal statistics, which may give a misleading impression about the relationship between class and crime. Different classes may commit different types of crime, but it is not possible to be certain that lower classes are significantly more prone to crime than higher ones.

Statistics and theories of crime

All the theories of crime and deviance examined so far assume that criminals and deviants are a small minority of the population, and attempts have been made to explain crime in terms of the differences between the criminals and the remainder of the population. Thus criminals and deviants have particular biological characteristics, a defective upbringing, a particular place in the social structure, and so on.

However, studies of crimes that do not appear in the official statistics suggest that crime is very widespread in all social strata. In the USA, the President's Commission on Law Enforcement and the Administration of Justice found that 91 per cent of those questioned in a survey admitted to having committed crimes for which they could have been imprisoned (President's Commission, 1989).

Mike Maguire comments that:

> *Depending upon the age, sex, and other social characteristics of those questioned, as well as the wording of the questions, self-report studies have generally found that between 40 and almost 100 per cent will admit to having committed at least one criminal offence during their lifetimes.*
>
> Maguire, 1997, p. 175

Studies of a wide range of occupations and industries suggest that crime is a normal feature of working life, from managing directors to shop-floor workers.

If most members of society are deviant, at least occasionally, then new ways of looking at deviance, new questions about deviance, and perspectives which differ radically from those so far considered are needed. Accordingly we will now analyse an alternative perspective on crime and deviance.

Deviance – an interactionist perspective

The interactionist perspective differs from previous approaches in two ways:

1. First, it views deviance from a different theoretical perspective.
2. Second, it examines aspects of deviance which have been largely ignored by previous approaches. It directs attention away from deviants as such and the motivations, pressures and social forces which are supposed to direct their behaviour. Instead it focuses upon the interaction between deviants and those who define them as deviant. The interactionist perspective examines how and why particular individuals and groups are defined as deviant, and the effects of such a definition upon their future actions. For example, the interaction between the

deviant and various agents of social control, such as parents, teachers, doctors, police, judges and probation officers, may be analysed; and the effects upon the individual of being defined as a criminal or delinquent, or as mentally ill, or as an alcoholic, prostitute or homosexual may be examined.

The interactionist approach emphasizes the importance of the meanings the various actors bring to, and develop within, the interaction situation. Thus it may examine the picture of the 'typical delinquent' held by the police and note how this results in a tendency to define lower-class rather than middle-class law-breakers as delinquents.

Meanings are not, however, fixed and clearcut. They are modified and developed in the interaction process. Thus, from an interactionist perspective, the definition of deviance is negotiated in the interaction situation by the actors involved. For example, whether or not a person is defined as mentally ill will depend on a series of negotiations between him or her and a psychiatrist.

The approaches so far considered, with their emphasis on deviants simply reacting to external forces largely beyond their control, are close to a positivist position. Interactionists reject the positivist approach. They stress the importance of factors internal to the individual. Individuals do not react passively to external forces: they attach meanings to events before deciding how to respond.

Howard S. Becker – labelling theory

The definition of deviance

One of the most influential statements on deviance is contained in the following quotation from Howard S. Becker (1963), one of the early exponents of the interactionist approach. Becker argued:

> *social groups create deviance by making the rules whose infraction constitutes deviance, and by applying those rules to particular people and labelling them as outsiders. From this point of view, deviance is not a quality of the act the person commits, but rather a consequence of the application by others of the rules and sanctions to an 'offender'. The deviant is one to whom the label has successfully been applied; deviant behavior is behavior that people so label.*
>
> Becker, 1963, p. 9

Becker is suggesting that in one sense there is no such thing as a deviant act. An act only becomes deviant when others perceive and define it as such.

The act of nudity in Western society provides an illustration. Nudity in the bedroom, where the actors involved are husband and wife, is generally interpreted as normal behaviour. Should a stranger enter, however, nudity in his or her presence would usually be considered deviant. Yet, in particular contexts, such as nudist camps or certain holiday beaches, nudity in the presence of strangers would be seen as perfectly normal by the participants. A male spectator at a cricket match who 'streaked' across the pitch may be viewed as 'a bit of a lad' but, if he stood and exposed himself to the crowd, he might be regarded as 'some kind of a pervert'. Thus there is nothing intrinsically normal or deviant about the act of nudity. It only becomes deviant when others label it as such.

Whether or not the label is applied will depend on how the act is interpreted by the audience. This in turn will depend on who commits the act, when and where it is committed, who observes the act, and the negotiations between the various actors involved in the interaction situation.

Becker illustrated his views with the example of a brawl involving young people. In a low-income neighbourhood, it may be defined by the police as evidence of delinquency; in a wealthy neighbourhood as evidence of youthful high spirits. The acts are the same but the meanings given to them by the audience differ. In the same way, those who commit the act may view it in one way; those who observe it may define it in another. The brawl in the low-income area may involve a gang fighting to defend its 'turf' (territory). In Becker's words, they are only doing what they consider 'necessary and right, but teachers, social workers and police see it differently'.

If the agents of social control define the youngsters as delinquents and they are convicted for breaking the law, those youngsters then become deviant. They have been labelled as such by those who have the power to make the labels stick. Thus, Becker argued, 'Deviance is not a quality that lies in behavior itself, but in the interaction between the person who commits an act and those who respond to it.' From this point of view, deviance is produced by a process of interaction between the potential deviant and the agents of social control.

Possible effects of labelling

Becker then examined the possible effects upon an individual of being publicly labelled as deviant. A label defines an individual as a particular kind of person. A label is not neutral: it contains an evaluation of the person to whom it is applied. It is a master status in the sense that it colours all the other statuses possessed by an individual. If individuals are labelled as criminal, mentally ill or homosexual, such labels largely override their status as parent, worker, neighbour and friend. Others see them and respond to them in terms of the label, and tend to assume they

have the negative characteristics normally associated with such labels.

Since individuals' self-concepts are largely derived from the responses of others, they will tend to see themselves in terms of the label. This may produce a self-fulfilling prophecy whereby 'the deviant identification becomes the controlling one'. (We examine the self-fulfilling prophecy theory in more detail in Chapter 11.)

Becker outlined a number of possible stages in this process:

1 Initially the individual is publicly labelled as deviant. This may lead to rejection from many social groups. Regarded as a 'junkie', a 'queer', a 'nutter', a 'wino' or a 'tearaway', he or she may be rejected by family and friends, lose his or her job and be forced out of the neighbourhood.

2 This may encourage further deviance. For example, drug addicts may turn to crime to support their habit since 'respectable employers' refuse to give them a job.

3 The official treatment of deviance may have similar effects. Ex-convicts may have difficulty finding employment and be forced to return to crime for their livelihood. Becker argued:

> *the treatment of deviants denies them the ordinary means of carrying on the routines of everyday life open to most people. Because of this denial, the deviant must of necessity develop illegitimate routines.*
>
> Becker, 1963

4 The deviant career is completed when individuals join an organized deviant group. In this context they confirm and accept their deviant identity. They are surrounded by others in a similar situation who provide them with support and understanding.

5 Within the group, a deviant subculture develops. The subculture often includes beliefs and values which rationalize, justify and support deviant identities and activities. For example, Becker states that organized male homosexual groups provide the individual with a rationale for his deviance:

> *explaining to him why he is the way he is, that other people have also been that way, and why it is all right for him to be that way.*
>
> Becker, 1963

The subculture also provides ways of avoiding getting into trouble with conventional society. The young thief, socialized into a criminal subculture, can learn various ways of avoiding arrest, from older and more experienced members of the group. Becker argued that, once individuals join an organized deviant group, they are more likely than before to see themselves as deviants and to act in terms of this self-concept. In this context the deviant identification tends to become 'the controlling one'.

Jock Young – labelling and marijuana users

The value of Becker's approach to the labelling of deviance can be seen from its application by Jock Young (1971) in his study of 'hippie' marijuana users in Notting Hill in London. Young examined the meanings which coloured the police view of the hippies, how their reaction to the hippies was directed by these meanings, and the effects upon the hippies of this reaction. The police tend to see hippies as dirty, scruffy, idle, scrounging, promiscuous, depraved, unstable, immature, good-for-nothing drug addicts. Young argued that police reaction to the hippies in terms of these meanings can 'fundamentally alter and transform the social world of the marijuana smoker'. In particular, drug-taking, which begins as 'essentially a peripheral activity of hippie groups', becomes a central concern.

Police action against marijuana users tends to unite the latter and make them feel different. As such, they rationalize and accept their difference. In self-defence, they retreat into a small, closed group. They exclude 'straights', not only for reasons of security (secrecy about marijuana use is important to avoid arrest), but also because they develop a deviant self-concept which makes it more difficult to include members of conventional society.

In this context, deviant norms and values develop. Having been defined and treated as outsiders, the hippies tend to express and accentuate this difference. Hair is grown longer, clothes become more and more unconventional. Drug use becomes transformed from a peripheral to a central activity, especially as police react more strongly against the deviance they have helped to create.

Young argued that, because of increased police activity, 'drug taking in itself becomes of greater value to the group as a symbol of their difference, and of their defiance of perceived social injustices'. In this situation a deviant subculture evolves and deviant self-concepts are reinforced, all of which makes it increasingly difficult for the hippies to re-enter conventional society.

Howard Becker – the origins of 'deviant' activity

Howard Becker's approach stressed the importance of the public identification of a deviant. It suggested that a deviant label can lead to further deviance, and can even change individuals' self-concepts so that they come to regard themselves as deviant for the first time.

However, Becker argued that this process is by no means inevitable. Ex-convicts do get jobs and go 'straight'; drug addicts do sometimes give up their habit and re-enter conventional society.

Furthermore, Becker tried to explain how individuals get involved in deviant activities in the first place. He conducted his own study of marijuana smoking in order to explain how the habit could start, and noted that various conditions had to be met if the first experimentation with the drug was to lead to regular use.

As an interactionist, Becker emphasized the importance of the subjective meanings given to experiences. Thus the physical experiences that result from taking drugs are interpreted by the individual as he or she interacts with others. With regard to marijuana, Becker says, 'The user feels dizzy, thirsty; his scalp tingles, he misjudges time and distance.' These effects will not necessarily be defined as pleasurable: other experienced smokers will need to reassure the new user that the effects are indeed desirable, and should be sought again.

Unlike the other theories of crime and deviance that we have looked at in this chapter, Becker examined becoming deviant as a process. Merton (1968) identified a single cause of deviance (anomie) to explain deviance throughout a person's life; Becker stressed that the reasons for deviance might change as time passes and circumstances alter. Thus the reason why someone tries marijuana for the first time could be quite different from the reasons for continuing after being caught and labelled. Becker used what he calls a 'sequential' approach to the explanation of deviance, and at any stage in the sequence it is possible that the deviant will return to conformity.

Edwin M. Lemert – societal reaction – the 'cause' of deviance

Like Becker, Edwin M. Lemert (1972) emphasized the importance of societal reaction – the reaction of others to the deviant – in the explanation of deviance. Lemert distinguished between 'primary' and 'secondary' deviation.

Primary deviation

Primary deviation consists of deviant acts before they are publicly labelled. There are probably any number of causes of primary deviation and it is largely a fruitless exercise to inquire into them for the following reasons:

1 Samples of deviants are based upon those who have been labelled and are therefore unrepresentative. For example, it makes little sense to delve into the backgrounds of convicted criminals to find the cause of their deviance, without examining criminals who have not been caught.

2 Many so-called deviant acts may be so widespread as to be normal in statistical terms. Thus, most males may at some time commit a homosexual act, engage in delinquent activities, and so on.

In fact, Lemert suggested that the only thing that 'known' deviants probably have in common is the fact that they have been publicly labelled as such.

Not only is the search for the causes of primary deviation largely fruitless, but primary deviation itself is relatively unimportant. Lemert argued that it 'has only marginal implications for the status and the psychic structure of the person concerned'. Thus Lemert suggested that the odd deviant act has little effect on individuals' self-concepts and status in the community, and does not prevent them from continuing a normal and conventional life.

Secondary deviation

The important factor in 'producing' deviance is societal reaction – the public identification of the deviant, and the consequences of this for the individual concerned. Secondary deviation is the response of the individual or the group to societal reaction.

Lemert argued that studies of deviance should focus on secondary deviation, which has major consequences for the individual's self-concept, status in the community and future actions. In comparison, primary deviation has little significance. Lemert argued that 'In effect the original "causes" of the deviation recede and give way to the central importance of the disapproving, degradational, and isolating reactions of society.'

Thus, Lemert claimed that societal reaction can be seen as the major 'cause' of deviance. This view, he argued, 'gives a proper place to social control as a dynamic factor or "cause" of deviance'. In this way, Lemert neatly reverses traditional views of deviance: the blame for deviance lies with the agents of social control rather than with the deviant.

Stuttering and societal reaction

Lemert was particularly convincing in his paper entitled *'Stuttering among the North Pacific coastal Indians'*, which examines the relationship between societal reaction and deviance. Previous research had indicated a virtual absence of stuttering among North American Indians: indeed most tribes did not even have a word for this speech irregularity. However, Lemert's investigation of deviance in various tribes living in the North Pacific coastal area of British Columbia revealed evidence of stuttering both before and after contact with whites. In addition, the languages of these tribes contained clearly defined concepts of stutterers and stuttering. It is particularly significant that their inland neighbours, the Bannock and Shoshone, had no words for stuttering, and

research, using a large-scale sample of members of these tribes, found no evidence of actual stuttering.

The North Pacific coastal Indians had a rich ceremonial life, involving singing, dancing and speech-making. Their legends and stories were filled with references to famous orators and outstanding speeches. From an early age, children were initiated into ceremonial life, and parents stressed the importance of a faultless performance. There were rigorous and exacting standards to be met; rituals had to be performed exactly as they should be. If they did not meet these standards, children shamed their parents and suffered the ridicule of their peers. In particular, there was a highly developed sensitivity to any speech defect. Children and parents alike were anxious about any speech irregularity and responded to it with guilt and shame. Lemert concluded that stuttering was actually produced by societal reaction. The concern about, and the reaction to, speech irregularities actually created them. He argued that the culture, both past and present:

> *seems favorable to the development of stuttering, that stutterers were and still are socially penalized, that parents tended to be specifically concerned or anxious about the speech development of their children, that children were anxious about ritual performances involving solo verbal behavior.*
>
> Lemert, 1962

In other American Indian societies, where such concerns were largely absent, stuttering was unknown. Thus Lemert argued that societal reaction, prompted by a concern about particular forms of deviance, can actually produce those forms of deviance.

Erving Goffman – deviance and the institution

In general, interactionists view the various institutions for the treatment of deviance – the prisons, mental hospitals and reform schools – as a further set of links in a long chain of interactions which confirm the label of deviance, both for the individual so labelled and for society as a whole. In a series of trendsetting essays, Erving Goffman examined the treatment of mental patients in institutions (Goffman, 1968). He argued that, although the stated aim of such institutions is to cure and rehabilitate, a close examination of interaction patterns within the institutions reveals a very different picture.

Mortification

Goffman is particularly concerned with how, via a series of interactions, pressure is placed upon inmates to accept the institution's definition of themselves. Upon entry, 'he begins a series of abasements, degradations, humiliations, and profanities of self. His self is systematically, if often unintentionally, mortified.'

This mortification process strips inmates of the various supports which helped to maintain their former self-concepts. Often their clothes (an important symbol of identity) are removed. Their possessions (a further symbol of identity) may be taken away and stored for the duration of their stay. They may be washed, disinfected and their hair may be cut. They may then be issued with a new 'identity kit', such as regulation clothes and toilet articles. Such standardized items tend to remove individuality and define the inmate simply as a member of a uniform mass.

Once the entry phase is over, the inmate settles down to an endless round of mortifying experiences. Each day is strictly timetabled into a set of compulsory activities controlled by the staff. Inmates are allowed little freedom of movement, few opportunities to show initiative or take decisions. Throughout their stay, their actions are scrutinized and assessed by the staff in terms of the rules and standards which they have set. Many of these regulations can be degrading. For example, in some mental hospitals, a spoon is the only utensil provided for the patients to eat with.

Goffman summarized what mental hospitals, in particular, and treatment institutions, in general, 'say' to the inmates about themselves:

> *In the mental hospital, the setting and the house rules press home to the patient that he is, after all, a mental case who has suffered from some kind of social collapse on the outside, having failed in some over-all way, and that here he is of little social weight, being hardly capable of acting like a fully-fledged person at all.*
>
> Goffman, 1968

The effects

Not surprisingly, inmates in treatment institutions become anxious as their day of release approaches. At best, they have not been prepared for life on the outside; at worst, they have accepted the institution's definition of themselves as hopeless, hapless deviants. A small minority become institutionalized: they believe themselves unable to function in the outside world, cling to the security of the institution and go to great lengths to remain inside.

Despite this, Goffman argued that the effects of the institution upon the majority of inmates are not usually lasting. There is a period of temporary disculturation, which means that the former inmate must re-learn some of the basic 'recipes' for living in the

outside world. However, the most lasting and important consequence is the label 'ex-mental patient' or 'ex-convict'. This, rather than the experience of being inside, makes re-entry into conventional society difficult.

Goffman reached the rather pessimistic conclusion that many treatment institutions 'seem to function merely as storage dumps for inmates'. Like societal reaction in general, treatment institutions serve to reinforce rather than reduce deviance. He did, however, stress that some ex-patients were able to successfully fight against the label. They did not see themselves as mentally ill, and could convince others that they had returned to normality. They survive despite the handicap of their stay in the institution.

Goffman's research took place several decades ago, and may not be so applicable today. However, his work helped to produce some of the improvements that have taken place since he was writing.

Deviance and the interactionist perspective – policies, criticisms and evaluation

Labelling theory and social policies

Stephen Jones (1998) has reviewed the policy implications of interactionist and labelling theories. He argues that they have two main implications. First, they suggest that as many types of behaviour as possible should be decriminalized. Second, they imply that, when the law has to intervene, it should try to avoid giving people a self-concept in which they view themselves as criminals. This might involve trying to keep people out of prison or warning people rather than prosecuting them.

Both of these approaches have had some influence. For example, in Britain, *The Independent* newspaper started a campaign in 1997 to legalize cannabis. In countries such as the Netherlands some 'soft' drugs have been effectively legalized.

However, in Britain, the main impact of such thinking has probably been on juvenile justice. Jones suggests that there have been rather inconsistent policies in this area, but there have been some attempts to avoid stigmatizing young offenders. These have included using cautions rather than prosecutions, introducing separate juvenile courts (with the Children and Young Person's Act, 1993) and having anonymity for young offenders.

For adults, the only measure of this nature was contained in the Rehabilitation of Offenders Act, 1974. This allowed offenders to withhold from employers information about most offences, once a period of time (which depended on the offence) had elapsed. However, as Jones points out, such policies became less popular during the 1990s. In some quarters there has been a renewed emphasis on the public shaming of offenders in order to deter others. Examples of this include writing to men accused of kerb crawling, so that wives have a chance of learning of their offence, and the naming of paedophiles in local newspapers (starting with the *Bournemouth Evening Echo* in 1996). This suggests that, whatever the strengths and weaknesses of labelling theory, its influence declined in the 1990s.

Evaluation of the theory

In terms of sociological theory, in the 1960s the interactionist view of deviance enjoyed wide popularity. For many sociologists, the work of writers such as Becker, Lemert and Goffman became the accepted, orthodox perspective on deviance. Nevertheless, in the 1970s it began to provoke strong criticism. Interactionists rallied to the defence of their work and attempted to show that the criticisms were unjustified.

The definition of deviance

The first line of criticism attacked the interactionist definition of deviance. Becker and Lemert argued that deviance was created by the social groups who defined acts as deviant. Taylor, Walton and Young (1973), however, claimed that this view was mistaken. To them, most deviance can be defined in terms of the actions of those who break social rules, rather than in terms of the reaction of a social audience.

For example, it is true that in some circumstances deliberately killing another person may be regarded as justified: you may be acting in self-defence, or carrying out your duties as a soldier. But, whoever makes up the social audience, a 'premeditated killing for personal gain' will always be regarded as deviant in our society. As Taylor, Walton and Young put it, 'we do not live in a world of free social meanings': in many circumstances there will be little or no freedom of choice in determining whether an act is regarded as deviant or not.

The origins of deviance

A second, related criticism of interactionism is that it fails to explain why individuals commit deviant acts in the first place. Lemert claimed that it was not necessary to explain primary deviance, since it is very common and it has no impact on a person's self-concept. Many sociologists do not accept this claim.

Although most people do commit deviant acts from time to time, different individuals tend to turn to different types of deviance. One person might steal, another might break health and safety legisla-

tion, and a third might smoke marijuana. Clearly it is important to explain why individuals should choose to turn to one form of deviance rather than another.

Furthermore, it is clear that many deviants realize they are breaking the norms of society, whether or not they are caught and labelled. As Taylor, Walton and Young argue:

> *while marijuana smokers might regard their smoking as acceptable, normal behaviour in the company they move in, they are fully aware that this behaviour is regarded as deviant in the wider society.*
>
> Taylor, Walton and Young, 1973

Taylor, Walton and Young therefore suggest that it is necessary to explain why the marijuana smokers decide to take the drug despite their knowledge that it would be condemned by most other members of society.

It can also be argued that it is wrong to assume that primary deviance will have no effect on someone's self-concept. Even if people keep their deviance secret, they know that they are capable of breaking the law, and this could well affect both their opinion of themselves and their later actions.

Labelling as deterministic

The third major criticism of the interactionist perspective is that it is too deterministic. It assumes that, once a person has been labelled, their deviance will inevitably become worse. The labelled person has no option but to get more and more involved in deviant activities. Thus, Ronald Ackers stated:

> *One sometimes gets the impression from reading the literature that people go about minding their own business, and then – 'wham' – bad society comes along and slaps them with a stigmatized label. Forced into the role of deviant the individual has little choice but to be deviant.*
>
> Quoted in Gibbons and Jones, 1975, p. 131

Critics like Ackers are suggesting that individuals might simply choose to be deviant, regardless of whether they have been labelled. Thus, labelling does not cause most terrorists to turn to crime: they are motivated by their political beliefs to break the law.

As Alvin W. Gouldner notes in his critique of Becker (Gouldner, 1975), the interactionists tend to portray the deviant as someone who is passive and controlled by a 'man-on-his-back', rather than as an active 'man-fighting-back'. If individuals can choose to take part in deviance, they may also decide to ignore a label and to give up deviance 'despite' it.

The Swedish sociologist Johannes Knutssen (1977) argues that interactionists have not produced sufficient evidence to show that labelling will amplify deviance. Knutssen feels that labelling theorists have taken the effects of labels to be 'self-evident-truths', without producing the research findings necessary to support their case.

Labelling, laws and law enforcement

The final major criticism is that interactionists fail to explain why some people should be labelled rather than others, and why some activities are against the law and others are not. Why, to use Becker's example, should the police regard a brawl in a low-income neighbourhood as delinquency, and in a wealthy neighbourhood as no more than youthful high spirits? Why should laws against robbery be enforced strictly, when factory legislation is not? Why should it be illegal to smoke marijuana but not cigarettes? The critics of labelling theory claim that it does not provide satisfactory answers to these types of question.

A defence of interactionism

Interactionists have not taken this barrage of criticism lying down. In an article entitled 'Labelling theory reconsidered' (Becker, 1974), Becker attempted to defend himself against these attacks. In 1979, Ken Plummer advanced the claim that labelling theory had been 'misunderstood' and unfairly criticized.

Ken Plummer accepts the criticism that it is largely the nature of the act that defines deviance, while insisting that the reaction of a social audience to a deviant act is still important. He acknowledges that rule-breaking behaviour can be regarded as deviant whether or not it is discovered and labelled. He calls this form of deviance societal deviance. Plummer defines this as behaviour which breaks the laws of society, or which is commonly sensed by most of society's members to be deviant. For example, homosexuality is commonly regarded as deviant, and so by this definition a secret homosexual would be a deviant. Nevertheless, Plummer suggests that it is never certain whether a particular act or individual will be regarded as deviant by a social audience.

Situational deviance consists of those acts which others judge to be deviant, given the context in which they take place. A member of a rugby team who drinks heavily might be regarded as 'one of the lads', while in different situations others who actually drink less might be seen as alcoholics. Plummer therefore accepts that deviance depends partly on what you do, but, he reminds the critics, it also depends on the social reaction.

The second criticism – that interactionists ignore the initial causes of deviance – is dismissed by Plummer. He points out that, in practice, interactionists have devoted considerable attention to explaining

primary deviance. For example, Becker tries to explain how it is possible to get involved in marijuana smoking. Some versions of labelling theory start their account of deviance at the point when labelling first occurs, but many interactionists deal with the earlier stages of becoming deviant. Becker himself claimed that he regretted calling his approach 'labelling theory'; he preferred it to be seen as an interactionist approach which did not concentrate exclusively on labels.

Plummer finds it even more difficult to accept that interactionist theories of deviance are deterministic. He points out that the whole interactionist perspective places great stress on the choices open to individuals as they interpret what happens around them and decide how to respond. It is quite different from a positivist approach which sees people's behaviour as directed by external forces beyond their control. As Plummer puts it:

> *To take a theory that is sensitive to self, consciousness and intentionality and render it as a new determinism of societal reaction could only be possible if the theory were totally misunderstood in the first place.*
>
> Plummer, 1979

He notes that Goffman's mental patients provide an excellent example of labelled deviants who fight against and often overcome the labels that are thrust on them against their will (see pp. 376–7 for further details). Becker saw the deviant as passing through a series of stages in his or her deviant career. At no stage does he say that it is inevitable that a person will continue to be a deviant – indeed Becker stresses that a deviant career could be abandoned at any stage.

The final major criticism of labelling theory is also rejected by Plummer. He believes that the labelling perspective opened up the whole question of who had the power to make society's rules and apply them to particular individuals. It raised for the first time the very issues that critics claimed it ignored. Nevertheless, it can be argued that interactionists do not satisfactorily answer these questions. Because of their emphasis on social action, they are not particularly concerned with the distribution of power in society as a whole.

Whatever the limitations of the interactionist perspective on deviance, it has made an important contribution to this area of sociology. It has shown that the definition of deviance is not a simple process. It challenges the view of the deviant as an abnormal, pathological individual. It questions positivistic and deterministic theories of crime. Finally, it raises the issue of who has the power to label acts and individuals as deviant. As such, it had a considerable influence even on some later, radical, sociologists who rejected the interactionist approach to deviance. Furthermore, it was a major source of inspiration for more recent theories, such as new left realism (see pp. 391–9) which includes the response to deviant and criminal behaviour as an important component of its theory.

Deviance – a phenomenological perspective

Aaron V. Cicourel – the negotiation of justice

The phenomenological approach to deviance has some similarities to the interactionist perspective. Both phenomenology and interactionism:

1. emphasize the importance of the way that the law is enforced;
2. are concerned with the process of labelling individuals as deviant;
3. concentrate on studying the subjective states of individuals rather than the structure of society as a whole.

However, interactionists and phenomenologists approach the study of deviance in different ways. Phenomenologists do not claim to produce causal explanations; they seek to understand what a phenomenon is. Thus, phenomenologists attempt to discover what deviance is by examining the way in which some acts and individuals come to be defined or labelled as deviant. Unlike interactionists, they stop short of claiming that labelling causes people to commit more deviant acts.

Ethnomethodology is an American sociological perspective which attempts to apply the principles of phenomenology to the study of society. The work of the American ethnomethodologist Aaron V. Cicourel on the treatment of delinquency in two Californian cities provides a good example of how this perspective has been applied to the study of deviance (Cicourel, 1976).

Defining delinquency

The process of defining a young person as a delinquent is not simple, clearcut and unproblematic. It is complex, involving a series of interactions based

on sets of meanings held by the participants. These meanings can be modified during the interaction, so each stage in the process is negotiable.

The first stage is the decision by the police to stop and interrogate an individual. This decision is based on meanings held by the police of what is 'suspicious', 'strange', 'unusual' and 'wrong'. Such meanings are related to particular geographical areas. Inner-city, low-income areas are seen as 'bad areas' with a high crime rate; consequently behaviour in such areas is more likely to be viewed as suspicious. Interrogation need not lead to arrest. The process is negotiable but depends largely on the picture held by the police of the 'typical delinquent'. If the appearance, language and demeanour of the young person fit this picture, she or he is more likely to be arrested.

Once arrested, the young person is handed over to a juvenile officer (probation officer) who also has a picture of the 'typical delinquent'. If the suspect's background corresponds to this picture, she or he is more likely to be charged with an offence. Factors assumed to be associated with delinquency include 'coming from broken homes, exhibiting "bad attitudes" toward authority, poor school performance, ethnic group membership, low-income families and the like'.

It is not surprising, therefore, that Cicourel found a close relationship between social class and delinquency. Most young people convicted of offences had fathers who were manual workers. On a seven-class occupational scale, Cicourel found that one-third came from class 7.

Cicourel explained the preponderance of working-class delinquents by reference to the meanings held by the police and juvenile officers, and the interactions between them and the juveniles. When middle-class juveniles were arrested, there was less likelihood of them being charged with an offence: their background did not fit the standard picture of the delinquent. Their parents were better able to negotiate successfully on their behalf. Middle-class parents can present themselves as respectable and reasonable people from a nice neighbourhood, who look forward to a rosy future for their child. They promise cooperation with the juvenile officers, assuring them that their son or daughter is suitably remorseful.

As a result, the middle-class juvenile is often defined as ill rather than criminal, as accidentally straying from the path of righteousness rather than committed to wrongdoing, as cooperative rather than recalcitrant, as having a real chance of reforming rather than being a 'born loser'. He or she is typically 'counselled, warned and released'. Thus, in Cicourel's words, 'what ends up being called justice is negotiable'.

Cicourel based his research on two Californian cities, each with a population of around 100,000. The socio-economic characteristics of the two populations were similar. In terms of structural theories, the numbers of delinquents produced by the pressures of the social structure should be similar in each city. However, Cicourel found a significant difference in the numbers of delinquents arrested and charged. He argues that this difference can only be accounted for by the size, organization, policies and practices of the juvenile and police bureaus.

For example, the city with the highest rate of delinquency employed more juvenile officers and kept more detailed records on offenders. In the second city, the delinquency rate fluctuated sharply. Cicourel argues that in this city the response of the police to delinquency 'tends to be quite variable depending on publicity given to the case by the local paper, or the pressure generated by the mayor or chief or Captain of Detectives'. Thus, societal reaction can be seen to directly affect the rate of delinquency.

Cicourel argues that delinquents are produced by the agencies of social control. Certain individuals are selected, processed and labelled as deviant. Justice is the result of negotiation in the interaction process. The production of delinquents is also dependent on the ways in which police and juvenile bureaus are organized, their policies, and the pressures that are brought to bear on them from local media and politicians.

In view of these observations, Cicourel questions structural and subcultural theories of deviance which see deviance as a product of pressure from the social structure. He concludes:

> *The study challenges the conventional view which assumes 'delinquents' are 'natural' social types distributed in some ordered fashion and produced by a set of abstract 'pressures' from the 'social structures'.*
>
> Cicourel, 1976

Criticisms of Cicourel

Cicourel's study provides some useful insights into juvenile justice in the USA. He attempts to show how the meanings held by the various officials lead to some individuals being defined as delinquent.

However, critics such as Taylor, Walton and Young (1973) argue that he fails to explain how these meanings originate. He fails to show why, for instance, the police see the 'typical delinquent' as coming from a low-income family. In common with other phenomenologists and ethnomethodologists, he does not explain who has power in society, and how the possession of power might influence the definition of crime and deviance.

The same cannot be said of Marxists, whose theories on deviance we will now examine.

Gordon argues that the selective enforcement of the law serves to maintain ruling-class power and to reinforce ruling-class ideology. Further arguments in support of this view can be added to those he outlines:

1 The selective application of the law gives the impression that criminals are mainly located in the working class. This serves to divert attention from ruling-class crime.
2 It can also serve to divert the attention of members of the subject class from their exploitation and oppression.
3 It directs a part of the subject class's frustration and hostility (produced by this situation of exploitation) on to the criminals within their own class. The muggers, murderers and thieves can provide a scapegoat for the frustrations of the alienated masses.
4 This provides a safety valve, releasing aggression which might otherwise be directed against the ruling class.
5 It also serves to divide the subject class, particularly in low-income areas, where there is a tendency for people to see their enemies as the criminals within their own class.

Finally, what effect does selective law enforcement have upon crime itself? From his study of Seattle, William Chambliss reaches the following conclusion. Law enforcement agencies are:

> *not organized to reduce crime or to enforce public morality. They are organized rather to manage crime by cooperating with the most criminal groups and enforcing laws against those whose crimes are minimal. By cooperating with criminal groups law enforcement essentially produces more crime.*
>
> Chambliss, 1978

Criticisms of conventional Marxism

Marxist theories have come in for heavy criticism from a number of quarters:

1 Feminist sociologists have argued that Marxist theories put undue emphasis upon class inequality. From their point of view, Marxist theories ignore the role of patriarchy in influencing the way the criminal justice system operates. Marxists have also been accused of neglecting the importance of racism in the enforcement of laws.
2 Marxists have been criticized for assuming that a communist system could eradicate crime. Before the end of communism in the Soviet Union and Eastern European countries, crime had not been eradicated.
3 Stephen Jones (1998) points out that capitalism does not always produce high crime rates. For example, in Switzerland, which has long embraced a capitalist system, crime rates are very low.
4 Some Marxists have a rather simplistic view of the distribution of power in capitalist societies. While the group which Marxists define as a ruling class might have a disproportionate amount of power, it may be misleading to see them as monopolizing power. A range of non-Marxist theories suggest that the distribution of power is more complex than Marxists tend to believe (see Chapter 9). Stephen Jones points out that the activities of capitalists are sometimes criminalized. He gives the example of insider trading. If it were not illegal, capitalists would be free to make substantial profits out of their knowledge about proposed mergers and takeovers. The illegality of such activity suggests that capitalists cannot always get the laws they want.
5 'Left realists' tend to see Marxist theories as putting undue emphasis on corporate crime, at the expense of other types of crime. Left realists argue that crimes such as burglary, robbery and other violent crimes cause greater harm than Marxist theories seem to imply. The victims of such crimes are usually working-class, and the consequences can be devastating for them. To left realists, Marxism offers a rather one-sided view of crime and, in doing so, offers no way of dealing with the types of crimes which are of most concern to most members of the population. (We will discuss these views in more detail on pp. 391–9.)
6 Postmodern criminology rejects Marxist criminology as a 'metanarrative' which is neither believable nor defensible. These views will be examined later in the chapter (see pp. 423–7).

Conventional Marxist approaches have become rather unfashionable in sociology and criminology. Nevertheless, they have influenced a range of other approaches to the sociology of crime and deviance. Some of these will be examined in the next section.

There are a number of critical perspectives that have developed since the heyday of conventional Marxism. Some of these have drawn their inspiration in large measure from Marxism, despite using elements from other theories. These can be referred to as neo-Marxist approaches. Others owe rather less to Marxism and are perhaps better defined as radical theories of crime and deviance. Some feminist approaches (examined on p. 424) can also be seen as radical theories.

Deviance – neo-Marxist and radical perspectives

Neo-Marxism

Neo-Marxist sociologists of crime and deviance accept that society is characterized by competing groups with conflicting interests. Furthermore, they are all critical of existing capitalist societies, and they share a concern about the unequal distribution of power and wealth within such societies. However, none accept that there is a simple and straightforward relationship between the infrastructure of society and deviance. Although most of these sociologists (including Taylor, Walton and Young, Paul Gilroy, and Stuart Hall) have been strongly influenced by Marxism, their work differs in important respects from that of the Marxists we have examined so far. It can therefore be termed a neo-Marxist approach to deviance.

Ian Taylor, Paul Walton and Jock Young – *The New Criminology*

In 1973, Taylor, Walton and Young published *The New Criminology*. It was intended to provide a radical alternative to existing theories of crime and deviance. In some respects, Taylor, Walton and Young's views are similar to those of the Marxist writers who have just been examined:

1 They accept that the key to understanding crime lies in the 'material basis of society'. Like Marx, they see the economy as the most important part of any society.
2 They believe that capitalist societies are characterized by inequalities in wealth and power between individuals and that these inequalities lie at the root of crime.
3 They support a radical transformation of society: indeed, they suggest that sociological theories of crime are of little use unless they contribute in a practical way to the 'liberation of individuals from living under capitalism'.

However, in important respects they differ from more conventional Marxist approaches. As such, we can see *The New Criminology* as a neo-Marxist perspective on crime.

Crime, freedom and political action

Much of Taylor, Walton and Young's work is concerned with criticizing existing theories of crime. Marx himself is judged by them to have produced inadequate explanations of crime. He is criticized for coming close to providing an economically deterministic theory. Although they believe that economic determinism is untypical of Marx's work in general, they claim that, when he tried to explain crime, he saw the criminal as driven to crime by the poverty into which capitalism forced some sections of the population.

Taylor, Walton and Young insist that criminals choose to break the law. They reject all theories that see human behaviour as directed by external forces. They see the individual turning to crime 'as the meaningful attempt by the actor to construct and develop his own self-conception'.

The New Criminology denies that crime is caused by biology, by anomie, by being a member of a subculture, by living in areas of social disorganization, by labelling, or by poverty. It stresses that crimes are often deliberate and conscious acts with political motives. Thus the Women's Liberation Movement, the Black Power Movement and the Gay Liberation Front are all examples of 'people-fighting-back' against the injustices of capitalism.

Furthermore, many crimes against property involve the redistribution of wealth: if a poor resident of an inner-city area steals from a rich person, the former is helping to change society. Deviants are not just the passive victims of capitalism: they are actively struggling to alter capitalism.

Like conventional Marxists, Taylor, Walton and Young wish to see the overthrow of capitalism and its replacement with a different type of society. Unlike conventional Marxists, they refer to the type of society they wish to see as 'socialist' rather than 'communist'. They place greater emphasis than many Marxists on freedom in any future society. They wish to see a society in which groups which are now seen as deviant are tolerated. They believe that hippies, ethnic minorities, homosexuals, and perhaps even drug users, should simply be accepted in an ideal society, and not turned into criminals by persecution.

In capitalist society, people have severe restrictions placed upon their behaviour. Taylor, Walton and Young urge support and sympathy for groups who struggle to escape from the chains with which capitalism limits their freedom. Indeed, they conclude *The New Criminology* by saying that the purpose of criminology should be to create societies in which human diversity is tolerated without being seen as criminal.

A 'fully social theory of deviance'

In the final chapter of *The New Criminology*, Taylor, Walton and Young attempt to outline what they

believe would be a fully social theory of deviance. From their critical examination of earlier theories they conclude that deviance needs to be explained from a number of angles simultaneously. They claim that other writers, including Marxists, have tended to give incomplete, or one-sided explanations of crime. To Taylor, Walton and Young, a complete theory needs to examine both the way society as a whole is organized, and the way that individuals decide to carry out criminal acts. They identify seven aspects of crime and deviance which they believe should be studied:

1 The criminologist first needs to understand the way in which wealth and power are distributed in society.
2 He or she must consider the particular circumstances surrounding the decision of an individual to commit an act of deviance.
3 It is necessary to consider the deviant act itself, in order to discover its meaning for the person concerned. Was the individual, for example, showing contempt for the material values of capitalism by taking drugs? Was he or she 'kicking back' at society through an act of vandalism?
4 Taylor, Walton and Young propose that the criminologist should consider in what ways, and for what reasons, other members of society react to the deviance. How do the police or members of the deviant's family respond to the discovery of the deviance?
5 The reaction then needs to be explained in terms of the social structure. This means that the researcher should attempt to discover who has the power in society to make the rules, and explain why some deviant acts are treated much more severely than others.
6 Taylor, Walton and Young then turn to labelling theory. They accept that it is necessary to study the effects of deviant labels. However, they emphasize that labelling may have a variety of effects. The amplification of deviance is only one possible outcome. Deviants may not even accept that the labels are justified: they might see their actions as morally correct and ignore the label as far as possible.
7 Finally, Taylor, Walton and Young say that the relationship between these different aspects of deviance should be studied, so that they fuse together into a complete theory.

Evaluation of *The New Criminology*

The New Criminology has attracted criticism from a number of quarters:

1 Feminist sociologists have criticized it for concentrating on male crimes and ignoring gender as a factor in criminality.
2 Some 'new left realist' criminologists have accused *The New Criminology* of neglecting the impact of crime on the victims, of romanticizing working-class criminals (who in reality largely prey on poor people rather than stealing from the rich), and of failing to take street crimes seriously (see pp. 391–9 for a discussion of left realism).

In 1998, 25 years after *The New Criminology* was published, Paul Walton and Jock Young edited and contributed to a new book evaluating the impact of their earlier work. In general, the original authors defended their earlier work, although they admitted that some criticisms were justified.

Paul Walton argues that the main achievement of *The New Criminology* was to 'deconstruct previous theories and reveal their self-seeking or selfless character in an attempt to construct the elements of a social theory of deviance' (Walton, 1998). According to Walton, the central aim of *The New Criminology* was an attempt to undermine 'correctionalism' – that is, the belief that the sociology of crime and deviance should be used to try to get rid of deviant or criminal behaviour. Walton believes that such a desire merely reflects ideological bias. People want to get rid of behaviour which their own ideology says is wrong.

To Walton, many traditional theories of crime 'acted as little more than an academic justification for existing discriminatory practices in the penal and criminal justice system'. *The New Criminology* advocated greater tolerance of a wider variety of behaviour. Although Walton believes that traditional forms of correctionalist criminology have survived, *The New Criminology* did succeed in opening up a new, radical approach to criminology. He accepts that some of the newer approaches in criminology – such as feminism, left realism and postmodernism – have been somewhat critical of *The New Criminology* (see pp. 391–9 and 423–7). Furthermore, he accepts some of their criticism, such as the feminist view that *The New Criminology* neglected gender. However, he argues that even these more recent approaches were all built on foundations laid by *The New Criminology*. Walton says that 'realist criminology, feminist criminology and postmodern criminology are all committed to creating a more just and equitable society'. In that respect they are a continuation of the traditions of *The New Criminology*.

Jock Young is now a leading proponent of left realist criminology, which has been critical of *The New Criminology*. However, like Walton, he defends its role in attacking conventional theories of crime and deviance. He stresses that *The New Criminology* emphasized the importance of explaining both the actions of offenders and the workings of the criminal justice system. It did not, as some critics seem to believe, put sole emphasis on the way in which the state defines some people's behaviour as criminal and

ignores the crimes of others. In this respect he sees *The New Criminology* as a precursor to his later approach, new left realism (see pp. 391–9).

Young also believes that, in some respects, *The New Criminology* anticipated some of the arguments of postmodern sociology (see pp. 423–7). For example, it encouraged the acceptance of diversity, it acknowledged that crime and deviance took a variety of forms, which could not be explained by one overarching theory, and it recognized the creativity and originality of those who created different subcultures.

Like Walton, then, Young does not see *The New Criminology* as perfect, but he does see it as an advance on previous theories. Certainly it had some influence on the work of other sociologists. However, Taylor, Walton and Young had only sketched the main features of a theoretical approach to explaining crime and deviance. It was left to other sociologists to try to put their 'fully social theory of deviance' into practice.

Policing the Crisis – mugging, the state, and law and order

Stuart Hall, Chas Critcher, Tony Jefferson, John Clarke and Brian Roberts have attempted to provide a detailed explanation of the crime of 'mugging' in Britain (Hall et al., 1979). Like Taylor, Walton and Young, their work is influenced by a Marxist perspective, yet differs from traditional Marxist views. *Policing the Crisis* comes close to providing what Taylor, Walton and Young called a 'fully social theory of deviance'. The wide-ranging argument presented in the book deals with the origins and nature of mugging, the social reaction to the crime, and the distribution of power in society as a whole. The only aspect of crime that is dealt with in less detail is the effect of labelling on the deviants themselves.

Hall *et al.* differ from Taylor, Walton and Young in two important ways:

1 They do not share their belief that most crimes are political acts, especially since most of the victims of street crime are 'people whose class position is hardly distinguishable from that of the criminals'. 'Muggers' rarely choose the rich as victims – rather they tend to rob from individuals who share their own disadvantaged position in society.
2 They are perhaps more heavily influenced by the work of the Italian Marxist Antonio Gramsci than directly by the work of Marx himself. The influence of Gramsci will become increasingly apparent as this section develops.

'Mugging', the media and moral panic

In the 13 months between August 1972 and August 1973, 60 events were reported as 'muggings' in the national daily papers. Dramatic individual cases of such crimes were highlighted in the media. On 15 August 1972, Arthur Hills was stabbed to death near Waterloo Station in London. For the first time, a specific crime in Britain was labelled a 'mugging' in the press. On 5 November 1972, Robert Keenan was attacked by three youths in Birmingham. He was knocked to the ground, and had some keys, five cigarettes and 30p stolen. Two hours later, the youths returned to where he still lay, and they viciously kicked him and hit him with a brick.

It was stories such as these which highlighted an apparently new and frightening type of crime in Britain. Judges, politicians and the police lined up with the media in stressing the threat that this crime posed to society. Many commentators believed that the streets of Britain would soon become as dangerous as those of New York or Chicago. The Home Secretary in the House of Commons quoted an alarming figure of a 129 per cent increase in muggings in London in the previous four years.

Hall *et al.* argue that there was a 'moral panic' about crime. (A moral panic is an exaggerated outburst of public concern over the morality and behaviour of a group in society.) They try to explain why there should be such a strong reaction to, and widespread fear of, mugging. They reject the view that the panic was an inevitable and understandable reaction to a new and rapidly increasing form of violence. As far back as the nineteenth century, footpads and garrotters (who half-strangled their victims before robbing them) had committed violent street crimes similar to those of the modern mugger. Violent robberies were not, therefore, a new crime at all – indeed, as recently as 1968, an MP had been kicked and robbed in the street without the crime being labelled a 'mugging'.

Hall and his colleagues note that there is no legal crime called 'mugging'. Since legally there is no such crime, it was not possible for the Home Secretary to accurately measure its extent. They could find no basis in the criminal statistics for his figure of a 129 per cent rise over four years. From their own examination of the statistics there was no evidence that violent street crime was rising particularly fast in the period leading up to the panic. Using the nearest legal category to 'mugging' – robbery, or assault with intent to rob – the official statistics showed an annual rise of an average of 33.4 per cent between 1955 and 1965, but only a 14 per cent average annual increase from 1965 to 1972. This type of crime was growing more slowly at the time the panic took place than it had done in the previous decade.

For these reasons Hall *et al.* could not accept that the supposed novelty or rate of increase of the crime explained the moral panic over it. They argued that

both 'mugging' and the moral panic could only be explained in the context of the problems that were faced by British capitalism at the start of the 1970s.

Capitalism, crisis and crime

Economic problems produced part of the 'crisis'. Many Marxists believe that capitalism faces deeper and deeper crises as time passes. Marx believed that only labour power produced wealth. In capitalist societies labour was exploited because the bourgeoisie kept a proportion of the wealth created by the workforce in the form of profit or surplus value. In order to compete with other manufacturers, capitalists needed to invest in new and more efficient machinery. However, as this mechanization took place, less and less labour power would be needed to manufacture the same quantity of goods. Since surplus value was only created through labour power, the dwindling workforce needed to be increasingly exploited if profits were to be maintained. Eventually this problem would lead to a declining rate of profit, rising unemployment and falling wages. According to Hall et al., such a crisis hit Britain at the time of the mugging panic.

The crisis of British society, however, went beyond economic problems. It was also a crisis of 'hegemony', a term first used by Antonio Gramsci. Hegemony is the political leadership and ideological domination of society. (We discuss Gramsci and hegemony in more detail in Chapter 9.) According to Gramsci, the state tends to be dominated by parts of the ruling class. They attempt to win support for their policies and ideas from other groups in society. They try to persuade the working class that the authority of the state is being exercised fairly and justly in the interests of all. A crisis in hegemony takes place when the authority of the state and the ruling class is challenged.

In 1970-2 the British state faced both an economic crisis and a crisis of hegemony. From 1945 until about 1968 there had been what Hall *et al.* call an inter-class truce: there was little conflict between the ruling and subject class. Full employment, rising living standards, and the expansion of the welfare state secured support for the state and acceptance of its authority by the working class. As unemployment rose and living standards ceased to rise rapidly, the basis of the inter-class truce was undermined. It became more difficult for the ruling class to govern by consent.

Hall *et al.* provide a number of examples of the challenge to the authority – to the hegemony – of the state:

1 Northern Ireland degenerated into open warfare.
2 There was a growth in student militancy and increased activity from the Black Power movement.
3 The unions posed perhaps the biggest single threat: in 1972 there were more workdays lost because of strikes than in any year since 1919. The miners were able to win a large pay-rise by using flying pickets, which prevented coal reaching key industries and power stations.

Since the government was no longer able to govern by consent, it turned to the use of force to control the crisis. It was in this context that street crime became an issue. Mugging was presented as a key element in a breakdown of law and order. Violence was portrayed as a threat to the stability of society, and it was the black mugger who was to symbolize the threat of violence.

In this way the public could be persuaded that society's problems were caused by 'immigrants' rather than the faults of the capitalist system. The working class was effectively divided on racial grounds, since the white working class was encouraged to direct its frustrations towards the black working class.

Crisis and the control of crime

The government was also able to resort to the use of the law and direct force to suppress the groups that were challenging them. Force could be justified because of the general threat of violence. Special sections of the police began to take action against the 'mugger'. The British Transport Police was particularly concerned with this crime. In February 1972, six months before the 'mugging' panic began, it set up a special squad to deal with violent crime on the London Underground. Hall *et al.* claim that the police in general, and this special squad in particular, created much of the 'mugging' that was later to appear in the official statistics. Following the argument of interactionists, they suggest that the police amplified, or made worse, the deviance they were supposed to be controlling.

They give examples of police pouncing unannounced on black youths of whom they were suspicious. Often this would provoke a violent reaction in self-defence by the youths, who would then be arrested and tried for crimes of violence. Many of the 'muggers' who were convicted following incidents like these had only police evidence used against them at trial. 'Victims' of their crimes were not produced because, Hall *et al.* imply, there were no victims in some cases. The societal reaction to the threat of violence led to the labelling of large numbers of young blacks as deviants. Labelling helped to produce the figures that appeared to show rising levels of black crime, which in turn justified stronger police measures.

Hall *et al.* do not claim that the reactions to crime, 'mugging', and other 'violence' were the result of a conspiracy by the ruling class. The police, the

government, the courts and the media did not consciously plan to create a moral panic about street crime; the panic developed as they reacted to changing circumstances.

Neither were the media directly manipulated by the ruling class or the government: different newspapers included different stories, and reported 'mugging' in different ways. Nevertheless, there was a limited range of approaches to the issue in the press. Most stories were based on police statements or court cases, or were concerned with the general problem of the 'war' against crime. Statements by the police, judges and politicians were therefore important sources of material for the press. Consequently the newspapers tended to define the problem of 'mugging' in similar ways to their sources: criminal violence was seen as senseless and meaningless by most of the press. It was linked to other threats to society, such as strikes, and was seen as a crime which needed to be stamped out as quickly as possible.

A number of judges who stressed the need for deterrent sentences to turn back the tide of crime were quoted directly. Assistant Commissioner Woods of the Police Federation was widely quoted when he said that 'mugging' was a 'reflection of the present violent society', and declared that 'we are not going to let the thugs win'.

However, if the crisis in Britain produced the conditions in which a moral panic was likely, the media were largely responsible for 'orchestrating public opinion', and directing its attention and anger against the black mugger.

Black crime

Although *Policing the Crisis* concentrates on the moral panic about crime, Hall *et al.* also make some attempt to explain black criminality. Many immigrants to Britain from the Commonwealth arrived in the 1950s and early 1960s. They were actively encouraged to come to the country during a period of full employment and labour shortage. London Transport, for example, recruited large numbers of West Indians to fill low-paid jobs which might otherwise have remained vacant.

The recession in the early 1970s hit immigrant groups hard. They became a 'surplus labour force', many of whom were not required for employment. Thus, Hall *et al.* estimate that, at the time in question, black unemployment was twice the national average, and for school leavers it was four times higher than normal. Those who remained in employment often had to do menial and low-paid jobs, which some referred to as 'white man's shit work'. Some opted out of the employment market altogether. They turned to 'hustling' for money, using petty street crime, casual drugs dealing, and prostitution to earn a living. Hall *et al.* do not find it surprising that some of this surplus labour force became criminals. They claim:

> *a fraction of the black labouring class is engaged in the traditional activity of the wageless and the workless: doing nothing, filling out time, trying to survive. Against this background is it not too much to say that the question 'Why do they turn to crime?' is a practical obscenity?*
>
> Hall *et al.*, 1979

From this point of view, street crime is seen as a survival strategy employed by an unwanted reserve army of labour.

Policing the Crisis – an evaluation

Policing the Crisis provides a sophisticated analysis of the crime of 'mugging' from a neo-Marxist perspective:

1 It suggests that the moral panic about mugging was not a rational response to a new and rapidly growing crime, but a response to the economic crisis and the crisis of hegemony for the British state.
2 The societal reaction to this crime can only be understood as part of the shift by the dominant class from ruling the country by consent, towards ruling it by force.
3 One result of the increasingly repressive policies and the greater use of the law, was the labelling of black 'muggers', and the amplification of the crime.
4 The media focused public concern about violence on to black 'immigrants', and in doing so disguised the real reasons for the crisis.
5 The rise in black criminality was largely the result of police labelling, but some West Indians were forced into crime in order to survive, as unemployment left them little alternative.

Given the range of issues that this study deals with, it is not surprising that other sociologists have raised criticisms. David Downes and Paul Rock (1988) have identified two major weaknesses:

1 They argue that the book contradicts itself. It appears to claim simultaneously that black street crime was not rising quickly, that it was being amplified by police labelling, and that it was bound to rise as a result of unemployment. According to this criticism, Hall *et al.* are trying to have their cake and eat it. They change their view on whether these crimes were rising or not, according to how it fits their argument.
2 Downes and Rock believe that *Policing the Crisis* fails to show that the moral panic over 'mugging' was caused by a crisis of British capitalism. They point out that there have been numerous moral panics – for example, about the violence of teddy boys, and mods and rockers, and in 1979–80 about widespread strikes in the 'winter of discontent'.

Downes and Rock do not believe that each of these moral panics could be explained by a corresponding crisis in the British economy and society.

Jock Young (1993) has also been critical of *Policing the Crisis*. Young argues that the study provided no evidence that the public, as opposed to the media, were panicking about 'mugging', nor did it show that the public identified this crime with blacks. However, he also argues that it would have been quite rational if the public were concerned about 'mugging' and other types of street crime. As a new left realist, he claims that such crimes have been increasing and are a serious problem.

Having reviewed various Marxist and neo-Marxist perspectives on crime and deviance, we will now look at a perspective that developed more recently – that of left realism.

Left realism

Since the early 1980s, a number of sociologists have developed a perspective on crime and deviance usually referred to as left realism. Amongst the most prominent supporters of this perspective are Jock Young, John Lea, Roger Matthews and Richard Kinsey. Left realism originated in Britain but has begun to influence criminologists in other parts of the world, including Canada and Australia. Left realist criminologists are critical of perspectives which see longer sentences and more prisons as the solution to crime, but they also oppose the views of what they term 'left idealists'. In their view, this includes a variety of Marxists, neo-Marxists and radical feminists.

Politically, left realists tend to see their approach as being close to the position of the British Labour Party. Jock Young and John Lea (Lea and Young, 1984) describe themselves as 'socialists' and support the reform of society rather than the revolutionary change advocated by some Marxists. They argue that right-wing politicians in industrial capitalist societies have been particularly successful in presenting themselves as the parties representing the forces of law and order. Left idealists have not provided alternative policies on law and order, since they have suggested that social justice cannot be achieved without a radical transformation of society. Left realists have tried to counter the popularity of right-wing law-and-order policies by presenting what they see as realistic proposals for change, within the framework of existing societies, which address the concerns of ordinary people.

In Young's view, you have to be 'tough on crime' (Young, 1997), but this does not just mean being tough on criminals. It also means being tough in trying to change the social factors which have a long-term impact on crime rates, and being tough in trying to ensure that the criminal justice system really does promote social justice. Furthermore, you have to be tough on theories of crime. To Young, simplistic theories should be regarded with suspicion. The social world is complicated and constantly changing. What works now may not work in the future. What works for one type of crime, may not work for another. Left realists therefore set out to produce an overall theory which is sufficiently flexible to be able to deal with different aspects of crime and justice at different times and places.

The problem of crime

One of the basic tenets of left realism is that crimes other than white-collar crimes are a serious problem and they need to be explained and tackled. Left realists counter a number of arguments which criminologists have advanced to suggest that such crimes are not serious:

1 Jock Young (1993) argues that there has been a real and significant increase in street crime since the Second World War. According to this view, criminology has undergone an aetiological crisis (or crisis of explanation), resulting from the rapid increase in officially recorded street crimes in most democratic industrial societies. In Britain, the USA and most Western European countries, crime rates recorded by the police have risen alarmingly.

   Some sociologists have tried to deny that the apparent increase is real by pointing to the unreliable nature of criminal statistics. From this point of view, increased reporting of crime and changes in police recording of crime might account for the figures. However, Young believes that the rises have been so great that changes in reporting and recording cannot account for all of the increase. He points to evidence from the *British Crime Survey* (see pp. 366–8 for details) which shows that at least part of the rising tide of crime is real. There is more reporting of crimes, but there are also more victims.

2 Some sociologists have advanced the view that the chances of being the victim of street crime are minimal. Lea and Young (1984) point out that, while the average chances of being a victim are small,

particular groups face high risks. It is not the rich who are the usual targets of muggers or thieves, but the poor, the deprived, ethnic minorities or inner-city residents. For example, Lea and Young calculate that unskilled workers are twice as likely to be burgled as other workers. In some of the poorer areas of London, the chances of being mugged might be four times the average for the city as a whole. In the USA, figures indicate that black men and women are more likely to be murdered than to die in a road accident. Young (1997) has calculated that in the mid-1990s black Americans were 8.6 times as likely to be murdered as white Americans. It is the deprived groups in society who are most likely to be harmed by these crimes; it is also they who suffer most if they are the victims of some of these offences. Those with low incomes suffer more if they are robbed or burgled: crime adds to and compounds the other problems that they face.

3 Crime is widely perceived as a serious problem in urban areas and this perception has important consequences. Left realists have carried out a considerable number of victimization studies, examining such issues as the extent of crime and attitudes towards crime. These studies have been conducted in, amongst other places, Merseyside, Islington, Hammersmith and Fulham. In the *Second Islington Crime Survey*, no less than 80.5 per cent of those surveyed saw crime as a problem affecting their lives. Fear of crime was widespread. Some 35 per cent sometimes felt unsafe in their own homes. Many people altered their behaviour to avoid becoming victims of crime. This was particularly true of women. The authors said, 'women are not only less likely to go out after dark, but also stay in more than men because of fear of crime'.

4 Lea and Young (1984) attack the idea that offenders can sometimes be seen as promoting justice. For example, they attack the image of the criminal presented in parts of *The New Criminology* as a type of modern-day Robin Hood. They deny that muggers can be seen as stealing from the rich and redistributing income to the poor. As we saw earlier, most of the victims of crimes such as burglary and robbery are themselves poor.

5 Left realists do not deny the importance of white-collar and corporate crime. Recent victimization studies carried out by left realists have started including questions on such crimes, and they accept that they are commonplace and serious. However, left realists do argue that left idealist criminologists have concentrated on these types of crime too much and to the exclusion of other crimes.

6 Left realists also acknowledge the importance of other crimes which tend to be emphasized by left-wing and feminist criminologists, and perhaps neglected by the police. Thus they have also included questions in victim studies on crimes such as sexual assaults and sexual harassment, racially motivated attacks, and domestic violence. They do, though, accuse left idealists of holding inconsistent views about crime. Lea and Young say:

> *There is the story of a seminar in North London where one week the students, reeling from the impact of a description of the deplorable results of imprisonment on inmates, decide to abolish prisons. But then next week, after being, quite correctly, informed by a speaker from the Women's Movement of the viciousness of many anti-female offences, decided to rebuild them.*
>
> Lea and Young, 1984

Left realists claim to have redressed the balance by taking all types of crime equally seriously.

Ethnicity and crime

As well as attacking left idealists for denying the importance of street crimes, left realists also attack them for denying that certain types of crime are more common amongst ethnic minorities. Just as they believe that the official statistics on the rise in crime reflect a real change, they also believe that statistics on the ethnic background of offenders are not entirely fabricated.

Paul Gilroy (1983) is a particular target of Lea and Young. Gilroy argued that the disproportionate number of black males convicted of crimes in Britain was caused by police racism. He denied that it could be caused by a greater incidence of some types of crime amongst some ethnic groups. Lea and Young quote figures showing that 92 per cent of crimes known to the police are brought to their attention by the public, and only 8 per cent are uncovered by the police themselves. In such circumstances, they argue, it is difficult to believe that the preponderance of blacks in the official figures is entirely a consequence of discrimination by the police.

Lea and Young also make use of the work of the Home Office researchers, Stevens and Willis. They calculate that, to explain the differences between whites and blacks convicted of offences in 1975, it would have been necessary for the police to have arrested 66 per cent of all black offenders, but only 21 per cent of all white offenders. They argue that it is more likely that blacks do commit some crimes more often than whites.

They also point to a number of aspects of criminal statistics which cannot be explained by police racism alone. The recorded rate for crimes committed by whites is consistently slightly higher than that recorded for Asians. Lea and Young maintain that 'police racism would have to manifest itself very strangely indeed to be entirely responsible for such rates'.

Furthermore, in the 1960s the recorded rates for crimes committed by first-generation West Indian