

# THE STUDY OF CRIME

## INTRODUCTION

This book is about the causes of crime. More specifically, it describes the diverse and, at times, competing perspectives within criminology, and their attempts to explain why certain types of people engage in certain types of behaviour that have been identified as being criminal in nature.

The aim of this chapter is to introduce the reader to the study of crime, and in so doing to explore a series of issues relating to the definition and measurement of, and responses to, crime. A major part of the chapter describes the criteria that serve to differentiate the many perspectives on crime. In particular, the chapter explores the different levels of analysis used to explain crime, and the different political perspectives that impinge on a criminological analysis. Overall, this chapter aims to make sense of how we can distinguish between different theoretical perspectives by looking at the broad similarities and differences in approaches.

## CRIMINOLOGY AS A FIELD OF STUDY

Before we discuss the nature of crime, it is useful first to say a few words about criminology as a field of study. As we shall see, criminology, like crime, is not a monolith; it encompasses varied and competing perspectives. The different levels of analysis apparent in criminology are partly a reflection of the diverse disciplines that have contributed to the study of crime over a number of years.

Researchers, scholars and writers in areas such as biological science, psychology, philosophy, law, sociology, forensic medicine, political economy, education, history and cultural studies have all contributed to the multidisciplinary nature of criminology. Each discipline brings to bear its own concepts, debates and methods when examining a criminological issue or problem.

This means that within criminology there is a natural diversity of viewpoints, as different writers and researchers 'see' the world through very different perspectives, including the differences between the view from the 'ivory tower' (academics) and the view from 'the streets' (practitioners). Such differences are also reflected in the adoption of a wide range of techniques and methodologies in the study of crime. These include historical records, use of surveys, participant observation, interviews, experimental studies, evaluation of official statistics, study of policy documents and discourse analysis.

This variety of perspectives should be considered in light of the social context of the production of intellectual knowledge. For instance, the production of knowledge is itself a social and material process. When any kind of knowledge is produced, we must ask who has control over this process—not only the production of knowledge itself, but also the ownership and use of the results of research and scholarship. In a similar vein, specific types of 'knowledge' or 'truth' are not always recognised or visible in the public domain. This can happen for a variety of reasons—because there is no market for them, because of publishing rivalries, or because the 'knowledge' is not deemed to conform to particular academic standards or mainstream political agendas. How one set of 'truths' becomes dominant over another (or fades from memory) is also tied up in the way that complex scholarly research is translated for practice by criminal justice agencies, and how media then judge the worthiness of this knowledge, and how they represent this (on the front page or hidden on page 6) or just do not report it.

Knowledge has distinctive international dimensions. For example, in the field of criminology each country may have its own unique social concerns, intellectual milieu, political traditions, historical development, and hence its own theoretical emphases and biases. In the UK, for instance, debates over policing and antisocial behaviour have been prominent since the 1990s; whereas in the USA, major concerns have been expressed over the racial disparities in criminal justice (especially, officer-involved shootings of African-American men), gang violence, and the rising costs of having one of the world's largest

prison populations. In Canada, debates have centred on changes to drug law enforcement and the costs of criminal justice treatment of indigenous and first nations peoples. The latter issue is also prominent in Australia, along with violence in the night-time economy and 'coward' punches. In other global North jurisdictions, what is known about crime, and the intellectual endeavours aimed at identifying the causes of crime, have also been significantly shaped by the 'war on terror', including the militarisation of the police and the expansion of criminal justice agencies created to address terrorism.

Cutting across all of these debates in each of the regions, however, has been a series of general issues relating to the nature of crime and the social control of crime. Invariably, analysis of specific issues has employed abstract concepts that are designed to explain why particular phenomena should be dealt with in any particular way. Major themes of this book are: to explore the nature of the more generalised statements regarding crime; to examine the broad social and historical context within which certain theories and concepts have emerged; and to demonstrate the application of these theoretical understandings to selected issues and criminal justice reform.

While 'theory' informs everything that criminologists do, not every criminologist is a theorist. To understand what criminologists actually do, and why theory is relevant to their practice, we need to appreciate the dual nature of much contemporary criminology. On the one hand, many people adopt what could be called an administrative or professional approach to criminology. In this view, the role of criminology is tied to improving the immediate practices of the criminal justice system and to solving crime problems in the community. This approach seeks to study, analyse and research alternative theories in order to institute reform of some kind. Generally, it is directed at making some aspect of the criminal justice system 'better' at some level—a program, an institution or a strategy. Often it is linked to attempts to solve a 'social problem' or an administrative difficulty within the existing system.

On the other hand, there is a strand of criminology in which the emphasis is on a critical or analytical approach. Unlike the previous approach, this tends not to be a nuts-and-bolts view of the criminal justice system, particularly with respect to making minor changes within the existing institutional frameworks of criminal justice. Rather, it is suggested that one must stand back from policy decisions and ask bigger questions, such as 'What if ... ?' This approach delves into the deeper philosophical issues of the day; for example, why do we continue to have and use institutions such as prisons when they demonstrably do not work to prevent offending or reoffending? The approach here is not to suggest improvements to the existing penal system, but to question whether it is valid or viable to begin with. Indeed, an informed opinion might simply advocate the abolition of such institutions in their present shape and form.

It is essential to note, however, that often there are strong links between these two approaches. The variability in criminological perspectives in general is due in part to the nature of the relationship between the practical administrative

orientation (with a focus on what can be done and how to improve the system) and its critical counterpart (with a focus on why things ought to be done in one way or another). In turn, the expected 'audience' of criminological research will also affect the level of theoretical analysis. A commissioned report on crime prevention for a government department will engage with theory in a different way from an independently funded project that seeks to test a theoretical perspective. We must also be aware of the uncertainties of knowledge. For instance, whatever area of criminology we consider, there are almost always unintended consequences that emerge from the knowledge we acquire and the reforms we put forward. Knowledge is a guide to the future—it does not fix the future on one single pathway.

Generally speaking, criminology focuses on three main areas:

- 1 the sociology of law, which examines why and how societies define crime a particular way and the implications this understanding has for the lives of people within those societies
- 2 theories of crime causation, sometimes referred to as criminogenesis
- 3 the study of social responses to crime, which examines in more depth the formal institutions of criminal justice, such as the police, courts and corrections.

As pointed out earlier, the main theme of this book is the causes of crime, and the various theories of those causes. As will be seen, however, the other domains of criminology often overlap, and are inseparable parts of any review of causal theories.

## DEFINING CRIME

There is no straightforward, universal definition of crime, as ideas, perceptions and conceptions regarding what constitutes criminal behaviour are constantly changing. To a certain extent, both crime and criminology are uncertain, in the sense that one's definition of crime is dependent upon one's particular interests and particular worldview. This becomes clearer when we discuss the various definitions put forward for crime.

There are competing views of crime, yet crime is always socially defined. This, of course, can lead to debate: for example, should crime always be defined by law? Could or should it instead be based upon moral and social conceptions, such as social harm? To illustrate the difficulties surrounding different definitions of crime, we might consider the film *Schindler's List*. In the movie (and in real life) Schindler broke Nazi law in order to assist Jewish people. But was he then a criminal? Who defines the law? What about cases today where people may actively break the law in the name of social justice? There are unjust systems in



the world, and it may well be the case that many legal definitions are built on highly contentious and unjust or unfair propositions.

## ■ LEGAL AND SOCIOLOGICAL DEFINITIONS OF CRIME

There are many diverse conceptions of crime, each of which reflects a different scientific and ideological viewpoint. Hagan (1987), for example, identifies seven different approaches to the definition of crime, ranging from a 'legal-consensus' definition to a 'human rights' definition. For present purposes, we can summarise broad differences in definition in the following way:

- » A formal legal definition says that a crime is whatever the state identifies as a crime; that is, if something is written into the criminal law, and is subject to state sanction in the form of a specific penalty, then that activity is a crime.
- » A social harm conception of crime says that crime involves both criminal offences (such as assault) and civil offences (such as negligence), in that each type of action or inaction brings with it some type of harm. Each should therefore attract some sort of penalty.
- » A cross-cultural universal norm argument states that crime, in essence, does not vary across different cultures. Thus, murder is murder regardless of the society, and we can postulate conduct norms that cut across diverse cultural backgrounds.
- » A labelling approach to the definition of crime argues that crime only really exists when there has been a social response to a particular activity that labels that activity as criminal. If there is no label, there is in effect no crime.
- » A human rights approach says that crime occurs whenever a human right has been violated, regardless of the legality or otherwise of the action. Such a conception also expands the definition of crime to include oppressive practices such as racism, sexism and class-based exploitation, along with crimes against nature.
- » A human diversity approach defines crime in terms of the manner in which deviance represents a normal response to oppressive or unequal circumstances. A major focus here is on power relations, and the attempts by dominant groups to restrict human diversity of experience, language and culture.

Our intention here is neither to explain fully each type of definition of crime, nor to evaluate the explanatory or practical usefulness of each definition (instead, see Hagan 1987; Nettler 1984; Lacey 2007; Downes & Morgan 2007; Garwood et al. 2000; Laslett 2010). Rather, we wish to alert the reader to the fact that there are important differences in how people conceive of crime. For the general public, the first of these definitions is dominant as the absence of knowledge about the history of crime gives the impression that the 'law on the books' is neutral. Understanding what crime is requires us to recognise initially that crime is never without a historical and social context. After all, if the definition of crime were ahistorical and asocial, then we would surely have a single set

of international laws governing all forms of crime that are applicable to every inhabitant on this planet.

This detailed attention to the simple definition of crime is not ‘navel-gazing’; theories of crime have very real life consequences. The variation in definition often has real consequences upon how different types of behaviour are dealt with at a practical level. For example, we might consider the issue of violence (Alder 1991, p. 61):

In the home, parents hit children; on the playing field, sportsmen assault each other; at work, industrial ‘accidents’ occur; in our community, dangerous chemicals are dumped; our governments turn a blind eye to the practices of some police officers; and our governments are responsible for the mass violence of war.

How violence is perceived and responded to by criminal justice institutions depends very much upon a range of political and social factors. Crime is not inherent in an activity: it is defined under particular material circumstances and in relation to specific social processes.

## ■ HISTORICAL CONSTRUCTIONS OF CRIME

While criminologists may argue about the definition of crime, ultimately it is the legal definition of crime that determines how we as a society formally respond to certain acts deemed wrong. But, we might ask:

- » Who actually makes the laws, and why are they made?
- » Whose interests are reflected in those laws and how are they enforced?

In line with the broad theme of the variability of definitions of crime, it is also useful to acknowledge that legal definitions of crime themselves change over time. The law itself is thus historically situated and socially produced, and is not static. As it changes, so too does the definition of crime. In this sense we can say that morality itself is variable, at least insofar as it is reflected in the laws of a country. What is legally defined as crime varies according to social and historical contexts. For example:

- » As early as 1530, in England there existed the crime of being a vagabond, which, in effect, meant that a person was unemployed and idle. Any person so identified could be branded a criminal—figuratively and literally (through burning of the gristle of the right ear with a hot iron). Vagabonds over the age of eighteen could be hanged if they did not obtain suitable employment for two years. Revived in 1743, the Vagrancy Acts expanded the types of persons liable for prosecution to include a wide variety of homeless and poor people (see Chambliss 1975a). This crime no longer exists, although one could be tempted to draw similarities with the negative status accorded to the young unemployed or homeless people today, and the imposition of control mechanisms such as the UK’s Anti-Social Behaviour Orders, or mandatory ‘work for the dole’ (unemployment benefits) programs in Australia.

- » In the seventeenth century, witchcraft was a common crime in Europe. Crime here was constructed in terms of religion, and referred to conduct allegedly against (the Christian) God. By and large, such laws pertaining to witchcraft targeted women, as a means of controlling them (see Holmes 1993; Noonan 2002), particularly those displaying eccentric and secretive tendencies. Such laws are not common in the criminal law today. However, in some jurisdictions crimes related to witchcraft are still on the statute books, such as reading of tarot cards. Similarly, some of the public concern about heavy metal, and supernatural entities (such as vampires) in film/television appears to have vestiges of the moral and religious panics over witchcraft that swept Europe several hundred years ago.
- » Property and theft are historically and culturally specific concepts. In many traditional First Nation communal societies, everything is shared. There is no concept of theft (which is premised on the notion of ownership of personal property), because in these cultures property is communal. Concepts of land ownership likewise differ from mainstream legal conceptions. Some members of indigenous communities hold the belief that they do not really own the land, so it cannot be taken away from them. To put it differently, land is not a possession; it is something with which you have a relationship (like family). Crime in traditional indigenous communities is associated with the abuse of sacred knowledge, custom, spirituality, witchcraft and ritual—it is not centred upon property, as is most Western law (see Bottomley et al. 1991).

Crime is thus an offence of the time. For a large part of recorded European history, crime was intimately linked to moral proscriptions as defined by religious bodies. One reason for this was that between the 1400s and 1600s, the Church was the body that had access to the tools of justice administration. This was because literacy tended to be the preserve of the clergy, who therefore were in a position to construct the laws. Later on, it was the preserve of the state to determine laws. Accordingly, crime became defined as a transgression against the state, not against God. Even today, however, there are vestiges of conflict between the secular and non-secular law, as indicated by a range of provisions—informal and formal—that protect churches from the law of the state (including tax exemptions, and exemptions from anti-discrimination and anti-vilification laws, but also the failure of state laws to address the widespread sexual abuse of children by religious leaders of all faiths).

## ■ POPULAR MEDIA IMAGES OF CRIME

The media have a significant influence on the general portrayal of crime in society. The images that permeate popular consciousness of crime are mainly generated by, and reflected in, the electronic and print media. In this way the

media have a tremendous impact in terms of how crime is generally defined in society (see Sarre 1994; Grabosky & Wilson 1989; Ericson et al. 1991; Mooney & Young 2006; Surette 2010).

According to the media, in both fictional and factual types of programs and reportage, crime tends to be defined primarily as 'street crime'. Such crime is thus associated with personal terror and fear, and violence is seen as central. Crime is sensationalised, with important implications for the fear of crime among certain sections of the population. This fear is heightened by the way in which crime is seen to be random in nature, with anyone and everyone a possible target for victimisation.

As well, there is often the idea that crime is related to morality, and specifically to the decline of that morality. What is 'wrong' is plain for all to see. Furthermore, the 'criminal' is distinctive, and identifiably different from everyone else in society. Overall, the idea is that there is a continuing 'law-and-order' problem in society (Hall 1980b; Downes & Morgan 2007; Mooney & Young 2006), and that things are constantly getting worse. Against this tide of disorder and lawlessness, the police and other crime fighters are generally portrayed as 'superheroes', who are infallible and who use violence legitimately in order to counter the violence of the streets.

The media are important not only in shaping our definitions of crime and crime control, but also in producing legal changes and reinforcing particular types of policing strategies. For example, the 'moral panics' (see Cohen 1972; Poynting & Morgan 2007) generated by the media on problems such as 'youth gangs' may lead to changes in the law (for example, the introduction of youth curfews) and the adoption of certain police methods (for example, increasing the use of 'name checks'—or stop and searches—in particular locales). It has been demonstrated that the interests of the police and the media are entwined; they have a symbiotic relationship, in that the media rely upon the police for much of the information that sells their news 'product' (hard copy and online newspapers, television news and so on), and the police use the media to represent them in particular ways that reinforce the need for police, and the need for the police to do something (Dowler 2003; Perlmutter 2000).

The media thus convey a sensationalised image of crime, and a protective view of police and policing practices—and they make unusual events usual events in our lives. As Grabosky and Wilson (1989, p. 11) comment:

The most common types of crime according to official statistics, crimes against property, receive relatively little media attention. By contrast, crimes of violence, which are very uncommon in actuarial terms, are accorded much greater coverage.

Similarly, there is a skewed focus on 'street crime' and bizarre events. Meanwhile, the destruction of the environment, domestic violence, white-collar crimes and occupational health and safety crimes tend not to receive the same kind of coverage or treatment by the mainstream media outlets.

With regard to crime control, media representations of crime processes lead the viewer to believe that once a crime has been brought to the attention of the authorities, investigation will generally lead to detection and capture of the offender. Over fifteen years of *CSI* (and similar crime and police dramas before and after it) has inculcated into a whole generation the belief that crime is a fact, usually solved by the intervention of a 'hard cops' and 'hard science', which leads the hardened (or not) criminals to admit to their offences in the face of overwhelming evidence. This is a far cry from the reality of much police work, and in specific cases of serious street crime, many cases go unreported, and a significant proportion of cases do not get to the prosecution stage.

In fictional accounts of crime fighting, the police are usually endowed with special qualities (such as big guns and martial arts abilities), and violence is central and always justified because of the nature of the 'criminals' at hand. The nature of actual policing is once again misconstrued, and the mundane aspects—interviewing, looking over file material, research, traffic regulation and so on—are generally absent. Another facet of fictional accounts is that the police are not accountable to anyone; they can even step outside the bounds of the law because we all know they are on 'our' side. Thus, the police are always honest and incorruptible, even though evidence in real life shows that corruption of the police is a constant challenge. Notable Australian examples include the findings of the Fitzgerald inquiry into police in Queensland (Fitzgerald 1989), and the Wood (1997) inquiry in New South Wales, which revealed widespread and systematic corruption.

It is important, therefore, to separate the images and realities of crime in society. The media shape our perceptions of crime, and in the process they define crime in particular ways (see Clifford & White, 2017). One aspect of this process is that the media often portray crime in terms of distinct crime waves. This refers to the way in which increased reporting of particular types of crime (usually street crimes, such as assault, rape, drug offences or homicide) increases the public awareness of this crime. Significantly, there need not have been an actual increase in the crime for there to be a perception of a crime wave.

Nevertheless, 'crime waves' can and do have real consequences regardless of factual basis. For example, extensive media coverage of child abuse may lead to changes in the law, such as the introduction of mandatory reporting of suspected incidents. Or the fear generated by press coverage of assaults on elderly people may lead to calls for more police, tougher sentences and greater police power. Given the close relationship between the police and the media, major questions can be asked as to who benefits from the selective reporting of specific crimes, especially around government budget time.

Importantly, with the pluralisation of media and the growth of citizen-journalists, the conventional media representations of crime and criminal justice actors (especially police) have come under scrutiny, and in some cases, are being undermined. Widespread access to the internet and mobile phones, along with

information sharing platforms (Facebook, Twitter and so on), has transformed the quantity and quality of knowledge production about crime, with alternative media ranging from research evidence sharing (such as the Critical Criminology Facebook group) to the exchange of ‘trauma porn’ (such as the live footage of police killing black men in the USA). The ‘noble cause’ corruption so central to traditional media representations in real-life shows such as *COPS* and crime dramas such as *CSI* and *Law and Order*, compete with the memes and videos that depict the police, and the criminal justice system more generally, at war against their own people.

The pluralisation of knowledge production (both good and bad) is changing what is known about crime, and what can be known about crime. It is too early in the life of new media technologies to predict how the increase in the quantity of knowledge about crime will change the relationships between the state, its authorised criminal justice agents, and the subjects of criminal law. However, already, we are seeing that citizen-journalists, YouTube, and instant information sharing have changed what we do as subjects of the law, but also that these technologies are forcing criminal justice practitioners and organisations to account for their actions. This increased—though unplanned—transparency is likely to have significant impacts on the adjudication of individual cases (planting evidence, for example) but also how police and other criminal justice practitioners do their work on an everyday basis (such as the widespread adoption of body-worn cameras).

## MEASURING CRIME

Given the limitations and problems of relying upon media definitions and treatments of crime, it is reasonable to accept that any statement made about crime should be tested by referring to the ‘facts’ about crime. This usually means that we need to confirm particular crime trends and consider official data on criminal activity. However, even here there are difficulties with how crime is defined. For what we ‘measure’ depends upon how we define crime and how we see the criminalisation process.

In fact, criminologists are not united in their approach to crime and crime statistics (see Nettler 1984; Jupp 1989; Maguire 2007; von Hofer 2000). For present purposes, we can identify three broad strands within criminology that deal with measurement issues:

- 1 The *realist approach* adopts the view that crime exists ‘out there’ in society and that the ‘dark figure’ of crime needs to be uncovered and recorded. There are limitations to the gathering of official statistics (such as reliance solely on police records of reported offences), and the role of criminology is to supplement official statistics (those generated by the police, courts and



prison authorities) through a range of informal or alternative measures. The emphasis is on the problem of omission—to uncover the true or real extent of crime by methods such as victim and victimisation surveys, self-report offending surveys, test situations and hidden cameras.

- 2 The *institutionalist approach* adopts the view that crime is a ‘social process’, and it rejects the notion that we can unproblematically gain a sense of the real extent of crime by improving our measuring devices and techniques. Instead, this approach concentrates on the manner in which official criminal justice institutions actually process suspects, and thus define certain individuals and certain types of behaviour as being ‘criminal’. Criminologists adopting this approach also argue that statistics tell us more about the agencies that collect the figures than they do about the crime itself. The emphasis is on the problem of bias, and on showing how some people and events are designated by the criminal justice system as being criminal, while others are not.
- 3 The *critical realist* approach argues that crime measurement can be characterised as having elements of both ‘social process’ and a grounded ‘reality’. The task of measurement from this perspective is to uncover the processes whereby the crimes against the most vulnerable and least powerful sections of the population have been ignored or underrepresented. The emphasis is on the problem of victimisation—to demonstrate empirically how certain groups are especially vulnerable to crime and to the fear of crime, and conceptually to criticise the agencies of crime control for their lack of action in protecting these groups.

Thus, there are debates within criminology over how and what to measure, and these ultimately reflect basic divisions within the field regarding the very definition of crime itself. The definition of crime—whichever definition is adopted—is itself a product of the theoretical assumptions underpinning the work of those who seek to define crime. As the preceding discussions make clear, the study of crime is fraught with a wide range of competing viewpoints and perspectives. It is useful, then, to develop an analytical framework that can make sense of these differences and the basis for different points of view on crime and crime control.

## CRIMINOLOGICAL PERSPECTIVES

The style of questions you ask about crime necessarily determines the answers you receive. As we have indicated, there are competing definitions of crime: these produce competing answers or explanations of the causes of crime, and these in turn produce different kinds of responses to crime. As such, criminologists vary in how they approach the study of crime.

Criminological theory can be presented in abstract fashion as being made up of a series of separate perspectives or approaches. Each approach or paradigm attempts to understand a particular phenomenon by asking certain types of questions, using certain concepts, and constructing a particular framework of analysis and explanation. In practice, it is rare to find government departments or academic criminologists who rely solely or exclusively on any one particular criminological framework or approach. Often a wide range of ideas and concepts are combined in different ways in the course of developing policy or in the study of a specific empirical problem.

For the sake of presentation, it is nevertheless useful to present *ideal types* (Weber 1949) of the various theoretical strands within criminology. The use of ideal types provides us with a means by which we can clarify main ideas and identify important differences between the broad approaches adopted in the field. An ideal type does not exist in the real world. Rather, the intention behind the use of an ideal type is to construct abstract concepts from concrete situations, which provide the key elements or components of a particular theory or social institution. In exaggerating these elements, theorists are able to highlight the general tendency or themes of the particular perspective (see Freund 1969).

An ideal type is an analytical tool, not a moral statement of what ought to be. It refers to a process of identifying different aspects of social phenomena and combining them into a 'typical' model or example. For instance, an ideal type of bureaucracy would include such things as impartial and impersonal merit and promotion structures, prescribed rules and regulations, and a hierarchical chain of command. We know, however, that people who work in bureaucracies are not always promoted on the basis of their qualifications, nor is decision making always rational. However, by constructing an exaggerated 'typical' model of a bureaucracy we are able to compare the actual structure of different organisations and how they work in the real world.

If we are to construct ideal types in relation to criminological theory, then it is useful first to identify the central focus of theory, and in particular the level of analysis and explanation at which the theory is pitched. There are three broad levels of criminological explanation:

- » the individual,
- » the situational, and
- » the social structural.

## ■ LEVELS OF ANALYSIS

- » *Individual*—The main focus is on the personal or individual characteristics of the offender or victim. A study adopting this level of analysis may consider, for example, the influence of appearance, dress and public image on the nature of crime causation or victimisation (such as tattoos or earrings as indicators of a 'criminal' attitude in men). Importantly, this level of analysis tends to look to psychological or biological factors that are said to have an

important role in determining why certain individuals engage in criminal activity. The key concern is to explain crime or deviant behaviour in terms of the choices or characteristics of the individual person.

- » *Situational*—The main site of analysis is the immediate circumstances, or situation, within which criminal activity or deviant behaviour occurs. Attention is directed to the specific factors that may contribute to an event occurring, such as how the participants define the situation, how different people are labelled by others in the criminal justice system, the opportunities available for the commission of certain types of offences, and so on. Key concerns are the nature of the interaction between different players within the system, the effect of local environmental factors on the nature of this interaction, and the influence of group behaviour and influences on social activity.
- » *Social structural*—This approach tends to look at crime in terms of the broad social relationships and the major social institutions of the society as a whole. The analysis makes reference to the relationship between classes, sexes, different ethnic and ‘racial’ groups, the employed and unemployed, and various other social divisions in society. It also can involve investigation of the operation of specific institutions—such as education, the family, work and the legal system—in the construction of, and social responses to, crime and deviant behaviour.

The level of analysis one chooses has major consequences for how crime is viewed, the nature of the offender, and how the criminal justice system should be organised. For example, a biological positivist approach looks at characteristics of the individual offender (such as DNA), and sees crime as revolving around, and stemming from, the specific personal attributes of the individual. A situational perspective might consider the interaction between police and young people on the street, and argue that ‘crime’ is defined in the process of specific types of interactions, behaviours and attitudes. From a structural perspective, the issue might be seen in terms of the relationship between poverty and crime; that is, the elements of social life that underpin particular courses of action. The individualist, the situational, and the social structural approaches would all advocate quite different policies because of their particular perspective. The vantage point from which one examines crime—a focus on personal characteristics through to societal institutions—thus shapes the ways in which one thinks about and acts upon criminal justice matters.

Most theories of crime tend to congeal into one of these levels of analysis; that is, most rely upon one of these particular areas, advancing different theories relating to the causes of crime. For example, the classical theory focuses on choice—the offender chooses to offend or not offend; the response is punishment. This approach focuses on the criminal act. The biological positivist looks at the offender’s personal characteristics, and focuses on treatment. Some researchers—for example, strain and subcultural theorists—attempt to integrate more than one level of analysis into their approach, and focus both on how the social structure shapes the opportunities that individuals have in their lives, and

separately consider how those individuals choose to respond to the constraints and opportunities they face. The questions one asks, and the subjects of one's enquiry, will obviously vary according to the approach or combination of approaches one adopts, as will the consequences.

Different theories within criminology tend to locate their *main* explanation for criminal behaviour or criminality at one of these levels. Occasionally, a theory may attempt to combine all three levels in order to provide a more sophisticated and comprehensive picture of crime and criminality. When all three levels are considered, the approach is often called ecological given it considers the full ecology of crime (the incident, the victim/offenders, the criminal justice actors, the social and political context, along with the structural and cultural determinants of criminality). In this book you will find ecological theories across a range of theoretical approaches; though most of these are contemporary examples given this wholistic approach is a relatively new technique for understanding crime. The ecologies of crime vary depending on the theoretical approach, with conservative and Right wing approaches more focused on the bio-psycho-social components, with Left Realists, republican, and critical criminologists more likely to consider the macro components of social, cultural and institutional.

## ■ POLITICAL ORIENTATIONS

Crime and crime control are inextricably linked with the operation of the state. It is, therefore, important to understand—in addition to the sociological and criminological frameworks—the major political theories and approaches employed to understand the causation, experience, and prevention of crime (Coleman et al. 2009). The political orientation of a writer can be partially ascertained by understanding their overall conception of the 'good' society. For example, consider Brown's (1979) symbolic representations of particular political arrangements:

- *The circle*—This implies society is harmonious, and people share the same values of community and equality. The concept of crime is that perpetrators are deviant, or outside the circle, and thus they need to be either pulled back into the circle or kept outside the circle's confines.
- △ *The triangle*—Society is viewed as a hierarchy, since some people are situated at the top, possessing the wealth and power, and the majority are situated at the bottom. This vision of society implies conflict and inequality. The concept of crime is that it occurs in the context of struggles and hierarchies of control and power. Situated within this perspective are both meritocratic and critical views. According to a *meritocratic* view of the triangle, within the existing structure anyone who plays by the rules of the game is capable of rising to the top of the hierarchy on the basis of merit, and success is a question of ability and hard work. The laws are seen to exist as a means of sustaining the rules of the triangle. A *critical* view of the triangle translates

inequality into injustice. The laws are seen to be unequally applied; it is argued that people on the bottom of the triangle are overrepresented in the criminal justice system, and this representation is questioned.

□□ *The rectangle or square*—Society consists of a variety of interrelated rectangles representing different interconnecting institutions, such as the family, work and school. Crime is studied in relation to how these institutions have an impact upon, and reflect upon, crime. The concern here is not with values, as in the circle, but with the smooth running of the interconnected institutions. The issue is one of administrative efficiency and application of the right kinds of techniques to fix the particular social problem.

人 *Non-geometric forms such as stick figures*—Here the focus is on individuals, as opposed to society as a whole, and the emphasis is on examining individual creativity and the way individuals construct their realities. The idea is that reality is socially constructed, and that how people act and react in relation to each other has a major impact in terms of defining behaviour and individuals as being deviant. How people think about themselves and each other is a significant factor in how they subsequently behave in their interactions with others.

The manner in which we view society influences the way in which we view crime. The various competing perspectives within criminology reflect different points of view regarding the nature of society. We can identify three major *paradigms* (conceptual frameworks for understanding social phenomena) in criminology. These paradigms inevitably incorporate specific kinds of value judgment. The motivation, conceptual development, methodological tools and social values associated with a specific approach are usually intertwined with one of three broad political perspectives: conservative, liberal or radical.

- 1 *Conservative*—A conservative perspective on society tends to be supportive of the legitimacy of the status quo; that is, it generally accepts the way things are, the traditional ways of doing things, and traditional social relationships. Conservatives believe dissenters should be made to conform to the status quo. They believe that there is a 'core value system' to which everyone in society should conform. The function of the main institutions is to preserve the dominant system of order for the good of society generally. The values and institutions of society should apply equally to all people regardless of social background or historical developments.
- 2 *Liberal*—A liberal perspective on society accepts the limits of the status quo, but encourages limited changes in societal institutions. This approach tends to avoid questions relating to the whole structure of society. Instead it emphasises the need for action on particular limited 'social problems'. Specific problems such as sexism, racism and poverty can be resolved without fundamental changes to the economic or social structure. Rather, policies and programs that will serve to reform existing institutions and day-to-day

interactions can be developed. Problems tend to be studied in terms of their impact on specific individuals or groups (for example, ‘the poor’ as the focus of research) and the disadvantage these individuals or groups suffer.

- 3 *Radical*—The radical perspective on society wishes to undermine the legitimacy of the status quo. Like the conservative perspective, it looks at society as a whole, but it sees ‘social conflict’ as the central concern. Society is seen to be divided on the basis of such elements as class, gender, ethnicity and ‘race’. The key issue when adopting this perspective is the matter of who holds the power and resources in any particular community. The objective of radical perspectives is to change fundamentally the existing social order. Specific issues, such as poverty, are explained in relational terms (such as the relationship between the rich and poor), and the solution is seen to involve dealing with the structural imbalances and inequalities that lead to the problem (of poverty) in the first place.

If we acknowledge the centrality of politics in criminological analysis, then we must accept that there is no such thing as value-free criminology. Values of the Right (conservative), Left (radical), and Centre (liberal) are embedded in the criminological enterprise. The political orientation of the particular approach has major implications for how crime is defined. For example, Chart 1.1 presents a radical view of how crime can be defined. As opposed to more conservative perspectives, this approach emphasises both the crimes of the powerful and the crimes of the less powerful. Each particular theory of the causes of crime is generally linked in some way to these broad political perspectives, and thus each sees crime as informed by certain values and philosophical principles.

« CHART 1.1     A radical definition of crime

CRIMES OF THE POWERFUL	
Typical crimes	Examples
<i>Economic</i>	Breaches of corporate law, environmental degradation, inadequate industrial health and safety provisions, pollution, violation of labour laws, fraud
<i>State</i>	Police brutality, government corruption, bribery, violation of civil rights, misuse of public funds
CRIMES OF THE LESS POWERFUL	
Typical crimes	Examples
<i>Economic</i>	Street crime, workplace theft, low-level fraud, breach of welfare regulations, prostitution
<i>Socio-cultural</i>	Vandalism, assault, rape, murder, resistance via strikes and demonstrations, public order offences, workplace sabotage

Source: adapted from Cunneen & White (1995)



A further aspect relating to the politics of criminological theory is that the dominant paradigm or approach adopted by governments and represented in criminological circles (professional journals, conferences) varies over time. That is, there are competing general perspectives within criminology, but in different periods particular perspectives will be ascendant over others. For example, in Australia, the USA and the UK, the conservative perspectives (within which lie a number of related theories, usually associated with classical and positivist views, and which centre on punishment and control strategies) held considerable sway at the level of policy formulation and action in the 1950s. By the late 1960s, the liberal perspective (centring on labelling and efforts at rehabilitation) informed much of the reform activity related to the criminal justice system. By the mid-1980s there had been a swing back to the Right, which persisted into the 1990s, with greater political attentiveness to strident calls for the adoption of tougher measures to deal with issues of 'law and order'. Simultaneously with the conservative push at the level of policy, liberal and radical critiques of the effectiveness and fairness of such measures were offered. By the late 1990s and early 2000s, the crime debate incorporated conservative elements stressing offender responsibility and strong state action against antisocial and illegal behaviour, and, as well, liberal perspectives that spoke of the need for restorative justice as a key philosophical principle in responding to crime and criminality. Criminological theory is thus always related in some way to specific historical and geographical contexts, material conditions, and political struggles.

The objectives and methods of analysis used in criminology reflect certain underlying ideas and concerns of the writer. In reading criminological material, then, it is important to adopt a 'criminological imagination' (Young 2011). For us, this means doing the following:

- 1 Examine the assumptions of the writers—the key concepts they use, and the methods or arguments used to support their theory—to identify their conceptions of society and of human nature, and the kinds of reforms or institutions that they ultimately support.
- 2 Identify the silences in a particular theory or tradition; that is, what questions are not being asked, and why not? Importantly, though, you must be aware of how the 'silences' you identify may be the result of your social and historical context—including the questions you want answered.
- 3 Consider the social relevance of the theory or perspective. What does it tell us about our society, and the direction that our society is or ought to be heading?

Fundamentally, the study of crime involves the values and opinions of the criminologist, and students of crime must be aware of this if they are to develop an informed view of the issues. Accordingly, each chapter of this book has within it a box entitled 'Then & Now' that highlights the theoretical roots of each paradigm, and how each is related to other theoretical perspectives in this book.

## WHAT TO 'DO' WITH THEORY AND HOW TO 'DO' IT

Theory and theoretical analysis are not unique to academics or researchers; we all do theory as part of our everyday lives. However, unlike the theories influencing everyday life, criminologists consciously frame or bracket a set of concepts in a systemic—ideally, coherent—manner, in order to make general claims about the causes of crime. Until or unless these theories are tested, they remain just theories.

At the same time, however, unlike the disorganised and often contradictory theories that guide us in our micro-decision making (such as what coffee to buy, what newspaper to read), the theoretical analyses in this book seek to explicitly document the concepts and practices often taken for granted in everyday life and place these within an historical and social context. In this sense, they are more than just theories; they are centuries of argument and debate (and of testing, refuting, and finding contradictions) all congealed into contemporary criminological theory.

A theory is a supposition—ideally based on evidence—that some aspect of life operates in a certain way. The intent of theory is to explain something from the perspective of overarching themes and dominant approaches. Theory rarely intends to explain the specific characteristics of a single criminal event (though it sometimes can); rather, based on existing patterns, theory is a hypothesis, conjecture, speculation, surmise, guess, hunch, feeling, suspicion of what is happening.

As such, theory is neither right nor wrong until it is tested and found to be a true reflection of reality. This is what has occurred with the theory of evolution; it started as a set of propositions, and over the 150 years since the publication of *On the Origin of Species*, Darwin's theory has been tested, refuted, tested again, and with newer technologies, re-tested. Over time, this has led to the scientific fact of evolution. Theory in this scientific tradition is easily tested by an experiment that isolates the causal factors (that fire is dependent upon air and fuel, for example). In the social sciences, however, definitive answers are rare. This is because unlike scientific objects, human experiences are complex and multifaceted, with few identifiable independent causal factors. This means that we need to be careful how we apply theory to make claims about how to change the reality of crime. Most criminological theories are still in the testing and re-testing phase, and where causal factors have been identified, often the hypothesis only holds true in specific circumstances, with specific crimes and with a small number of offenders or victims. The complexity of social life (including what we define as crime) means that unlike Darwin's comprehensive theory of evolution, it is difficult to identify a general theory of crime.

The causes of crime and criminality are also highly emotional and value-laden topics. If we make claims about these topics based on our unconscious reactions, we will be faced with not only contradictions but also 'exceptions to the rule' that

will leave our claims open to criticism. In distancing—though not ignoring—our emotional responses to crime, we are better able to understand what we think, and, importantly, why we think in a particular way. This also assists us in applying and critiquing others' theories and in identifying our own theoretical 'voice'.

Making the transition from just describing a theoretical approach to applying a specific theory to a practical problem is not easy. It is much easier when you are clear about the core values and assumptions that inform your own opinions. In this sense, reflexivity is essential to be able to identify the flaws in our own and others' thinking and theorising. Disagreeing with this theory or that approach says as much about your theoretical assumptions as it does about the validity of one approach over another. Integrating theoretical analysis in your studies of crime and criminality requires careful application of the 'right' theory with the 'right' crime (or the 'right' causes of crime or practices of crime). To assist you in acquiring these skills, each chapter has a box entitled 'Applying theory', which provides an applied example (or empirical testing) of each theoretical approach.

## CONCLUSION

The objectives and methods of criminology reflect and are affected by a wide range of ideas and concerns. This chapter has provided an overview of how the study of crime is built upon a variety of different definitions, how it involves recognition of historical and cross-cultural processes, and that it must acknowledge the impact of media representations on perceptions of crime. The chapter has also indicated the approaches within criminology to measure crime, and the analytically and politically diverse nature of the criminological enterprise.

The main purpose of this book as a whole is to explore how criminology explains the 'causes' of crime. Our concern is not to discuss general social theory as such, although the influence of specific social theorists, implicitly if not explicitly, permeates many of the discussions. For example, the ideas of Foucault (1980) are particularly evident in certain strands of feminist, postmodern and critical criminology. In a similar vein, we do not deal with the application of general social theory to specific institutional processes, as in the case of Foucault (1977) on prisons, or Cohen (1985) on community corrections. Indeed, the book is not designed to explain issues relating to the 'responses' of society to criminal behaviour and activity, except in a very general sense, and only when directly related to the theories that are discussed. Such questions are considered in greater detail elsewhere, as in the case of Garland (1990) on punishment, Howe (1994) on penalty, and White and Perrone (2015) on criminal justice institutions generally.



In providing a broad overview of the major frameworks of analysis within criminology, and in addition to the two sections mentioned above ('Then & Now', and 'Applying theory') we have structured each chapter in the following way: Introduction; Social context; Basic concepts; Historical development; Contemporary examples; Critique; Conclusion. By organising the material in such a fashion, we hope to offer the reader a useful guide to the background, development and core ideas of each theoretical strand in a way that also makes comparison between the diverse theories relatively easy.

It is our belief that good criminology is that which is self-consciously reflective of the theoretical and political basis of its understandings and analysis. How we view crime, how we define what is harmful or serious, and how we study criminal activity—all have major ramifications for how we propose to deal with crime at the level of policy, institution and strategy. It is our hope that this book will assist the reader in situating the social, theoretical and practical implications of whatever perspective they may draw upon in trying to come to grips with crime and criminology today.

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## FURTHER READING

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