



# **CRIMINOLOGICAL THEORY IN CONTEXT**

**JOHN MARTYN CHAMBERLAIN**



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**JOHN MARTYN CHAMBERLAIN**



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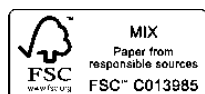
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# DEDICATION

For my daughter Freyja,  
for reminding me about classical and operant conditioning.

For my family,  
Freda, Irene, Shelly, Gemma, Harvey, Sasha, Cody, Andy, Richard and Geoffrey.

And for Jane,  
because she said yes...

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# PURPOSE AND STRUCTURE OF THIS BOOK

This book offers the reader a concise but authoritative overview of criminological theory, including classical, biological, psychological and sociological approaches, an analysis of the strengths and weaknesses of each theory discussed, as well as recommendations for further reading and self-study. The idea of completing a theoretical course in criminology as part of their studies may well be attractive to students. But it can nevertheless be quite a daunting exercise to complete and indeed cause them to become anxious about their ability to make their way through what at times can be quite complex and esoteric learning material. This book seeks to make this process a little easier for the first-time student in particular through outlining in a clear and concise manner the main features of different theoretical approaches to the problem of crime against the background of their emergence within the development of criminology as an academic discipline. Hence it has two key aims:

1. To provide an introduction to different types of criminological theory as well as to place this discussion within the context of the historical development of criminology as an academic discipline.
2. To outline key features of the theories discussed and provide guidance and further readings to help students plan a research project.

The following chapters are structured in such a way as to fulfil these aims. Chapter 2, 'Classical Criminology and Contemporary Rational Choice Theory', begins our journey into the realm of criminological theory by examining how criminal behaviour is the result of a person exerting their free will and weighing up the costs and benefits of pursuing a line of action. This view of crime emphasises that its causes lie in our ability to choose how to act. The chapter discusses how the emergence of the Classical criminological view of crime and 'the criminal' was the result of a gradual shift away from religious interpretations of human nature and the natural world. This, in turn, was bound up with the growth of modern science and liberal-democratic politics from the eighteenth century onwards.

Chapter 3 focuses on *Biological criminology* and how medicalised explanations and solutions to the problem of crime have changed and developed over the last two centuries. The chapter covers approaches which focus on physical

difference, genetics and biochemistry, diet and nutrition, in shaping how criminologists understand the causes of criminal behaviour. In doing so, the chapter highlights the importance of the interaction of environmental and genetic factors in shaping human behaviour, as well as how Psychological and Sociological criminologists criticise Biological criminologists for neglecting the role of cognitive and socio-cultural factors.

Chapter 4 builds on the previous two chapters and explores *Psychological criminology*. It focuses on personality and cognitive development as well as psychosocial learning theories in the form of social learning and differential association theory. It also considers the contribution of research into violent and sex offenders to understanding the causes of crime. The chapter highlights how, like Classical criminology and Biological criminology, Psychological forms of criminology locate the causes of crime inside the individual. Although rather than emphasising free will and genetics, it is argued that our actions are to some extent determined by our psychological makeup and learned behaviour.

In Chapter 5, ‘Strain Theory, Social Disorganisation Theory and Labelling Theory’, we move towards a more sociological focus looking at explanations for crime which highlight the role of social change and anomie, the organisation of city spaces and urban environments, along stereotyping and labelling, in promoting antisocial deviant and criminal behaviour.

Chapter 6, ‘Critical Criminology, Part 1: Marxist, Peacemaking and Realist Theories of Crime’, introduces Critical forms of criminology, which collectively critique earlier forms of criminology (both sociological and otherwise) for advocating a positivist value-free form of criminology and failing to acknowledge the role of class, race and gender in shaping both definitions of crime and law and the likelihood that an individual will be labelled deviant and criminal. The chapter focuses on explanations for crime based on economic and social inequality as expressed in and through the class system.

Chapter 7, ‘Critical Criminology, Part 2: Feminist and Cultural Criminology’, builds on the contents of Chapter 6 and explores how criminologists came to recognise the importance of adopting a more critical stance towards traditional explanations of the causes of crime which by and large ignored the role of gender and race and ethnicity, in addition to class, when it came understanding why crime happens and what the solution to it should be. It also highlights sociological subcultural theory, which is concerned with exploring the role of youth and alternative subcultures in relation to crime, as well as the emergence more lately of Cultural criminology. This emphasises the role played by human emotions and thrill seeking behaviour in crime.

Chapter 8 details the emergence of *Life Course criminology* against the background of the emergence of postmodernism within contemporary Critical criminological perspectives discussed in previous chapters. Life Course criminology examines the criminal career in the context of life pathways, stages, events and turning points, all of which are embedded in social institutions such as education, work, family, and of course, the penal system.

Finally, in Chapter 9, ‘Reflecting on Theories of Crime, Theories of Human Nature’, we look at current trends and developments in western societies and criminal justice systems and in doing so it is noted that criminologists have increasingly argued over the last three decades that governing elites are promoting a more populist and punitive approach to crime prevention and control which is based on population surveillance, profiling and risk appraisal. This is targeted at social groups and individuals held to present more of a potential threat to public safety, such as people from inner-city estates which possess high levels of social deprivation, lower than average life expectancy, as well as greater intergenerational unemployment and welfare dependency. Here the chapter brings together several key themes and issues from previous chapters to explore the study of crime in the age of the enterprising, risky citizen-subject.

## **KEY SUMMARY POINTS, SELF-STUDY TASKS, REVIEW ACTIVITIES AND FURTHER READINGS**

Each chapter has study boxes which contain key summary points, further readings, as well as chapter review activities in the form of self-study activity.

*Key summary points* are provided throughout the book for you to understand key issues and points as well as how the theories outlined relate to one another.

*Further readings* are provided to act as resources and help the reader examine a topic or issue in greater detail. Not all the further readings are book-based, some useful website references are also provided.

*Self-study tasks* are provided at the end of each chapter to help you to consolidate your learning by further exploring and reflecting on the ideas, issues and questions discussed in each chapter.

# 1 STUDYING CRIMINAL LIFE

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## CHAPTER OVERVIEW

Chapter 1 outlines the aims and objectives of this book and introduces some of the key ideas and questions relevant to the study of crime which will be explored in more detail in subsequent chapters. It begins by discussing how criminologists find it useful to view crime and deviance as labels society attaches to particular human behaviours deemed to be socially or morally unacceptable and as a result are held to be deserving of, at the very least, stigmatisation and disapproval,

*(Continued)*



*(Continued)*

at most, punishment and retribution. These labels can, and often do, change depending on which country or point in time in human history we are concerned with. For example, homosexuality was viewed as crime in the United Kingdom until 1967 when the Sexual Offences Act was passed by the British Labour government under Prime Minister Harold Wilson.

The chapter then asks if crime is a problem we should seek to solve in all circumstances. Modern scientific, technological and medical advances bring to the fore that in some cases solving the problem of crime has come to involve intervening medically and using a mixture of drug therapies and other treatments, including on occasion surgery, to change an individual's biological and psychological makeup, with a view to curtailing emotional and cognitive states associated with certain behaviours. Does society really possess the right to intervene in individual human behaviour in this way? Or are certain acts, such as paedophilia, so harmful to others that they provide justification enough for us to do so?

Here the chapter highlights how although we may instinctively feel that this is indeed the case, particularly when it comes to protecting the most vulnerable members of society from harm, the labelling of deviant and criminal behaviour is nevertheless a value-laden activity and can reflect the entrenched interests of certain sections of society. The history of human rights activism and political dissent, such as the suffragette and civil rights movements, readily attests to this state of affairs. Criminologists, therefore, tend to argue for the need to place limitations on the power of those in authority to monitor and constrain human behaviour. Systems of checks and balances need to be in place to ensure that when society intervenes in human behaviour it does so in a transparent and accountable manner and with good justification. Later chapters return to this and a range of other pertinent issues and debates as the different theories of crime and their consequences for managing the problem of crime are outlined and discussed.

The chapter then turns to outline how the causes of crime can be said to have been theorised by criminologists in two key ways. Sometimes deviant and criminal behaviours are held to be the result of characteristics which belong to an individual, such as their biology, their psychology, or their free will and ability to choose to act. On other occasions, such behaviour is seen to be a result of certain features of the society itself, such as its shared cultural beliefs and rules for behaviour, social and economic inequalities and injustices, its class divisions, its poverty levels and so on.

Additionally, it is noted that common-sense and theoretical explanations for why crime happens make ontological assumptions about human nature. Here some view human beings as being egotistical and self-interested concerned with pursuing their own wants and needs. Others stress a communal and altruistic view of human nature. Or that human action is heavily influenced by a range of internal and external forces and drives. These categorising frameworks are used throughout subsequent chapters so you can explore, compare and critically contrast the material presented.

Finally, the chapter reflects on the fact that, as a social science, criminology relies on the rigorous collection of empirical evidence to help shed light on the problem of crime and explore different explanations concerning why it happens. This enhances the persuasive power of the theoretical constructs developed by criminologists and the resulting recommendations for change they make. But this

does not mean the criminological endeavour always positively impacts, or influences, crime control and criminal justice policy and practice. There are a number of other experts and professionals whose experiences and opinions influence how society views and responds to crime, including, doctors, probation workers, the police, youth workers, educationalists and clinical psychologists, to name but a few. While discourse and debate surrounding the problem of crime tend also to be shaped and guided not so much by expert knowledge but the beliefs and values of certain interest groups within contemporary society, such as the major political parties in the UK, i.e. the Conservative Party and the Labour Party. Again, these points will be returned to at key points throughout this book as the implications of each theory of crime discussed are explored. The chapter ends by providing a summary of the organisation and subsequent content of this book.

## CRIME AND SOCIETY: AN INTRODUCTION

Criminological theory is a subject area every student of crime must familiarise themselves with. Indeed, for many finding out about why people commit crime is why they choose to study criminology in the first place. The purpose of this book is to help the budding theoretical criminologist begin this often difficult, sometimes frustrating, but nevertheless ultimately hugely rewarding exercise in expanding their criminological imagination. It provides an introduction to key material which will help them get started with this task and also points them in the right direction so they can move on with some confidence to explore more advanced material. While those already more advanced in their studies, such as postgraduate students and postdoctoral researchers, will find this book a useful reference point they can refer to periodically to remind themselves of the key theoretical architecture of their chosen discipline.

The subject matter of criminology – human behaviour labelled deviant or criminal by society – seems to be as old as human civilisation. Plato's *The Republic* was written nearly two and a half thousand years ago in around 380 BC and is concerned with the idea of justice and the order and character of the just city-state and the just individual. As such, it bares testimony to the fact that a preoccupation with categorising and labelling human beings and their actions as being good or bad is as old as human civilisation itself. Yet it is debatable if crime has actually been an ever present social phenomenon in all times and all places throughout the ages. We may personally feel that a crime-free society seems very much to be an implausible idea given the evidence of our own lived experience and the testimony of the record of human history. Plato certainly thought so. Hence the need for justice even in his perfect state ruled by philosopher-kings. But being implausible is not the same as being impossible. For all we know several such implausible social worlds may well have existed at one time or another but for some reason their existence has not been recorded in the annals of history.

Additionally, the fact of the matter is that in spite of the obvious advances we have made over the last two and half thousand years we simply do not know at this moment in time if the problem of crime is solvable. Furthermore, even if this were the case, it would be necessary before any solution were implemented to definitively answer the question of whether it would in reality be desirable, or ethical even, for us to act to make sure we live in a world without crime. This may, at first, seem like a counter-intuitive proposition. Particularly if we ourselves or a person close to us has been a victim of crime. While undoubtedly there are some crimes, such as the sexual abuse of children, which are so morally abhorrent that we would find it repugnant to suggest they should not be immediately eradicated forever if it were at all possible to do so. Yet we must remain cautious and not argue that crime is a problem which should be completely eradicated from society in much the same way we might advocate a disease which was a threat to public health and safety should be. Let us turn for a moment to examine why.

### **A problem we must solve?**

What is crime? When asked this question our common-sense may well say that it is something which happens when a person breaks a law that a society has made. Yet as we shall see in later chapters it has been argued by critical criminologists that studying crime must not solely involve looking at the law breakers, that is the individuals who break the law. Indeed, they argue that we should also study the law makers and so those who make and pass society's laws – our governing elites in the modern form of the major political parties – as well as individuals and groups which possess socio-economic, cultural and political influence, such as community and business leaders as well as religious and political organisations and institutions. Not least of all because doing so brings to the fore issues of power and social inequality, along with the role of vested interests and social privilege within society, when it comes to creating laws to govern human behaviour. With a society's social and cultural norms and values often being rhetorically employed by certain groups for their own ends as they seek to engender social consensus about what is good and bad, right and wrong, just and unjust, criminal and law-abiding.

Criminologists tend to agree that it is useful to view deviance and crime as labels attached by society to certain human behaviours deemed to be socially unacceptable, such as for example stealing something which belongs to someone else. These unacceptable behaviours are held to be as deserving of, at the very least, stigmatisation and disapproval, and at most, punishment and retribution. What has and continues to be hotly debated by criminologists, amongst others, is the question of whether the causes of such behaviour come from within the individual themselves, from outside influences acting upon them, or perhaps are somehow a result of the mixture of the two. Clearly, finding an answer to this is very important if we want to know how we can respond to the

problem of crime. As we shall see over the course of the chapters in this book, a range of different answers have already been proposed. It is up to you to decide based on the evidence presented which explanations and solutions you prefer, if any.

The presence of healthy ongoing debate between different groups of people advocating particular ways of looking at and solving the problem of crime is perhaps to be expected given its highly complex and seemingly ever changing nature. New types of crime always emerge as societies alter as a result of socio-cultural, economic, political and technological change. For instance, nobody had heard of the now internationally recognised problem that is cybercrime as little as 30 years ago. Yet it has rapidly grown over the last decade and a half in particular to become a multi-billion pound crime industry. One particularly interesting and as yet still emerging area which has spurred much debate recently is the fact that over the last century or so we have begun to develop for the first time the ability to successfully intervene organically, using a mixture of surgery and pharmaceuticals, creating the possibility of medicalised solutions to the problem of crime.

## Medicalised solutions

Indeed, given the rapid pace of the major advances in medical knowledge, technology and therapeutics in recent years it does not take a great leap of the imagination to consider the possibility that we could soon develop a genetic medical solution to the problem of crime. This could involve directly intervening, possibly without informed consent, to alter the biology of some members of society in some way simply because they have been genetically profiled as being *potentially* at risk of possessing inherited triggers associated with certain behavioural and cognitive tendencies. In much the same way that we would if they possessed an increased genetic tendency for being at risk of heart disease. This profiling and intervention process is justified on the basis that it *might* stop certain biochemical, physiological and neurological triggers from manifesting themselves which can in some circumstances act to increase the tendency for particular emotional states and behavioural and cognitive traits to occur, such as, for example, high levels of aggression, irritability, impulsivity, egotism, emotional apathy and social detachment, which research shows can in some circumstances be associated with criminal behaviour.

Medical research is heavily regulated and scientific developments in genetics and human biology are still in their infancy. But using science and medicine to promote what would for many appear as a eugenic solution to the problem of crime, has been attempted before. Perhaps most notably in Nazi Germany in the early part of the twentieth century. As a result, we may not even wish to contemplate pursuing a solution to the problem of crime that involves somehow using genetic manipulation. But surgical and pharmacological medical solutions are used for dealing with some types of criminal behaviour. For example, pharmaceutically

enabled chemical castration along with surgical castration have both been used for dealing with sex offenders in a number of countries, including Sweden, the Netherlands, the US and Germany. Yet as we shall discuss in Chapter 3, the danger here is that once this Pandora's Box of medical solutions to the problem of crime is opened, things can quite quickly escalate.

Such considerations bring to the fore the fact that what is arguably most different about tackling the problem of crime today is that over the last 200 years it has ceased to be solely the concern of certain groups of social elites within society undertaking what can by and large be conceived of as being a moral venture designed (in their eyes at least) to promote the public good, such as the clergy, the social reformer, the wealthy philanthropist, the religiously devout citizen and so on. Modern science, technology and medicine are now key weapons in the war on crime. As we shall explore in the beginning of Chapter 2, within western nation-states a decline occurred in the previously dominant Christian religious worldview from the late eighteenth/early nineteenth century onward, with more secular and scientific points of view gradually coming to the fore and building influence within society. This led to the problem of crime becoming increasingly subject to rational investigation, public administration and governmental experimentation. At the centre of this new governmental project lay an increasingly scientised and medicalised conceptualisation of, firstly, deviant and criminal behaviour; secondly, how society should discipline the body to both punish and correct such behaviour; and thirdly, how society's laws and criminal justice system should be organised to support these punitive and corrective ends. Over the course of this book we will explore how this brought to the fore a number of important questions and ethical dilemmas concerning the place and role of criminology within society, or rather its prevailing social order of the day. Just whose side are we on: that of the law and the criminal justice system, or those who break the law and end up in court and even prison?

Returning to our current question of whether we should act to solve the problem of crime and the issue of medicalised solutions to it, we may well argue, as many do, that society perhaps does possess the right to act to intervene and enforce the use of medical methods such as surgical procedures and pharmaceutical regimes – particularly when, for instance, it comes to taking steps to protect the victims of sex crime from individuals who possess a mental health problem, such as for example a personality disorder psychopathy. Indeed, can it not be said that we have not just the right but also a moral obligation to act, if we can do so, when it comes to protecting the most vulnerable members of society from such harmful behaviour? Here we might point to the fact that the way people think and behave develops as they grow and mature as a result of their everyday contact with family, friends and society at large. We are all socialised from a young age into shared norms and values and ways of doing and thinking about things. A certain amount of intervention and engineering to shape and regulate human behaviour via processes of socialisation and criminalisation may well be said to be a natural and normal part of the human maturation and social conditioning process. Human beings are, after all,

social animals and it is the job of any social order to act to ensure a certain minimum degree of behavioural conformity exists amongst group members; as well as to act to punish any infractions as is seen fit so as to enable a society to function and for people to live their lives free from immediate threat of harm from their neighbour. So given that we already do act to shape members of society, what is the problem with acting to remove unwanted behaviour?

## **Justice in whose interests?**

It certainly is generally accepted that limits can and should be placed on human freedom of action, particularly when it comes to behaviours that can either directly or indirectly cause harm to others. So if we can apply a particular surgical procedure, drug therapy or even genetic manipulation with a view to stopping certain behaviours from harming others, shouldn't we feel justified in doing so? Or is there a sliding scale of what type of medical intervention we would feel most comfortable advocating? Here we may consider the fact that medical solutions to the problem of sex crime, such as chemical and surgical castration, were used throughout the twentieth century to tackle homosexual behaviour between consenting adults, which was criminalised in many western countries at that time. Doesn't this point to the fact that we need to be cautious about which human behaviours the state should seek to regulate or change, particularly when it comes to behaviour between two consenting adults occurring in the privacy of their own homes?

Also, what about the fact that justice is imperfect and sometimes people are accused wrongly of something? Isn't it equally the case that just as limits are needed on human freedom to protect the most vulnerable members of society we also, in turn, need to err on the side of caution and place limits on the ability of those in authority to shape human behaviour and create social conformity – particularly when it comes to dealing with behaviour labelled deviant or criminal, regardless of whether we possess the advantages advances of modern medicine provide to help us? After all, we only have to consider examples from history such as the suffragette and civil rights movements, or the more recent Arab Spring protests, to see that human behaviour can sometimes be labelled as deviant and criminal by those in power simply because it serves their interests to do so.

Sometimes being labelled deviant or criminal by the state is a result of the fact that we have exercised our right to use our bodies to signify dissent and our disapproval of the actions and values of other people, our social institutions and the political establishment. Perhaps we might promote and participate in non-violent social protest because we want to change how things are done and promote greater equality and social justice. Many individuals who advocate dissent in this form do so because they cannot accept inequality and injustice, and indeed, strongly feel they have to stand out and make their voices heard. Yet social reformers and Nobel Peace Prize winners such as Martin Luther King, Nelson Mandela and Aung San Suu Kyi were all at first demonised by those in

authority and other members of society for doing just this and were accused of deviant and criminal behaviour, often simply because others wished to silence them. As such, the life stories of such individuals do not just act as pertinent reminders of the power each of us possesses to change the world around us for the better. They also serve to remind us of the need to make sure checks and balances are in place on the ability of those in authority to seek to control and regulate human behaviour.

In conclusion, although we may accept that society should act to control the problem of crime and in some instances this may involve constraining our sense of personal freedom, we cannot simply argue that *all* human behaviour labelled by the criminal justice system as criminal must be eradicated from society, even if it were possible to do so. Because definitions of deviance and crime, as well as who gets labelled as such and why, sometimes reflect the entrenched interests and needs of certain powerful sections of society and this can often work to the detriment of other sections of society. Crime is, as a result, always a politically sensitive and morally and ethically loaded topic. Yet the observation that behaviour labelled as deviant or criminal in one society or at one particular point in human history may or may not be labelled as such in other societies or periods in time may not seem at first sight to constitute earth-shattering news. Rather it may just feel like straightforward common-sense. But this should not be taken to mean it isn't important. Sometimes it is only by considering the all too obvious that our understanding of the world around us can be transformed. I would argue that this is a case in point, not least of all because it leads us towards an important starting point from which we can begin to examine the world of criminological theory.

## **Crime as social label**

So far in this chapter I have noted that definitions of what constitutes a crime can vary depending on the nature of the social order present within a society at different points in time. Individuals may recognise and verbally label their own behaviour as having been deviant or criminal. Yet it is the definitions and labels of society which they tend to draw on when doing so. This is because the personal sense of what is right and wrong behaviour which we all possess comes from common, socially shared values which have existed in some form or another long before we were born and will continue to do so long after we pass away. In the sociologist Emile Durkheim's famous dictum, society is *sui generis* to the individual. That is, it exists independently of their person, their life biography and their individual biological or psychological attributes, while at the same time acting to govern their everyday behaviour. Importantly, it establishes shared norms and values from which to define, judge and regulate human behaviour, which, furthermore, individuals themselves internalise and so make their own through processes of socialisation.



In other words, for Durkheim when people get together and create a group, community or society no matter how small or large it is they create shared behavioural rules and a way of organising themselves so they can achieve certain ends. Over time these take on a life of their own and indeed come to shape the very way people think and act without them necessarily being actively and self-consciously aware of it. For the critically minded student of the theory of crime this observation brings to the fore the need to consider not just why people break certain rules of behaviour and how we can stop them from doing so, but perhaps more importantly, who decided what the rules should be in the first place and why. If only so they can better understand for themselves why they tend to act and think as they do.

There are three reasons why it is essential to begin our exploration of criminological theory with this point, as I will now turn to discuss. First, given the size of the field of collective endeavour that is criminology it is impossible to introduce and discuss the entire corpus of criminological theory within a typical one-semester teaching block, let alone to do this in a single-volume book such as the one the reader is currently holding. There simply isn't the space. This means students must be selectively introduced to the study of criminological theory in a gradual fashion, typically using broad brush strokes, in order to outline the key features of the landscape before advancing into more complex terrain at a later date. In part this is why further study questions and key readings can be found in each of the following chapters. Here and now it is simply necessary to note that a certain degree of selection is inevitable in any book which discusses theoretical criminology. Yet the idea that crime is a label attached to human behaviour by society reinforces that underpinning its study is a series of ongoing philosophical debates concerning the nature of what it means to be human and what is the 'right' location of the causes of crime.

One key debate here is whether crime can and should be viewed as being caused by a social phenomenon, such as poverty and lack of social opportunity, or as a characteristic belonging to the individual, including their biological and psychological makeup. This debate is often present in language used by law-abiding citizens, criminologists, politicians, the media and criminal justice practitioners, as they interact and talk about instances of criminal behaviour, as well as disagree with one another, as they often do, about why a crime has happened or indeed how it should now be responded to. Once we recognise this we can use our criminological imagination to explore the different and sometimes competing everyday arguments, forms of empirical evidence and pertinent theoretical constructs which have been used by other people before us to examine the topic. Indeed, once we have familiarised ourselves with this key dichotomy – that is, crime as individual characteristic and crime as social phenomenon – we can use it as an organising construct from which to begin to more critically consider 'crime talk' in all its varied forms. This book is written bearing this fact in mind, with both its choice of content and its general organisation serving as a reminder that when we encounter explanations about why crime happens and