UNIT 3   THEORIES OF CRIME

Structure

3.0 INTRODUCTION

Crime is an anti-social behaviour which a society rejects and to which it attaches penalties. In this way all those activities for which the state lays down punishments are Crimes. We will present a detailed study of crime in this unit. It will include the definition of crime in accordance with various viewpoints of renowned criminologists. It will present the typical characteristic features of crime. The unit will also deal with the various schools of thought which have explained crime in society. Finally the theories of crime are being presented in detail.

3.1 OBJECTIVES

After reading this unit, you will be able to:

- Define crime in accordance to various viewpoints of the criminologist;

- Explain various characteristics of a crime;

- Describe traditional and modern theories of crime; and

- Analyse the complexity of crime in modern times.

3.2 DEFINITION OF CRIME

A normative definition views crime as deviant behaviour that violates prevailing norms – cultural standards prescribing how humans ought to behave normally. This approach considers the complex realities surrounding the concept of crime and seeks to understand how changing social, political, psychological, and economic conditions may affect changing definitions of crime and the form of the legal, law-enforcement, and penal responses made by society.

In other words "Crime is the breach of rules or laws for which some governing authority (via mechanisms such as legal systems) can ultimately prescribe a conviction. Individual human societies may each define crime and crimes differently. While every crime violates the law, not every violation of the law counts as a crime; for example: breaches of contract and of other civil law may rank as "offences" or as "infractions". Modern societies generally regard crimes as offences against the public or the state, distinguished from *torts* (offences against private parties that can give rise to a civil cause of action).

According to C. Darrow, "Crime is an act forbidden by the law of the land and for which penalty is prescribed ".This constitutes a definition of a crime from the social viewpoint. From the legal viewpoint, violation of law constitutes crime. In other words of Branes and Teeters ," The term "Crime " technically means a form of anti-social behaviour that has violated public sentiment to such an extent as to be forbidden by statue".

Garofalo developed a concept of the "natural crime" and defined it as a violation of the prevailing sentiments of pity and probity. Radcliff Brown defined crime as the violation of usage which gives rise to the exercise of a sanction. The crime any act which causes harm to man's social interests. The criminal is a person who commits crime. According to law a criminal is one who has intentionally violated a criminal law. Sometimes a criminal is not treated as such until his criminal acts are proved in court.

3.3   WHEN AN ACT IS CONSIDERED A CRIME

There are seven interrelated but over lapping criteria to call an act as a crime. Ideally behaviour would not be a crime unless all the seven conditions are present.

3.3.1   Harm

Before a behaviour can be called crime there must be certain external consequences or 'harm'. A crime has a harmful impact on social interests.

3.3.2   Illegal

The harm must be legally forbidden, must have been prescribed in penal law. Anti-social behaviour is not crime unless it is prohibited by law.

3.3.3   Malafide Intention

There must be the criminal conduct i.e.: there must be an intentional or reckless action or inaction which brings about the harmful consequences e.g.: Doctor's negligence.

3.3.4   Criminal Intention

Criminal intent must be present. Hall suggests that legal scholars have confused between intention and motive. The motives for a crime may be good but the intention is criminal. Thus if a man kills his starving children his motive is good but killing is legally forbidden and so his intention is criminal.

3.3.5   Concurrence of Intention and Conduct

There must be a concurrence of criminal intention and conduct.e.g: if a policeman, who goes into a house to make an arrest goes into a house to make an arrest is not a trespasser from the beginning.

3.3.6   Casual Relationship

There must be a casual relationship between the legally forbidden harm and the voluntary misconduct.e.g: if a man dies of suffocation after being shot at, the relationship between conduct and the harm is not clear cut.

3.3.7   Prescription of Punishment

There must be legally prescribed punishment. The voluntary misconduct must be punishable by law.

Self Assessment Questions

1) Define Crime and discuss the various view points of the renowned criminologists.

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2)   What are the characteristics of a crime? Elaborate in your words.

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3.4   SCHOOLS OF THOUGHT

As the civilisation advances, the nature and variety of crime undergoes change. We have numerous theories regarding crime, each reflecting particular stage of development of civilisation and a particular point of view. In the mid-18th century, criminology arose as social philosophers gave thought to crime and concepts of law. Over time, several schools of thought have developed. It is important to note, that while there have been numerous schools of criminological thought throughout history, for the most part, the newer schools were a revitalisation of the former and not a competing point of view. The current school most criminologists belong to is the Chicago School; however, there are still a great many who feel that a sub-cultural theory of deviance is the better explanation of criminogenesis.

The main schools of criminology are:

*   Pre-Scientific or Demonological School

*   Free- will School

*   Classical School

*   Ecological School

*   Geographical School

*   Typological School

*   The Socialistic School

*   The Sociological School

3.4.1   Pre-Scientific or Demonological School

The Demonological School is the most ancient theory of crime and dates of Pre-Scientific Age. According to the thinkers belonging to this age viewed that a crime is a handiwork of the devil. They believed that there are two kinds of forces in the world: Gods and Satanic forces.

The Gods force keeps us away from crime and helps us to do good , where as the devil force distracts man from the right path and makes him commit crime. It makes man reckless, lose the sense of morality and removes the fear of God from the individual. Such a person becomes unable to foresee the consequences of his actions. During this age there was a separate and distinct penal code; the system of punishment was not fixed nor was it well regulated.

The chief purpose behind infliction of punishment was to drive away the Demon from the soul. For this whipping was the most common form of penalty. The

tender organs of the body were exposed to cruel treatment, burning, laceration and maceration. The main idea behind this apparent maltreatment of the body was to cause pain to the devil so that it is compelled to leave the body.

This approach and the penal code thereof had no followers because it was

1) Unscientific
2) Irrational and
3) Cruel and Barbaric.

3.4.2 Free -Will School

This school of thought developed in the 16th and the 17th centuries. According to Free Will school the freedom of will was considered to be the most characteristic feature of man. The will of a man is believed to be an outward manifestation of the person's inner criminal resolve. Neither the moral code nor the fear of God nor the pressure of economic conditions was supposed to affect or in any manner modify the inner resolve.

This school was based upon the theory of Retributive punishment. The penalty was imposed upon the convict in order to avenge the wrong done by him. He was exclusively responsible for his actions and these constituted a breaker and violation of order, the order could be restored only by the law breaker either by paying an amount equivalent to the wrong committed or making him suffer in equal measure.

Since the school believed that body and soul were distinct elements and that soul survived death, a dead person was also prosecuted and order of penalty executed on his mortal remains. It offered a comprehensive and adequate explanation of the phenomenon of crime. According to scientists this theory was neither rational nor valid. The physical and social environment determined whether the individual will choose criminal behaviour or non criminal behaviour..

3.4.3 Classical School

The Classical School, which developed in the mid 17th century, was based on utilitarian philosophy. Cesare Beccaria, author of *On Crimes and Punishments* (1763–64), Jeremy Bentham, inventor of the *panopticon*, and other classical school philosophers argued that (1) people have free will to choose how to act. (2) Deterrence is based upon the notion of the human being as a 'hedonist' who seeks pleasure and avoids pain, and (3) a 'rational calculator' weighing up the costs and benefits of the consequences of each action. Thus, it ignores the possibility of irrationality and unconscious drives as motivational factors. (4) Punishment (of sufficient severity) can deter people from crime, as the costs (penalties) outweigh benefits, and that severity of punishment should be proportionate to the crime. (5) The more swift and certain the punishment, the more effective it is in deterring criminal behaviour. The Classical school of thought came about at a time when major reform in penology occurred, with prisons developed as a form of punishment. Also, this time period saw many legal reforms, the French Revolution, and the development of the legal system in the United States.

The explanation of crime on the basis of pleasure pain equation is rather inadequate and one sided. The motive behind all crimes allows no place for pleasure. It over emphasises the role of the individual and overlooks the role of social and cultural environment in the explanation of human behaviour.

The behaviour of man is an interaction of various forces, personal as well as impersonal and it is misleading to single out any factor as the main cause of behaviour. The principle of maximum happiness number is vague and has no guiding value. Moreover the concept of happiness and pleasure are subjective and these cannot be objectively evaluated. The legislative has to be based on facts and not on subjective feelings.

3.4.4   Ecological School

Ecology is a science which studies the effects of environmental change on the growth and development of plants. It emphasises the effect of social environment upon the behaviour of the individual. The main effort of this school is to establish a definite correlation between crime and socio-economic conditions of the criminal. It also studies in detail the relationship of various factors like density of population, the climate changes, town-planning, and spread of education with criminal behaviour.

Views and conclusions of this school are supported by statistical analysis, graphs, charts, and maps. The explanation of crime offered by ecological theory is not complete. It may be true of a particular society at a given time, but we cannot extend and apply these conclusions to other societies. This is because the environmental conditions are not uniform in each society, and they are subject to change. Hence this theory was also not popular.

3.4.5   Geographical School

The phenomenon of crime is closely related with the geography, climate, and attitude of the place where crime takes place. It attempts to show the influence upon behaviour of such factors as climate, topography, natural resources and geographical locations. The chief proponents of this school are Quetlet, Guerry and Montesque and Lombroso. As propounded by Quetlet and Guerry the law is known as Thermic law , according to which certain crimes are so linked with geographical conditions that these occur in a particular climate at a particular area.

According to Montesque , the rate of crime is high in areas near the equator. Lombroso's investigation on this phenomenon of crime discovered that the incidence of crime is less in plains, as compared with rocky lands, plateaus and valleys.

3.4.6   Typological School

According to this school, the criminals are classified on the basis of anthropological and psychological data. Lombroso discovered a definite relationship between physical structures of individuals and the mental makeup of the person. This theory is out moded. According to Dr. Goring the comparative study of physical and mental features of thousands of criminals and non criminals showed no significant difference between the features of criminals and non criminals. This disproves the assumption that a criminal has certain definite

features. They believe that criminal tendencies are not hereditary but are acquired. Hence it has no application in modern approach to crime.

3.4.7   Socialistic School

This school is the extension of the general theory of economic factors contributing to the criminal behaviour. The chief proponents of this school are Karl Marx, Engels, and Bonger. According to them all human activities are strictly influenced and determined by the economic causes. Marx and Engles believed that economic inequalities are the true causes of crime. Due to this economic inequalities, the society is divided into different classes and there is constant tension between these classes.

Bonger also believed that economic conditions are the root cause of the criminal activities. The philosophy of capitalism is an attempt to legitimize the self seeking acquisitiveness and aggressive pursuit of money and power. These tendencies lead to criminal activity. Though the socialist theory of crime has the definite merit of pinpointing an important factor in the production of crime, it is false to assign exclusive responsibility for the crime either to economics or geography or pleasure or culture. Actually all factors have their relevance to an adequate and comprehensive theory of crime.

3.4.8   Sociological School

This school offers a sociological explanation of crime. An attempt is made to establish various social factors correlative of various types of crimes. The sociological approach is concerned with effects of group patterns of behaviour, as well as the social status, the role the individual plays in the society, and the individual's conceptions of it , and of various other types of social situations and relationships.

Sutherland held the view that crime is basically a learned activity. It is only by association with criminals that one learns the nature of crimes and its modus operandi. No one invents crime it has to be learnt and its techniques mastered. This learning and training one receives by associating with the group of criminals. According to D.R.Taft social disorganisation is at the root of all crimes. By disorganisation it is meant that there is a breakdown of the traditional social structure, rejection of old values and loosening of social control upon human behaviour.

3.4.9   Positivist School

The Positivist school presumes that criminal behaviour is caused by internal and external factors outside of the individual's control. The scientific method was introduced and applied to study human behaviour. Positivism can be broken up into three segments which include biological, psychological and social positivism.

3.4.10   Italian School

Cesar Lombroso, an Italian prison doctor working in the late 19th century and sometimes regarded as the "father" of criminology, was one of the largest contributors to biological positivism and founder of the Italian school of criminology. Lombroso took a scientific approach, insisting on empirical evidence, for studying crime. He explained crime in terms of bio-physical characteristics and birth.

Lombroso's propositions were

1) Criminals are by birth a distinct type or species.

2) They have asymmetrical cranium, long jaw, flattened nose.

3) Have scanty, beard and low sensitivity to pain.

These thinkers tried to understand the relationship between behaviour and freewill or behaviour and determinism, to establish which of the 2 types of cause effect relationship was true. Lombroso considered the offenders to be throwbacks to Neanderthal man, and considered them to possess "atavistic" criminal tendencies.

This approach, influenced by the earlier theory of phrenology and by Charles Darwin and his theory of evolution, has been superseded. Enrico Ferri, a student of Lombroso, believed that social as well as biological factors played a role, and held the view that criminals should not be held responsible when factors causing their criminality were beyond their control. Criminologists have since rejected Lombroso's biological theories.

3.4.11 Lacassagne School

The Lacassagne School rejected Lombroso's theory of "criminal type" and of "born criminals", and indicated the importance of social factors. However, this theory did not reject biological factors. Indeed, Lacassagne created an original synthesis of both tendencies, influenced by positivism, phrenology and hygienism, which alleged a direct influence of the social environment on the brain and compared the social itself to a brain, upholding an organicist position.

Furthermore, Lacassagne criticized the lack of efficiency of prison, insisted on social responsibilities toward crime and on political voluntarism as a solution to crime, and thus advocated harsh penalties for those criminals thought to be unredeemable ("recidivists") for example by supporting the 1895 law on penal colonies or opposing the abolition of the death penalty in 1906.

Hans Eysenck (1964, 1977), a British psychologist, claimed that psychological factors such as extraversion and neuroticism made a person more likely to commit criminal acts. He also included a 'psychoticism' dimension that includes traits similar to the psychopathic profile, developed by Hervey M. Cleckley and later by Robert Hare.

He also based his model on early parental socialisation of the child. His approach bridges the gap between biological explanations and environmental or social learning based approaches.

3.4.12 Chicago School

It is the concept in which individuals learn to recover from the effects of criminal behaviour and bring about justice in the work of criminology. The Chicago school arose in the early twentieth century, through the work of Robert E. Park, Ernest Burgess, and other urban sociologists at the University of Chicago. In the 1920s, Park and Burgess identified five concentric zones that often exist as cities grow, including the "zone in transition" which was identified as most volatile and subject to disorder.

In the 1940s, Henry McKay and Clifford R. Shaw focused on juvenile delinquents, finding that they were concentrated in the zone of transition. Chicago School sociologists adopted a social ecology approach to studying cities, and postulated that urban neighborhoods with high levels of poverty often experience breakdown in the social structure and institutions such as family and schools. This results in social disorganisation, which reduces the ability of these institutions to control behaviour and creates an environment ripe for deviant behaviour.

Other researchers suggested an added social psychological link. Edwin Sutherland suggested that people learn criminal behaviour from older, more experienced criminals that they may associate with.

3.5 TRADITIONAL AND MODERN THEORIES OF CRIME

Historically crime is general rather than exception. Crime is a very complex social issue to be dealt with. However, the insights from sociological theories offer some hope to minimize crime in any society whether they are traditional or modern. In addition, affluence alone will not minimize crime because crime occurs in modern affluent societies due to many complex factors.

In any society the benefits or affluence is not equally distributed and there are individual differences in personality profile and different groups are able to cope with strain and therefore psychological, social environmental factors, official crime control methods, values and beliefs, as well psychological factors, biological factors and social factors interact in different degrees on individuals and groups and therefore give birth to the commitment of crime.

Theoretical perspectives used in criminology include psychoanalysis, functionalism, interactionism, Marxism, econometrics, systems theory, postmodernism, etc.

3.5.1 Social Structure Theories

This theory is applied to a variety of approaches within criminology in particular and in sociology more generally as a conflict theory or structural conflict perspective in sociology and sociology of crime. This perspective is itself broad enough and has within it a diversity of positions.

3.5.2 Social Disorganisation (Neighborhoods)

Social disorganisation theory is based on the work of Henry McKay and Clifford R. Shaw of the Chicago School. Social disorganisation theory postulates that neighbourhoods plagued with poverty and economic deprivation tend to experience high rates of population turnover. These neighbourhoods also tend to have high population heterogeneity. With high turnover, informal social structure often fails to develop, which in turn makes it difficult to maintain social order in a community. Thus crime flourishes.

3.5.3 Social Ecology

Since the 1950s, social ecology studies have built on the social disorganisation theories. Many studies have found that crime rates are associated with poverty,

disorder, high numbers of abandoned buildings, and other signs of community deterioration. As working and middle class people leave deteriorating neighbourhoods, the most disadvantaged portions of the population may remain. William Julius Wilson suggested a poverty "concentration effect", which may cause neighbourhoods to be isolated from the mainstream of society and become prone to violence.

3.5.4 Strain Theory (Social Class)

Strain theory, (also known as Mertonian Anomie), advanced by American sociologist Robert Merton, suggests that mainstream culture, especially in the United States, is saturated with dreams of opportunity, freedom and prosperity. Most people buy into this dream and it becomes a powerful cultural and psychological motivation. Merton also used the term *anomie*, but it meant something slightly different for him than it did for Durkheim. Merton saw the term as meaning a dichotomy between what society expected of its citizens, and what those citizens could actually achieve. Therefore, if the social structure of opportunities is unequal and prevents the majority from realising the dream, some of them will turn to illegitimate means (crime) in order to realise it. Others will retreat into or become part of deviant subcultures (gang members, "hobos": urban homeless drunks and drug abusers).

3.5.5 Sub Cultural Theory

Following on from the Chicago school and Strain Theory, and also drawing on Edwin Sutherland's idea of differential association, sub cultural theorists focused on small cultural groups fragmenting away from the mainstream to form their own values and meanings about life.

Albert K. Cohen tied anomie theory with Freud's reaction formation idea, suggesting that delinquency among lower class youths is a reaction against the social norms of the middle class. Some youths, especially from poorer areas where opportunities are scarce, might adopt social norms specific to those places which may include "toughness" and disrespect for authority. Criminal acts may result when youths conform to norms of the deviant subculture.

Richard Cloward and Lloyd Ohlin suggested that delinquency can result from differential opportunity for lower class youth. Such youths may be tempted to take up criminal activities, choosing an illegitimate path that provides them more lucrative economic benefits than conventional, over legal options such as minimum wage paying jobs available to them.

British sub cultural theorists focused more heavily on the issue of class, where some criminal activities were seen as 'imaginary solutions' to the problem of belonging to a subordinate class. A further study by the Chicago school looked at gangs and the influence of the interaction of gang leaders under the observation of adults.

Sociologists such as Raymond D. Gastil, have explored the impact of a Southern culture of honor on violent crime rates.

3.6 INDIVIDUAL THEORIES

3.6.1 Trait Theories

At the other side of the spectrum, criminologist Lonnie Athens developed a theory about how a process of brutalisation by parents or peers that usually occurs in childhood results in violent crimes in adulthood. Richard Rhodes' *Why They Kill* describes Athens' observations about domestic and societal violence in the criminals' backgrounds. Both Athens and Rhodes reject the genetic inheritance theories.

3.6.2 Control Theories

Another approach is made by the social bond or social control theory. Instead of looking for factors that make people become criminal, those theories try to explain why people do *not* become criminal.

Travis Hirschi identified four main characteristics: (i) attachment to others (ii) belief in moral validity of rules (iii) commitment to achievement and (iv) involvement in conventional activities. The more a person features those characteristics, the less are the chances that he or she becomes deviant (or criminal).

On the other hand, if those factors are not present in a person, it is more likely that he or she might become criminal. Hirschi expanded on this theory, with the idea that a person with low self control is more likely to become a criminal.

A simple example: someone wants to have a big yacht, but does not have the means to buy one. If the person cannot exert self control, he or she might try to get the yacht (or the means for it) in an illegal way. On the other hand, someone with high self control will more likely either wait or deny themselves that need.

Social bonds, through peers, parents, and others, can have a countering effect on one's low self-control. For families of low socio-economic status, a factor that distinguishes families with delinquent children from those who are not delinquent is the control exerted by parents or chaperonage.

In addition, theorists such as Matza and Sykes argued that criminals are able to temporarily neutralise internal moral and social behavioural constraints through techniques of neutralisation.

3.6.3 Symbolic Interactionism

Symbolic interactionism draws on the phenomenology of Edmund Husserl and George Herbert Mead, as well as subcultural theory and conflict theory. This school of thought focused on the relationship between the powerful state, media and conservative ruling elite on the one hand, and the less powerful groups on the other.

The powerful groups had the ability to become the 'significant other' in the less powerful groups' processes of generating meaning. The former could to some extent impose their meanings on the latter, and therefore they were able to 'label' minor delinquent youngsters as criminal. These youngsters would often take on board the label, indulge in crime more readily and become actors in the 'self-fulfilling prophecy' of the powerful groups.

Later developments in this set of theories were by Howard Becker and Edwin Lemert, in the mid 20th century. Stanley Cohen who developed the concept of "moral panic" in which he considered societal reaction to spectacular, alarming social phenomena such as post-World War Two youth cultures AIDS and football hooliganism.

3.6.4 Rational Choice Theory

Rational choice theory is based on the utilitarian, classical school philosophies of Cesare Beccaria, which were popularised by Jeremy Bentham. They argued that punishment, if certain, swift, and proportionate to the crime, was a deterrent for crime, with risks outweighing possible benefits to the offender. Beccaria advocated a rational penology and conceived of punishment as the necessary application of the law for a crime. Thus the judge was simply to conform his sentence to the law. Beccaria also distinguished between crime and sin, and advocated against the death penalty, as well as torture and inhumane treatments, as he did not consider them as rational deterrents.

This philosophy was replaced by the Positivist and Chicago Schools, and not revived until the 1970s with the writings of James Q. Wilson. The argument here is that criminals, like other people, weigh costs/risks and benefits when deciding whether or not to commit crime and think in economic terms. They will also try to minimize risks of crime by considering the time, place, and other situational factors.

Gary Becker, for example, acknowledged that many people operate under a high moral and ethical constraint, but considered that criminals rationally see that the benefits of their crime outweigh the cost such as the probability of apprehension, conviction, punishment, as well as their current set of opportunities. From the public policy perspective, since the cost of increasing the fine is marginal to that of the cost of increasing surveillance, one can conclude that the best policy is to maximize the fine and minimize surveillance.

With this perspective, crime prevention or reduction measures can be devised that increase effort required committing the crime, as for example, added surveillance, police or security guard presence, added street lighting, and other measures, are effective in reducing crime.

One of the main differences between this theory and Jeremy Bentham's rational choice theory, which had been abandoned in criminology, is that if Bentham considered it possible to completely annihilate crime (through the panopticon), Becker's theory acknowledged that a society could not eradicate crime beneath a certain level.

For example, if 25% of a supermarket's products were stolen, it would be very easy to reduce this rate to 15%, quite easy to reduce it until 5%, difficult to reduce it under 3% and nearly impossible to reduce it to zero (a feat which would cost the supermarket so much in surveillance, etc., that it would outweight the benefits).

Such rational choice theories, linked to neoliberalism, have been at the basics of crime prevention through environmental design.

3.6.5　Routine Activity Theory

Routine activity theory, developed by Marcus Felson and Lawrence Cohen, draws upon control theories and explains crime in terms of crime opportunities that occur in everyday life. A crime opportunity requires that elements converge in time and place including

1) a motivated offender

2) suitable target or victim

3) lack of a capable guardian.

A guardian at a place, such as a street, could include security guards or even ordinary pedestrians who would witness the criminal act and possibly intervene or report it to police. Routine activity theory was expanded by John Eck, who added a fourth element of "place manager" such as rental property managers who can take nuisance abatement measures.

3.6.6　Neo-Classical School

In criminology, the Neo-Classical School continues the traditions of the Classical School within the framework of Right Realism. Hence, the utilitarianism of Jeremy Bentham and Cesare Beccaria remains a relevant social philosophy in policy term for using punishment as a deterrent through law enforcement, the courts, and imprisonment

When crime and recidivism are perceived to be a problem, the first political reaction is to call for increased policing, stiffer penalties, and increased monitoring and surveillance for those released on parole. Intuitively, politicians see a correlation between the certainty and severity of punishment, and the choice whether to commit crime. The practical intention has always been to deter and, if that failed, to keep society safer for the longest possible period of time by locking the habitual offenders away in prisons (see Wilson). From the earliest theorists, the arguments were based on morality and social utility, and it was not until comparatively recently that there has been empirical research to determine whether punishment is an effective deterrent.

3.6.7　Social Control Theory

As represented in the work of Travis Hirschi, the Social Control Theory proposes that the process of socialisation and Social Learning Theory builds self-control and reduces the inclination to indulge in behaviour recognised as antisocial. It is based on Functionalist theories of crime and proposes that there are three types of control:

Direct: by which punishment is threatened or applied for wrongful behaviour, and compliance is rewarded by parents, family, and authority figures.

Indirect: by which a youth refrains from delinquency because his or her delinquent act might cause pain and disappointment to parents and others with whom he or she has close relationships.

Internal: by which a person's conscience or sense of guilt prevents him or her from engaging in delinquent acts.

3.6.8 Drift Theory

Although it was not presented as a Social Control Theory, David Matza (1964) also adopted the concept of emphasised frustration and rebelliousness against normative social values by delinquent youth. Matza did not identify any specific constraints or controls that would keep youth from drifting, but drifters were depicted as youth who have few stakes in conformity and are free to drift into delinquency.

As with Hirschi, Matza was skeptical that deviancy could be explained in terms of distinct subcultural or contra cultural value systems.. Delinquent youth were neither compelled nor committed to their delinquent actions, but were simply less receptive to other more conventional traditions. Thus, delinquent youth were "drifting" between criminal and non-criminal behaviour, and were relatively free to choose whether to take part in delinquency.

3.6.9 Rational Choice Theory

This grew out of the expected utility principle in economic theory, that is people will make rational decisions based on their expectations for profit maximisation and the minimisation of losses. To that extent, it fits the model of utilitarianism as proposed by the Classical School, but its implications are doubted by the Neo-Classical School.

3.7 COMPLEXITY OF CRIME IN MODERN TIMES

Initial studies compared homicide statistics between states using and not using capital punishment, and found no evidence of deterrence (Bailey & Peterson). Studies then tested certainty as against severity of punishment, e.g. Erickson (1977). The research methodologies used are either the analysis of Official Statistics for objective indicators of correlations, and attitudinal interviews and questionnaires for subjective indicators (potential criminals will not be deterred unless they understand how the criminal justice system works). The research finds that the majority conform to the law because they subscribe to the social and moral values represented by the law (i.e. the process of socialisation is effective).

Hence, at best, the threat of punishment has a not statistically insignificant effect on reported crime and the empirical evidence in support of deterrence is very limited. Raymond Paternoster's work demonstrates that the only statistically significant data emerges from experiential studies among those who have been through the criminal justice system (i.e. specific deterrence), but that this data on its own cannot validate general deterrence.

He also finds no evidence that formal social controls are effective. Some informal social negative consequences such as the disapproval of family, loss of reputation, possible loss of employment, etc., are more significant. There is also strong evidence that increasing the rewards of conformity by providing better employment opportunities at realistic rates of pay can achieve comparable deterrent effect by giving potential offenders more to lose (Tierney: 1996, 277).

Self Assessment Questions

1) What are different schools of thought related to criminology? Explain.

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2) Discuss the various theories associated with criminology? Elaborate each one of them.

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3) What do you understand by Chicago school of thought and Neo- classic school of thought?

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4) Elaborate in detail the following:

   a) Strain theory

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   b) Social disorganisation

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   c) Drift theory

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   d) Complexity of crime in modern times

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3.8   LET US SUM UP

In this unit we have learnt about the definition and description of crime and the various factors that go to make an act a crime. As for example we talked about harm, maladaptive intention etc. We then dealt with in detail the various schools of thought explaining crime and criminal behaviour. Starting from the demenological school of thought to free will school, geographical school, and the Chicago school of thought etc. We then took up the traditional and modern schools of thought in regard to crime and criminal behaviour. In this we talked about the social structure theory, social disorganisation, social ecology , strain theory and subcultural theory. We also pointed out how each school of thought had some defect and could not fully explain crime and criminal behaviour. Then we dealt with individual theoris of crime and criminal behaviour and pointed out the trait theories, symbolic interactionism, neo classical, social control theory and the drift theory and the rational choice theory. Then we discussed the complexity of crime in modern times.

3.9   UNIT END QUESTIONS

1)   Define and elaborate on crime and criminal behaviours

2)   When do you think an act will be considered as a crime? What factors determine the same?

3)   Discuss the Demonological and Free will schools of thought in describing crime.

4)   How do classical school and the Chicago school explain criminal behaviour?

5)   Discuss the socialistic and sociological schools of thought in detail regarding criminal Behaviour.

6)   How do traditional and modern theories differ from the classical theories? Discuss critically.

7)   What are individual theories and how do they explain criminal behaviour?

8)   Elucidate the complexity of crime in the modern times.

3.10   GLOSSARY

Penalties	:	Punishment imposed for breaking a law, rule or contract.
Deviant behaviour	:	Diverging from usual or accepted standards, esp. in social or sexual behaviour.
Violates	:	Break or fail to comply with
Law enforcement	:	Ensuring obedience to the laws.
Breach	:	The Act or the result of breaking
Conviction	:	A fixed or firm belief
Offences	:	A violation or breaking of a social or moral rule
Infractions	:	Breach, violation
Forbidden	:	To command (a person) not to do something.

Probity	:	Integrity and uprightness
Malafide	:	Bad faith, intend to deceive
Concurrence of intention	:	Agreeing or consistent
Revitalisation	:	Give new life
Criminogenesis	:	Likely to cause criminal behaviour
Satan	:	Devil
Retributive Punishment:		A punishment inflicted as a vengeance for a wrong or criminal Act
Penology	:	The study of the punishment of crime and of prison management
Punishment	:	The action of punishing or the state of being punished

3.11 SUGGESTED READINGS

Ahuja , Ram (2000). *Criminology*. Rawat Publications, New Delhi

Sharma, Rajender Kumar (1999) Criminology and Penology. H B Books, New Delhi.