Chapter 3
Explaining Crime
Chapter Objectives

After completing this chapter, you should be able to:

- Define criminological theory.
- State the causes of crime according to classical and neoclassical criminologists.
- Describe the biological theories of crime causation and their policy implications.
- Describe the different psychological theories of crime causation and their policy implications.
Chapter Objectives

- Explain sociological theories of crime causation and their policy implications.
- Distinguish major differences among classical, positivist, and critical theories of crime causation.
- Describe how critical theorists would explain the causes of crime.
Several theories attempt to explain criminal behavior.

Some theories assume:
- Crime is part of human nature.
- Crime is based on biological, psychological, sociological, and/or economic aspects.
Theory

- A theory is an assumption that attempts to explain why or how things are related to each other.

- A theory of crime attempts to explain why or how a certain thing is related to criminal behavior.
Most of what is done in criminal justice is based on criminological theory.

Failure to understand these theories leads to:
- Problems that may undermine the success of criminal justice policies.
- Intrusion on people’s lives without good reason.
Criminological Theory

The explanation of criminal behavior

The behavior of:
- Police
- Attorneys
- Prosecutors
- Judges
- Correctional personnel
- Victims
- Other actors in the criminal justice system
The causes of crime have been the subject of much speculation, theorizing, research, and debate.

Theories about the causes of crime are based on:
- Religion
- Philosophy
- Politics
- Economic
- Social forces
One of the earliest secular approaches to explaining the causes of crime was **classical theory**.

**Classical Theory:**
- Is based on the assumption that people exercise free will and are thus completely responsible for their actions.
- Criminal behavior is motivated by a hedonistic rationality, in which actors weigh the potential pleasure of an action against the possible pain associated with it.
In 1764, criminologist Cesare Beccaria wrote *An Essay on Crimes and Punishments*, which set forth most of classical criminological theory.

He argued that the only justified rationale for laws and punishments was the principle of utility.

**Utility:** The principle that a policy should provide “the greatest happiness shared by the greatest number.”
Beccaria believed the basis of society, as well as the origin of punishments and the right to punish, is the **social contract**.

**Social Contract**: An imaginary agreement to sacrifice the minimum amount of liberty to prevent anarchy and chaos.
The only legitimate purpose of punishment is special deterrence and general deterrence.

- **Special or Specific Deterrence**: The prevention of individuals from committing crime again by punishing them.
- **General Deterrence**: The prevention of people in general or society at large from engaging in crime by punishing specific individuals and making examples of them.
Beccaria also believed the best way to prevent or deter crime was to:

- Enact laws that are clear, simple, and unbiased, and that reflect the consensus of the population.
- Educate the public.
- Eliminate corruption from the administration of justice.
- Reward virtue.
The main real-world drawbacks of Beccaria’s theory are:

- Not all offenders are alike
  - juveniles are treated the same as adults
- Similar crimes are not always as similar as they might appear
  - first-time offenders are treated the same as repeat offenders
Neoclassical Theory

- Classical theory was difficult to apply in practice.
- It was modified in the early 1800s and became known as **neoclassical theory**.
  - **Neoclassical Theory**: conceded that certain factors, such as insanity, might inhibit the exercise of free will.
Neoclassical Theory

- Neoclassical theory introduced the idea of:
  - Premeditation as a measure of the degree of free will.
  - Mitigating circumstances as legitimate grounds for diminished responsibility.
Classical and Neoclassical Theory

- Classical and neoclassical theory are the basis of the criminal justice system in the United States.

- A more modern version of this theory, called rational choice theory, is probably a reaction to the allegation that criminologists have failed to discover the causes of crime.
Positivist Approaches to Explaining Crime

- The theory of the positivist school of criminology grew out of positive philosophy and the logic and methodology of experimental science.

- Human beings were beginning to be understood not as free-willed, self-determining creatures who could do anything that they wanted to do, but rather as beings whose actions were determined by biological and cultural factors.
The key assumptions of the positivist school of thought are:

- Human behavior is determined and not a matter of free will.
- Criminals are fundamentally different from noncriminals.
- Social scientists can be objective in their work.
- Crime is frequently caused by multiple factors.
- Society is based on consensus, but not on a social contract.
The problems with positivist assumptions are that they:

- Account for too much crime; do not explain exceptions well.
- Ignore the process by which behaviors are made illegal.
- Assume that most people agree about most things most of the time.
- Believe that action is determined by causes independent of a person’s free will.
- Believe that social scientists can be objective in their work.
Biological theories of crime causation (biological positivism) are based on the belief that criminals are physiologically different from noncriminals.

The cause of crime is **biological inferiority**.
Criminal anthropology is associated with the work of Cesare Lombroso, who published his theory of a physical criminal type in 1876.
Lombroso’s theory consisted of the following propositions:

- Criminals are, by birth, a distinct type.
- That type can be recognized by physical characteristics, or stigmata, such as:
  - enormous jaws
  - high cheekbones
  - insensitivity to pain
The criminal type is clearly distinguished in a person with more than five stigmata, perhaps exists in a person with three to five stigmata, and does not necessarily exist in a person with fewer than three stigmata.

Physical stigmata do not cause crime; they only indicate an individual who is predisposed to crime.

Such a person is either an atavist or a result of degeneration.
Because of their personal natures, such persons cannot desist from crimes unless they experience very favorable lives.

The major problem with Lombroso’s criminal anthropology is the assumption that certain physical characteristics are indicative of biological inferiority.
Body-type theory is an extension of Lombroso’s criminal anthropology, developed by Ernst Kretschmer and later William Sheldon.

It says that human beings can be divided into three basic body types, or somatotypes:
- Endomorphic (soft, fat)
- Mesomorphic (athletically built)
- Ectomorphic (tall, skinny)
Sheldon found that delinquents were more mesomorphic than nondelinquents, and serious delinquents were more mesomorphic than less severe delinquents.

Sheldon studied 200 Boston delinquents between 1939 and 1949.
Heredity Studies

- Studies have attempted to determine if criminality is hereditary by studying:
  - Family trees.
  - Statistical comparisons.
  - Identical and fraternal twins.
  - Adopted children.

- All of these methods fail to prove that criminality is hereditary, because they cannot separate hereditary influences from environmental influences.
Ongoing research has revealed numerous biological factors associated either directly or indirectly with criminal or delinquent behavior:

- Chemical, mineral, and vitamin deficiencies in the diet.
- Diets high in sugar and carbohydrates.
- Hypoglycemia.
- Ingestion of food dyes and lead.
- Exposure to radiation.
- Brain dysfunctions.
The limbic system is a structure surrounding the brain stem that is believed to moderate expressions of violence.

**The Limbic System controls:**

- the life functions of heartbeat, breathing, and sleep
- Also possibly moderates expressions of violence, anger, rage, fear, and sexual response
The Limbic System

- Hypothalamus
- Hippocampus
- Amygdala
- Pituitary
Modern Biocriminology

- Violent criminal behavior has also been linked to disorders in other parts of the brain.

- Recent evidence suggests that chronic violent offenders have much higher levels of brain disorder than the general population.
Some criminal behaviors are believed to be influenced by low levels of brain neurotransmitters (the substances brain cells use to communicate).

Low levels of serotonin have been found in impulsive murderers and arsonists.

Norepinephrine may be associated with compulsive gambling.

Cocaine increases the level of dopamine, which activates the limbic system to produce pleasure.
Research on minimal brain damage has found that it increases an individual’s chances of being identified as delinquent.

Minimal brain damage is believed to be most commonly caused by:
- nutritional or oxygen deficiencies during pregnancy, or during or shortly after birth
- or by insufficient protein and sensory stimulation during a child’s formative years
Criminal behaviors have also been associated with hormone abnormalities, especially those involving:
- Testosterone (a male sex hormone).
- Progesterone and estrogen (female sex hormones).

Administering estrogen to male sex offenders has been found to reduce their sexual drives.
Biology or genetics gives an individual a predisposition to behave in a certain way.

Whether a person actually behaves in that way and whether that behavior is defined as a crime depend on environmental or social conditions.

Today, most criminologists believe that criminal behavior is the product of a complex interaction between biology and environmental or social conditions.
Psychological Theories

There are many theories regarding psychological causes of crime, including:
- Intelligence and crime.
- Psychoanalytic theories.
- Humanistic psychological theory.
Intelligence and Crime

- The idea that crime is the product primarily of people of low intelligence has been popular occasionally in the United States.
- A study in 1931 showed no correlation between intelligence and criminality.
Psychoanalytic theories of crime causation are associated with the work of Sigmund Freud who suggested that crime may be a symptom of more deep-seated problems.
Psychoanalytic Theories

- Freud believed that some people with unresolved deep-seated problems were psychopaths.

- Psychopaths:
  - Persons characterized by no sense of guilt, no subjective conscience, and no sense of right and wrong.
  - They have difficulty in forming relationships with other people.
  - They cannot empathize with other people.
  - They are also called sociopaths or antisocial personalities.
## Characteristics of the Psychopath

### Table 3.2 Characteristics of the Psychopath

1. Superficial charm and good “intelligence.”
2. Absence of delusions and other signs of irrational “thinking.”
3. Absence of “nervousness” or psychoneurotic manifestations.
4. Unreliability.
5. Untruthfulness and insincerity.
6. Lack of remorse or shame.
7. Inadequately motivated antisocial behavior.
8. Poor judgment and failure to learn by experience.
10. General poverty in major affective reactions.
11. Specific loss of insight.
12. Unresponsiveness in general interpersonal relations.
13. Fantastic and uninviting behavior, with drink and sometimes without.
14. Suicide rarely carried out.
15. Sex life impersonal, trivial, and poorly integrated.
16. Failure to follow any life plan.
The principal policy implication of considering crime symptomatic of deep-seated problems is to provide psychotherapy or psychoanalysis in order to resolve the symptoms associated with the problems.
Problems with the idea that criminals are psychologically "sick" are:

- The bulk of the research on the issue suggests that most criminals are no more disturbed than the rest of the population.
- Many people with psychological disturbances do not commit crimes.
- Psychoanalytic theory generally ignores the environmental circumstances.
- Much of its theoretical structure is scientifically untestable.
Abraham Maslow and Seymour Halleck developed theories similar to Freud’s but based on the assumption that human beings are basically good.

- **Maslow** believed that human beings are motivated by five basic levels of needs, and that people choose crime because they cannot (or will not) satisfy their needs legally.

- **Halleck** views crime as one of several adaptations to the helplessness caused by oppression.
Neither Maslow nor Halleck asks these basic questions:
- Why can’t people satisfy their basic needs legally, or why do they choose not to?
- Why don’t societies ensure that basic needs can be satisfied legally so that the choice to satisfy them illegally makes no sense?
Why does society oppress many people, and why aren’t more effective measures taken to greatly reduce that oppression?
Sociological Theories

- Sociologists emphasize that human beings live in social groups and that those groups and the social structure they create influence behavior.

- Most sociological theories of crime causation assume that a criminal’s behavior is determined by his or her social environment and reject the notion of the born criminal.
Many sociological theories of crime causation stem from the work of Emile Durkheim who rejected the idea that the world is simply the product of individual actions.

- Social laws and institutions are “social facts” and all people can do is submit to them.
Durkheim argued that crime is also a social fact.

The cause of crime is anomie:

- The dissociation of the individual from the collective conscience, or the general sense of morality of the times.

Crime is functional for society and marks the boundaries of morality.

He advocated containing crime within reasonable boundaries.
In the 1920s, a group of sociologists known as the Chicago School attempted to uncover the relationship between a neighborhood’s crime rate and the characteristics of the neighborhood.
The Chicago School described American cities in ecological terms, saying growth occurs through a process of:

- **Invasion:** A cultural or ethnic group invades a territory.
- **Domination:** The group dominates that territory.
- **Succession:** The group is succeeded by another group and the cycle repeats itself.
Other studies found that neighborhoods that experienced high delinquency rates also experienced **social disorganization**.

**Social Disorganization:** The condition in which:
- the usual controls over delinquents are largely absent,
- delinquent behavior is often approved of by parents and neighbors,
- there are many opportunities for delinquent behavior,
- and there is little encouragement, training, or opportunity for legitimate employment.
One of the problems with the theory of the Chicago School is the presumption that social disorganization is a cause of delinquency.

Both social disorganization and delinquency may be the product of other, more basic factors (for example, the decisions made by political and economic elites).
Robert Merton in 1938 wrote about a major contradiction in the U.S. between cultural goals and social structure. He called the contradiction anomie.
Merton argued that the limited availability of legitimate institutionalized means to wealth puts a strain on people.

People adapt through:

- **Conformity**—playing the game.
- **Innovation**—pursuing wealth by illegitimate means.
Anomie or Strain Theory

- **Ritualism**—not actively pursuing wealth.

- **Retreatism**—dropping out.

- **Rebellion**—rejecting the goal of wealth and the institutional means of getting it and substituting a different goal and means.
## Table 3.4 Merton’s Typology of Modes of Individual Adaptation

<table>
<thead>
<tr>
<th>Modes of Adaptation</th>
<th>Culture Goals</th>
<th>Institutional Means</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Conformity</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>II. Innovation</td>
<td>+</td>
<td>–</td>
</tr>
<tr>
<td>III. Ritualism</td>
<td>–</td>
<td>+</td>
</tr>
<tr>
<td>IV. Retreatism</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>V. Rebellion</td>
<td>±</td>
<td>±</td>
</tr>
</tbody>
</table>

Note: + signifies “acceptance,” − signifies “rejection,” and ± signifies “rejection of prevailing values and substitution of new values.”
In the mid-1950s, Albert K. Cohen adapted Merton’s anomie or strain theory to explain gang delinquency.
Anomie or Strain Theory

- Juveniles unable to achieve status through socially acceptable means either:
  - Conform to middle-class values and resign themselves to their inferior status, or
  - Rebel and establish their own value structures, then find others like themselves and form groups to validate and reinforce the new values.
Richard Cloward and Lloyd Ohlin further argued that the type of adaptation made by juvenile gang members depends on the illegitimate opportunity structure available to them.

They identified three gang subcultures:

- **Criminal**—formed to make money.
- **Violent**—formed to vent anger if they can’t make money.
- **Retreatist**—formed by those who can’t join the other gangs, and become alcoholics and drug addicts.
Gabriel Tarde was one of the first theorists to believe that crime was something learned by normal people as they adapted to other people and the conditions of their environment.

Writing in *Penal Philosophy* in 1890, Tarde viewed all social phenomena as the product of *imitation or modeling*. 
Learning Theories

- **Edwin H. Sutherland**, in his theory of **differential association**, was the first 20th century criminologist to argue that criminal behavior was learned.

  - **Differential Association**: persons who become criminal do so because of contacts with criminal patterns and isolation from anticriminal patterns.

- This theory, modified, remains one of the most influential theories of crime causation.
Sutherland’s theory was modified by several researchers and became generally known as **learning theory**.

**Learning Theory**: A theory that explains criminal behavior and its prevention with the concepts of:

- positive reinforcement,
- negative reinforcement,
- extinction,
- punishment, and
- modeling or imitation.
Learning theory argues that people commit crimes because they get positive reinforcement or negative reinforcement.

- **Positive Reinforcement**: The presentation of a stimulus that increases or maintains a response.
- **Negative Reinforcement**: The removal or reduction of a stimulus whose removal or reduction increases or maintains a response.
According to learning theory, criminal behavior is reduced, but not eliminated, through extinction or punishment.

- **Extinction**: A process in which behavior that previously was positively reinforced is no longer reinforced.

- **Punishment**: The presentation of an aversive stimulus to reduce a response.
Among the policy implications of learning theory is to punish criminal behavior effectively, according to learning theory principles.

This is not done effectively in the United States.
- Chances of a prisoner escaping are great.
- Probation does not function as an aversive stimulus.
- Most offenders are not incarcerated.
- Punishment is not consistent and immediate.
- Offenders are generally returned to the environments in which their crimes were committed.
- There is no positive reinforcement of alternative, prosocial behaviors.
The key question in **social control theory** is not why people commit crime and delinquency, but rather why don’t they? Why do people conform?
Social Control Theories

The most detailed elaboration of modern social control theory is attributed to Travis Hirschi who wrote the 1969 book, *Causes of Delinquency.*
Hirschi argued that delinquency should be expected if a juvenile is not properly socialized by establishing a strong bond to society, consisting of:

- **Attachment** to others
- **Commitment** to conventional lines of action
- **Involvement** in conventional activities
- **Belief** in the moral order and law
More recently, Hirschi wrote with Michael Gottfredson that the principal cause of deviant behaviors is ineffective child rearing, which produces people with low self-control.
Caning in Singapore

The rattan cane is 1.2 meters long and 13 mm thick.

Padding to protect kidney area

Prison officer

The minimum legal age for caning is 16.
The maximum number of strokes allowed is 24.
Critical Approaches to Explaining Crime

- Critical theories grew out of the changing social landscape of the American 1960s.

- Critical theories assume that human beings are the creators of institutions and structures that ultimately dominate and constrain them.

- Critical theories assume that society is characterized primarily by conflict over moral values.
Labeling Theory

- The focus of labeling theory is the **criminalization process** rather than the positivist concern with the peculiarities of the criminal.

- Labeling theory argues that once a person commits a first criminal act, s/he may be **labeled** negatively as a criminal.

- The label may become a self-fulfilling prophecy.
A policy implication of labeling theory is simply not to label, through:

- **Decriminalization**—The elimination of behaviors from the scope of criminal law.
- **Diversion**—Removing offenders from the criminal justice process.
- **Greater due-process protections**—Replacing discretion with the rule of law.
- **Deinstitutionalization**—Reducing jail and prison populations.
Labeling Theory

- An alternative policy is reintegrative shaming:
  - Disappointment is expressed for the offender’s actions.
  - The offender is shamed and punished.
  - Then the community makes a concerted effort to reintegrate the offender back into society.
Conflict Theory

- **Conflict theory** assumes that society is based primarily on conflict between competing interest groups.

  - For instance:
    - the rich against the poor
    - management against labor
    - whites against minorities
    - men against women
    - adult against children
Conflict Theory

- A theory that assumes that society is based primarily on conflict between competing interest groups.

- Criminal law and the criminal justice system are used to control subordinate groups.

- Crime is caused by relative powerlessness.
According to conflict theory, criminal law and the criminal justice system are used by dominant groups to control subordinate ones.

All behavior occurs because people act in ways consistent with their social positions.

Subordinate groups appear in official criminal statistics more frequently because dominant groups have control over the definition of criminality.
Conflict Theory

- The amount of crime in a society is a function of the extent of conflict generated by **power differentials**:
  - The ability of some groups to dominate other groups in a society.

- Crime is caused by relative **powerlessness**:
  - The inability to dominate other groups in society.
Conflict Theory

- **Policy implications** of conflict theory are:
  - To redistribute power and wealth through a more progressive tax system or limitation of political contributions, for example.
  - For dominant group members to become more effective rulers and subordinate group members better subjects.
Radical Theory

- **Radical theories** argue that capitalism requires people to compete against each other in the pursuit of material wealth.

- The more unevenly wealth is distributed, the more likely people are to find persons weaker than themselves that they can take advantage of in their pursuit of wealth.
Radical Theory

- Radical theory defines crime as a violation of human rights.
- Under a radical definition of crime:

<table>
<thead>
<tr>
<th>Would not be crimes</th>
<th>Would be crimes</th>
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<tbody>
<tr>
<td>Prostitution</td>
<td>Racism</td>
</tr>
<tr>
<td>Gambling</td>
<td>Sexism</td>
</tr>
<tr>
<td>Drug use</td>
<td>Imperialism</td>
</tr>
</tbody>
</table>
The policy implications of radical theory include:
- Demonstrating that the current definition of crime supports the ruling class.
- Redefining crime as a violation of human rights.
- Creation of a benevolent socialist society in which the economy is regulated to promote public welfare.
Figure 3.4
Distribution of Financial Wealth in the United States, 2007

Criticisms of radical theory include:

- The radical definition of crime as a violation of human rights is too broad and vague.
- The adherents of radical theory are pursuing a political agenda.
- Its causal model is wrong.
- It has not been tested satisfactorily and it cannot be tested satisfactorily.
Other Critical Theories

- New critical theories of crime causation include:
  - British or Left Realism.
  - Peacemaking criminology.
  - Feminist theory.
  - Postmodernism.
Many critical criminologists focus on crimes committed by the powerful.

In the mid-1980s a group of social scientists in Great Britain, known as **left realists**, began focusing on crime by and against the working class.

**Left realists want to:**
- give more power to police to combat crime, but
- also want to make the police more accountable for their actions.

Left realists argue that critical criminologists need to redirect their attention to the fear and the very real victimization experienced by working-class people.
Peacemaking Criminology

- Peacemaking criminology:
  - Mixture of anarchism, humanism, socialism, and Native American and Eastern philosophies.
  - Rejects the idea that criminal violence can be reduced by state violence.
  - Peacemaking criminologists believe that reducing suffering will reduce crime.
Peacemaking Criminology

- An approach that suggests that the solution to all social problems, including crime, is:
  - the transformation of human beings
  - mutual dependence
  - reduction of class structures
  - the creation of communities of caring people
  - universal social justice
Feminist Theory

- Feminist theory looks at crime from a feminine perspective.
- Focuses on women’s experiences and seeks to abolish men’s control over women’s labor and sexuality.
- The focus is on three areas of crime and justice:
  - The victimization of women.
  - Gender differences in crime.
  - Gendered justice (differing treatment of female and male offenders and victims by the criminal justice system).
The principal goal of most feminist theory is to abolish patriarchy.

Criticisms of feminist theory include:
- The failure to appreciate differences between women.
- A contradictory position regarding police.
Postmodernism
grew out of the 1960s as a rejection of the Enlightenment belief in scientific rationality as the route to knowledge and progress.

Postmodernism attempts to:
- understand the creation of knowledge
- how knowledge and language create hierarchy and domination
Postmodernism

- Postmodernist criminologists argue that interpretations of the law are dependent on the particular social context in which they arise.
- They would change the criminal justice apparatus with informal social controls.