CRIME AND DEVIANCE

DEFINITIONS OF CRIME AND DEVIANCE

DEFINING CRIME AND DEVIANCE

- **A crime is an illegal act** that is punishable by law. If a person commits a crime and is detected, they could be arrested, charged and prosecuted. If found guilty, they will receive a sentence such as a community order, fine or imprisonment. Some illegal acts are not necessarily seen as deviant. For example, parking cars on double yellow lines or using a mobile phone whilst driving, even though these activities are against the law.

- **Deviance refers to behavior that does not conform to a society's norms or rules**. If a person behaves in a way that is seen as deviant and this is discovered, it could lead to negative sanctions such as being told off, ignored or ridiculed. Some, but not all, deviant acts are also illegal. **Legal deviance is behavior that is seen as 'abnormal' by most people in a society but it does not break the law.**

DEVIANCE AS SOCIALLY DEFINED

Many sociologists argue that while **crime involves legally defined behavior**, **deviance is socially defined.**

Whether an act is considered deviant or not depends on how people view and label the act. This means that deviance is judged according to the social setting or the context in which it takes place.

Historical evidence suggests that what is considered as deviant can change over time. E.g. attitudes to smoking and to homosexuality have changed in Britain post World War II.

Cross-cultural evidence suggests that what is seen as deviant can vary across cultures. E.g. differing attitudes as to what is acceptable for women to wear and what is seen as appropriate within their group or society.

Both historical and cross-cultural evidence also suggest that what is classed as criminal behavior can change over time and vary between cultures. E.g. alcohol consumption was illegal in 1920s America and is still restricted in some countries today.

INFORMAL/FORMAL SOCIAL CONTROL

Formal social control is based on written rules that are set out in laws or in codes of conduct. It is the control of people's behavior that is based on written laws and rules. It is usually associated with the ways in which the state regulates and controls people's behavior through, for example, the police force, the courts and prisons.

Agencies of social control are the various groups (such as peer groups) and organizations (such as the police force) in society that control or constrain people's behavior and actions. Agencies of formal social control are bodies that make the formal written rules, enforce them or punish people who break them.

Informal social control is based on unwritten or 'taken-for-granted' rules and is enforced through social pressure from groups such as families, friends or beers. It is the control of people's behavior that is based on social processes such as the approval or disapproval of others.

One way which individuals are encouraged to conform to informal social rules is through peer pressure when a group exerts social pressure on its members to conform the group's norms. Another way is through the rewards and punishments that some parents use to encourage their children to behave appropriately.

KEYWORDS

- **Agencies of social control**: the groups and organizations in society that control or constrain people's behavior and actions
- **Crime**: an illegal act which is punishable by law
- **Deviance**: behavior which does not conform to society's norms and values and, if detected, is likely to lead to negative sanctions. Deviance can be – but is not necessarily - illegal
- **Formal social control**: control of people's behavior based on written laws and rules. Formal social control is usually associated with the ways the state regulates and controls our behavior. The agencies of formal social control include the police force, courts and prisons
- **Informal social control**: control of people's behavior based on social processes such as the approval or disapproval of others. Informal social control is enforced via peer pressure. The agencies of informal social control include peer groups and families
- **Negative sanctions**: sanctions that punish those who do not conform to the group's expectations, for example by ignoring them
- **Peer group**: a group of people who share a similar status and position in society, such as people of a similar age, outlook or occupation
- **Peer pressure**: the social pressure that a peer group puts on its members to encourage them to conform to the group's norms
- **Positive sanctions**: sanctions that reward those who behave according to the groups' expectations, for example through praise
- **Social order**: this occurs when society is stable, ordered and runs smoothly without continual disruption

DIFFERENT EXPLANATIONS OF CRIME & DEVIANCE

EXPLAINING CRIME AND DEVIANCE

There are several different sociological explanations for criminal and deviant behavior which focus on social factors.

- **Inadequate socialization within families**
  o This is an explanation of young people's involvement in crime and deviance. It highlights the negative influence of home environment and the failure of parents to socialize their children adequately. New Right approaches argue that children whose parents fail to take responsibility for socializing them to accept society's norms and values correctly are more prone to crime.
- **Sub-cultural theories**
  o Sub-cultural theories explain crime and deviance in terms of the values of a particular subculture and the influence of the peer group. Young males in particular learn such deviant behavior by joining a peer group/gang where deviant behavior is the norm such as vandalism or joyriding. Albert Cohen, a sub-cultural theorist, argued that working-class boys joined delinquent subcultures to gain status within their peer group.

- **Relative deprivation**
    o People feel relatively deprived when they seem themselves as badly off relative to the living standards of the particular group that they may compare themselves to. For example, a bank clerk who wants a mansion with a pool like that owned by their regional manager may commit fraud to acquire the necessary funds because they could never afford it any other way.
- **Marxist explanations**
    o This approach links crime to social inequalities that are built into capitalism. In a capitalist society, not everyone can gain wealth and status so some people commit crime to acquire the consumer goods and material possessions that others have and that the media promotes. The Marxist approach is the belief that the legal system operates in favour of the rich. For example, rich people who commit expense account fraud or tax evasion are less likely to be convicted than working-class people who commit benefit fraud.
- **Labeling theory**
    o Labeling theory explores how and why some people become labeled as deviant or criminal. Cicourel, a phenomenologist, argued that a delinquent is someone who has been labeled as such. Being labeled deviant/criminal may result from the reaction of other people (such as the police) and may not be entirely due to an individual's actions or behavior. Labeling someone may help to create a self-fulfilling prophecy by pushing that person further towards deviance/crime.

IN A DEVIANT SUBCULTURE, THE GROUP MEMBERS' BEHAVIOR DOES NOT CONFORM TO SOCIETY'S NORMS.

Sub-cultural theory links crime and deviance among some teenagers to the values of their subculture. In the 1950s, Albert Cohen argued that young males learned to become delinquents by joining gangs in which delinquency already existed. Cohen linked delinquency to status frustration at school. These boys gained status through their delinquent subculture rather than from doing well at school.

On the other hand, the Marxist approach links crime to the workings of capitalist society. Labeling theory also disagrees with the sub-cultural theory and agrees that working-class boys may end up labeled as criminals because of the reactions and stereotypes of people such as probation officers, police offers or teachers. Middle-class teenagers who behave in the same way often avoid being labeled.

Conclusively, sub-cultural theorists would agree that teen crime and deviance is linked to membership of deviant subcultures. Marxist approaches put more emphasis on capitalism and labeling theory puts more emphasis on labeling and stereotyping of teenagers. However, sociologists would all agree that teenage crime and deviance results from social factors rather than from biological or psychological factors.

KEYWORDS

- **Relative deprivation**: this occurs when individuals or groups feel that they are badly off in relation to the living standards of their peers
- **Status**: refers to social positions linked to occupations and families. Can also refer to the amount of prestige/social standing that an individual in a particular social position is given by other members of the group or society

- **Status frustration**: Albert Cohen argued that working-class boys experience status frustration when they try – but fail – to meet middle-class expectations at school
- **Stereotype**: a fixed, standardized and distorted view of the characteristics of a particular group which are often based on prejudice
- **Subculture**: a social group which differs from the dominant/main culture in terms of its members' values, beliefs, customs, language, dress or diet and so on
- **Wealth**: ownership of assets such as property, land and works of art as well as money held in savings accounts and shares in companies

SOURCES OF STATISTICAL DATA ON THE EXTENT OF CRIME

The two main measures of crime levels in Britain are:

- Official statistics of crimes recorded by the police
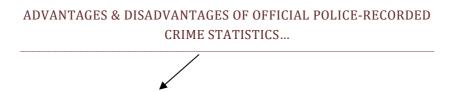- Surveys of the public such as victim surveys and self-report studies

OFFICIAL STATISTICS OF CRIMES RECORDED BY THE POLICE

These are an important secondary source of quantitative data. Police recorded crime statistics exclude the 'hidden figure' of crime including unreported and unrecorded crime.

The following reasons for this are:

- **Some crimes are not witnessed/discovered**. For example, white-collar crimes such as fraud or misuse of expense accounts may not be discovered
- Some crimes that are witnessed or discovered are **not reported to the police**
  - **Less serious crimes** such as vandalism tend to be under-reported while most car theft is reported, probably for insurance purposes
  - People tend not to report crimes they see as **private**
  - Victims might not report a crime such as sexual assault because they **feel that the police will handle it insensitively**
  - **Employers might not report crimes that their employees commit.** For example, if company directors discover that one of their managers had stolen company funds, they may not report it to the police in order to avoid negative publicity. Such white-collar crime is under-represented in police-recorded crime statistics.
- **The police do not necessarily record all crime that is reported to them**
  - They may see the crime as **too trivial to record**
  - They may **doubt the complainant's report**
  - They may have **insufficient evidence** that a crime has actually been committed

Sociologists argue that police recorded crime stats are 'socially constructed'. This means that the stats are the outcome of the decisions and choices made by the people, such as witnesses, victims or police officers, who are involved in their construction.

Advantages

- **Readily available and cheap** source of secondary data
- Provide **a wealth of statistical information** on recorded crime rates
- Possible to **identify long-term trends** in recorded crime rates

Disadvantages

- Based on recorded crimes and **exclude crimes that are not discovered, reported or recorded**
- Are socially constructed and therefore **do not provide a valid or true picture of crime levels**

VICTIM SURVEYS

Victim surveys ask people about their experiences of crime.

The British Crime Survey (BCS), for example, measures crime via surveys with large samples of households in England and Wales. It interviews people about whether they have been a victim of particular offences during the last year, and if so, whether they reported the crimes to the police.

Victim surveys indicate that many victims do not report crimes to the police. This under-reporting helps to explain why the police-recorded crime statistics are lower than the estimated statistics based on victim surveys.

ADVANTAGES & DISADVANTAGES OF OFFICIAL VICTIM SURVEYS...

Advantages

- Provide statistical information on some **crimes that are not reported to the police**
- Provide **valuable information about people's experiences** of crime
- BCS is carried out each year so it provides **useful info on trends over time**

Disadvantages

- Surveys such as BCS **do not cover all crimes**. E.g. they exclude 'victimless' crimes
- BCS is a household survey so it **does not question homeless people or those who live in institutions**
- **Respondents may not tell the truth** about their experiences of being a victim of a crime

SELF-REPORT STUDIES

Self-report studies ask people to reveal offences they have committed.

The Offending, Crime and Justice Survey (OCJS), for example, is a longitudinal study that measures the extent of self-reported offending, drug use and antisocial behavior in England & Wales, particularly among 10-25 year olds.

The 2004 OCJS interviewed around 5000 young people about their involvement in various offences during the previous year. Each interview lasted for around one hour. Interviewees listened to the more sensitive questions via headphones and entered their answers on a laptop without the interviewer's help. By asking people to disclose offences they have committed, the OCJS provides information on offenders and offences that are not necessarily dealt with by official agents of formal social control.

ADVANTAGES & DISADVANTAGES OF SELF-REPORT STUDIES…

Advantages

- **Provides information on offenders** who are not necessarily dealt with by police or courts
- **Provides information on offences** which are not necessarily dealt with by police or courts

Disadvantages

- The OCJS is a household survey so **does not question homeless people or people who live in institutions**
- **Respondents may not tell the truth** about their involvement in crime. E.g. they may exaggerate/may not admit to some offences

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KEYWORDS

- **Official statistics**: Existing sources of quantitative data compiled by government agencies such as the Home Office
- **Self-report study**: a survey that asks respondents whether they have committed particular offences during a specified time period such as the last year. Such studies provide information on offenders and offences that are not necessarily dealt with by the police or courts
- **Social construction**: this term is often used in relation to age, gender and race and reflects the idea that, rather than being rooted in biology or nature, these are created by society or culture
- **Victim survey**: a study which asks respondents about their experiences of crime, whether they have been victims of particular offences during a specified time period such as the last year and, if so, whether they reported the crimes to the police
- **White-collar crime**: this term refers broadly to crimes committed by people in relatively high status positions, such as accountants, doctors or solicitors, during their work. Examples include tax evasion and fiddling expense accounts at work

THE SOCIAL DISTRIBUTION OF CRIME

Official statistics suggest that members of some social groups are more likely to commit crime than others. There are links between involvement in crime and social factors such as age, gender and locality.

AGE & CRIME

Official statistics indicate that younger people, particularly young men, are more likely to engage in crime than older people.

Possible explanations for this include **peer group pressure and sub-cultural influences.**

GENDER & CRIME

Official statistics suggest that, generally, more men than women commit crime. Only 20% of people found guilty of/cautioned for serious offences are women.

Possible explanations for this could include gender socialization processes, gender differences in opportunities to become involved in crime and the chivalry effect that operates during legal processes such as reporting, police response, trial and sentencing.

The number of female offenders in the UK, however, appears to be increasing.

- This may be due partly to **changes in the social position of women** who now have **similar opportunities** to men to act illegally.
- Another explanation of the increase relates to **changing attitudes to gender**. Shifts in attitudes may mean that **women are no longer subject to the chivalry effect** within the criminal justice system.

Some sociologists argue that women are less likely to commit crimes than men because of gender socialization. Males are often under peer pressure to act in masculine ways. This could lead to alcohol-related violence and conflict with the police.

Other sociologists argue that females have fewer opportunities to commit crime. Girls, for example, are often supervised more closely than boys.

Another view is that female offenders who conform to gender stereotypes (e.g. wearing feminine clothing during the trial) are treated less harshly than men within the criminal justice process. This is known as the 'chivalry effect'.

However, official statistics suggest that nowadays females are more likely to commit crimes than thirty years ago. On the other hand, it may be that females are now more likely to be arrested, charged and convicted because the chivalry effect is declining.

Conclusively, sociologists do agree that generally females are less likely to commit crimes than males. However, they disagree on how to explain this and also why official statistics suggest that female crime has increased.

ETHNICITY & CRIME

Official statistics show that people from some ethnic groups are over-represented in prisons relative to their proportion in the population.

For example, black people are around five times more likely to be in prison than white people. Such figures could suggest that members of some ethnic groups commit more crime than others.

However, many sociologists argue that crime statistics exaggerate crime among some ethnic groups. The statistics are seen as reflecting the way that policing is carried out and also bias within the criminal justice system i.e. institutional racism. Research shows that black people are more likely to be stopped and searched, prosecuted and convicted than people from other ethnic groups.

SOCIAL CLASS & CRIME

There is evidence that working-class people are over-represented in prisons relative to their proportion in the population.

One view is that working-class people have fewer opportunities to succeed via legal routes such as education. Thus, they are more likely than middle-class people to resort to crime for financial gain. Another view suggests that working-class subcultures stress deviant/criminal behavior as a way of achieving status among peers.

Alternatively, working-class people may be over-represented in prisons due to social class bias within the criminal justice system. Some sociologists argue that the law is more strictly enforced against working-class people engaging in robbery/benefit fraud than against middle-class people engaging in expense account fraud/tax evasion. **This is a Marxist approach to social class and crime –Marxists believe that the legal system works in the favor of the rich.**

LOCALITY & CRIME

The crime rate is generally higher in urban areas than in rural areas. It is higher in the most deprived areas of Britain compared with the least deprived areas.

One view is that urban areas have higher levels of poverty and unemployment which provide a context for crimes such as theft. Another view is that there are more opportunities to commit crime in an urban setting such as city centres, compared with rural areas.

An alternative view is that the statistics may reflect differences in policing levels/methods between urban and rural areas.

KEYWORDS

- **Chivalry effect**: the idea that female offenders are seen as deserving more lenient treatment within the criminal justice system and the impact of this on things like sentencing

THE IMPACT OF CRIME & DEVIANCE

THE IMPACT OF CRIME ON VICTIMS

There are three different types of research in relation to the impact of crime on victims:

- **Measurement research**

- Examines the type and number of people who are victims of crime. For example, the BCS provides statistical information on the victims of crime, such as their age, gender and ethnicity. Measurement research indicates, for instance, that males are more likely to be victims of crime than females and younger people are more likely to be victims than older people.
- **Studies of the impact of crime**
  - Show that crime can impact on victims:
    - *Physically*
    - *Financially*
    - *Socially*
    - *Psychologically*
- **Studies of the role of victims in the criminal justice process**
  - Look at victims' roles in reporting crime, providing evidence and acting as witnesses in court

IMPACT OF CRIME & DEVIANCE ON SOCIETY

Fear or worry about crime is one way that crime affects everyone to some degree, regardless of whether they have been victims of crime. Sometimes, the level of anxiety about crime (such as credit card fraud) is not in proportion to the actual risk of becoming a victim.

Crime can impact on local communities by generating fear of violence, burglary and car crime. It can lead people to worry about antisocial behavior in their own community and to feel unsafe walking alone after dark. Crime is seen as causing **damaging tensions within communities.** For example, it can lead people to believe that community ties are breaking down or that community life is being destroyed.

Antisocial behavior such as vandalizing bus shelters can have a negative impact on a community because it may lead some adults to label **all** local teenagers as a source of trouble. Crime and deviance could affect communities by causing tension between some adults and some teenagers (for instance those who wear hoodies) and also by generating fear of young people among some adults.

If some people feel that there is tension and conflict in the local community, they may think that community ties are breaking down because of antisocial behavior. This impact could be seen as a problem because it is divisive and it damages social cohesion.

WHITE-COLLAR AND CORPORATE CRIME

White-collar and corporate crime can have financial, physical and social costs.

- **Financial costs**
  - E.g. results in loss of government revenue
- **Physical costs**
  - E.g. physical harm and sickness can result from environmental pollution, the sale of unfit foods or exposure to substances such as asbestos at work
- **Social costs**
  - E.g. mistrust between employers and employees

YOUTH CRIME AS A SOCIAL PROBLEM

Crime and deviance generate media coverage and public debate. One view is that media reporting increases public anxieties about law and order. When such behavior is associated with teenagers, it can create anxiety and fear of young people among members of the public.

Youth crime generates public debate and is seen as a serious social problem because of its negative or harmful consequences. For example, fear of teenage crime results in community ties breaking down or community life being damaged. Vandalism and graffiti have financial costs. Teenage knife crime is costly in terms of the loss of young lives and the devastating impact of this on the families of victims.

Some researches argue that young offenders are cast as society's number one 'folk devil'. This describes a group (such as mods and rockers) that is seen as a threat to society's values. The media's portrayal of young people as folk devils can lead to moral panic or public outcry about their behavior. Trivial acts of vandalism are seen as typical of all young people and as a threat to law and order. Young people become scapegoats who are blamed for society's problems.

Governments have designed various policies to control youth crime and antisocial behavior. These include fining parents for their children's misbehavior, curfews and ASBOs. However, critics argue that ASBOs have not been entirely successful as a policy to reduce antisocial behavior because they can be a status symbol/badge of honour among the young.

KEYWORDS

- **Antisocial behavior**: behavior that causes harassment, distress or alarm to other people
- **Corporate crime**: crimes committed by employees on behalf of the company or organization they work for. Examples in clued the manufacture and sale of unsafe products
- **Folk devil**: a group that is defined as a threat to society's values
- **Moral panic**: a media-fuelled overreaction to social groups (such as hoodies). This process involves the media exaggerating the extent and significance of a social problem. A particular group is cast as a folk devil and becomes defined as a threat to society's values
- **Scapegoat:** an individual or group (such as economic migrants) that is blamed entirely for something that is not their fault.

EXAMPLE EXAM QUESTIONS

1. Explain what sociologists mean by the term white-collar crime. (4 marks)
2. Explain what sociologists mean by the term 'agencies of informal social control'. (4 marks)
3. Describe **one** way in which crime and deviant behavior could have a negative impact on communities **and** explain why this impact is seen as a problem by some members of the public. (5 marks)
4. Describe how a self-report study is carried out **and** explain why it provides a different account of the number of crimes committed compared to police statistics. (5 marks)