The Traditional Criminological Theories on Crime and Its Causes.

Introduction.

In the following section we shall briefly review traditional criminological theories in a critical manner, and attempt to draw out both the extent to which they can aid our understanding of the causes of crime and the extent to which they are fundamentally deficient.

It is a difficult task to distil out the essences of such a vast body of writing. The attempt will be made in the form of an historical progression. It is our particular contention that criminological theories must be viewed in the historical context, as products of the economic, social and political forces of specific societies in specific historical circumstances. We take our order of theories and the substance of the critique essentially from the New Criminology by Taylor Walton & Young. Routledge & Kegan Paul London 1973.

1. Classical Criminology
2. Neo-Classical Criminology
3. Positivism
4. Durkheim
5. The Early Sociology of Crime
6. Labelling Theory
7. Phenomenology
8. Conflict Theory

Finally, we will attempt to set out the Prisoners Action Group position on the question of the causes of crime.

1. Classical Theory

Classical criminology can be best seen as the reaction by the rising middle class against the excesses of the ancient regime run largely by the aristocracy, in Europe in the 18th Century.
Punishment was arbitrary and barbarous, 'and the due process' of law being absent or ignored and crime itself was ill-defined and extensive". (Taylor Walton & Young, op. cit. page 1).

Classical Theory is summed up by Taylor Walton & Young as follows:-

1. All men being by nature self-seeking are liable to commit crime.

2. There is a consensus in society as to the desirability of protecting private property and personal welfare.

3. In order to prevent a war of all against all, men freely enter into a contract with the State Capital to preserve the peace within the terms of this consensus.

4. Punishment must be utilized to deter the individual from violating the interests of others. It is the prerogative of the State granted to it by individuals making up the social contract to act against these violators.

5. Punishments must be proportional to the interests violated by the crime, it must not be in excess of this, neither must it be used as a rehabilitation; for this would encroach on the rights of the individual and transgress the social contract.

6. There should be as little law as possible, and its implementations should be closely delineated by due process.

7. The individual is responsible for his actions and is equal, no matter what his rank, in the eyes of the law. Mitigating circumstances or excuses are therefore inadmissible.

Thus, it can be seen that classical criminology said little about the causes of crime. Its chief concern was to regularize the criminal process, curb corruption and regularize punishment.
In as much as it embodied any causal notions, these were based squarely on social contract theory and utilitarianism. People are seen as being by nature greedy and self-seeking. They are also free-willed and rational. They enter into a social contract. Punishment can be exactly pitched to deter people from breaching the social contract. If the punishment is so pitched and people know it in advance, they will not offend because weighing up of the equation rationally, it will not be worth their while.

Using this framework, all criminal behaviour is seen as essentially pathological or irrational. Existing social arrangements and particularly the existing distribution of property are seen as being agreeable to all people, as subject to the consensus. Discussion of criminal motivation is avoided.

Far from being some outmoded dogma, classical theory forms the basis of our present legal system. Its particular representatives are lawyers and judges. We see it clearly in the legally based critiques of the rehabilitative ideal: For it does at least contain the notion of the regulation of punishment, that there are legally defined limits to the power to punish.

However, there is a fundamental contradiction in classical theory stemming from its acceptance of the social contract/consensus notion of societal organisation, which, as we have argued, is clearly a myth.

If the poor steal from the rich because they are poor, if there is a clear reason for theft - unequal distribution of property, then crime is not irrational.

"A system of classical justice could only operate in a society where property was distributed equally". Taylor Walton & Young, op. cit. page 6.

2. Neo-Classical Criminology

The structure of the criminal justice system under classical theory produced a very mechanical procedure giving no consideration in punishment decisions to the individual characteristics.
This draw-back was remedied by the Neo-Classical Criminology - The neo-classicalists came to be aware that -

1. The sentence would have different effects depending on the individual characteristics of the offender and

2. That to imprison the offender was to place him in an environment that would in itself effect his future propensity to crime.

A central consequence of this revision was that punishment became increasingly to be phrased in terms of punishment appropriate to rehabilitation. These adjustments to the classical model were concerned with imperfections in the basic aims of that model.

They were not specifically concerned with crime causation apart from the very minor recognition of further elements such as the impact of institutionalisation.

3. Positivism

The positive school of criminology rose with the growth of positivism as a general philosophy, with the growth of the status of science, and with the increasing acceptance and prestige granted its proponents - doctors, psychologists, psychiatrists and scientists.

It saw its task as the eradication of crime through scientific method, uncluttered "with irrelevant philosophical retributary, and ethicoreligious beliefs" (Taylor Walton & Young, op. cit., page 10).

Thus, the tools and methods that are said to be used in the natural sciences are adopted for the study of the human world without any reflection as to their applicability for a different subject of study. This in turn leads to a number of characteristics which become central to the positivist approach.

Firstly, it asserted that the study of human society should be carried out using the scientific tools developed in the study of the physical world.
Secondly, it asserted the objectivity of the scientist, and thirdly, it asserted that society was governed by discoverable social laws, which could be determined by quantification of human action and behaviour.

Many early positivists in the criminological field espoused biological explanations. Such theories have considerable political appeal in that they suggested that crime was the result of some inherent biological malfunction in the individual, thus shifting the focus from society in general and from social inequality in particular.

Lombroso argued in 1876 the theory of the 'born criminal'.

"An atavistic being who reproduced in his person the ferocious instincts of primitive humanity and inferior animals". (Lombroso ... Taylor Walton & Young, op. cit. page 41).

Criminals were atavistic throwbacks who could be recognised by physical stigmata: The shape of the head and scalp, size of ears, teeth, large jaws, lines on the palms, etc.

We now laugh at Lombroso, but generations of prisoners on entering prison have had their skulls measured, the shape of their ears noted. (See, e.g. Victor Serge: 'Men in Prison, page 32.)

Lombroso's results have been shown clearly to be insignificant, physical stigmata are often the direct result of social environment, e.g. poor nutrition, physical stigmata lead to labelling and the creation of self-fulfilling prophecy. His theory cannot begin to explain the variation in crime rates.

Later theorists in the same tradition tried to tie criminality to body shape (Kretschmer and Sheldon) and more recently to the possession of certain chromosome sets, e.g. XYY.
These theories have been completely discredited by a wide range of writers. We see little point in outlining their obvious inadequacies and conceptual bankruptcy.

A more sophisticated contemporary exponent of biological positivism is Professor Eysenck. In brief, his theory is that as children we strive for pleasure and are punished, such punishment affecting our autonomic nervous system, by which we acquire an 'inner policeman' or inbuilt punishment system. This conditioning is dependent on the sensitivity of our autonomic nervous system and the quality of conditioning.

Eysenck's contention is thus that criminals have deficient autonomic nervous systems, their reflexes are difficult to condition and extinguish easily. This corresponds to his introversion/extroversion distinction, criminals being extroverts.

Taylor Walton & Young and many others cited in their text, effectively demolish Eysenck's theory. It is based on an extraordinary and morally repugnant conception of human nature, it denies human creativity and purpose, it ignores social meanings and it is methodologically suspect (even within its own framework). See Christie, Hoghughi and Forrest. As Taylor Walton & Young state:

"Men rob banks because they believe they may enrich themselves not because something biological propels them through the door of a bank". Page 61.

4. Durkheim

Durkheim argued that the classical school was "engaged in ethical philosophy rather than social science". (Taylor Walton & Young, op. cit. page 74).

One of his central concepts, still much utilized today, was that of the "forced division of labour". Far from living in a world of free choice and freedom people were, Durkheim argued, living under conditions in which their
natural facilities and abilities were not being utilized, they were living under a forced division of labour.

In contrast to this what was required was a **spontaneous division of labour**, but this was only possible, he argued, "in a society constituted in such a way that social inequalities exactly express natural inequalities".

In a society based on a spontaneous division of labour occupational arrangements would be in accord with people's individual aptitudes. In such a society where roles were distributed in accordance with biological merit discontent would not exist, for discontent arises from the forced nature of the division of labour. Anomie egoism and disorder would be removed and crime considerably diminished. Thus, in contrast to the way Durkheim has often been conservatively interpreted, he argued that inherited wealth is at the root of the problem, "making for unjust contracts between people, unjust in being based on power and wealth rather than on natural aptitudes and ability". (Taylor Walton & Young, op. cit. page 81). This led him to argue for the abolition of inheritance and other such inequitable apportionments of wealth.

"There cannot be rich and poor at birth", he stated:

"without there being unjust contracts".

(Taylor Walton & Young, op. cit. page 88).

The main flaw in Durkheim's work was that he regarded individual aptitudes and merit as being fixed biological givens. Clearly this is misleading and aptitude is largely socially derived. Nevertheless, the Prisoners Action Group considered that there is much merit in Durkheim's contention that the forced division of labour and in particular the suppression of natural aptitudes and abilities resulting from it, is a major cause of crime. The New South Wales Bureau of Crime...
Statistics, 1,000 prisoners study demonstrates clearly the class nature of prisons, that a disproportionate number (three times) of unskilled workers are present in the prison population.

Putting aside the extent to which the very definition and the enforcement of the criminal law, as previously argued, is directed against the poor, it is our contention that the bitterness and sense of injustice engendered amongst people aware of the obvious inequitable apportionment of wealth and constrained from developing their natural abilities and human potentialities is a major cause of crime.

5. The Early Sociologies of Crime

The early sociologies of crime arose out of the 1930's depression and the exposure of the crude and brutal nature of laissez-faire capitalism. They originated in the U.S.A. and in particular in liberal universities such as Chicago. For it had become obvious that explanations of crime based on some pathology within the individual were completely inappropriate in a society devastated by the depression by massive unemployment and characterized by obvious and dramatic social and economic inequality.

(a) Merton

Merton's theory revolved around the relationship between cultural goals and the institutional means of achieving those goals. He described the "American Dream" as the tremendous cultural emphasis placed on success, and more particularly on monetary success, and conspicuous consumption. "The American Dream" myth held out that the road from log cabin to White House, the road to success, was open to all. Of course, what was becoming increasingly apparent was that this was merely a myth and that a vast segment of society had no access to institutional means by which success could be attained.

Thus, Merton saw 'anomie' arising out of the disjunction created between the emphasis on cultural goals (success)
and the fact that institutional means of achieving those goals were deprived to many.

This situation led to a variety of possible adaptions, according to Merton, four of which could be regarded as "deviant":

(a) **Innovation**: the adoption of illegal, non-institutional means to attain success.

(b) **Ritualism**: the goals are forgotten in a ritualistic adherence to the means.

(c) **Retreatism**: where both cultural goals and institutional means are rejected ('psychotics, outcasts, vagrants, drug addicts' etc.).

(d) **Rebellion**: the attempt to modify the goals and change the institutional means.

Merton himself, was sympathetic to the rebellion adaption. He argued for a society in which there would be opportunities open to all of sufficient merit to succeed, a meritocracy, which, he said, would reduce crime.

Merton's theory involved a useful recognition of the disjunction between cultural exhortations to compete, succeed, get rich (encapsulated in the American, and we would say, Australian, dream) and a situation of inequality of opportunity. But the major inadequacy in this (and any) meritocratic theory is well drawn out in Laurie Taylor's fruit machine analogy:

"It is as though individuals in society are playing a gigantic fruit machine, but the machine is rigged and only some players are consistently rewarded. The deprived ones then either resort to using foreign coins or magnets to increase their chances of winning (innovation) or play on mindlessly (ritualism), give up the game (retreatism) or propose a new game altogether (rebellion). But in the analysis nobody appeared to ask who put the"
machine there in the first place and who takes the profits. Criticism of the game is confined to changing the pay-out sequences so that the deprived can get a better deal.

In societies such as Australia and America reward cannot be a result of achievement by effort. Quite simply, people are not equally placed at birth in the competition for success. There is a fundamental contradiction (as with classical theory) between the existence of private property and the possibility of a liberal equality. The sons and daughters of the rich will generally succeed irrespective of their qualities and merits.

"The American (Australian) Dream, in other words, serves to conceal inequality, it could function only in a society where hereditary wealth was abolished". Taylor Walton & Young, op. cit., p. 103.

(b) The Chicago Ecological School

A group of sociologists from Chicago University, among them Shaw and Mackay, used an ecological analysis, stemming from their direct observance of the city of Chicago itself and in particular its ethnic neighbourhood boundaries. Indeed Tony Vinson's study of Newcastle and Sydney is largely based on a similar ecological model. Much of the language used was drawn directly from biological ecology studies: invasion, dominance, successor; equilibrium, symbiosis etc.

Again Taylor outlines this perspective well:

"There is then, a struggle for space (our emphasis) at the core of ecological theory, whether it is conceived in primarily economic or biological terms. As a result of this struggle certain distinctive patterns of urban growth become distinguishable, certain types of neighbourhoods emerge, a 'pecking order' is established. At the top of the
hierarchy is the central business district; the head of the body (the biological analogies are not confined to the description of the struggle). This district was at first surrounded by a residential area inhabited by the respectable citizens of the town. Gradually, however, the business district began to expand and set its sights upon such property. The occupants moved further out, abandoning their threatened and increasingly less salubrious property to a group which had no ability to move elsewhere - the poor. - in Chicago's case, the new immigrants. So the following pattern emerges: a central business district surrounded by crumbling residential property beyond which lie rows of working men's houses and an area containing flats and hotels. On the perimeter of the city lies respectable suburbia. It is the 'zone' next to the central business district which predominantly concerned the ecologists, for it was in this 'transitional' or 'interstitial' zone that they claimed to find especial concentration of deviants."

As Taylor Walton & Young note:-

"The most important implication of the use of biological analogies in explaining the development of housing zones in the city, and natural areas of delinquency, is the implication that the inhabitants of those zones and areas live where they do because of some personal characteristic they possess or because of some natural (and inevitable) feature of human selection". Op. cit. p. 116.

In this way, the ecological theorists saw high delinquency rates as being associated with certain 'transitional' areas. Professor Morris describes their view as being "Under the pressure of disintegrative forces ... the community ceases to function effectively as an agency of social control, and as resistance to criminal behaviour diminishes, it becomes not only tolerated but sometimes accepted": Taylor Walton & Young, page 124.
There are a number of major deficiencies with such theories. Firstly, they are essentially tautological, the rate of delinquency in an area being the chief criterion of the area's 'social disorganisation' which in turn is held as explaining the delinquency rate.

Secondly, "the struggle for space in the city is not independent of the struggle for power, prestige and material well-being in the society as a whole. The housing market is not independent of the labour market, and the fact is that people's ability to struggle for accommodation is in part a function of their success in the labour market". Taylor Walton & Young, page 119.

(c) Differential Association

Differential association theory, in the words of its formulator, Edwin Sutherland, holds that 'a person becomes delinquent because of an excess of definitions favourable to violation of law over definitions unfavourable to violation of law'. In short, some people are seen to become delinquent because they learn both specific criminal techniques and also motives and attitudes favourable to crime, through the ordinary learning process of association with others, particularly in intimate personal groups.

The chief criticism of this theory is that it views people as passive recipients of criminal or non-criminal motives, so that people merely mirror the predominant meanings prevalent in their social environment. It omits the notion of purpose and meaning, it does not sufficiently allow for human choice.

6. Labelling Theory

Labelling theory (variously called the 'social reaction school, transactional analysis'), arose in the early 1960's, particularly in the U.S.A. Its emergence historically is tied to the personal liberation movements active in the 1960's: the student protest movement, the counter-culture movement, the struggles of oppressed minorities.
The main theorists of this perspective are Becker, Lemert and Schur. The central thesis is contained in the following statements of Becker and Lemert:

"Social groups create deviance by making the rules whose infraction constitutes deviance, and by applying those rules to particular people and labelling them as outsiders. From this point of view, deviance is not a quality of the act the person commits, but rather a consequence of the application by others of rules and sanctions to an 'offender'. The deviant is 'one to whom that label has been successfully applied; deviant behaviour is behaviour that people so label."


"This is a large turn away from older sociology which tended to rest heavily upon the idea that deviance leads to social control. I have come to believe that the reverse idea, i.e. social control leads to deviance, is equally tenable and the potentially richer premise for studying deviance in modern society." E.M. Lemert Human Deviance, Social Problems and Social Control. New York, 1967, page V.

The labelling theorists then, identify crime, not according to any immutable behavioural conception, but as a consequence of the process of social reaction itself. The argument is that the attempt to deter, punish and prevent crime will actually create crime.

"The ultimate preoccupation of this group of theorists is with the way in which being labelled deviant by a social audience or by an agency of social control can often lead to a 'negative self image' (Erikson) or to a symbolic reorganization of self (Lemert) — where one comes to see one's self as deviant and progressively to act out such deviancy."

Taylor Walton & Young, op. cit., page 141.

This approach then placed much emphasis on 'secondary' deviance', brought about by the labels, 'deviant/criminal' etc. being pinned on people by social control
agencies. Such labels are seen as increasing the individual's commitment to deviance through a tendency for the individual to regard him/herself increasingly in terms of those labels, and act accordingly. A process of amplification and consolidation of deviance thus occurs.

Many of the studies on this perspective were done in the areas of drug taking, mental illness, prostitution, juvenile delinquency, areas in which the social meanings attached to various acts were, relatively speaking, more problematic. The studies concentrated on the ways in which lower level agencies of social control such as the police affix deviant labels. Obviously, the perspective was less satisfactory in explaining more central areas of crime, such as property crime. Social meanings here are fairly clear. As Taylor Walton & Young note:-

"Where is the criminal who engages in the robbing of banks and who is unaware that he is engaged in the social acts of stealing". (Op. cit., page 146).

The overconcentration on secondary deviance, arising as a result of social reaction or labelling, at the expense of any real analysis of the origins and function, and the sources and meanings of the 'primary deviance' or original act itself, clearly lead to an extremely artificial and one-sided approach.

Such a one-sided approach concentrated on the crime-producing activities of low level labellers and ignored wider structural considerations, and in particular the wider social inequalities of power and authority, as they reflect on both the formulation and application of deviant labels and on the social context within which criminal behaviour is committed.

Valuable in emphasising the definitional nature of crime, labelling theory lacks any analysis of the state and its institutions. As Taylor and Taylor note -
"Of course there are definers and defined but what do the definers represent? What interests are they defending? How do their actions reinforce the existing nature of capitalist society? No answers to such questions are provided: the definers are a group of free-floating 'baddies'.


The labelling theorists failed to "lay bare the structured inequalities in power and interest which underpin the processes whereby the laws are created and enforced" (Taylor Walton & Young, op. cit., page 168.).

The practical message arising from their work was essentially -

"Hands off - you'll only make things worse".


Problem:

This is basically a liberal plea for greater tolerance and sympathy, and less mis-management. And as such stands clearly revealed as incapable of addressing and explaining the causes of crime in a society riven with structural social and economic inequality and with massive inequalities in power and in life chances as between different sections of its citizenry.

7. Phenomenological Theories.

A more recent perspective in criminology, developing over the last decade, is the phenomenological or ethnomethodological perspective. Going back to the philosophical phenomenology of Husserl, the basic emphasis is to show the way individual subjects construct meanings, to show how procedural rules are generated, sustained and maintained. The emphasis is on the notions of 'every day life' and what passes for 'common-sense', everyday 'taken-for-granted' knowledge. Thus wider structural factors are ignored altogether.
The best example of this perspective in the criminological field is Cicourel's *Social Organisation of Juvenile Justice* in which he reveals the way in which actual indices of crime or deviation are produced as a result of the everyday contingencies faced and produced by the police, courts, social workers, etc.

But here again, such insights must be tied back to wider structural factors, in the real nature of society and its social, economic and political organisation.

"To study only one plane of social reality, individual consciousness ... (is to) falsely reduce all meaning to the meanings held by individual actors" (Taylor Walton & Young, op. cit., page 206).

And thus, such an atomistic, micro-sociological approach, is incapable of explaining the social reality of crime. For the social reality of crime must be grounded, as we shall shortly argue, in an analysis of society itself, of its social relationships, its political and economic organisation. It must be grounded in an analysis of the fundamental social reality of Australian life, and not in the atomistic way certain individuals give meaning to social phenomena.

In the following section we will outline P.A.G.'s analysis of the causes of crime. In the first section we outlined our understanding of the nature of crime, drew out that crime is dependent on the political legislative process for its very definition, commented on its form in a society with a capitalistic political economy, outlined its function of asserting social control and power on behalf of the elites, noted the way it is directed in its very definitions at the poor and underprivileged, discussed the highly selective nature of its enforcement (again falling disproportionately on the poor), followed the various stages through which its selectivity is further amplified, and finally concluded with an analysis of the overall effect of the criminal justice system (and prison as its most punitive outpost) and the functions that it serves.

The second major section involved a summary of traditional criminological theories on crime and its causes. An attempt was made here to highlight both the extent to which in some
respects certain theories have useful insights which aid our understanding of crime, and, through our critiques of the theories, the extent to which they are all fundamentally deficient for a whole range of reasons, perhaps most predominantly that they do not accurately analyse and describe the real nature of society.

In short, they are not based in social reality.

In the following, third section, we outline more concretely our analysis of the nature of crime and its causes, reaching back where necessary into both of the preceding sections into the dualistic nature of our social organisation and the incomplete and misleading picture of our social organisation offered by conventional criminology.

SECTION III

The View of Crime and Its Causes

As we noted earlier, crime is a social phenomenon, therefore, an understanding of it must be grounded in an understanding of the aggregate of social relationships within which it occurs: society.

A. Contemporary:

There are two basic ways to conceive of crime in society: Conventional Criminology is based on certain assumptions:

(i) that society is essentially free from basic socio-economic divisions and,

(ii) that crimes are essentially irrational deviations by those who have failed, for one reason or another, to adjust to a social situation with which few are basically discontented and from which few would like to depart.

B. Alternative Criminology analyses society differently and therefore sees the explanation of crime differently. This approach stresses

(i) the duality of our society, the division of society into those who have enormous power and wealth and those who do not and,

(ii) flowing from that the system which has produced that duality, crimes in general represent rational