

Examining the
historical
development of
criminology
criminology essay



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Although it there is some debate on the historical development of criminology, there is agreement that by the beginning of the 1960s there was a recognisable academic discipline in the form of modern criminology in Britain (Tierney, 2006). Nic Groombrigde (2001: 202) defined pathology as “an unhealthy deviation from the norm” which is “located in the individual at the level of genes, hormones or psyche”. Ultimately this implies criminality is the result of abnormality; i. e. that which is not normal. Criminologists have come up with various theories as to why people commit crime and recommended responses, and this essay will explore whether criminality is pathological with reference to variants of classical, positivist and social constructionist theories. Classical criminology believes the offender is free-willed, rational and normal, whereas positivist approaches suggests the offender is determined, and pathological. Social constructionist theories suggest the offender is a product of cultural and political influences. The main difference between the three theories is whether or not individuals are rational decision makers or not, i. e. if they are pathological or not.

In the eighteenth century classical criminology emerged as a response to the cruel forms of punishment that dominated. It was centrally concerned with creating a reformed, efficient system of justice that would better regulate social order in industrial society (Tierney, 2006: 50). Two main writers who helped to achieve this were Cesare de Beccaria and Jeremy Bentham. Beccaria wanted punishment to be certain, in order to deter people from committing criminal acts. He also believed that if one was punished quickly they would associate crime with punishment, and that the punishment should be severe enough to deter future criminal behaviour (Newburn, 2007:

116). Bentham's work involved the pleasure-pain principle, so any pleasure to be gained from crime should be outweighed by the pain inflicted in punishment. Classical theory is based on the assumption of free will (i. e. not pathology), with criminal activity being the result of rational choice of the individual; who is acting on a cost-benefit analysis. The aim of punishment was to make it proportionate to crime in order to deter people from committing criminal acts. At this stage in criminology, the emphasis was on the criminal act rather than the individual committing it, so there was no differentiation between the criminal and the non-criminal. Classical theory has impacted modern criminology massively, with the idea of punishment being proportionate to the criminal act still being used by modern criminal justice systems. It also helped capital punishment be abolished, and heightened the awareness for the need for prisons. However, a major criticism of classicism is the fact that it is normative rather than empirical; based on values rather than evidence. It also assumes criminal activity is the result of rational thought, therefore it suggests children should be treated in the same way as adults, and does not make exceptions for those who are mentally ill or those with learning difficulties (Tierney, 2006).

In contrast to classical criminology, the positivist approach focuses on features within the individual that cause criminal activity; i. e. criminality is pathological (Newburn, 2007: 114). It emerged in the late nineteenth century and claimed to promote the scientific study of society, replacing opinion with empirical evidence and science (Treadwell, 2006: 34). Treadwell (2006) also believes positivism in criminology wanted to predict and explain future patterns of social behaviour using secondary data (statistical). It sees crime

as pre-determined (and therefore uncontrollable) rather than expressions of free will. Positivism spans biological, psychological and sociological attempts to explain the causes of crime. One key writer in biological positivism is Cesare Lombroso - who suggested a criminal was not made by society but rather born that way (i. e. criminality is pathological). Lombroso even went as far as to say that deviation in head size could be an indicator of criminality - an idea now discredited (Newburn, 2007). If biological theories are considered along with psychological and sociological theories, then they can help explain criminality. However, on its own, it lacks scientific evidence, and can lead to eugenics; proposing the removal of those who are inferior (e. g. Nazi Germany targeting the disabled, homosexuals (Treadwell, 2006). In psychological positivism, Hans Eysenck was a key thinker, who believed it was possible to chart human personality on three scales: extroversion, neuroticism and psychoticism. Exaggeration of traits would lead to anti-social behaviour (Treadwell, 2006). Psychological positivism considers psychology as an explanation for criminality - which includes an individual's reasoning, personality, memory, intelligence etc. Biological and psychological positivism are useful for the government because they draw attention away from social conditions (Newburn, 2007). Sociological positivism explains criminality with reference to social circumstances and factors external to the individual, so moves away from pathology. One example of sociological theory is strain by Robert Merton (1938). He looked at why crime was more prevalent in lower class areas, and found inequality between goals in society (e. g. wealth) and the means to achieve them (e. g. education needed for wealth was not available to everyone). Merton suggested this motivation to achieve goals

led to frustration and a motive for criminal activity. Treatment in positivism should be immediate and should fit the needs of the offender.

Whereas classical theory looks at the offense, and positivism focuses on the offender, social constructionist theory looks at the social reaction to deviance. This theory does not suggest pathology is the reason for criminal acts, rather that individuals are responding to being labelled due to political and cultural influences (similar to sociological positivism). The theory suggests criminals are created by those with the power to label behaviour as offensive. Emile Durkheim (1895) sums this up by saying that what confers a criminal character is “ not the intrinsic quality of a given act but that definition which the collective conscience lends them.” The object of study is to question why some acts are labelled criminal, while others are not. There is also the question of why some people are more prone to being labelled than others, and the consequences of labelling. Thomas (1928: 572) stated that if we ‘ define situations as real, they are real in their consequences’. Labelling theory emerged in the late 1930s due to the work of Frank Tannenbaum on juvenile delinquents; where he concluded that delinquents are good children committing bad acts, who are then labelled as bad and continue in that manner (Newburn, 2007). Another aspect of labelling theory is Merton’s self fulfilling prophecy which he described as; “ in the beginning, a false definition of the situation evoking a new behaviour which makes the originally false conception come true” (1968: 477). Edwin Lemert distinguished between two types of deviance; primary and secondary. He stated that primary deviance occurs in a variety of social cultural and psychological contexts, and only has minimal implications for the psychic

structure of an individual whereas secondary deviance is behaviour created as a defence to problems created by societal reaction to primary deviance (Lemert, 1967: 17). Associated to this idea is that of deviancy amplification - which is the idea that ideas that deviancy can be distorted in transmission, and can lead to exaggeration of societal reaction (Newburn, 2007). This reaction has been termed 'moral panic', and is summed up by Stan Cohen in *Folk Devils and Moral Panics*. In this case, society reacted to the dress of the mods and rockers, which in turn segregated them from society; resulting in deviance. This view is helpful in determining the response to criminal activity. Punishment should involve diversion away from negative labelling to positive labelling. Reintegrative shaming should be applied, which John Braithwaite defined as reintegrating the offender back into the community through 'words or gestures of forgiveness' (1989: 101). A modern example of politics in labelling theory is the recent sacking of David Nutt on the thirtieth of October 2009. He was fired because of a paper he released stating alcohol abuse is more harmful than cannabis taking. Cannabis is an example of deviant behaviour being labelled, and as classification of the drug is always changing, so are the labels of deviant behaviour. Labelling theory has had implications in the criminal justice system. Emphasis has been put on providing young juveniles with social workers, who aim to limit the process of entanglement in the criminal justice system (Newburn, 2007: 221). One limitation of the theory is the fact it is not easily tested empirically. There is also the view that labelling can be counter productive - with the fear of being labelled being a deterrent to committing criminal acts. This is evidenced by the fact that minor punishments are effective for first time offenders (Jones, 2003: 195)

An example of where you could use classical, positivist and social constructionist theories to analyse criminal behaviour is the increase in youth knife crime. In 2008 BBC News reported thirty youths were stabbed in London alone. A classical approach would blame the lack of deterrents for the increase in carrying weapons; people are unafraid and the majority get away with it. They would suggest punishing proportionate to the crime. Psychological positivists would suggest the macho status is appealing; the mob mentality. Biological positivists would suggest that the impulse to carry a knife is predetermined in biology, and so educating youths in school would be vital. Sociological positivism would blame the environment, with the poorest being at most risk. The labelling theory would suggest deviancy amplification is at play; with a moral panic created about youths. As they are consequently segregated, they carry knives to fit in with other youths because they are the only group they associated with. The three theories can be used together to help build a bigger picture into why people commit crime.

Although the positivists would argue that criminality is pathological, there is also evidence from classicism and social constructionist theories that suggest criminality is the result of different factors, e. g. labelling. It is important to look at individual differences when assessing criminality, and to make the best judgements, a modern criminologist would be advised to consider all three of the approaches because although they all have their limitations, they also have great advantages for the criminal justice system. According to Groombridge (2001), “ administrative criminology has sought to side-step the issue of pathology within the individual or society but replaces

it with the fear or risk of other's pathology, which is to be managed". This could explain the dependence on security measures (e. g. CCTV) in today's society; to watch others behaviour and devise suitable punishments according to the crime.