

Crime and deviance



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FELONY, MISDEMEANOR OR NONCONFORMITY THAT IS THE QUESTION

In modern day society we often speak of crime and deviance but what are they

Crime could be defined as being an act, by a person or persons of a specific society, which breaks the law of that society.

This could be anything from not paying a Television Licence to committing an act of murder. Deviance however is when a person or persons do not conform to the social rules of their society by failing to adhere to the social ??? Norms and Values???. This could be some thing as minor as wearing the wrong type of clothing to a deviant act of murder and from this, we can conclude that crime is always deviant but not all deviancy is criminal.

BBCFE (page 1) Cultural relativity plays a great part in the definition of crime and deviance because ??? Norms and Values??? vary considerably across different societies and what one society considers acceptable another may consider deviant or criminal. In Britain walking about in the nude would be acceptable in the home but walking down a busy high street like this, would be deemed deviant. In America shooting a person who you deem to be an endangerment to your physical well being is acceptable but this would be a criminal act in Britain. The Gender, age and class of a person would also determine whether an act is deviant or criminal.

An example of this would be a man in the Netherlands having sex with twelve year old girl. This would be acceptable as this is the age of sexual consent there but in Britain this would actually be a criminal act and the man would be seen as a paedophile by society, and would face criminal proceedings. Time in history also plays a part of what would have once been

seen as deviant and who is deemed deviant but today is no longer classified as so. An example of this would be having a child out of wed lock. The woman would have once been seen as a deviant, but the man who sired the child would not have been classified as so. Functionalism looks at society as a Macro system that seeks to explain the existence of social structures by the role they perform in society.

Members of society are bound together by the dominant normative system where factors such as reliability and respect lead to social stability. These factors are learned through the socialisation process which is key to functionalism. The functionalist theory sees consensus as being more prevalent than conflict, which is one of the main foundations for functionalism. The Functionalist looks for the source of deviance in the nature of society and believes that crime and deviance are an internal part of all healthy societies. They believe that crime can be functional and for societies to be able to change, some form of deviance has to occur. Yesterday's deviance must be tomorrow's normality. Functionalists however, agree that social control mechanisms are needed in order to maintain social order this could be the implementation of the police who would oversee public order.

Also the socialisation process and legal system comes into the fore regards control mechanisms, no socialisation no legal system. According to Durkheim, value consensus is prevalent in society, people agree on what is right and wrong, however this must be defined by criminal law. If there is a limited amount of crime this is good for society but too much crime means that society is in danger of disintegrating. In society punishment shows

people that certain crimes will not be tolerated are unacceptable and sets out the boundaries for the behaviour of individuals. Erikson (1966) made it clear that the drama of a courtroom, such as the language used the appearance of the barristers and judge and where a certain type of ritual is used in the condemnation of criminal behaviour.

Durkheim goes on to tell us in true Functionalist belief that society is based on a set of shared values which he called ??? collective conscience???. However not everyone follows this and prefers to look after their own interest even to the cost of others in society. This Durkheim called ??? anomie which also returns people to their natural state of greed and self interest which goes towards the collapse of order and concurrence in society. Durkheim conducted a study on suicide, which was once a criminal act in Britain but is now regarded as deviant, Haralambos pg 196 Durkheim??™s ??? Le Suicide???, related suicide to social integration and was not just a product of the individual??™s psychology. He compared countries, married and unmarried people and religious groups and discovered that the more a person was with other people the less likely they were to commit suicide. From this study he asserted that there were four types of suicide, which he stated were, Egoistic, Altruistic, Anomie and Fatalistic. Egoistic suicide was most common among groups of individuals who had few connections to social grouping of any kind.

An example of this could be Liberal Protestants who would have more suicide rates than Catholics due to the fact they had less regular religious participation than the latter group. Altruistic suicide was considered more controversial and stated certain types of suicide occurred among tightly knit

groups, when they came under severe threat. Suicides as Indian widow's throwing themselves onto their husband's funeral pyres .

The third type of suicide was Anomic, which was a result of an abrupt change in an individual's circumstances, due to such things as divorce or loss of a job. In a time of economic depression and even economic boom, suicide rates according to Durkheim got higher. The last type of suicide was Fatalistic which was the result of too much regulation particularly in non-industrial societies, groups such as slaves. Durkheim's study on suicide could today be considered too outdated. He also tends to place too much stress on the Social Factor which undermines other factors such as biological and personal.

However Durkheim's scientific study of suicide based on statistics and positive correlations could still stand up in modern day and he was the first person to make a link between social solidarity, social control and suicide. Overall Functionalism offers a clear explanation on how society impacts on the behaviour of the individual in society. It explains how crime and deviance is necessary for society to move on and not stagnate because without crime society would not exist it pushes social, legal and moral boundaries to form the next step of normality. Functionalism however is based on the idea that society is a Value Consensus society which would mean that if it worked there would be no crimes.

It is also a very middle class theory, which does not look at power relationships between the rich and the poor which is to the opposite end of the scale from the Marxist theory. Where Functionalism is a consensus

theory, Marxism is a conflict theory which believes that there is a basic conflict of interest between social class groups. Marxism sees society divided into two parts, the Infrastructure and the Superstructure. The Infrastructure is the first and most important part of society and is the economic base and forces of production. The Superstructure is the second part and consists of all agents of socialisation the political, legal and education systems, beliefs and ideas therefore the Infrastructure largely shapes the Superstructure. In western society the Capitalist forms the ruling class, the bourgeoisie. The subject class is made up of workers who sell their labour to the bourgeoisie in return for wages. Marxism believes that the Proletariat are exploited by the Bourgeoisie, that the value of the individual is market value not human dignity.

This exploitation occurs through the Bourgeoisie driving down wages and driving up prices, introducing machinery to replace workers and also relocating businesses abroad. This however is disguised by the norms and values of freedom and equality. The main problem with the capitalist system according to Marxism is that those who own the means of production do exploit the workers they employ, however this is not known by the workers. This in the Marxist theory is called False Class Consciousness, but True Class Consciousness can develop through agents such as trade unions. The workers would never overthrow a system if it is unaware it is unjust and this lack of awareness assists in retaining the Status Quo. According to Marxism, it is only when the workers realise they are being exploited will they overthrow the Government and this will lead them to form a Communist state.

Marxism believes that crime and deviance are defined by the ruling class and powerful groups which influence the way that the law is created. In Britain's government today there are 18 out of 23 cabinet ministers who are millionaires. The cabinet are also in close alliance with certain media groups who are influential in what they report to the members of society. If we look at the world of cigarette manufactures, society knows that smoking is bad for the individual, yet because these manufacturers are powerful, society is led to believe that it is acceptable for them to continue to make and sell cigarettes. When marijuana, a legal drug, became popular, it was soon highlighted by the media that it was extremely dangerous and was soon made illegal. The Marxist view would say that because the government was not making money from this drug it had to be outlawed. Marxism also believes that a person's social class defines the punishment given when a criminal act is committed.

White collar and corporate crime offenders have a long history of lenient punishment due to their status in society. People who commit Benefit fraud are more likely to be imprisoned than those who commit Tax fraud, as benefit fraud is more likely to be committed by working class individuals. This is due to the Agents of Socialisation, which have created a structure of values which are supportive to the ruling class elite, this is known as agenda setting. Working class crime is mostly committed by young working class males under the age of 24 and Marxism advocates that this is because of a concept they call Status Frustration, a legitimate action against oppression forced on them by being working class. Stuart Hall conducted a study on mugging from a Marxist viewpoint.

One of the points raised by Hall was that the public were panicking about mugging. It was widely reported in the 1970s that mugging was a new form of street crime that was happening all over the country and by 1972 the media had written frightening stories about this crime. It was perceived as a black crime which had to be dealt with by the legal system and because of this stop and search laws were implemented. However according to Hall's study this was not the case, mugging was not a new crime but it had not been reported in the media before the 1970s. Hall stated that Britain was in a period of crisis where there was an increase in strikes and the inner cities were in a state of turmoil. The ideological hold over parts of society were weakening and by having a stop and search policy, it gave the Government a better hold over society. Hall's study did show that there was no truth in the fact that mugging was on the increase. However Hall did not back up his study that moral panic over mugging was caused by a crisis in the British capitalist system.

He also did not provide any evidence that the public identified the crime as being a black crime. Haralambous page 191 Marxism on a whole however is effective in highlighting the cost of crime in monetary value and lives, by drawing attention to breaches in Health and Safety and in industrial accidents such as Bhopal. It also highlights the nature of crime in regards to the working classes and how their oppressive state leads them into crime and also in hidden crimes of middle classes in corporate and white collar crimes.

Marxism however is seen to be deterministic economically and does not look at other non-economic factors that may contribute to crime and also

presumes that people cannot have social mobility. When we look at Functionalism and Marxism we see that they are both Structural and Macro theories however when we look at the Social Action Theory we can see that this is a Micro theory which examines individuals and small groups in society through interaction. Examples of this could be Police/Criminals and Teachers/pupils. Social Action theorists believe that interaction plays a large part in shaping human behavior and examines how and why particular individuals and groups are defined as deviant. Haralambous pg 183.

Symbolic Interaction suggests that an act is only criminal if it is perceived as such. If you are not caught doing a criminal act such as parking on double yellow lines, are you a criminal Interpretation of an act depends on many factors such as age, social position and previous experience.

Humans act towards each other on the basis of meanings given but these meanings are constantly being negotiated through interaction. If you are caught committing a deviant or criminal act then a ??? Labelling??? process begins, but an act is only deviant by being created by social groups . An example of this could be a group of working class youths smoking marijuana on the street, the police could define this as delinquency however the same act in a rich neighbourhood could be defined as mischievous. The acts are the same but two separate meanings are applied to them.

If any of the youths from the working class background are then convicted, they are then classified as deviant and labelled accordingly. People then only see them in terms of the label, this is called ??? The Master Status??? and the youths also see themselves in terms of the label. This may lead to ??? Self-Fulfilling prophecy, this is when the label becomes true. .

The individual may try to conform but if they are unable to escape from the label then the individual will pursue a deviant career. The individual joins other deviants, ??? who are similar to themselves??? in an organised deviant group receives understanding and support from that group. Cohen ??? 1972??? did a study on ??? Mods and Rockers??? which highlighted the issue of Moral panic. He showed that through media hype, Mods and Rockers were portrayed as being rival groups who clashed violently with each other. The police were more likely to arrest these groups and the public were wary of them, the result was a spiral of deviancy, which became a vicious circle. However Cohen in his study neglected the idea that identities and labels are negotiated, as he depicts the Mods and Rockers as victims of public reaction. Not all members of the public may react in the same way and condemn the Mods and Rockers.

Cohen also portrays the groups as not having freedom in their actions they are powerless victims, which is not the case. However he did reflect the concerns and views of a certain society and he did highlight the role of the media in constructing a deviance. His idea of moral panic still remains useful in today??™s society.

The social action theory does not look at the bigger picture of society in a wider level of analysis regarding crime and deviance. It also does not address why people commit crime in the first instance.

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