



# Crime, Violence and Criminal Justice

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Political perspective:  
Crime is the result of criteria that have been built into the law by powerful groups, which are then used to label selected undesirable forms of behaviour as illegal

Psychological perspective:  
Crime is *problem behavior* that contravenes the criminal law and results in difficulties in living within a framework of generally accepted social arrangements

Legalistic perspective: Human conduct in violation of the criminal laws of a state

Sociology sees crime as an *anti-social act* of such a nature that its repression is necessary to the preservation of the existing system of society

# What is crime?

# Causes of Crime

- Why does a person commit a crime?
- What causes crime and deviance?
- Are people basically good?
- Why are some people violent and aggressive?
- Are people motivated only by self-interest?





# What should be criminal?

## Consensus perspective

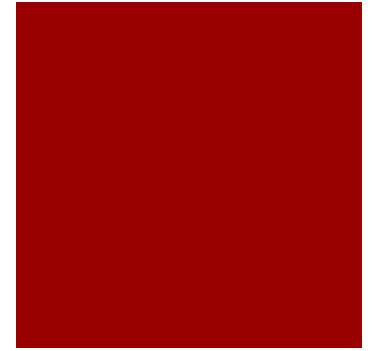
- Laws should be enacted to criminalize certain forms of behavior when members of society generally agree that such laws are necessary

## Pluralist perspective

- Behaviors are typically criminalized through a political process *only* after debate over the appropriate course of action



# Categories of Theory



- **Explanations of criminal behavior fall into eight general categories.**
  - **Classical**
  - **Biological**
  - **Psychobiological**
  - **Psychological**
  - **Sociological**
  - **Social Process**
  - **Conflict**
  - **Emergent**
- **Interdisciplinary theories, or integrated theories, could possibly be a ninth category.**

# Criminology: Classical and Neoclassical Theories

## Basic assumptions: Beccaria, Bentham

1. Crime is caused by the individual exercise of “free will.”
2. Pain and pleasure are the two central determinants of human behavior.
3. Punishment is sometimes required to deter law violators.
4. Crime prevention is possible through swift and certain punishment, which offsets any gains to be had through criminal behavior.

## Social Policy

- Classical theories form the basis of many criminal justice programs, predominant in Russia
- High crime rates call for punishment to get even and to prevent future crime.



# Criminology: The Neoclassical Perspective



## **Rational choice theory**

**Criminality is the result of conscious choice.**

Individuals commit crime when the benefits outweigh the costs.



## **Routine activities theory**

**Lifestyles contribute to the volume and type of crime found in society.**

Crime is likely to occur when a motivated offender and a suitable target come together in absence of a capable guardian.

# Criminology: Biological Theories

## Basic Assumptions: Gall, Lobroso

1. Human behavior is constitutionally or genetically determined.
2. Basic determinants of human behavior may be passed from generation to generation.
3. Some behavior is the result of propensities inherited from more primitive developmental stages in the evolutionary process.

## Social Policy

Policies based on biological theories are usually considered “extreme.”  
For example:  
Eugenics movement of the 1920s;  
Castration of pedophiles





# Criminology: Psychobiological Theories

## Basic assumptions

Focus is on the relationship of the following to criminal behavior:

1. DNA
2. environmental contaminants
3. nutrition
4. hormones
5. physical trauma
6. body chemistry in human cognition and behavior

Chromosome Theory (Jacobs)

Biocriminology

Heredity

## Social Policy

Policies look to modify body chemistry to change behavior.

Example: Medication

# Criminology: Psychological Theories

**Basic assumptions: Pavlov,  
Freud**

- 1.** The individual is the main unit of analysis.
- 2.** Personality is the major motivational element.
- 3.** Crimes result from inappropriately conditioned behavior.
- 4.** Abnormal mental processes may have a number of causes.
  - Diseased mind
  - Inappropriate learning
  - Improper conditioning

**Psycopathology**

**Social policy**

Policies are primarily individualistic and oriented toward individualized treatment and therapy plans designed to reduce a person's dangerousness

# Criminology: Sociological Theories

## Basic assumptions

Particular sociological theories may give greater or lesser weight to:

- The clash of norms and values among variously socialized groups
- Socialization and the process of association between individuals
- The existence of subcultures and varying types of opportunities

## Social policy

Social programs are instituted to *change cultural conditions* and societal arrangements that lead people into crime

# Criminology: Sociological Theories – Social Ecology

## Basic assumptions:

In the 1920s, Park and Burgess mapped Chicago based on the city's social characteristics. They developed the **Concentric Zone Theory**.

- Concentric zones are likened to a bull's eye with the center of the city being the target.

**Shaw and McKay related this theory to crime.**

- Crime *increased* as one moved towards *center* of the city, with the highest crime rates in the “zone of transition,” where there was a lot of poverty, illiteracy, lack of schooling, unemployment, and illegitimacy (social disorganization).
- Social disorganization leads to crime.

## Social policy

**Crime Prevention Through Environmental Design(CPTED):**

- Natural surveillance
- Natural access control
- Natural territorial reinforcement



# Criminology: Sociological Theories – Other theories

## Anomie Theory

Emile Durkheim (1858–1917) introduced the term anomie (normlessness) in the late 1800s.

Robert K. Merton (1910–2003) defined anomie as a disjunction between societal goals and legitimate means. He developed a typology of adaptations:

- Conformist—
- \accepts goals and means (law abiding)\
- Innovator—
- accepts goals, rejects means (
- property/white-collar offenses)
- Retreatist—
- rejects both goals and means
- (addiction/victimless crimes)
- Ritualist—
- rejects g
- oals, accepts means (repetitive/mundane lifestyle)
- Rebel—rejects g
- oals and means an
- dritutes his own goals and means (political

## Subcultural theory

- **Cohen** (b. 1918)—reaction formation, lower class youth's rejection of middle class values, leads to the development of gangs and reinforces the subculture.
- **Miller**—Lower class priority concerns of trouble, toughness, excitement, smartness, fate, and autonomy lead to crime.
- **Cowards and Ohlin** proposed that an illegitimate opportunity structure allows delinquent youths to achieve success outside of legitimate ways.
- **Wolfgang and Ferracuti** coined the term “subculture of violence” after examining homicide rates in Philadelphia in the 1950s.
  - Here, violence is a traditional, and often accepted, method of dispute resolution.

# Criminology: Social Process Theories

## Basic assumptions

- They highlight the role of social learning
- They are often the most attractive to policymakers
- They are consistent with popular cultural and religious values

## Social policy

- Change of socialization and learning processes

# Criminology: Social Process Theories

- **Differential association:** crime as a product of socialization.
  - Crime is learned. It is learned by the same principles that guide learning of law abiding behavior of conformists (Sutherland);
- **Social Learning:** a perspective that says people learn how to behave from others whom they have the opportunity to observe.

- **Restraint theories** focus on Constraints—those forces that keep people from committing crimes
- One restraint theory, offered by Walter Reckless (1899-1988) is **containment theory**.

There are two types of *Containment*:

- 1) Outer—elements outside of individual (friends, law, family, social position) control behavior.
- 2) Inner—those elements psychological in nature (conscience, positive self-image, tolerance) control behavior.

# Criminology: Social Process Theories

## Social control

**Travis Hirschi emphasized the bond between individuals and society as the primary operative mechanism**

**Elements of the social bond include:**

1. Attachment (to others)
2. Commitment (to appropriate lifestyles)
3. Involvement (in conventional values)
4. Belief (in correctness of rules of society)

## Life course

- **Social development theories represent an integrated view of human development that points to the process of interaction among and between individuals and society as the root cause of criminal behavior.**

**An example, put forth in 1993 by Sampson and Laub, is the life course perspective.**

- **Crime is linked to turning points in one's life.**
  - Turning points are transitional periods during which one can either walk toward or away from crime.



# Criminology: Conflict Theory

## Basic assumptions

- maintains that crime is the natural consequence of economic and other social inequities.
- Key elements are:
  1. Society is composed of diverse social groups.
  2. Conflict among groups is unavoidable because of differing interests and differing values.
  3. Group conflict centers on exercise of political power.
  4. Laws further the interests of the lawmakers.

**Radical Criminology**

**Peacemaking Criminology**

## Social policy

- Many suggest that the only *real* way to produce change is through *revolution*.
- Modern thinkers believe that we need a middle- of-the-road solution. Such solutions include:
  - Increasing job opportunities
  - Reducing prison overcrowding
  - Prosecuting corporate crimes
  - Restructuring the bail system
  - Promoting community corrections
- Returning to Shaming and informal social control (Barithwaite)

# Criminology: Restorative justice

## Concept:

Contends that society needs to hold offenders accountable to put right their harms

- Crime is an offense against human relationships
- Victims and the community are central to justice processes
- The first priority is to restore the community
- The offender has a personal responsibility to victims and to the community for crimes committed
- The offender will develop improved competency and understanding as a result of the restorative experience

## Programs:

- Sentencing circles are a technique used to bring offenders, victims, and other community members together
- Community: Implement dialogue to identify problems and develop tactics for elimination
- Schools: Restoration for drug/alcohol abuse
- Police: Community policing programs
- Courts: Diversion programs