

1/03/16

Introduction to Criminology

Think about what intrigues you about crime?

What repels you about crime?

Extra reading: Jack Katz 'Seductions of Crime'

What is Crime?

- Hard to define, changing definition
- Everyone has a different opinion on what crime is
- What about things that don't seem wrong? e.g. some American states say that the lethal injection is ok, however, is it still murder? Or is it not because the state says it's ok?
- What do bystanders think?

What Counts as Crime?

- Crime is shaped by morality (e.g. euthanasia), gender (e.g. rape), culture (e.g. illegal drugs), religion (e.g. bigamy), politics (e.g. if a certain type of political system is illegal).
- Shaped by individuals values, experience (as a victim, bystander or offender), social context (family, friends, where brought up), information sourced (e.g. media - daily telegraph as opposed to BuzzFeed).

Concept of Deviance

- "Behaviour that violates the normative rules, understandings or expectations of social systems" (Cohen 1968, p148).
- How you SHOULD do things, ethics... e.g. bad manners.
- Breaking social norms → Public Order Offences (which are minor crimes such as urinating in public)
- Not all deviance is a crime.

Criminalisation Process

- There are things that you don't think are wrong, or that there are things that aren't considered wrong which you think are.
- Crime changes over time e.g. rape in marriage, cyberbullying.

Behaviours That are Criminalised

- Vary across time and place
- May/may not be considered immoral
- May be 'normalised' if commonplace
- Crime is 'socially constructed' → it is very dynamic.

Why Do We 'need' Criminal Labels?

- Boundary definition (conservative)
- Adjudicating between conflicting values (liberal)
- Protect unequal social order (radical)

*****4 Approaches to 'What's Crime?'**

- Legal approach → against law → Crimes Act 1900 [NSW]
- Social harm approach → cause significant harm
- Human Rights approach → breaches an individual or populations human rights

- Social process approach.
1. Legalistic approach
 - "Crime is what the law defines as crime." (Goldsmith, Israel & Daly 2006: 5)
 - Crimes Act 1900 [NSW]
 - Criminal law can't keep up with what 'crime' is → law reform takes a long time
 - Very narrow and broad definition.
 2. Social harm approach
 - Regardless of what law books say
 - The act caused enough harm to be held accountable → 'crime'
 - Widens the scope of what's counted to be crime.
 3. Human Rights approach
 - Minimum standards
 - Crime occurs when human rights are violated regardless of legality (White and Paines p5).
 - E.g. if Australis violates something that they are signatory to in the Convention on the Rights of the Child [CRoC], it is considered a crime.
 - Corporations, states and government [govt] can do illegal things.
 - Arguable.
 4. Social process approach
 - Crime is "a collection of negative ideological categories with specific historical applications... categories of denunciation or abuse lodged within very complex, historically loaded practical conflicts and moral debates... these negative categories of moral ideology are social censures." (Summer 1990 :26,28).
 - E.g. witchcraft

What is Criminology?

- "Systematic study if the nature, extent, cause and control of law breaking behaviour." (Lanier and Henry 2004:3)
- Term coined in 1885 by Raffaele Garofalo.

Week 1

Text: Crime and Criminology 5e p.1-17

Author's Perspective	My Perspective
<p>Criminology encompasses different perspectives - multidisciplinary.</p> <p>Production of knowledge is social and material process. Each country has own unique social concerns, intellectual milieux, political traditions etc... e.g. USA has major</p>	

concerns over ghetto neighbourhoods and unemployment.
Canada - drug law enforcement. Aus - ice epidemic. [p2]

Crim focuses on:

- 1) sociology of law - how societies define crime & implications this understanding has on ppl
- 2) theories of crime causation [criminogenesis]
- 3) study of social responses to crime - examines formal institutions of CJ e.g. police, courts...

No straightforward, universal definition of crime - changing ideas, [p4]

What about breaking the law for social justice e.g. breaking the law of a corrupt government in order to save its people...

Are they a criminal? Who define the law?

Hagan (1987) viewpoint of crime - identifies 7 diff approaches to definition of crime e.g. 'legal-consensus' definition to a 'HR' definition. -> HR -> crime occurs when HR violated. [p5]

** SEE: Nettler 1984; Lacey 2007; Downes & Morgan 2007; Laslett 2010**

Definition has consequences upon diff types of behaviour are dealt with e.g. violence - (Alder 1991: 61) :
"In the home, parents hit children; on the playing field, sportsmen assault each other at work, industrial 'accidents' occur; in our community, dangerous chemicals are dumped; our govts turn a blind eye to the practices of some police officers and our govts are resp for the mass violence of war" [p6]

Crime definition is not static. e.g. 1530 England crime of being a vagabond [unemployed and idle]. Over age of 18thc could have been hanged if no suitable employment for 2 yrs. 1743-> laws expanded to incl homeless and poor ppl (Chambliss 1975a). Crime no longer exists. [p7]

Media portrays crime as 'street crime' (Hall 1980b; Downes & Morgan 2007)

Media cause reform - 'moral panics' (Cohen 1972; Poynting and Morgan 2007)

Grabosky and Wilson (1989: 11) says that "the most common crime according to statistics. crimes against property, receive relatively little media attention. By

Does not mention that crime is dependant on social context and the primary beliefs of the country for e.g. same sex marriage being legalised in NZ whereas, in Australia it still remains illegal.

THIS IS NOT MENTIONED IN CRIME, CRIMINALITY & CJ. Doesn't include the idea that some form of harm is central to the idea of a crime. Why not?

Also does not include the idea of mens rea and actus reus.

contrast, crimes of violence, which are very uncommon in actuarial terms, are accorded much greater coverage.”
[p9]

3 approaches 2 measuring crime:

- 1) realist approach - uncover the real or true extent of crime by methods such as hidden cameras
- 2) institutionalist approach - the manner in which official CJ institutions actually process suspects and define behaviours as being criminal
- 3) critical realist approach - uncover the processes whereby crimes against most vulnerable and least powerful sections of population have been ignored/underrepresented [p10/11]

Brown's (1979) symbolic representations of political arrangements:

Geometric circle: ppl share same values of community and equality.

Triangle: society = hierarchy

Rectangle/square: diff interconnecting institutions e.g. fam, work and school.

Non-geometric form e.g. stick figures: focus on individuals, how [ppl think of themselves and each other - sig factor in how behave in interactions w/ each other [p15].

political perspectives:

- 1) conservative: supportive of the legitimacy of the status quo. Believe in 'core value system'
- 2) Liberal: accepts the limits of the status quo, encourages limited changes in societal institutions. - 'social problems'
- 3) Radical: undermine the legitimacy of the status quo. sees 'social conflict' as main concern. [p16]

References for future reference ;):

Nettler, G (1984). Explaining Crime, McGraw Hill, New York.

Lacey, N (2007). 'Legal Constructions of Crime', in M. Maguire, R. Morgan & R. Reiner (eds), The Oxford Handbook of Criminology (4th edition), Oxford University Press, London: 179-200.

Downes, D & Morgan, R. (2007). 'no Turning Back: The Politics of Law and Order into the Millennium', in M. Maguire, R. Morgan & R. Reiner (eds), The Oxford Handbook of Criminology (4th edition), Oxford University Press, London: 201-40.

Laslett, K. (2010). 'Crime or Social Harm? A Dialectical Perspective', *Crime, Law and Social Change*, 54 (1) : 1-19.