

Conflict Perspectives

How do functional conflict and power conflict perspectives differ?
 How would conflict perspectives explain the overrepresentation of minority groups in the CJS?

Conflict V.S Consensus perspectives

Crime as socially constructed: there are things you can do in Australia but not in other countries (drinking age)

Consensus examples

Conflict examples

- Merton (structural strain)
- Shaw and MacKay (social disorganization)
- Hirschi (social control)
- Individual level theories
- Becker (labelling)
- Turk (law as an instrument of control)
- Spitzer (problem populations)

Conflict theorists argue there is no consensus (general agreement) of values, crime is socially constructed (chewing gum in Singapore, abortion, prostitution, alcohol) People with power and wealth define crimes, and usually advantage people with power, disadvantage people without the power. **WHO**

→ Conflict Theorist are about

- Who gets to decide what crime is?
- What is the impact of the methods used to control, reduce or prevent crime?
- What is the impact of the criminal justice system on particular groups of people?
- Why are similar harms treated differently in law? (powder cocaine and crack cocaine have different punishment, why is that?)
- Why can some groups more easily evade criminalisation or the criminal process than others? (employee have harsher penalty than the employer)
- How is it that legal ideals of 'due process' and 'equality' end up reproducing social, political, and economic inequalities?

→ Conflict theories have these things in common:

- Crime causes by conflicts between groups that have unequal power
- The more powerful group enacts and enforces laws that favors them and affects less powerful groups, the more powerful you are, the less likely you will be convicted.
- Laws and the enforcement of law reproduce and amplify social inequalities, so the system remain the same over time

→ Conflict criminologists

- Assume that all knowledge, including scientific knowledge has a point of view – it has its own agenda.
- They would explain the relationship between race and crime as the US African Americans offend more because they are less powerful compare to other ethnicities, that they offend more (Differential involvement) and are stopped, detained and arrested more (Differential treatment)
- E.g., beliefs of minority groups that do not fit into the scientific frame.

Consensus theorists assume that there are values held in common in a society or that the dominant values are agreed upon by society's members. **WHAT, WHY**

→ Consensus Theorists are about understanding the causes of crime, people's reasons to get into crime, and how to control and reduce crimes.

→ Consensus criminologists

- Particularly positivists
- Informed by scientific knowledge.
- Is neutral -- it has no perspective or interests.

FUNCTIONAL CONFLICT THEORY	POWER CONFLICT THEORY
<ul style="list-style-type: none"> ▪ Conflict is a source of checks & balances... leads to social change. ▪ Crime is a result of a disagreement over the definition of law. 	<ul style="list-style-type: none"> ▪ Not all groups equally powerful. ▪ Crime is a result of the ability of powerful groups having the ability to impose the law on powerless groups.

Functional conflict theory doesn't answer the question of how some groups achieve the power to impose definitions on others, no answer on the connection between group conflict and the distribution of resources.

→ **Group conflict (Vold)** → protest movements, prohibition laws, abortion laws

- Society is heterogeneous
- Crime emerges through normal conflict between competing interest groups in society.
- One group manages for a time to have their interest and values dominate, whoever's not in power is going to have their behavior criminalized

- **What does this sound like? Sound like politics, the politicians each have their own ideology. Or abortion laws.**

→ **Turk – the process of criminalization** (you are more likely to engage criminalization when social and cultural rules don't align)

- There are multiple groups in society, some more organized than others, there are not all equal to avoid authority.
- Having 'authority' requires organization and sophistication, such as Bikies, cannabis smokers, corporations.
- Crime is simply a label imposed by some individuals on others.
- No act is inherently criminal.
- **Criminalization will depend less on the behavior of the criminal and more on the criminal's relationship to authority.**
- **Which in criminalization likely to happen? It determines on how offensive is the act to those in power, how much power do the enforcers and resisters have, and how likely will the action be taken by those in power.**

Power conflict theory → more critical and radical

1. Things are not as equal as them seems, some groups lose, and some groups win
2. There's an unequal distribution of power in society, we need to throw out the current system and restructure it altogether.

→ Marxist perspectives = **radical theories of criminology**

- Capitalist societies characterized by ongoing struggle between two opposing groups: Capitalists and working class
- Law and criminal justice used by the state to support the interests of the 'owners' capitalist class
- Crime requires fundamental societal change, ending the 'capitalist mode of production' and starting again.
- Marxist and neo-Marxist theories focus on the system that would worker better rather than the current one.

→ Quinney – **social reality of crime**

- **Crime occurs at all levels of society, we are all engaging in crime, but the way the laws are enforced, the crimes are often directed at the lower social class. (the different treatment of white-collar crime)**
- Dominant class creates laws in own interests and constructs beliefs about crime and criminals
- Crime is just the result of class conflict, social inequalities, and competitive forms of interaction characteristic of capitalism.
- **Empirical support:** Strong correlation between homeless people, street crime and imprisonment. Public order offences such as drunk and disorderly, affect more among homeless people, adolescence, mentally ill people, they come into contact with the law enforcements at a much higher rate. A lot of police resources are on street level crimes.
- In more unequal countries, more people are imprisoned
- **White collar offenders in federal courts** → we will be more fearful with street criminals than a guy in a suit

→ **Spitzer's control of problem population**

- There's a monopoly capitalism, where economic elites use worker and create **a surplus/ left over population that are permanently unemployed**
- There are two types of people that are most likely to be defined as criminal:
Social junk: less educated, surplus worker, outcasts → PEOPLE who are **bad for the society and to be kept under control**
Social Dynamite: reactionary problematic for capitalist (a person who uses their wealth to invest in trade and industry for profit) class, rebels → PEOPLE who are **political threat**

Capitalist: a person who uses their wealth to invest in trade and industry for profit

Capitalism: an economic and political system in which a country's trade and industry are controlled by private owner for profit, rather than by the state.

Monopoly capitalism: an economic and political system in which a country's trade and industry are controlled by only a few people for profit, rather than by the state.

Reactionary problematic for capitalist: a problem for a person who uses their wealth to invest in trade and industry for profit due to the rebellious behaviors