WALTER MILLER argues that the lower class has its own independent subculture separate from mainstream culture that does not value success in the first place, so its members are not frustrated by failure.

Recent strain theories have argued that young people may pursue a variety of goals other than money success such as popularity with peers or autonomy from adults. They argue that middle-class juveniles too may have problems achieving such goals thus offering an explanation to middle class delinquency.

MESSNER and ROSENFELD's institutional anomie theory focuses on the American Dream— they argue its obsession with money success encourages people to adopt an 'anything goes' mentality in pursuit of wealth. They concluded that in societies based on free-market capitalism and lacking adequate welfare provision (e.g. USA), high crime rates are inevitable.

2. Interactionism and Labelling Theory

The social construction of crime:

Labelling theorists argue that it is not the nature of the act that makes it deviant, but the nature of society’s reaction to the act → society’s label.

BECKER says that a deviant is simply someone who has been given the label of a deviant.

Labelling theorists are interested in what BECKER calls moral entrepreneurs— people who lead a moral ‘crusade’ to change the law.

BECKER argues that this new law has 2 effects:
• The creation of a new group of ‘outsiders’— deviants who break the new rule
• The creation or expansion of a social control agency to enforce the rule and impose labels on offenders.

PLATT argues that the idea of ‘juvenile delinquency’ was originally created as a result of a campaign by upper-class Victorian moral entrepreneurs aimed at protecting young people at risk.

This established ‘juveniles’ as a separate category of offender.

BECKER notes that social control agencies may also campaign for a change in the law to increase their own power.

-He argues that the Marijuana Tax Act of 1937 to outlaw marijuana use was really made to extend the Bureaus sphere of influence.

Thus it is not the harmfulness of a behaviour that leads to new laws being created, it is the efforts of powerful individuals and groups to redefine that behaviour as unacceptable.

Whether a person is arrested, charged and convicted depends on factors such as:
• Their interactions with agencies of social control
• Their appearance, background and personal biography
• The situation and circumstances of the offence

Labelling theorists have found that agencies of social control are more likely to label certain groups as deviant or criminal.
This theory would have 2 main sources:
• Marxist ideas about the unequal distribution of wealth and who has the power to make and enforce the law
• Ideas from interactionism and labelling theory about the meaning of the deviant act for the actor, societal reactions to it, and the effects of the deviant label.

In their view, a complete theory of deviance needs to unite 6 aspects:
1. The wider origins of the deviant act in the in the unequal distribution of wealth and power in capitalist society
2. The immediate origins of the deviant act- the particular context in which the individual decides to commit the act
3. The act itself and its meaning for the actor- a rebellion against capitalism?
4. The immediate origins of social reaction- the reactions of those around the deviant, such as police, family and community, to discovering the deviance.
5. The wider origins of social reaction in the structure of capitalist society, especially the issue of who has the power to define actions as deviant an to label others, and why some acts are treated more harshly than others.
6. The effects of labelling on the deviant's future actions- why does labelling lead to deviance amplification in some cases and not others?

Evaluation of critical criminology:
Taylor et al's approach is criticised on several grounds:
- Feminists criticise it for being 'gender blind', focussing only on male criminality
- Left realists say it romanticises working class criminals as 'Robin Hoods' who are fighting capitalism by re-distributing wealth from the rich to the poor- when in reality these criminals mostly prey on the poor.

Crimes of the powerful:
The term 'white collar crime' was coined by Edwin Sutherland- his aim was to challenge the stereotype that crime is purely a lower-class phenomenon. However, his definition fails to distinguish between 2 different types of crime:
• Occupational crime- committed by employees simply for their own personal gain, often against the organisation that they work for.
• Corporate crime- committed by employees for their organisation in pursuit of its goals.

A further problem comes from the fact that many of the harms caused by the powerful do not break the criminal law- e.g. failing to comply with codes of practice.

TOMBS argues that the difference between the types of offence is about who has the power to define an act as a crime: powerful corporations can influence the law so that their actions are not criminalised.

Corporate crime covers a range of acts and omissions:
• Financial crimes: tax evasion, bribery, money laundering and illegal accounting. Victims include other companies, shareholders, taxpayers and governments.
• Crime against consumers: false labelling and selling unfit goods.
• Crimes against employees: sexual/racial discrimination, violations of wage laws, of rights to join a union or take industrial action, and of health and safety laws. (Tombs- 1100 work related deaths a year involve employees breaking the law).
- Some had been abused physically or sexually by their fathers, or subjected to domestic violence by partners.
- Over half had spent time in care, which broke the bonds with family and friends.
- Those leaving or running away from care often found themselves homeless, unemployed and poor.

Carlen concluded that for these women, poverty and being brought up in care or an oppressive family life were the two main causes of their criminality.

Heidensohn and Carlen’s approaches to female crime are based on a combination of feminism and control theory:
- Heidensohn shows many patriarchal controls that prevent women from deviating
- Carlen shows how the failure of patriarchal society to deliver the promised deals to some women removes the controls that prevent them from offending.

However, both control theory and feminism can be accused of seeing women’s behaviour as determined by external forces:
- Critics argue this underplays the importance of free will and choice in offending.
- Also, Carlen’s sample was small and may be unrepresentative, consisting as it did largely of working-class and serious offenders.

The liberation thesis—>ADLER argues as women become liberated from patriarchy, their crimes will become as frequent and as serious as men’s. Women’s liberation has led to a new type of female criminal and a rise in the female crime rate.

It would be logical to assume that if society becomes less patriarchal and more equal, women’s crime rates will become more similar to men’s.

Adler argues that changes in the structure of society have led to changes in women’s offending behaviour.
- As patriarchal controls lessened and opportunities in education/work have become more equal, women have begun to adopt traditionally ‘male’ roles in work and crime.

As a result women now also commit typically ‘male’ crimes like violence.
This is because of women’s greater self-confidence and assertiveness, and the fact that they now have greater opportunities in the legitimate structure.
- E.g. more women in senior positions at work, giving them the opportunity to commit serious white collar crimes.

There is evidence to support this view:
- Both the overall rate of female offending and the female share of offences rose during the 2nd half of the 20th century.
- Adler argues that the pattern of female crime has shifted—she cites studies showing rising levels of female participation in crimes previously regarded as ‘male’, such as embezzlement and armed robbery.

Critics reject Adler’s liberation thesis:
- The female crime rate began rising in the 1950s long before the women’s liberation movement, which emerged in the late 1960s.
- Most female criminals are working class- the group least likely to be influenced by women’s liberation, which has benefitted middle-class women much more.

CHESNEY-LIND argued that in the USA poor marginalised women are more likely than liberated women to be criminals.
• More women than men were victims of intimate violence during their adult lives
• Ten times more women reported having being sexually assaulted than men
• Only 8% of females who experienced sexual assault reported it to the police.
  1/3rd who didn't report it said they believed the police couldn't do much to help.

Research shows that women have a greater fear of crime but the CSEW shows they are at less risk of victimisation.
-However, some local victim surveys such as by Lea and Young have found that women are at greater risk than men- there is also some evidence from early studies that female victims of violence may be more likely to refuse to be interviewed.

Why do men commit crime?:

JAMES MESSERSCHMIDT argues that masculinity is a social construct or ‘accomplishment’. He argues that different masculinities co-exist within society but that hegemonic masculinity is the dominant form that most men wish to accomplish.

However, some men have subordinated masculinities- these include gay men, who have no desire to accomplish hegemonic masculinity as well as lower-class and some ethnic minority men, who lack the resources to do so.

Messerschmidt sees crime and deviance as resources that different men may use for accomplishing masculinity—class and ethnic differences among youths use different forms of rule breaking to demonstrate masculinity:
• White middle-class youths have to subordinate themselves to teachers in order to achieve middle-class status, leading to an accommodating masculinity in school. Outside school, their masculinity takes an oppositional form—e.g. drinking.
• White working-class youths have less chance of educational success, so their masculinity is oppositional both in and out of school. It is constructed around sexist attitudes, being tough and opposing the teachers' authority. The ‘lads’ in WILLIAMSON's study are a good example of this kind of masculinity.
• Black lower working-class youths may have few expectations of a reasonable job and may use gang membership and violence to express their masculinity, or turn to serious property crime to achieve material success.

Messerschmidt acknowledges that middle-class men also may use crime.
-Middle class males commit white collar and corporate crime to accomplish hegemonic masculinity, poorer groups may use street robbery to achieve a subordinate masculinity.

Critics of Messerschmidt:
• He doesn't explain why not all men use crime to accomplish masculinity.
• He overworks the concept of masculinity to explain virtually all male crimes, from joy riding to embezzlement.

In recent years, globalisation has led to a shift from modern industrial society to a late modern to a late modern or postmodern de-industrialised society.
-This has led to the loss of many of the traditional manual jobs through which working-class men were able to express their masculinity by hard physical labour.

There has also been an expansion of the service sector, including the night time leisure economy of clubs, pubs and bars.
-For some young working-class men, this has provided a combination of legal employment, criminal opportunities and a means of expressing their masculinity.

One example of this is SIMON WINLOW's study of bouncers in Sunderland, an area of de-industrialisation and unemployment.

Working as bouncers in clubs and pubs provided young men with paid work and the opportunity for illegal business ventures in drugs and alcohol, as well as the opportunity to demonstrate their masculinity through physical violence.

Winlow draws on Cloward and Ohlin's distinction between conflict and criminal subcultures- he notes in modern society there had always been a violent, conflict subculture where 'hard men' earned status through their ability to use violence.

However the absence of a professional criminal subculture meant that there was little opportunity for a career in organised crime.

By contrast, under postmodern conditions, an organised professional criminal subculture has emerged as a result of the new illicit business opportunities to be found in the night-time economy.

In this subculture the ability to use violence becomes not just a way of displaying masculinity, but a commodity with which to earn a living.

Winlow's study is important as it shows how the expression of masculinity changes with the move from a modern industrial society to postmodern, de-industrialised.

This change opens up new criminal opportunities for men who are able to use violence to express masculinity.

6. Ethnicity, Crime and Justice

Ethnicity and criminalisation:

According to official stats, there are some significant ethnic differences in the likelihood of being involved in the criminal justice system.

Black and Asians are over represented in the system:
- Black people make up 3% of the population but 13.1% of the prison population.
- Asians make up 6.5% of the population but 7.7% of the prison population.

Whites are under represented at all stages of the criminal justice process.

However, such stats do not tell us whether members of one ethnic group are more likely than members of another group to commit an offence in the first place-they simply tell us about involvement in the criminal justice system.

We can use 2 other important sources of stats that can throw a more direct light on ethnicity and offending: victim surveys and self-report studies.

Victim surveys—> ask individuals to say what crimes they have been victims of.
- We can gain info about ethnicity and offending when victims to identify the ethnicity of the offender.
- They also show that a great deal of crime is intra-ethnic (takes place within ethnic groups rather than between).
- Felson calls this the ‘dramatic fallacy’. Similarly, media images lead us to believe that to commit crime one needs to be daring and clever- the ‘ingenuity fallacy’. There is evidence of changes in the type of coverage of crime by news media: - SCHLESINGER and TUMBER found that in the 1960s the focus had been on murders and petty crime, but by the 1990s murder and petty crime were of less interest to the media.

The change came about partly because of the abolition of the death penalty for murder and partly because rising crime rates mean a crime has to be ‘special’ to attract coverage.

There is also evidence of increasing preoccupation with sex crimes. - SOOTHILL and WALBY found that newspaper reporting of rape cases increased from under 1/4 of all cases in 1951 to over 1/3 in 1985- they noted that coverage consistently focuses on identifying a ‘sex fiend’ often by use of labels. - The resulting distorted picture of rape is one of serial attacks carried out by psychopathic strangers- however in most cases the offender is known to the victim.

The distorted picture of crime painted by the news media reflects the fact that news is a social construction - news is the outcome of a social process in which some stories are selected while others are rejected.

News Values are the criteria by which journalists and editors decide whether a story is newsworthy enough to make it into the newspaper etc.

Key news values influencing the selection of crime stories include:
- Immediacy- ‘breaking news’
- Dramatisation- action and excitement
- Personalisation- human interest stories about individuals
- Higher-status people and celebrities
- Simplification- eliminating complicated issues
- Novelty or unexpectedness- a new angle
- Risk- victim-centred stories about vulnerability and fear
- Violence- especially visible and spectacular acts
- Crime focuses on the unusual and extraordinary so it is given coverage

Fictional representations from TV, cinema and novels are also important sources of our knowledge of crime- MANDEL estimates that from 1945 to 1984 over 10 billion crime thrillers were sold worldwide, while 25% of prime time TV was crime shows.

SURETTE says fictional representations of crime follow ‘the law of opposites’: the opposite of official stats:
- Property crime is under-represented while violence, drugs and sex crimes are over-represented
- Fictional homicides are the product of greed and calculation, real life ones result from brawls and domestic disputes
- Fictional sex crimes are committed by psychopathic strangers- fictional villains tent to be higher status, middle-aged white males

However...
- The new genre of ‘reality’ infotainment shows tend to feature young, non-white ‘underclass’ offenders.
- There is an increasing tendency to show police as corrupt and brutal.
Social and community prevention strategies place the emphasis firmly on the potential offender and their social context.
- The aim of these strategies is to remove the conditions that predispose individuals to crime in the first place.
- These are longer-term strategies since they attempt to tackle the root causes of offending, rather than simply removing opportunities for crime.

Surveillance:

In today’s late modern society surveillance usually involves the use of sophisticated technology, including CCTV cameras, electronic tagging etc.
- This data may be used for crime and disorder control and to control the behaviour of workers and consumers.

Sovereign power—> typical of the period before the 19th century. Control was asserted by inflicting disfiguring, visible punishment on the body.

Disciplinary power—> dominant from the 19th century. A new system of discipline seeking to discipline both the mind and body through surveillance.

One view is that brutal bodily punishment disappeared from Western societies because they became more civilised or humane.
- **FOUCAULT** rejects this liberal view and claims that disciplinary power replaced sovereign power because surveillance is more efficient ‘technology of power’.

**Foucault** illustrates disciplinary power with the panopticon—a design for a prison where each prisoner is in his own cell and is visible to the guards from a central watchtower, but the guards are not visible to the prisoners.
- Thus they do not know if they are being watched but they know they might be.
- As a result they turn to self-surveillance and self-discipline.
- He argues that disciplinary power involves intensively monitoring the individual with a view to rehabilitating them.

In **Foucault’s** view, disciplinary power has now dispersed throughout society, penetrating every social institution to reach every individual.
- Thus the form of surveillance in the Panopticon is now a model of how power operates in society as a whole.

**Foucault** has been criticised on several grounds:
- The shift from sovereign power and corporal punishment to disciplinary power and imprisonment is less clear than he suggests.
- He is also accused of wrongly assuming that the expressive aspects of punishment disappear in modern society.
- He exaggerates the extent of control- **GOFFMAN** shows how some inmates of prisons and mental hospitals are able to resist controls.
- He overestimates the power of surveillance to change behaviour.

CCTV is a form of panopticism—>we are aware of its presence but unsure whether they are recording us. However they are not necessarily effective in preventing crime.