

Unit 12 Deviance and Crime

Text A

Preparatory Work

(1)

Vandalism is action involving deliberate destruction of or damage to public or private property. It includes behavior such as breaking windows, slashing tires, spray painting a wall with graffiti, and destroying a computer system through the use of a computer virus. Vandalism is a malicious act and may reflect personal ill will, although the perpetrators need not know their victim to commit vandalism. The recklessness of the act imputes both intent and malice.

A bad check is a check that you cannot cash because the person who wrote the check: 1) doesn't have sufficient funds to cover it; or 2) told the bank to stop payment on it without having a valid reason for doing so. **Writing or passing a bad check** is a crime if the check writer knew that there were insufficient funds to cover the check and intended to defraud someone.

Juvenile delinquent is a person who is under age (usu. below 18), who is found to have committed a crime in states which have declared by law that a minor lacks responsibility and thus may not be sentenced as an adult. However, the legislatures of several states have reduced the age of criminal responsibility for serious crimes or for repeat offenders to as low as 14.

Larceny generally refers to nonviolent theft. It is a common-law term developed by the royal courts of England in the 17th century. In the United States, most jurisdictions have eliminated the crime of larceny from statutory codes, in favor of a general

Victimless crime is a crime where there is no apparent victim and no apparent pain or injury. This class of crime usually involves only consenting adults in activities such as prostitution, sodomy, and gaming where the acts are not public, no one is harmed, and no one complains of the activities. Some groups advocate legalizing victimless crimes by removing these acts from the law books. Other critics complain that there is no such thing as a victim crime; whenever one of these crimes is committed but goes unpunished, individual mores, societal values and the Rule of Law are undermined, or compromised, rendering society itself the victim. theft statute.

(2)

Deviant acts: binge drinking (drinking alcoholic beverages with an intention of becoming intoxicated by heavy consumption of alcohol over a short period of time. It is a style of drinking that overlaps somewhat with social drinking since it is often done in groups), using pornography, speeding, stealing from a campus bookstore, patronizing a prostitute, appearing nude in public, etc.

Criminal acts: homicide, robbery, stealing, rape, drug abuse, etc.

(3)

In criminology, **differential association** is a theory developed by Edwin Sutherland proposing that through interaction with others, individuals learn the values, attitudes, techniques, and motives for criminal behavior. The differential association theory is the most talked about of the learning theories of deviance. This theory focuses on how individuals learn to become criminals, but does not concern itself with why they become criminals. (para.7)

Strain theory is a sociology and criminology theory developed in 1957 by Robert K. Merton. The theory states that society puts pressure on individuals to achieve socially accepted goals (such as the American dream) though they lack the means, this leads to strain which may lead the individuals to commit crimes, examples being selling drugs or becoming involved in prostitution to gain financial security. (paras. 8-10)

Labeling theory is the theory of how the self-identity and behavior of individuals may be determined or influenced by the terms used to describe or classify them. It is associated with the concepts of self-fulfilling prophecy and stereotyping. Labeling theory holds that deviance is not inherent to an act, but instead focuses on the tendency of majorities to negatively label minorities or those seen as deviant from standard cultural norms. (paras.18-24)

(4)

Throughout his career, **Durkheim was concerned** primarily with three goals. First, to establish sociology as a new academic discipline. Second, to analyze how societies could maintain their integrity and coherence in the modern era, when things such as shared religious and ethnic background could no longer be assumed; to that end he wrote much about the effect of laws, religion, education and similar forces on society and social integration. Lastly, Durkheim was concerned with the practical implications of scientific knowledge.

Major works:

The Division Of Labour In Society (1893), The Rules Of Sociological Method (1895) Suicide (1897), and The Elementary Forms Of Religious Life (1912).

Durkheim's views on crime were a departure from conventional notions. He believed that crime is "bound up with the fundamental conditions of all social life" and serves a social function.[31] He stated that crime implies, "not only that the way remains open to necessary changes but that in certain cases it directly prepares these changes." Examining the trial of Socrates, he argues that "his crime, namely, the independence of his thought, rendered a service not only to humanity but to his country" as "it served to prepare a new

morality and faith that the Athenians needed". As such, his crime "was a useful prelude to reforms". In this sense, he saw crime as being able to release certain social tensions and so have a cleansing or purging effect in society. He further stated that "the authority which the moral conscience enjoys must not be excessive; otherwise, no-one would dare to criticize it, and it would too easily congeal into an immutable form. To make progress, individual originality must be able to express itself...[even] the originality of the criminal... shall also be possible".

Critical Reading

I. Understanding the text

1.

(1)

He does not agree with any of the three explanations, because none of the perspectives can apply to all the crimes. The brutal punishment entailed by conservative explanation has not proven effective. The liberal theories, with their broken-family-and-blighted-neighborhood hypothesis about crime, cannot explain why it is not just the poorer social classes that commit crimes. Finally, the radical perspective, which attributes criminality to law-enforcement or even the law itself, cannot explain "real" crimes such as robbery, murder, rape, etc. In his view, there is one perspective that encompasses all - one that declares that crime is normal, and even necessary, feature of all societies.

(2)

	Conservative explanations	Liberal explanations
Why some people enter a life of crime	They commit crimes due to their bad personal characteristics.	<ol style="list-style-type: none"> 1. They have gotten in with the wrong crowd. 2. They come from broken homes and run-down neighborhoods, where stresses and strains make people hostile and insecure, and lead them to a life of crime. 3. They lack opportunities to

		change their social condition.
Measures to deal with criminals	Severe punishments should be used as a deterrent for crime.	Various social causes for crime are to be counteracted by appropriate social reforms, such as providing youth services, initiating urban renewal projects, improving the life chances of the disadvantaged, etc.
Assumptions underlying the arguments	It is good to be tough and even brutal or malicious to offenders.	Crime is not really the fault of the criminal. It is only the adverse social conditions that force them into a criminal career.
Whether the measures are effective or not	It has never really worked.	It simply has not worked very well.
Reasons for effectiveness or ineffectiveness	Punishing criminals is a political position, or moral philosophy, not advocated based on the result.	The underlying theories just may not be accurate, e.g.: the evidence does not exactly bear out the strain theory.

(3) Whereas liberal position makes an effort to understand criminals, Radical perspective shifts its focus away from the criminal side onto the law-enforcement side, proposing that crimes are created by the law-enforcement agents.

Psychological way of describing the labeling process: All sorts of youths violate the law. They engage in petty thefts and acts of vandalism. They are then apprehended by the authorities for one thing another. But some of them get off with a warning. If a young offender is actually arrested, charged with a crime, convicted, it will have a crucial effect upon the rest of his or her life. They are now labeled a criminal, and may be stuck with that label for life and may be rejected and isolated as a result. Finding a job and making friends may be extremely difficult. More important, the person may come to accept the label and commit more criminal acts.

Collins offers an explanation of the labeling process by focusing on the organization of the law-enforcement rather than on the deviant's mind. In order to promote the rate of solving crimes, the police will pay a surprise search on formerly convicted criminals since they are the easiest to arrest. Often it is not hard to find stolen property, illegal drugs, or other violations, since drugs are a part of the criminal culture. So the police engage in the labeling process that keeps people going in criminal careers.

(4) A stronger version of the radical approach argues that it is not simply the police who create the criminals but the law itself. The example cited: Possession of drugs such as narcotics was not a crime until laws were passed making private possession of them a felony. Illegalizing drugs, by raising the prices, suddenly creates a bunch of drug-related crimes. Smuggling and bribery expanded, so did burglary and robbery. Most drug addicts, unable to pay for the expense of a costly habit, turned to theft as a main way keeping the supply.

(5) Crimes are manufactured by "moral entrepreneurs": the Prohibition (of liquor) in the U.S. from 1920-1933, the result of an effort made by Anglo-American Protestants to try to remove what they saw as the degenerate alcoholic culture of the immigrants in the big cities. Other examples are prostitution, gambling, pornography. Crimes created out of economic and organizational interests: all kinds of economic crimes, tax evasion, intellectual property violation; etc.

(6) For example, car theft, robbery can be viewed as being created by the propertied class to protect their properties from the poor class people. Receiving the least of society's material rewards, the working class and those below them pose a special threat to the interests of the wealthy elite. To prevent this, the law comes down hard on the poor and the underclass.

(7) According to Collins, the stratified pattern of crime is not primarily the poor robbing (and murdering and raping) the rich. Criminals are not Robin Hoods. People rob, burglarize, murder and rape in their own neighborhoods, because these are the easiest opportunities, especially for teenagers.

(8) The largest single category of murders happens within the family, especially one spouse murdering the other. This is because intimate relations will inevitably involve antagonism as well as love. While the people we love can give us great pleasure in life, they can also be a

major source of unhappiness.

(9)1. Victimless crime, created by social movements or labeled as criminal as a result of the law-enforcement process. 2. Property crimes, which would by no means disappear if laws stopped being enforced. 3. Crimes of passion, which seem to be of personal nature and do not seem to be related to the factors discussed.

2.

Para.16: An upsurge of the radical look at the crime issue

Para.17-para.18: Psychological explanation of the labeling process

Para.19-para.24: Another explanation of the labeling process: the organizational explanation

(paras 17-24: Labeling theory of the radical approach)

Para.25-para.28: An even stronger version of the radical approach to crime: the law itself creates criminality

Para.29: Interconnectedness between crime and social structure

Para.30-para.32: Crimes as being socially constructed

Para.33-para.35: Crimes as a reflection of social stratification

(paras 29-35: Crime and social structure)

Para.36-para.37: Different sorts of crime

Para.38: One perspective that encompasses all of this—the normalcy of crime

II. Evaluation and exploration

(1)He associates the idea of sin and punishment or punishment for deterrence with the conservative position; differential association theory and stain theory with the liberal position; and labeling theory and social reality theory (the theory that maintains that criminal law is used by the state and the ruling class to secure the survival of the capitalist system) with the radical position.

Unique association, usu. Different theories of deviant behavior are connected with different sociological perspectives: functionalism, conflict theory, and symbolic interactionism.

Some theories of criminality or deviance do not fall into the three perspectives, such as phenomenological theory (emphasizing that to understand deviance, we should rely heavily on people's subjective interpretations of their own deviant experiences) and postmodernist theory (also advocating subjectivity).

(2)According to Durkheim, deviance can serve a number of functions for society. First, it helps enhance conformity in society as a whole. Norms are basically abstract and ambiguous. From deviants we can learn the difference between conformity and deviance, seeing the

boundary between right and wrong more clearly. Second, deviance strengthens solidarity among law-abiding members of society. Collective outrage against deviants as a common enemy can unite people. Third, deviance provides a safety valve for discontented people. Through relatively minor forms of deviance, they can strike out against the social order without doing serious harm to themselves or others. Fourth, deviance can induce social change, as deviance may force a group to rethink and redefine its moral boundaries.

There is a limit, however, to the validity of Durkheim's functionalist theory. If deviance is widespread, it can threaten social order in at least two ways. First, it can wreck interpersonal relations. Second, deviance can undermine trust. Nevertheless, Durkheim's theory is useful for demolishing the commonsense belief that deviance is always harmful. Deviance can bring benefits if it occurs within limits.

- (3) According to labeling theorists, the meaning that people attach to an act is much more important than the act itself. People do not respond directly to the act, but to their interpretations of the act. The frequent surprise search by the police may generate a negative response from the ex-convict. It may strengthen their deviant conduct as a reaction to the penalties. It leads them to commit the secondary offence.

Labeling theory has been criticized for not being able to answer the question of what causes primary deviance in the first place. The labeling of certain activities as deviant is not completely arbitrary. For example, it is not being labeled that leads some children from deprived backgrounds to steal from shops in the first place, but the backgrounds from which they come.

(4) legalizing drugs:

By legalizing drug use, we can:

- a) remove the immense profits drugs now pump into the criminal underworld and eliminate all drug-related crimes, and hence solve the drug enforcement problem.
- b) Take away the criminal stigma that prevents many addicts from seeking medical help
- c) Reduce the forbidden-fruit attraction drugs have for young people
- d) Could even tax the sale of now-illegal drugs and use the money to build more treatment centers to help addicts to kick their addiction

Illegalizing drugs:

- a) Legalization of drugs will surely increase drug use, because it gives a social sanction, and makes drugs available without risk, and at a low price.
- b) With legalization, drug-related social costs will increase, including: drug-induced diseases, drug-related traffic accidents and broken homes.

(5) The term “victimless crime” is misleading. How victimless is a crime when young people steal to support a drug habit? What about a young pregnant woman who, by smoking crack, permanently harms her baby? Perhaps it is more correct to say that people who commit such crimes are both offenders and victims.

Another example: Is prostitution really victimless? The sex trade subjects many women to kidnapping, emotional abuse, and outright violence and also plays a part in spreading sexually transmitted diseases, including AIDS. In addition, many poor women –especially in low-income nations – become trapped in a life of selling sex. Thailand, for example, has as many as 2 million prostitutes, representing about 10 percent of all women in the labor force. About half of these women are teenagers – many begin working before they even reach their teens – and they typically suffer from physical and emotional abuse.

(6) Critics of labeling theory have argued that certain acts are universally and consistently prohibited across all societies, such as murder, rape and robbery. But this view is also criticized. Killing, for example, is not always regarded as murder. In times of war, killing the enemy is positively approved and rewarded. Until recently, the laws in Britain did not recognize as rape sexual intercourse forced on a woman by her husband, which also shows that labeling changes over time.

(7) basic assumptions:

Conservative explanations: Crime is sin and needs to be punished.

Liberal explanations: Crime is not really the fault of the criminal. It is only the adverse social conditions that force them into a criminal career.

Radical explanations: crime is socially created or defined.

White-collar crime may be defined as a crime committed by a person of high social status in the course of his occupation. White collars are more likely to commit an offence with skill, with sophistication, or most important, with the resources of power, influence, or respectability for avoid detection, prosecution, or

conviction. The most common white-collar crimes are bank embezzlement, business fraud, bribery, and antitrust violations. The only applicable perspective is the radical explanation (social-conflict theory).

According to social-conflict theory, laws and other cultural norms of a society are created directly by the rich and powerful, and criminality springs up only to the extent that a society treats its members unequally. Consequently, the laws against higher-status criminals are relatively lenient and less frequently enforced.

(8) Conservative explanations: use punishment as a deterrent for crime; not exactly effective; Liberal explanations: see the deeper social ills as the root cause of crime, advocating a slow fix, long-term solution, but not very effective, either; Radical explanations: use the idea of power structure to explain crime, effective in explaining some of the crimes but not all.

(9) The concept of deviance varies from culture to culture and changes over time. Within the same society, what was labeled as deviant act in the past may be widely accepted and officially approved.

Gay rights have been considered civil rights. The gay rights movement gained strength during the 1960s. One early mile-stone occurred in 1973, when the American Psychiatric Association declared that homosexuality was not an illness but simply "a form of sexual behavior." In 2009, the APA declared that psychological therapy should not be used in an effort to make gay people straight. The gay rights movement also began using the term homophobia to describe discomfort over close personal interaction with people thought to be gay. The concept of homophobia turns the table on society: Instead of asking "What's wrong with gay people?" the question becomes "What's wrong with people who can't accept a different sexual orientation?"

Although most religious traditions assert that homosexuality is morally wrong, American denominations support the civil and political rights of homosexual persons.

Language Enhancement

I. Words and phrases

1.

- (1) B&C (2) A&C (3) B&F (4) B&D
(5) C&D (6) A&B (7) A&F (8) C&E

2.

(1) violating (2) run-down (3) convict (4) arbitrary (5) branded (6) sensation

3.

(1) boil down to (2) crack down on (3) set in motion (4) borne out (5) identified with

(6) held sway (7) give rise to (8) head off (9) in her own right (10) plead guilty to

4.

(1) turn out be (2) got in with (3) have no use for (4) knowingly pass a bad check

(5) keep tabs on (6) released on parole (7) give rise to (8) were subject to

(9) in your shoes (10) pick up (11) add up to (12) charged with

Sentences and discourse

1.

(1) Former criminals are stuck in a process where the police will mold and remold them into repeated offenders because when the police are investigating new cases, they are most likely to turn to those who have been arrested before, which is the easiest thing to do.

(2) Other people used drugs to ease their pain, or to get away from the harsh reality, or simply because they liked the unique physical feelings they created.

(3) Most drug addicts, because they are unable to pay for the high cost of the expensive habit, would start stealing as the main source of money spent on drugs.

(4) The Prohibition of liquor in American history has been explained as the last attempt made by the rural Protestants of British origin to try to resist the pervading alcoholic culture. The habit of heavy drinking, according to white Protestants, was morally questionable and brought to big cities by immigrants.

2.

(1) We would work along with the international community to crack down on terrorism and safeguard regional and international peace and stability.

(2) Scobie has the characteristic of a modern hero because he does not identify himself with the corrupt society he lives in, nor with the rigid doctrines of the Orthodox Church.

(3) He has now been charged with violating privacy laws and, if convicted, faces up to four years in jail.

(4) We have always called for respecting the diversity of civilizations and advocated dialogue, exchanges and cooperation among them.

(5) According to several research findings, smokers are more subject to such illnesses as heart attacks and lung cancer than non-smokers.

(6) By mutual consent, the negotiators kept off political differences, and concentrated on the military issue.

(7) A hard drinker during his ring career, he later became an advocate of prohibition and delivered many lectures on the subject.

(8) The killing was cold-blood. Whoever committed the atrocity should be tried and punished.

(9) If people possess altruistic motives, then they sometimes act to benefit others without the prospect of gain to themselves.

(10) Can pain, which is a sensation, have any connection with a moral sentiment, a matter of opinion?

3.

关于犯罪起因，我们以破碎家庭和破旧住宅区这个假说为例，这种解释似乎符合我们的常识

性的世界观：贫困压力导致犯罪，但这种说法没有确切证据证实。并非每个离异家庭的孩子

都成为罪犯；事实上，大多数这样的孩子都没有犯罪，在今天这个离婚已成为正常的、可接

受的普通家庭一部分的时代，这种情况尤为明显。同样，说每个生活在一个贫穷的社区的人

都是罪犯，也是不公平的；这些社区里也只是少数人犯罪，因此引起犯罪的不可能是贫

穷本身而是其他一些因素。当我们意识到绝不是所有罪犯都是穷人或少数族裔时，这

一点就更清楚了。中产阶级和贫困人群中都可见违法青年，联谊会上的富家子弟也常常恣意

破坏公物，实施打架斗殴、强奸、盗窃以及所有其它形式的犯罪，尽管他们很少因为这些

罪行被起诉。成年人中也一样，并非只有相对穷困的社会阶层犯罪，所谓的白领犯罪也是一

个很严重的问题，涉及到开空头支票、挪用公款、企图贿赂政府官员或逃避法规等多种

犯罪。

4.

(1) with the activities (2) As we saw (3) in which (4) authorities (5) embark on

(6)but (7) infused with (8) confidently to (9) increasingly (10) drawn on

