

Major Criminological Concepts Overview

INTRODUCTION

There is no one single 'cause' of crime as it is a highly complex phenomenon that changes across cultures and through time. Acts that are legal in one country are sometimes illegal in others – for example, it is legal to drink alcohol in the UK but illegal in Yemen (this is more common in countries with a large Muslim population). Cultures and attitudes change over time meaning activities which were once a crime can become decriminalised – if we use the example of alcohol again, we know that this was illegal during Prohibition in America in the 1920's but is now legal.

This briefing provides a summary of some of the major criminological theories and how they each seek to explain how and why people commit crime. These theories change and adapt over time and can be applied in different ways to certain types of crime. See the below list of SCCJR Reports which look at specific crimes and why they might be committed:

- [What is crime?](#)
- [Violence Against Women and Girls](#)
- [Drug Crime](#)
- [Knife Crime](#)

POSITIVISM

Biological theories of crime assume that some people are 'born criminal' making them physiologically different from non-criminals. Positivism was influenced by the scientific discoveries of the industrial revolution in the 18th & 19th centuries and seeks to establish the causes of individual behaviour.

Some Positivists believe in **BIOLOGICAL DETERMINISM** where criminality exists inherently within an individual and could be passed down from generation to generation. Positivism was an attempt to use a scientific method of measuring crime in some way. They believed the blame for crime lies within the individual and has nothing to do with society.



Cesare Lombroso, 1835-1909

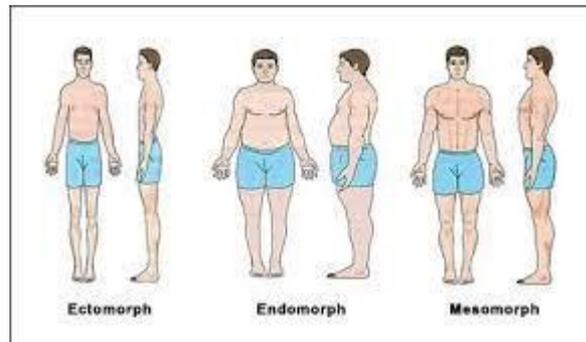
Lombroso was a **BIOLOGICAL POSITIVIST** who believed that criminals were **ATAVISTIC** throwbacks. This meant that criminals were less evolved than 'normal' people and this was reflected in their appearance – they're brains were underdeveloped or mal-developed and he believed criminals shared a number of the same physical features. Lombroso wrote about this in his book *Criminal Man* (1876) and stated features such as sloping foreheads and receding chins were signs of criminality. Lombroso also believed body type and tattoos dictated the criminality of an individual which became known as **PHYSIOGNOMY**.

You can read more on Lombroso's work [here](#).



Interestingly, according to Lombroso, men needed 5 of his distinct characteristics to be considered criminal but women only needed 3...

Lombroso spoke of body types and how these could dictate criminality in an individual. Following on from this, in 1960's William Sheldon further developed this idea and came up with three different 'somatotypes' (body shapes). These were ectomorph, endomorph and mesomorph. The latter being the most predisposed to commit crime as they were muscular, athletic and had good posture.



There are three main concepts of Positivism:

1. BIOLOGICAL

- Criminals are born, not made. You can tell if someone is a criminal from their characteristics
- These can be physical things such as shape of head, skin colour etc. (criticised for being sexist and racist). Phrenology was associated with biological positivism – the shape of your skull could determine character and personality. This was invented by Franz Joseph Gall in the 1700's
- This way, criminals can be differentiated from non-criminals by appearance

2. PSYCHOLOGICAL

- People are the problem – they possess certain personality traits that make the criminal e.g., aggression
- First time that psychiatric disorders were linked to criminality



- Recognition of 'learning theory' where childhood experiences have an impact on our psychology

3. SOCIOLOGICAL

- The environment in which the person exists is the problem. Larger structural factors such as poverty and education could predispose people to being criminal
- Society determines whether a person will be a criminal or not
- Society needs crime in order to function (Emile Durkheim)

Biological Positivism and Lombroso's work has long since fallen out of favour in criminology, but biological theories have continued to develop. Instead of focusing on physical features, contemporary approaches focus on:

- Biochemical conditions – linked to poor diet or hormonal imbalance
- Neurophysical conditions – e.g., learning disabilities caused by brain damage
- Genetic inheritance and/or abnormality – specifically genes that control dopamine and serotonin
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You can read more on historical and modern biological theories of crime [here](#).

By attempting to categorise those who commit crime and those who don't, it locates the cause/blame for criminality at the individual level and ignores the structural conditions of society. It highlights the criminal as 'other' – someone who is inherently different and abnormal.

CLASSICISM

Classicism emerged during the Enlightenment period in the 18th Century. Classicists believed in **UTILITARIANISM** – the act that is morally right is the one that produces the best for the most people. In terms of criminal justice, this meant that the punishment must be justified and serve the greater good. They also believed in the concept of **FREE WILL** – that every human was a rational calculator able to make decisions for themselves.

Humans were able to do a cost/benefit analysis where they weighed up the pros and cons of the crime and made an informed decision whether to carry it out. Classicists believed in **PROPORTIONAL PUNISHMENT** where the punishment must fit the crime. They believed that during the cost/benefit analysis, people would not commit the crime if the punishment was enough of a deterrent.

For Classicists, it was important that justice was seen to be done. The public must witness swift and just punishment being carried out as this would then deter others from committing crimes. There would be no incentive not to commit crime if the punishment is weak or takes too long to be carried out – the benefit would then outweigh the risk.

Classicism was a reaction to the criminal justice system at the time which was heavily based on torture and capital punishment – this included public punishments in the form of whippings and floggings. During the Enlightenment period, Classicists helped justice move from public to private - from the street to the courtroom where proceedings were monitored more closely and became less arbitrary.

Two main classicist theorists were Jeremy Bentham and Cesare Beccaria:

Jeremy Bentham, 1748-1832.

Bentham believed in the greatest happiness for the largest number of people. He was a **UTILITARIAN**.

Invented the **PANOPTICON** which was a prison designed to monitor the largest number of prisoners with one guard. The 'all-seeing prison' which allowed 24-hour surveillance.

Prisoners often did not know if they were being watched as they could not see the guard which encouraged compliance from prisoners.

Bentham advocated for rational punishments that should fit the crime – if the pain outweighs the gain then people should be deterred from committing crimes.



The Panopticon

Cesare Beccaria, 1738-1794.

Beccaria believed that crime caused harm to society and not the individual.

The greatest crime deterrent was detection. Punishment must be **SWIFT, CERTAIN**

AND JUST – this way people will see justice is done and it will be a more effective deterrent.

Beccaria was critical of torture and degrading forms of punishment which were the most popular form of punishment during his time – this made him controversial and one of the first people to campaign against capital punishment.



Cesare Beccaria

TIP: *Classicism could be compared and contrasted with Positivism in discussions around what causes crime. Even within Positivism, the different schools of thought can be compared with each other e.g, sociological and biological positivism.*

FEMINISM

Feminism as a school of thought has existed since the mid to late 19th Century and is a social and political movement concerned primarily with gender inequality. Famously, the Suffragettes fought for female emancipation, and we still have feminist movements today such as Time's Up and #MeToo fighting for fairer treatment for women in society.

In terms of criminology, feminism is a critical theory as it is concerned with inequality, social divisions and unequal power relationships. There are two important aspects feminism is concerned with – one is that feminists believe criminology is a male dominated study and refer to this as '**MALESTREAM**' criminology. The second is to highlight the fact that women are disproportionately subject to violence and abuse at the hands of men (Elizabeth Stenko 1985). Trans women are even more vulnerable to violence and abuse than cisgender women.

Feminists seek to fight against the **PATRIARCHY** where men have the **POWER** and control all major structures within society. Feminists believe that criminology cannot be understood without considering **GENDER**. Some feminist theories state that gender is a social construct – something created by societal ideas and defined by external structures.



One concept used by feminist perspectives to explain the maleness of crime is **HEGEMONIC MASCULINITY**: the set of ideas, values, representations and practices associated with 'being male' which is commonly accepted as the dominant position in gender relations in a society at a particular historical moment (Jefferson, 2006, Sage Dictionary of Criminology). In contemporary Western society, the dominant or hegemonic masculinity is expressed through paid employment (perhaps being the 'bread winner' in the household); being heterosexual; and subordinating women. Criminologist **James W. Messerschmidt** (1993) argues that for some men, in certain groups, men *do masculinity* (that is, express their masculinity) through the engagement and commission of crime.

The criminal justice system was created by men, for men and women are forced to 'fit into' existing systems that are inappropriate for their specific needs. Women tend to commit different crimes from men for different reasons so punishing them like men will not work.

Women tend to commit **CRIMES OF SURVIVAL** such as shoplifting, fraud and crimes related to sex work. The majority do not commit violent crimes and women are more likely to harm themselves than others.

In terms of criminal justice, men use their power to exert control over women which leads to crime e.g. prostitution, domestic abuse, control through drug use etc. A [Prison Reform Trust Report recently](#) highlighted that just under half of women in prison admitted to committing a crime to support someone else's drug use.

Whilst the Feminist movement helped draw attention to the unique needs of women in the criminal justice system, this is a double-edged sword. It shows women are unfairly treated but it also draws more attention to them which could disadvantage them.

Feminism has meant women have become more independent and they have moved from the private sphere (housewives, child-rearing) to the public sphere (employment, independence). They have become more visible. Whilst this is positive in one-way, it also opened women up to more

areas where crimes can be committed against them e.g. workplace harassment, and also areas where they can commit crimes themselves e.g. defrauding their workplace.

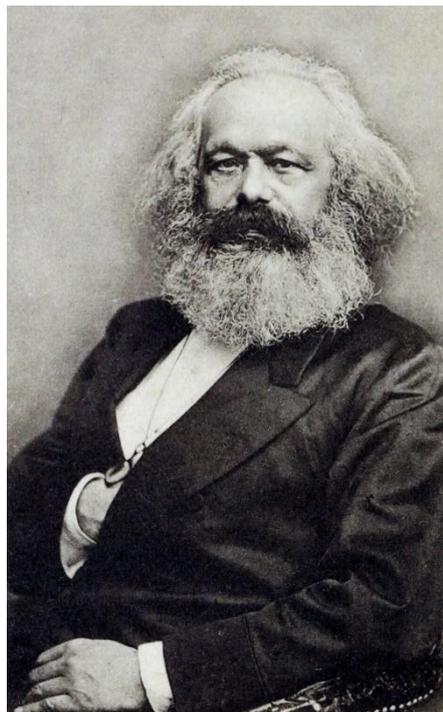
There are various branches of feminist theories of crime such as Marxist feminism, radical feminist and postmodern feminism – you can read more about there [here](#).

For further reading on this please see the [SCCJR report on Violence Against Women and Girls](#).

MARXISM

Marxism is another **CRITICAL THEORY** which is concerned with the unequal **POWER** distributions in society that lead to inequalities and create unfair conditions for the **POWERLESS**. This theory was developed by **Karl Marx** and **Friedrich Engels** in the 1800's and advocated communism (where society is classless and the means of production are controlled and owned by the public) and is critical of capitalist society. Although Marx and Engels did not specifically apply their theory to crime, it has been widely used in critical criminology.

Marxism is concerned with **SOCIAL PRODUCTION** where the Bourgeoisie are the powerful and own the means of production, whilst the Proletariat are the poor and powerless workers (clear link here to social class). The Proletariat/powerless are exploited by the Bourgeoisie/powerful. As a reaction to this exploitation and lack of autonomy and access to the good they produce, the Proletariat feel alienated and will eventually rise up in revolution to take the means of production for themselves.



Karl Marx 1818-1883

CAPITALISM is a system that particularly incites crime as it breeds exploitation from the powerful, created inequality and wealth gaps which leaves many in poverty with very little means to escape (see **STRAIN THEORY** and **RELATIVE DEPRIVATION THEORY** below).

As well as being a critical theory, Marxist criminology comes under the **STRUCTURAL FUNCTIONALIST** way of thinking which is concerned with structures and institutions, how they function and ensure stability within society.

FURTHER READING

More on Positivism:

<https://www.open.edu/openlearn/society-politics-law/introduction-critical-criminology/content-section-1.2>

https://us.sagepub.com/sites/default/files/upm-assets/66045_book_item_66045.pdf

https://studysites.sagepub.com/schram/study/materials/reference/90851_04.1r.pdf

More on Classicism:

https://www.sagepub.com/sites/default/files/upm-assets/97953_book_item_97953.pdf

<https://www.open.edu/openlearn/society-politics-law/introduction-critical-criminology/content-section-1.1>

More on Feminism and gender:

<https://williamsinstitute.law.ucla.edu/press/ncvs-trans-press-release/>

<https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/09627250308553561.pdf>

<https://www.oxfordbibliographies.com/view/document/obo-9780195396607/obo-9780195396607-0013.xml>

https://www.sagepub.com/sites/default/files/upm-binaries/57235_Schram_Chapter_11_crx.pdf

More on Marxism:

<https://www.historylearningsite.co.uk/sociology/crime-and-deviance/marxism-and-crime/>

https://link.springer.com/referenceworkentry/10.1007/978-1-4614-5690-2_310

Photo Sources:

<https://www.simplypsychology.org/lombroso-theory-of-crime-criminal-man-and-atavism.html>

<https://www.studiomefitness.com/blog/2017/02/ectomorph-endomorph-mesomorph>

https://m.media-amazon.com/images/I/61dCQ4F2UAL.AC_SS450_.jpg

https://www.brown.edu/Departments/Joukowsky_Institute/courses/13things/7121.html

<https://www.historyonthenet.com/cesare-beccaria>

<https://ih1.redbubble.net/image.773940899.7206/st,small,507x507-pad,600x600,f8f8f8.u1.jpg>

<https://www.britannica.com/biography/Karl-Marx>