

8TH EDITION

# CRIMINOLOGY

a sociological understanding

Steven E. Barkan



**EIGHTH EDITION**

# CRIMINOLOGY

**A Sociological Understanding**

**Steven E. Barkan**

*University of Maine*



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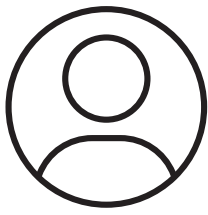
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# Dedication

***To Barb,  
Dave,  
and Joe,  
and in memory of my parents***

## Preface xxi

## PART 1

### Understanding Crime and Victimization

- Chapter 1** Criminology and the Sociological Perspective 1
- Chapter 2** Public Opinion, the News Media, and the Crime Problem 17
- Chapter 3** The Measurement and Patterning of Criminal Behavior 38
- Chapter 4** Victims and Victimization 67

## PART 2

### Explaining Crime

- Chapter 5** Classical and Neoclassical Perspectives 92
- Chapter 6** Biological and Psychological Explanations 108
- Chapter 7** Sociological Theories: Emphasis on Social Structure 130
- Chapter 8** Sociological Theories: Emphasis on Social Process 151
- Chapter 9** Sociological Theories: Critical Perspectives 174

## PART 3

### Criminal Behaviors

- Chapter 10** Violent Crime: Homicide, Aggravated Assault, and Robbery 193
- Chapter 11** Violence Against Women 223
- Chapter 12** Property Crime and Fraud 242
- Chapter 13** White-Collar and Organized Crime 260
- Chapter 14** Political Crime 286
- Chapter 15** Consensual Crime 305

## PART 4

### Controlling and Preventing Crime

- Chapter 16** Policing: Dilemmas of Crime Control in a Democratic Society 327
- Chapter 17** Prosecution and Punishment 347
- Chapter 18** Conclusion: How Can We Reduce Crime? 367

# Contents

NEW TO THIS EDITION XIX  
PREFACE XXI

## PART 1

### Understanding Crime and Victimization

|                  |  |    |
|------------------|--|----|
| <b>Chapter 1</b> | Criminology and the Sociological Perspective                         | 1  |
|                  | <b>The Sociological Perspective</b>                                  | 3  |
|                  | The Mutual Relevance of Sociology and Criminology                    | 4  |
|                  | The Rise of Sociological Criminology                                 | 5  |
|                  | <b>Criminal Law: Theoretical Underpinnings and Goals</b>             | 7  |
|                  | Consensus and Conflict in the Creation of Criminal Law               | 8  |
|                  | Goals of Criminal Law  | 9  |
|                  | <b>Criminal Law: Origins, Types of Crime, and Criminal Liability</b> | 9  |
|                  | Origins of Criminal Law  | 9  |
|                  | Types of Crime   | 10 |
|                  | Criminal Liability   | 10 |
|                  | <b>Research Methods in Criminology</b>                               | 11 |
|                  | Surveys  | 11 |
|                  | Experiments  | 12 |
|                  | Qualitative Research: Observing and Intensive Interviewing           | 13 |
|                  | Research Using Existing Data   | 14 |
|                  | Comparative and Historical Research                                  | 14 |
|                  | <b>Conclusion</b>  | 14 |
|                  | <b>Summary</b>   | 15 |
|                  | <b>Key Terms</b>   | 15 |
|                  | <b>What Would You Do?</b>  | 16 |
| <br>             |  |    |
| <b>Chapter 2</b> | Public Opinion, the News Media, and the Crime Problem                | 17 |
|                  | <b>Public Opinion about Crime: Laying the Groundwork</b>             | 19 |
|                  | A Brief Look Back  | 19 |
|                  | Public Opinion and Crime Policy                                      | 19 |
|                  | <b>Overdramatization of Crime by the News Media</b>                  | 20 |
|                  | Crime Waves  | 21 |
|                  | Overreporting of Violent Crime                                       | 22 |
|                  | Violence in the Popular Media  | 22 |
|                  | <b>Other Problems with Media Coverage</b>                            | 23 |
|                  | People of Color  | 23 |
|                  | Youths   | 24 |





|  |    |
|--|----|
| Virtuous Victims   | 24 |
| Additional Problems in Media Coverage  | 24 |
| Effects of Media Coverage  | 25 |
| Public Ignorance   | 25 |
| <b>Crime and Controversy</b> Should the News Media Disclose the Names of People Who Report a Rape? | 25 |
| Public Fear and Concern  | 26 |
| Obscuring Underlying Forces  | 26 |
| Diversion from White-Collar Crime  | 26 |
| <b>International Focus</b> Crime Is Down in Scotland, but Many Scots Think Otherwise               | 26 |
| Racial and Ethnic Stereotyping   | 27 |
| Research on Public Beliefs about Crime and Punitiveness  | 27 |
| Fear of Crime  | 27 |
| Anger about Crime  | 31 |
| Seriousness of Crime   | 32 |
| Punitiveness   | 33 |
| Research on Views about Criminal Justice   | 34 |
| Views about the Police   | 34 |
| Perceptions of Criminal Injustice  | 35 |
| Views about Crime and Criminal Justice Spending  | 35 |
| A Final Word on Public Beliefs   | 35 |
| Conclusion   | 36 |
| Summary  | 36 |
| Key Terms  | 37 |
| What Would You Do?   | 37 |

## Chapter 3

|   |    |
|---|----|
| The Measurement and Patterning of Criminal Behavior                             | 38 |
| The Uniform Crime Report and the National Incident-Based Reporting System       | 40 |
| How a Crime Becomes Official  | 40 |
| Critiques of the UCR's SRS Data and of Two Alternatives                         | 42 |
| SRS Data  | 42 |
| NIBRS   | 44 |
| Calls to Police   | 44 |
| National Crime Victimization Survey   | 45 |
| Evaluating NCVS Data  | 46 |
| Self-Report Studies   | 47 |
| Critiques of Self-Report Studies  | 48 |
| Assessing UCR, NCVS, and Self-Report Data                                       | 48 |
| Recent Trends in U.S. Crime Rates   | 49 |
| Geographical, Seasonal, and Climatological Patterning of Criminal Behavior      | 50 |
| Geographical Patterns   | 51 |
| <b>Crime and Controversy</b> Why Did the Crime Rate Drop After the Early 1990s? | 52 |
| <b>International Focus</b> Measuring Crime in Other Nations                     | 52 |
| Seasonal and Climatological Variations  | 53 |



|   |    |
|---|----|
| <b>Social Patterns of Criminal Behavior</b> | 55 |
| Gender and Crime                            | 55 |
| Race, Ethnicity, and Crime                  | 58 |
| Social Class and Crime                      | 61 |
| Age and Crime                               | 62 |
| <b>Conclusion</b>                           | 64 |
| <b>Summary</b>                              | 65 |
| <b>Key Terms</b>                            | 66 |
| <b>What Would You Do?</b>                   | 66 |

## Chapter 4

|   |    |
|---|----|
| Victims and Victimization   | 67 |
| <b>Geographical Patterns and Crime Characteristics of Victimization</b> | 69 |
| Some Conceptual Issues  | 69 |
| Geographical Patterns   | 70 |
| Crime Characteristics   | 71 |
| <b>Social Patterns of Victimization</b>                                 | 72 |
| Gender, Race, and Ethnicity   | 73 |
| <b>International Focus</b> The International Crime Victim Survey        | 74 |
| Age   | 75 |
| Household Income  | 75 |
| Race, Gender, and Age Combined  | 76 |
| LGBTQ Status  | 76 |
| <b>Victim–Offender Characteristics</b>                                  | 77 |
| The Victim–Offender Relationship: Strangers versus Nonstrangers         | 77 |
| The Intra-racial Nature of Victimization                                | 78 |
| <b>Understanding Victimization: Situational Explanations</b>            | 79 |
| Lifestyle and Routine Activities Theories                               | 80 |
| Deviant Lifestyles and Victimization                                    | 80 |
| <b>Crime and Controversy</b> Victim Precipitation                       | 81 |
| Physical Proximity and Victimization                                    | 82 |
| <b>Understanding Victimization: Individual Traits</b>                   | 82 |
| Low Self-Control and Lack of Prosocial Relationships                    | 82 |
| Childhood Problems  | 82 |
| Mental Disorder   | 83 |
| Puberty   | 83 |
| Repeat Victimization  | 83 |
| Explaining Sociodemographic Variation in Victimization                  | 83 |
| Victimization of College Students and of People without Housing         | 84 |
| <b>Costs and Consequences of Victimization</b>                          | 86 |
| Economic and Medical Costs and Consequences                             | 86 |
| Psychological Consequences  | 86 |
| Social and Behavioral Consequences                                      | 87 |
| Victimization by White-Collar Crime                                     | 88 |
| <b>Victims in the Criminal Justice System</b>                           | 88 |
| Victims and Criminal Case Outcomes                                      | 89 |



|                    |    |
|--------------------|----|
| Conclusion         | 89 |
| Summary            | 90 |
| Key Terms          | 91 |
| What Would You Do? | 91 |

## PART 2

### Explaining Crime

#### Chapter 5

|  |   |
|--|---|
| Classical and Neoclassical Perspectives                    | 92  |
| Understanding Theories of Crime                            | 93  |
| From Theology to Science                                   | 94  |
| God and Demons as Causes of Crime and Deviance             | 95  |
| The Age of Reason  | 95  |
| The Classical School of Criminology                        | 96  |
| The Rise of Positivism                                     | 97  |
| Neoclassical Perspectives                                  | 98  |
| Rational Choice Theory                                     | 98  |
| Evaluating Rational Choice Theory                          | 99  |
| Deterrence Theory  | 99  |
| Types of Deterrence  | 100   |
| Taking a Closer Look at Deterrence                         | 100   |
| International Focus  | Mandatory Penalties and General Deterrence in International Perspective 101 |
| Research on Deterrence                                     | 102   |
| Crime and Controversy                                      | Three-Strikes Laws Strike Out 102   |
| Routine Activities Theory                                  | 103   |
| Evaluating Routine Activities Theory                       | 104   |
| Theory and Policy: Classical and Neoclassical Perspectives | 105   |
| Conclusion   | 105   |
| Summary  | 106   |
| Key Terms  | 107   |
| What Would You Do?   | 107   |

#### Chapter 6

|  |     |
|--|-----|
| Biological and Psychological Explanations                | 108 |
| Biological Explanations                                  | 109 |
| Early Biological Explanations                            | 110 |
| Franz Gall: Phrenology                                   | 110 |
| Cesare Lombroso: Atavism                                 | 110 |
| Earnest Hooton: Biological Inferiority                   | 111 |
| William Sheldon: Body Shapes                             | 112 |
| Contemporary Biological Explanations: Heredity and Genes | 113 |
| Early Research   | 113 |
| Twin Studies   | 113 |
| Adoption Studies   | 114 |
| Molecular Genetics                                       | 114 |



|  |     |
|--|-----|
| Evolutionary Biology   | 115 |
| Chromosomal Abnormalities  | 115 |
| Contemporary Biological Explanations: Brain Abnormalities, Body Chemistry, Nutrition, and Perinatal and Childhood Problems | 115 |
| Brain Abnormalities  | 115 |
| Neurochemical Factors  | 116 |
| Neurotransmitters  | 117 |
| Nutrition and Diet   | 118 |
| Perinatal Problems   | 118 |
| Adverse Childhood Experiences  | 118 |
| Lead and Other Toxins  | 119 |
| Early Puberty  | 119 |
| Evaluation of Biological Explanations  | 119 |
| <b>Crime and Controversy</b> Does Abortion Lower the Crime Rate?   | 120 |
| The Value of Research on Maternal and Childhood Problems   | 121 |
| Psychological Explanations   | 121 |
| Psychoanalytic Explanations  | 122 |
| Moral Development, Intelligence, and Personality   | 123 |
| Moral Development and Crime  | 123 |
| Intelligence and Crime   | 124 |
| Personality and Crime  | 124 |
| <b>International Focus</b> Psychological Research in New Zealand   | 125 |
| Evaluation of Psychological Explanations   | 126 |
| Abnormality or Normality?  | 126 |
| Theory and Policy: Biological and Psychological Explanations   | 127 |
| Conclusion   | 128 |
| Summary  | 128 |
| Key Terms  | 129 |
| What Would You Do?   | 129 |

## Chapter 7

|   |     |
|---|-----|
| Sociological Theories: Emphasis on Social Structure                   | 130 |
| The Legacy of Durkheim  | 131 |
| Social Disorganization and Social Ecology                             | 133 |
| Clifford R. Shaw and Henry D. McKay                                   | 134 |
| Critiques of Social Disorganization Theory                            | 134 |
| The Revival of Social Disorganization Theory                          | 135 |
| Other Ecological Work   | 135 |
| <b>Crime and Controversy</b> Closing the Window on Crime?             | 136 |
| Anomie Theory and Strain Theory                                       | 138 |
| Evaluation of Anomie Theory   | 139 |
| Defense and Extension of Anomie Theory                                | 139 |
| General Strain Theory   | 140 |
| <b>International Focus</b> Strain, Immigration, and Rioting in Europe | 141 |



|   |     |
|---|-----|
| <b>Subcultural Theories</b>   | 142 |
| <b>Albert K. Cohen: School Failure and Delinquent Subcultures</b>       | 142 |
| <b>Walter B. Miller: Focal Concerns</b>                                 | 143 |
| <b>Richard Cloward and Lloyd Ohlin: Differential Opportunity Theory</b> | 144 |
| <b>Marvin Wolfgang and Franco Ferracuti: The Subculture of Violence</b> | 145 |
| <b>Elijah Anderson: The Code of the Street</b>                          | 146 |
| <b>Prospects for Subcultural Explanations</b>                           | 146 |
| <b>Structural Theories and Gender</b>                                   | 146 |
| <b>Theory and Policy: Structural Theories</b>                           | 147 |
| <b>Conclusion</b>   | 148 |
| <b>Summary</b>  | 149 |
| <b>Key Terms</b>  | 150 |
| <b>What Would You Do?</b>   | 150 |

## Chapter 8

|   |     |
|---|-----|
| Sociological Theories: Emphasis on Social Process   | 151 |
| <b>Learning Theories</b>  | 152 |
| <b>Edwin H. Sutherland: Differential Association Theory</b>                               | 154 |
| <b>Other Learning Theories</b>  | 156 |
| <b>Evaluation of Learning Theories</b>  | 157 |
| <b>Control Theories</b>   | 157 |
| <b>Walter Reckless: Containment Theory</b>  | 157 |
| <b>Gresham M. Sykes and David Matza: Neutralization and Drift Theory</b>                  | 158 |
| <b>Travis Hirschi: Social Bonding Theory</b>  | 159 |
| <b>International Focus</b> Social Bonding in Japan  | 161 |
| <b>Crime and Controversy</b> Does Dropping Out of School Promote or Reduce Delinquency?   | 163 |
| <b>Michael Gottfredson and Travis Hirschi: Self-Control Theory</b>                        | 164 |
| <b>Charles R. Tittle: Control Balance Theory</b>  | 165 |
| <b>Mark Colvin and Francis T. Cullen: Differential Social Support and Coercion Theory</b> | 165 |
| <b>Life-Course Theories</b>   | 166 |
| <b>Specific Life-Course Theories</b>  | 167 |
| <b>The Promise and Problem of Theoretical Integration</b>                                 | 169 |
| <b>Theory and Policy: Social Process Theories</b>   | 170 |
| <b>Conclusion</b>   | 171 |
| <b>Summary</b>  | 172 |
| <b>Key Terms</b>  | 173 |
| <b>What Would You Do?</b>   | 173 |

## Chapter 9

|  |     |
|--|-----|
| Sociological Theories: Critical Perspectives           | 174 |
| <b>Labeling Theory</b>                                 | 176 |
| <b>The Relativist Definition of Crime and Deviance</b> | 176 |
| <b>The Imposition of the Deviant Label</b>             | 177 |
| <b>The Negative Consequences of Labeling</b>           | 178 |



|   |     |
|---|-----|
| <b>Evaluation of Labeling Theory</b>  | 179 |
| <b>Crime and Controversy</b> How Should We Deal with Juveniles in Trouble with the Law? | 180 |
| <b>Conflict Theory</b>  | 181 |
| Consensus and Conflict Perspectives in Sociology  | 181 |
| Conflict Perspectives in Criminology  | 181 |
| Evaluation of Conflict Theory   | 182 |
| <b>Radical Theory</b>   | 182 |
| Marx and Engels on Crime and Law  | 182 |
| Willem Bonger: Capitalism, Egoism, and Crime  | 183 |
| <b>International Focus</b> Crime and the Economy in China, Vietnam, and Russia          | 183 |
| Jerome Hall: The Law of Theft   | 184 |
| William Chambliss: The Law of Vagrancy  | 184 |
| Contemporary Radical Views on Crime and Law   | 184 |
| Evaluation of Radical Criminology   | 185 |
| Left Realism and Peacemaking Criminology  | 186 |
| <b>Feminist Theories</b>  | 186 |
| An Overview of Feminist Perspectives in Criminology                                     | 186 |
| The Scope of Feminist Theory and Research   | 187 |
| A Final Word on Feminism  | 190 |
| <b>Theory and Policy: Critical Perspectives</b>   | 190 |
| <b>Conclusion</b>   | 191 |
| <b>Summary</b>  | 191 |
| <b>Key Terms</b>  | 192 |
| <b>What Would You Do?</b>   | 192 |

## PART 3

### Criminal Behaviors

|                   |  |     |
|-------------------|--|-----|
| <b>Chapter 10</b> | Violent Crime: Homicide, Aggravated Assault, and Robbery   | 193 |
|                   | <b>Homicide</b>  | 195 |
|                   | Defining Homicide  | 195 |
|                   | Patterning and Social Dynamics of Homicide   | 196 |
|                   | Trends in U.S. Homicide Rates  | 200 |
|                   | <b>Aggravated Assault</b>  | 201 |
|                   | Major Aspects of Aggravated Assault  | 202 |
|                   | <b>Explaining Homicide and Aggravated Assault</b>  | 202 |
|                   | Why Does the United States Have a Higher Homicide Rate than Other Wealthy Democracies?                         | 202 |
|                   | Why Are U.S. Homicides and Aggravated Assaults More Common in Urban Areas than Elsewhere?                      | 203 |
|                   | Why Do Men Commit Almost All Homicides and Aggravated Assaults?  | 203 |
|                   | <b>International Focus</b> Lethal Violence in Mexico   | 204 |
|                   | Why Do Black Americans and Certain Other People of Color Have Higher Rates of Homicide and Aggravated Assault? | 204 |



|  |  |
|--|--|
| <b>Robbery</b>                         | 205  |
| Defining Robbery                       | 205  |
| Extent and Patterning of Robbery       | 205  |
| Types of Robbers                       | 207  |
| Explaining Robbery                     | 207  |
| <b>Special Topics in Violent Crime</b> | 208  |
| Violence by Women                      | 208  |
| Workplace Violence                     | 209  |
| Mass Murder and Serial Killing         | 209  |
| Hate Crime                             | 212  |
| Child Abuse and Elder Abuse            | 214  |
| Mass Media and Violence                | 216  |
| Firearms, Crime, and Violence          | 217  |
| <b>Crime and Controversy</b>           | Do “Stand Your Ground” Laws<br>Make Sense? 218 |
| <b>Reducing Violent Crime</b>          | 220  |
| What History Tells Us                  | 220  |
| <b>Conclusion</b>                      | 221  |
| <b>Summary</b>                         | 221  |
| <b>Key Terms</b>                       | 222  |
| <b>What Would You Do?</b>              | 222  |

## Chapter 11

|   |  |
|---|--|
| Violence Against Women  | 223  |
| <b>Overview: The Gendered Nature of Violent Crime</b>                   | 224  |
| An International Problem  | 225  |
| Defining Rape and Sexual Assault and Intimate Partner<br>Violence       | 225  |
| <b>Extent of Violence Against Women</b>                                 | 226  |
| Rape and Sexual Assault   | 226  |
| Intimate Partner Violence   | 227  |
| Stalking  | 228  |
| <b>Crime and Controversy</b>  | “All I See Is Blood”: Rape and<br>Sexual Assault in the Military 229 |
| <b>Social Patterning of Intimate Partner Violence Against<br/>Women</b> | 229  |
| Age   | 230  |
| Social Class  | 230  |
| Race and Ethnicity  | 230  |
| <b>Explaining Violence Against Women</b>                                | 232  |
| <b>International Focus</b>  | The Nordic Paradox: Sexual<br>Violence in the Nordic Nations 232     |
| Gender, Economic, and Racial Inequality                                 | 233  |
| Cultural Myths Supporting Violence Against Women                        | 234  |
| Other Factors and Perspectives  | 236  |
| <b>Reducing Violence Against Women</b>                                  | 237  |
| Arresting Batterers: Deterrence or Escalation?                          | 238  |
| <b>Conclusion</b>   | 240  |
| <b>Summary</b>  | 240  |
| <b>Key Terms</b>  | 240  |
| <b>What Would You Do?</b>   | 241  |



## Chapter 12

|  |            |
|--|------------|
| Property Crime and Fraud                                     | 242        |
| <b>Types, Extent, and Patterning of Property Crime</b>       | <b>243</b> |
| Extent of Property Crime                                     | 244        |
| Patterning of Property Crime                                 | 244        |
| <b>Social Organization of Property Crime</b>                 | <b>246</b> |
| Burglary   | 246        |
| <b>International Focus</b> Global Motor Vehicle Theft        | 248        |
| <b>Explaining Property Crime</b>                             | <b>249</b> |
| Cultural Emphasis on Economic Success                        | 249        |
| Techniques of Neutralization                                 | 250        |
| Unemployment   | 250        |
| Routine Activities and Social Process Factors                | 251        |
| Property Crime for Thrills                                   | 251        |
| A Look at Shoplifting  | 251        |
| <b>Reducing Property Crime</b>                               | <b>252</b> |
| The Criminal Justice System                                  | 252        |
| Situational Crime Prevention                                 | 252        |
| <b>Crime and Controversy</b> Vicious Dogs and Property Crime | 253        |
| <b>Fraud</b>   | <b>254</b> |
| Identity Theft   | 255        |
| Tax Fraud  | 255        |
| Insurance Fraud  | 256        |
| Cybercrime   | 257        |
| The Cost of Fraud  | 257        |
| <b>Conclusion</b>  | <b>258</b> |
| <b>Summary</b>   | <b>258</b> |
| <b>Key Terms</b>   | <b>259</b> |
| <b>What Would You Do?</b>                                    | <b>259</b> |

## Chapter 13

|  |            |
|--|------------|
| White-Collar and Organized Crime   | 260        |
| <b>Understanding White-Collar Crime</b>  | <b>262</b> |
| Edwin Sutherland and White-Collar Crime  | 262        |
| Defining White-Collar Crime  | 262        |
| <b>Occupational Crime: Law Breaking for Personal Gain</b>                          | <b>263</b> |
| Employee Theft: Pilferage and Embezzlement   | 263        |
| Professional Fraud: Focus on Health Care   | 264        |
| Unnecessary Surgery  | 265        |
| Financial Fraud  | 265        |
| Police and Political Corruption: Violations of Public Trust                        | 266        |
| <b>Organizational Criminality and Corporate Crime</b>                              | <b>266</b> |
| Corporate Financial Crime  | 267        |
| Corporate Violence: Threats to Health and Safety                                   | 269        |
| <b>Crime and Controversy</b> Harvest of Shame: Pesticide Poisoning of Farm Workers | 270        |
| <b>Economic and Human Costs of White-Collar Crime</b>                              | <b>274</b> |
| Economic Cost  | 274        |
| Human Cost   | 274        |





|  |     |
|--|-----|
| <b>Explaining White-Collar Crime</b>                           | 275 |
| <b>Similarities to Street Crime</b>                            | 275 |
| <b>Differences from Street Crime</b>                           | 276 |
| <b>Cultural and Social Context of White-Collar Crime</b>       | 276 |
| <b>Reducing White-Collar Crime</b>                             | 278 |
| <b>Organized Crime</b>   | 279 |
| <b>History of Organized Crime</b>                              | 279 |
| <b>Alien Conspiracy Model and Myth</b>                         | 280 |
| <b>International Focus</b> Yakuza: Organized Crime<br>in Japan | 281 |
| <b>Controlling Organized Crime</b>                             | 282 |
| <b>Conclusion</b>  | 282 |
| <b>Summary</b>   | 283 |
| <b>Key Terms</b>   | 284 |
| <b>What Would You Do?</b>                                      | 284 |

## Chapter 14

|  |     |
|--|-----|
| Political Crime  | 286 |
| <b>Understanding Political Crime</b>   | 287 |
| <b>Major Categories of Political Crime</b>   | 288 |
| <b>Crime by Government</b>   | 288 |
| <b>Political Repression and Human Rights Violations</b>                                  | 288 |
| <b>Unethical or Illegal Experimentation</b>  | 292 |
| <b>Crime and Controversy</b> Civil Liberties in the Age<br>of Terrorism                  | 292 |
| <b>State–Corporate Crime</b>   | 293 |
| <b>International Focus</b> Arrests of Russians for Protesting<br>the Invasion of Ukraine | 293 |
| <b>Political Corruption</b>  | 294 |
| <b>Crime Against Government</b>  | 295 |
| <b>Mass Political Violence: Rebellion, Riots, Terrorism</b>                              | 295 |
| <b>Civil Disobedience</b>  | 298 |
| <b>Espionage and Treason</b>   | 299 |
| <b>Explaining and Reducing Political Crime</b>   | 299 |
| <b>The Social Patterning of Political Crime</b>  | 300 |
| <b>Reducing Political Crime</b>  | 301 |
| <b>Conclusion</b>  | 302 |
| <b>Summary</b>   | 302 |
| <b>Key Terms</b>   | 303 |
| <b>What Would You Do?</b>  | 304 |

## Chapter 15

|                                     |     |
|-------------------------------------|-----|
| Consensual Crime                    | 305 |
| <b>Illicit Drug Use</b>             | 307 |
| <b>Drug Use in History</b>          | 307 |
| <b>Contemporary U.S. Drug Use</b>   | 308 |
| <b>Explaining Illicit Drug Use</b>  | 310 |
| <b>The Drugs–Crime Connection</b>   | 311 |
| <b>The Decriminalization Debate</b> | 312 |



|  |  |     |
|--|--|-----|
| <b>International Focus</b>                       | What Happened After Portugal Decriminalized Drug Possession? | 316 |
| <b>Harm Reduction and Drug Courts</b>            |  | 316 |
| <b>Crime and Controversy</b>                     | The Early Impact of Decriminalizing Drugs in Oregon          | 317 |
| <b>Sexual Offenses: Sex Work and Pornography</b> |  | 318 |
| <b>Sex Work</b>                                  |  | 318 |
| <b>Pornography</b>                               |  | 320 |
| <b>Gambling</b>                                  |  | 322 |
| <b>The Growth of Gambling</b>                    |  | 323 |
| <b>The Gambling Debate</b>                       |  | 323 |
| <b>Reducing Consensual Crime</b>                 |  | 324 |
| <b>Conclusion</b>                                |  | 325 |
| <b>Summary</b>                                   |  | 325 |
| <b>Key Terms</b>                                 |  | 326 |
| <b>What Would You Do?</b>                        |  | 326 |

## PART 4

### Controlling and Preventing Crime

|                   |   |                                       |
|-------------------|---|---------------------------------------|
| <b>Chapter 16</b> | Policing: Dilemmas of Crime Control in a Democratic Society | 327                                   |
|                   | <b>Crime Control in a Democratic Society</b>                | 328                                   |
|                   | <b>The Ideal of Blind Justice</b>                           | 329                                   |
|                   | <b>A Preview of the Discussion</b>                          | 329                                   |
|                   | <b>Development of Modern Police Departments</b>             | 330                                   |
|                   | <b>Police Departments in the United States</b>              | 330                                   |
|                   | <b>Working Personality and Police Behavior</b>              | 330                                   |
|                   | <b>Police Misconduct: Brutality</b>                         | 332                                   |
|                   | <b>Police Misconduct: Corruption</b>                        | 334                                   |
|                   | <b>Police Discretion: To Arrest or Not to Arrest?</b>       | 335                                   |
|                   | <b>Race, Ethnicity, and Arrest</b>                          | 336                                   |
|                   | <b>Crime and Controversy</b>                                | Racial Profiling in Traffic Stops 336 |
|                   | <b>Gender and Arrest</b>                                    | 338                                   |
|                   | <b>International Focus</b>                                  | Police and Policing in Japan 339      |
|                   | <b>Impact of Policing on Crime</b>                          | 339                                   |
|                   | <b>Do Additional Police Reduce Crime?</b>                   | 339                                   |
|                   | <b>How Police Are Used</b>                                  | 340                                   |
|                   | <b>Does Arrest Make a Difference?</b>                       | 341                                   |
|                   | <b>Community Policing</b>                                   | 341                                   |
|                   | <b>Legal Technicalities and Police Effectiveness</b>        | 342                                   |
|                   | <b>Impact of Policing on Crime Revisited</b>                | 342                                   |
|                   | <b>Women and People of Color in Police Departments</b>      | 343                                   |
|                   | <b>Female Officers of Color</b>                             | 344                                   |
|                   | <b>Conclusion</b>   | 344                                   |
|                   | <b>Summary</b>  | 344                                   |
|                   | <b>Key Terms</b>  | 345                                   |
|                   | <b>What Would You Do?</b>                                   | 346                                   |



## Chapter 17

|  |            |
|--|------------|
| Prosecution and Punishment   | 347        |
| <b>Criminal Courts and the Adversary System</b>  | <b>348</b> |
| <b>Normal Crimes</b>   | <b>349</b> |
| <b>Prosecutors, the Courtroom Work Group, and Plea Bargaining</b>                      | <b>349</b> |
| <b>Punishment, Social Structure, and Inequality</b>                                    | <b>350</b> |
| <b>Economic Conditions and Punishment</b>  | <b>351</b> |
| <b>Crime and Controversy</b> Should Felons Lose the Right to Vote?                     | 351        |
| <b>Social Class and Legal Outcomes</b>   | <b>352</b> |
| <b>Impact of Race and Ethnicity</b>  | <b>353</b> |
| <b>Gender and Sentencing</b>   | <b>356</b> |
| <b>Impact of Punishment on Crime</b>   | <b>356</b> |
| <b>Evidence Against a Deterrent Effect</b>   | <b>357</b> |
| <b>Evidence Against an Incapacitation Effect</b>                                       | <b>358</b> |
| <b>International Focus</b> Punishing Criminals in Denmark and the Netherlands          | 359        |
| <b>The Death Penalty Debate</b>  | <b>360</b> |
| <b>Cost of the Death Penalty</b>   | <b>360</b> |
| <b>General Deterrence and the Death Penalty</b>  | <b>361</b> |
| <b>Arbitrariness and Racial Discrimination in the Application of the Death Penalty</b> | <b>361</b> |
| <b>Quality of Legal Representation of Capital Defendants</b>                           | <b>362</b> |
| <b>Wrongful Executions</b>   | <b>363</b> |
| <b>Conclusion</b>  | <b>364</b> |
| <b>Summary</b>   | <b>365</b> |
| <b>Key Terms</b>   | <b>365</b> |
| <b>What Would You Do?</b>  | <b>365</b> |

## Chapter 18

|  |            |
|--|------------|
| Conclusion: How Can We Reduce Crime?   | 367        |
| <b>The Criminal Justice System Funnel</b>                                    | <b>368</b> |
| <b>A Sociological Prescription for Crime Reduction</b>                       | <b>371</b> |
| <b>Social, Cultural, and Community Crime Prevention (Primary Prevention)</b> | <b>371</b> |
| <b>Developmental Crime Prevention (Secondary Prevention)</b>                 | <b>374</b> |
| <b>Criminal Justice Approaches (Tertiary Prevention)</b>                     | <b>375</b> |
| <b>Conclusion</b>  | <b>378</b> |
| <b>Summary</b>   | <b>378</b> |
| <b>Key Terms</b>   | <b>379</b> |
| <b>What Would You Do?</b>  | <b>379</b> |

GLOSSARY 380

REFERENCES 385

NAME INDEX 421

SUBJECT INDEX 430



# New to this Edition

This eighth edition has been thoroughly revised. It includes the latest crime and criminal justice statistics available as the book went to production, and it discusses the latest research on crime and criminal justice issues that had appeared by that time, with dozens of new references added and older ones deleted. This eighth edition continues the popular features of the previous one, including the chapter-opening *Crime in the News* vignettes ripped from the headlines (all new from 2021 and 2022), which engage students' attention and demonstrate the text's relevance to real-life events and issues; the *Crime and Controversy* and *International Focus* boxes, several of them new or revised for this edition, which highlight crime and justice issues within, respectively, the United States and abroad; and the *What Would You Do?* feature at the end of each chapter, which presents hypothetical scenarios on real-world situations faced by criminal justice professionals and average citizens alike.

Major changes or additions to specific chapters include the following:

## Chapter 1. Criminology and the Sociological Perspective

- New Crime in the News story
- New mention of public criminology

## Chapter 2. Public Opinion, the News Media, and the Crime Problem

- New Crime in the News story
- New discussion of the news media's portrayal of immigrants and criminality
- New discussion of violence in the popular media
- Updated fear of crime survey data
- New International Focus box
- New presentation of survey data on Asian Americans' fear of crime
- New section on anger about crime
- Revised discussion of punitiveness
- New discussion of increased public perceptions of injustice after the murder of George Floyd
- New What Would You Do? scenario

## Chapter 3. The Measurement and Patterning of Criminal Behavior

- New Crime in the News story
- Updated crime and victimization data

- New discussion of hierarchy rule
- Expanded discussion of the Uniform Crime Report's underestimation of crime
- Expanded discussion of the National Incident-Based Reporting System
- New discussion of rise in homicides and shootings beginning in mid-2020
- Expanded discussion of the seasonality of crime

## Chapter 4. Victims and Victimization

- New Crime in the News story
- New discussion of people who become ill from corporate air pollution not being considered crime victims
- New discussion of victimization rates and prevalence rates
- Expanded discussion of victimization rates in rural areas
- New discussion of Asian Americans' victimization
- New section on higher victimization rates of LGBTQ persons
- New section on higher violent victimization rates of people with disabilities
- New section on intraracial nature of victimization
- Revised and updated discussion of victimization of college students

## Chapter 5. Classical and Neoclassical Perspectives

- New Crime in the News story
- Updated discussion of deterrence research based on recent literature reviews

## Chapter 6. Biological and Psychological Explanations

- New Crime in the News story
- New discussion of lead and other toxins
- New discussion of adverse childhood experiences
- Expanded discussion of biological explanations

## Chapter 7. Sociological Theories: Emphasis on Social Structure

- New Crime in the News story
- Revised and updated International Focus box
- Expanded discussion of research testing general strain theory



## Chapter 8. Sociological Theories: Emphasis on Social Process

- New Crime in the News story
- Expanded discussion of the marriage effect

## Chapter 9. Sociological Theories: Critical Perspectives

- New Crime in the News Story

## Chapter 10. Violent Crime: Homicide, Aggravated Assault, and Robbery

- New Crime in the News story
- Updated homicide data
- New discussion of possible reasons for homicide jump in 2020
- New International Focus box
- New discussion of gender inequality and the South's homicide rate
- New graph on gender differences in physical fighting during high school
- Revised and expanded discussion of mass murder
- Expanded discussion of serial murder
- Revised and updated discussion of workplace violence
- Expanded discussion of hate crime, including updated examples and new discussion of its increase during the pandemic
- Updated child abuse and elder abuse data
- New Crime and Controversy box

## Chapter 11. Violence Against Women

- New Crime in the News story
- Updated violence against women data
- New discussion of increase in violence against women after the COVID-19 pandemic began
- New International Focus box
- Updated and revised discussion of stalking

## Chapter 12. Property Crime and Fraud

- New Crime in the News story
- Updated property crime data

## Chapter 13. White-Collar and Organized Crime

- Updated Crime in the News story
- Updated white-collar crime data and examples
- Revised and updated International Focus box

## Chapter 14. Political Crime

- New Crime in the News story
- Updated examples of political crime
- Expanded history of civil disobedience
- New International Focus box
- New discussion of efforts by Donald Trump and several of his allies to overturn the 2020 election
- Revised and updated discussion of explaining and reducing political crime

## Chapter 15. Consensual Crime

- New Crime in the News story
- Updated data on illicit drug use
- Revised introductory discussion of illicit drug use
- New discussion of illicit opioid use
- New Crime and Controversy box

## Chapter 16. Policing: Dilemmas of Crime Control in a Democratic Society

- New Crime in the News story
- Revised and updated discussion of police use of force
- Revised and updated discussion of race, ethnicity, and arrest
- Updated Crime and Controversy box
- Expanded discussion of impact on crime of additional police

## Chapter 17. Prosecution and Punishment

- New Crime in the News story
- Updated data throughout
- New discussion of effects of skin tone and Afrocentric features on sentencing
- New discussion of different perceptions by news media and politicians as the opioid crisis developed compared to when the war on drugs developed
- New example of wrongful execution

## Chapter 18. Conclusion: How Can We Reduce Crime?

- Updated cost data if bottom of criminal of justice funnel could be widened



# Preface

## Welcome to this sociological

introduction to the field of criminology! This book emphasizes the need to understand the social causes of criminal behavior in order to be able to significantly reduce crime. This emphasis echoes the approach followed in the field of public health, which tries to determine what causes a disease like cancer so that we can prevent people from becoming ill with cancer. Although it is obviously important to treat cancer patients, there will always be more cancer patients unless we discover its causes and then do something about these causes. The analogy to crime is clear: Unless we discover the causes of crime and do something about them, there will always be more criminals.

Unfortunately, this is not the approach the United States has taken during the past few decades. Instead, it has relied on a “get-tough” approach to the crime problem that relies on more aggressive policing, longer and more certain prison terms, and the building of more and more prisons. The nation’s prison and jail population has soared and has reached some 1.8 million persons despite a decline during the past decade. Many criminologists warn that this development of mass incarceration has had serious collateral consequences for the people incarcerated, their families, and their communities and that it has cost tens of billions of dollars while reducing crime only to a small degree.

In offering a sociological understanding of crime, this book suggests that the “get-tough” approach is shortsighted because it ignores the roots of crime in the social structure and social inequality of society. To reduce crime, we must address these structural conditions and appreciate the role that factors such as race and ethnicity, gender, and social class play in criminal behavior. Students in criminology courses in sociology departments will especially benefit from this book’s sociological under-

standing. But this understanding is also important for students in courses in criminal justice or criminology departments. If crime cannot be fully understood without appreciating its structural context, students in these departments who do not develop this appreciation have only an incomplete understanding of the reasons for crime and of the most effective strategies to reduce it.

Although street crime has declined since the early 1990s, it remains a national problem, as the residents of high-crime neighborhoods know all too well, and homicides and serious assaults increased in 2020 and 2021. Meanwhile, white-collar crime continues to cost tens of billions of dollars and thousands of lives annually, even as it receives far less attention than mass murder, terrorism, and everyday violent and property crime.

In presenting a sociological perspective on crime and criminal justice, this book highlights issues of race and ethnicity, gender, and social class in every chapter and emphasizes the criminogenic effects of the social and physical features of urban neighborhoods. This eighth edition continues to include certain chapters that remain uncommon in other criminology texts, including Chapter 2: Public Opinion, the News Media, and the Crime Problem; Chapter 11: Violence Against Women; Chapter 14: Political Crime; and Chapter 18: Conclusion: How Can We Reduce Crime? In addition, the book’s criminal justice chapters, Chapter 16: Policing: Dilemmas of Crime Control in a Democratic Society and Chapter 17: Prosecution and Punishment, continue to address two central themes in the sociological understanding of crime and criminal justice: (1) the degree to which social inequalities affect the operation of the criminal justice system and (2) the extent to which reliance on the criminal justice system can reduce crime. These two themes, in turn, reflect two more general sociological issues: the degree to which inequality affects the dynamics of social institutions, and the extent to which formal sanctions affect human behavior.

## Instructor Supplements

**Instructor’s Manual with Test Bank.** Includes content outlines for classroom discussion, teaching suggestions, and answers to selected end-of-chapter questions from the text. This also contains a Word document version of the test bank.

**TestGen.** This computerized test generation system gives you maximum flexibility in creating and administering tests on paper, electronically, or online. It provides state-of-the-art features for viewing and editing test bank questions, dragging a selected question into a test you are creating, and printing sleek, formatted tests in a variety of layouts. Select test items from the test banks included with TestGen for quick test creation, or write your own questions from scratch. TestGen’s random generator provides the

option to display different text or calculated number values each time questions are used.

**PowerPoint Presentations.** Our presentations are clear and straightforward. Photos, illustrations, charts, and tables from the book are included in the presentations when applicable.

To access supplementary materials online, instructors need to request an instructor access code. Go to [www.pearsonhighered.com/irc](http://www.pearsonhighered.com/irc), where you can register for an instructor access code. Within 48 hours after registering, you will receive a confirming email, including an instructor access code. Once you have received your code, go to the site and log on for full instructions on downloading the materials you wish to use.





# Revel Criminology, by Barkan

*Designed for how you want to teach—and how your students want to learn*

**Revel** is an interactive learning environment that engages students and helps them prepare for your class. Reimagining their content, our authors integrate media and assessment throughout the narrative so students can read, explore, and practice, all at the same time. Thanks to this dynamic reading experience, students come to class prepared to discuss, apply, and learn about criminal justice—from you and from each other.

Revel seamlessly combines the full content of Pearson's bestselling criminal justice titles with multimedia learning tools. You assign the topics your students cover. Author Explanatory Videos, application exercises, survey questions, interactive CJ data maps, and short quizzes engage students and enhance their understanding of core topics as they progress through the content. Through its engaging learning experience, Revel helps students better understand course material while preparing them to meaningfully participate in class.

## Author Explanatory Videos

Short (2- to 3-minute) Author Explanatory Videos, embedded in the narrative, provide students with a verbal explanation of an important topic or concept and illuminating the concept with additional examples.

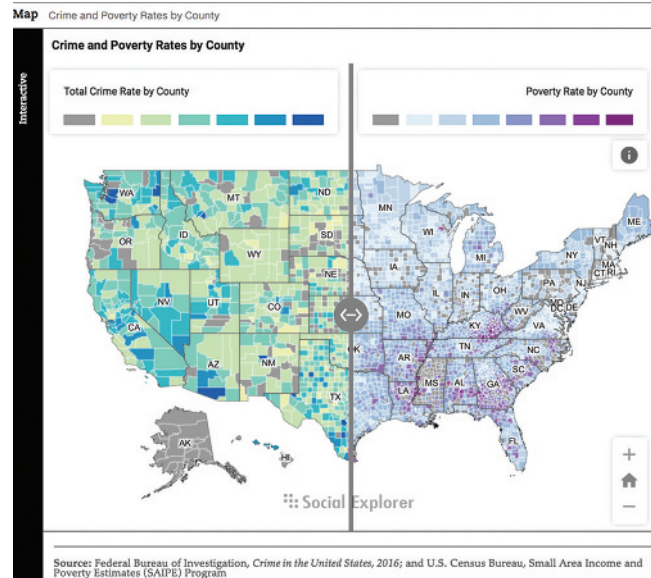
## Point/CounterPoint Videos

Instead of simply reading about criminal justice, students are empowered to think critically about key topics through Point/Counterpoint videos that explore different views on controversial issues such as privacy, search and seizure, Miranda rights, prison privatization, prisoner rights, the PATRIOT Act, and many other topics.



## Social Explorer Criminal Justice Data Maps

Social Explorer Maps integrated into the narrative ask students to examine crime and corrections data correlated with socioeconomic and other criminal justice data. Maps also show differences in state statutes on major issues such as marijuana legalization, the death penalty, and the distribution of hate organizations across the United States.



## Student Survey Questions

Student Survey Questions appear within the narrative, asking students to respond to questions about controversial topics and important concepts. Students then see their response versus the responses of all other students who have answered the question, in the form of a bar chart.

## Current Events Bulletins

Bring currency into your classroom with author-written articles that are updated each semester to help connect core concepts with real-life current events. Society changes quickly, and Current Events Bulletins are one way to avoid a narrative that seems dated. Students can follow the trajectory of criminology issues in the context of the criminal justice field.

## Criminal Justice Simulations

In our introduction to Criminal Justice Revel etexts, there are simulations that ask the student to evaluate scenarios and make decisions regarding CJ issues or procedures. In this title we have included the Extent of Crime simulation that allows students to compare the difference between the statistics of the FBI Uniform Crime Report (UCR) and the National Crime Victimization Survey (NCVS) as well as learn about the National Incident Based Reporting System (NIBRS).

## Track Time-on-Task throughout the Course

The Performance Dashboard allows you to see how much time the class or individual students have spent reading a section or doing an assignment, as well as points earned per assignment.

This information helps correlate study time with performance and provides a window into where students may be having difficulty with the material.

## Learning Management System Integration

Pearson provides Blackboard Learn™, Canvas™, Brightspace by D2L, and Moodle integration, giving institutions, instructors, and students easy access to Revel. Our Revel integration delivers streamlined access to everything your students need for the course in these learning management system (LMS) environments.

## The Revel App

The Revel mobile app lets students read, practice, and study—anywhere, anytime, on any device. Content is available both online and offline, and the app syncs work across all registered devices automatically, giving students great flexibility to toggle between phone, tablet, and laptop as they move through their day. The app also lets students set assignment notifications to stay on top of all due dates. This app is available for download from the App Store or Google Play. Visit [www.pearsonhighered.com/revel/to](http://www.pearsonhighered.com/revel/to) learn more.

## Alternate Versions

**eBooks.** This text is also available in multiple eBook formats. These are an exciting new choice for students looking to save money. As an alternative to purchasing the printed textbook, students can purchase an electronic version of the same content. With an eTextbook, students can search the text, make notes

online, print out reading assignments that incorporate lecture notes, and bookmark important passages for later review. For more information, visit your favorite online eBook reseller or [www.pearson.com](http://www.pearson.com).

## Acknowledgments

### The first edition of this book

stated my personal and intellectual debt to Norman Miller and Forrest Dill, and I continue to acknowledge how much I owe them. Norman Miller was my first undergraduate sociology professor and quickly helped me fall in love with the discipline. He forced me to ask questions about society that I probably still haven't answered. I and the many other students he influenced can offer only an inadequate "thank you" for caring so much about us and, to paraphrase a verse from a great book, for training us in the way we should go. Forrest Dill was my mentor in graduate school and introduced me to criminology, the sociology of law, and the craft of scholarship. His untimely death when I was beginning my career continues to leave a deep void.

My professional home since graduate school has been the Sociology Department at the University of Maine. I continue to owe my colleagues there an intellectual debt for sharing and reaffirming my sense of the importance of social structure and

social inequality to understanding crime and other contemporary issues.

I also wish to thank the editorial, production, and marketing staff at Pearson for their help on all aspects of the book's revision, and Holly Shufeldt for her continued faith in the vision underlying the book.

Finally, as in my first seven editions, I acknowledge with heartfelt gratitude the love and support that my wife, Barbara Tennent, and our sons, Dave and Joe, bring to my life. They put up with my need to write and with my reactions to the success and failure of our favorite sports teams more than any husband and father has a right to expect.

The eighth edition of this book is again dedicated to my late parents, Morry and Sylvia Barkan, who instilled in me respect for learning and sympathy for those less fortunate than I. As I continue to think about them after so many years, I can only hope that somewhere they are smiling with pride over this latest evidence of their legacy.

## About the Author

**Steven E. Barkan** is professor emeritus of sociology at the University of Maine. His teaching and research interests include criminology, sociology of law, and social movements. He is a past president of the Society for the Study of Social

Problems and had previously served as a member of the SSSP Board of Directors, as chair of its Law and Society Division and Editorial and Publications Committee, and as an advisory editor of its journal, *Social Problems*. He also previously





served as a member of the council of the Sociology of Law Section of the American Sociological Association and served on its student paper award committee as well as that of the ASA Crime, Law, and Deviance Section. He also served on the council of Alpha Kappa Delta, the sociology honor society, and is a past president of the Textbook and Academic Authors Association. An earlier edition of this book was awarded the Textbook Excellence Award for Humanities/Social Sciences from this association.

Professor Barkan has written many journal articles dealing with topics such as racial prejudice and death penalty attitudes,

racism and socioeconomic status as fundamental causes of street criminality, views on police brutality, political trials, and feminist and anti-hunger activism. These articles have appeared in the *American Sociological Review*, *Critical Criminology*, *Journal for the Scientific Study of Religion*, *Journal of Crime and Justice*, *Journal of Research in Crime and Delinquency*, *Justice Quarterly*, *Social Forces*, *Social Problems*, *Sociological Forum*, *Sociological Inquiry*, *Sociological Perspectives*, and other journals.

Professor Barkan welcomes comments from students and faculty about this book; they may email him at [barkan@maine.edu](mailto:barkan@maine.edu).

## Timeline of Major Criminological Theories

### Chapter 5

|      |       |   |                                      |
|------|-------|---|--------------------------------------|
|      | 1764  | Classical Theory (Utilitarianism)               | Cesare Beccaria                      |
| Year | 1968  | Neoclassical Theories<br>Rational Choice Theory | Gary Becker                          |
|      | 1985  |   | Derek B. Cornish<br>Ronald V. Clarke |
|      | 1970s | Deterrence Theory                               |                                      |
|      | 1979  | Routine Activities Theory                       | Lawrence E. Cohen<br>Marcus Felson   |

### Chapter 6

|      |             |                           |                 |
|------|-------------|---------------------------|-----------------|
| Year | 1796        | Phrenology                | Franz Gall      |
|      | 1876        | Atavism                   | Cesare Lombroso |
|      | 1939        | Biological Inferiority    | Ernest Hooton   |
|      | 1949        | Body Shapes (Somatology)  | William Sheldon |
|      | 1960s–1970s | Contemporary Explanations |                 |

### Chapter 7

|      |                           |                                 |                                     |
|------|---------------------------|---------------------------------|-------------------------------------|
| Year | 1942                      | Social Disorganization Theory   | Clifford R. Shaw<br>Henry D. McKay  |
|      | 1987                      | Deviant Places Theory           | Rodney Stark                        |
|      | 1938                      | Anomie Theory                   | Robert K. Merton                    |
|      | 1992                      | General Strain Theory           | Robert Agnew                        |
|      | 1955                      | Status Frustration Theory       | Albert K. Cohen                     |
|      | 1958                      | Focal Concerns Theory           | Walter B. Miller                    |
|      | 1960                      | Differential Opportunity Theory | Richard Cloward<br>Lloyd Ohlin      |
|      | 1958, 1967                | Subculture of Violence Theory   | Marvin Wolfgang<br>Franco Ferracuti |
| 1999 | Code of the Street Theory | Elijah Anderson                 |                                     |



## Chapter 8

|      |            |  |                                       |
|------|------------|--|---------------------------------------|
| Year | 1939       | Differential Association Theory            | Edwin H. Sutherland                   |
|      | 1956       | Differential Identification Theory         | Daniel Glaser                         |
|      | 1973, 1977 | Social Learning Theory                     | Albert Bandura                        |
|      | 1966       | Differential Reinforcement Theory          | Robert L. Burgess<br>Ronald L. Akers  |
|      | 1956, 1961 | Containment Theory                         | Walter Reckless                       |
|      | 1957       | Neutralization and Drift Theory            | Gresham M. Sykes<br>David Matza       |
|      | 1969       | Social Bonding Theory                      | Travis Hirschi                        |
|      | 1990       | Self-Control Theory                        | Michael Gottfredson<br>Travis Hirschi |
|      | 2004       | Control Balance Theory                     | Charles R. Tittle                     |
|      | 2002       | Coercive Control and Social Support Theory | Mark Colvin<br>Francis T. Cullen      |
|      | 1979       | Integrated Strain-Control Theory           | Delbert S. Elliott                    |
|      | 1987       | Interactional Theory                       | Terence P. Thornberry                 |
|      | 1993       | Life-Course-Persistent Theory              | Terrie E. Moffitt                     |
|      | 1993       | Age-Graded Theory                          | Robert J. Sampson<br>John H. Laub     |

## Chapter 9

|      |                              |                   |  |
|------|------------------------------|-------------------|--|
| Year | 1951<br>1963                 | Labeling Theory   | Edwin Lemert<br>Howard S. Becker                                     |
|      | 1938<br>1958<br>1969         | Conflict Theory   | Thorsten Sellin<br>George Vold<br>Austin T. Turk                     |
|      | 1916<br>1952<br>1964<br>1974 | Radical Theory    | Willem Bonger<br>Jerome Hall<br>William Chambliss<br>Richard Quinney |
|      | 1988<br>1989                 | Feminist Theories | Kathleen Daly<br>Meda Chesney-Lind<br>Sally S. Simpson               |



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# 1 Criminology and the Sociological Perspective

## LEARNING OBJECTIVES

- 1 Explain the sociological perspective and describe its relevance for criminology.
- 2 Describe the contributions of the social scientists who developed the field of criminology.
- 3 Identify the implications of consensus and conflict theories for understanding crime.
- 4 Describe the elements of criminal liability and legal defenses to such liability.
- 5 Explain the advantages and disadvantages of quantitative and qualitative research, respectively.

## CHAPTER OUTLINE

### The Sociological Perspective

- The Mutual Relevance of Sociology and Criminology
- The Rise of Sociological Criminology

### Criminal Law: Theoretical Underpinnings and Goals

- Consensus and Conflict in the Creation of Criminal Law
- Goals of Criminal Law

### Criminal Law: Origins, Types of Crime, and Criminal Liability

- Origins of Criminal Law
- Types of Crime
- Criminal Liability

### Research Methods in Criminology

- Surveys
- Experiments
- Qualitative Research: Observing and Intensive Interviewing
- Research Using Existing Data
- Comparative and Historical Research

### Conclusion

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## Crime in the News

Homicides and nonfatal shootings increased in many U.S. cities in the wake of the COVID-19 pandemic in early 2020 and continued to climb during the early months of 2021. New York was one of these cities. As just one of many examples, a 17-year-old youth was fatally shot in front of his Brooklyn school at the end of the school day on April 29, 2021. His mother later recalled her son smiling and saying he loved her on the morning of the day that he later died. “It needs to stop because it’s taking away so much,” she said. “Nobody should have to bury their kid. They’re supposed to bury us.”

Source: Closson 2021.

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This mother’s tragic experience reminds us that violence and other street crimes continue to trouble people across the nation. Although the U.S. crime rate has actually declined since the early 1990s, violent and property crimes continue to victimize millions of Americans annually. The U.S. prison and jail populations stood at nearly 1.8 million in spring 2021 (Kang-Brown et al. 2021), the highest rate of incarceration in the Western world. The criminal justice system costs more than \$300 billion annually (Hayes 2020) compared to only \$36 billion in the early 1980s. Why do we have so much violence and other crimes? Why did homicide and nonfatal shootings seemingly rise after the pandemic arose? What can we do to reduce our crime rate? What difference do police and prisons make? Could we spend our law enforcement dollars more wisely? How serious is white-collar crime? Is the war on drugs working? What roles do race and ethnicity, social class, and gender play in criminal behavior and in the response of the criminal justice system to such behavior? These are just a few of the questions this book tries to answer.

The rationale for the book is simple: Crime is one of our most important social problems but also one of the least understood. Most of our knowledge about crime comes from what we read in newspapers or see on TV or the Internet. From these sources, we get a distorted picture of crime and hear about solutions to the crime problem that ultimately will do little to reduce it. These are harsh accusations, to be sure, but they are ones with which most criminologists probably agree.

A major reason crime is so misunderstood is that the popular sources of our knowledge about crime say little about crime’s social roots. Crime is not only an individual phenomenon but also a social one. Individuals commit crimes, but their social backgrounds profoundly shape their likelihood of doing so. In this sense, crime is no different from other behaviors sociologists study. This basic sociological understanding of crime has an important social policy implication: If crime is rooted in the way our society is organized, then crime-reduction efforts will succeed only to the extent that they address the structural roots of criminality.

This book presents a sociological understanding of crime and criminal justice, an approach commonly called **sociological criminology** (Cao 2020). As we will see later, for most of its history, virtually all criminology was sociological criminology, and this two-word term would have been redundant. This view of criminology gave explicit attention to issues of poverty and race and ethnicity, as well as to the structure of communities and social relationships. As John Hagan (1994), a former president of the American Society of Criminology, once observed, a sociological criminology is thus a *structural* criminology. It takes into account the social and physical characteristics of communities and the profound influences of race and ethnicity, social class, and gender.

In the past few decades, criminology has moved away from this structural focus toward individualistic explanations, with the fields of biology and psychology vying with sociology for prominence in the study of crime. These fields enliven the discipline and have expanded criminology’s interdisciplinary focus. However, they ultimately fail to answer three of the most central questions in criminology: (1) Why do crime rates differ across locations and over time? (2) Why do crime rates differ according to the key dimensions of structured social inequality: race and ethnicity, social class, and gender? (3) How and why is the legal response to crime shaped by race and ethnicity, social class, and gender and by other extralegal variables? Only a sociological criminology can begin to answer these questions, which must be answered if we are to have any hope of seriously reducing crime and of achieving a just legal system.



A sociological criminology is not only a structural criminology. To be true to the sociological perspective, it should also be a criminology that debunks incorrect perceptions about crime and false claims about the effectiveness of various crime-control strategies. In addition, it should expose possible injustice in the application (arrest, conviction, punishment) of the criminal label. These are all important aims of the **public criminology** movement, which aims to bring criminological insights and findings to the attention of the general public and to influence crime and criminal justice policymaking (Henne and Shah 2020).

These themes appear throughout the book. Part 1, Understanding Crime and Victimization, introduces the sociological perspective and discusses public beliefs about crime and criminal justice. It also discusses what is known about the amount and social patterning of crime and victimization. Part 2, Explaining Crime, critically reviews the major explanations of crime and criminality and discusses their implications for crime reduction. These explanations are integrated into the chapters contained in Part 3, Criminal Behaviors. These chapters discuss the major forms of crime and the ways of reducing them. The fourth and final part of the book, Controlling and Preventing Crime, explores, among other things, two important issues for a sociological understanding of the criminal justice system: (1) To what degree do race and ethnicity, class, and gender unjustly affect the chances of arrest, conviction, and imprisonment? (2) To what degree do arrest and punishment reduce criminal behavior? The concluding chapter of the book presents a sociological prescription for crime reduction.

Our sociological journey into crime and criminal justice begins by reviewing the sociological perspective and discussing the mutual relevance of sociology and criminology. We look briefly at the development of sociological criminology and at its approaches to crime and criminal justice and review some key legal terms and concepts.

## ► The Sociological Perspective

Above all else, the **sociological perspective** stresses that people are social beings rather than mere individuals. This means that society profoundly shapes people's behaviors, attitudes, and life outcomes. People growing up in societies with different cultures tend to act and think differently from one another. People within a given society growing up in various locations and under diverse socioeconomic circumstances also tend to act and think differently. We cannot understand why people think and behave as they do without understanding their many social backgrounds.

This perspective derives from the work of Émile Durkheim (1858–1917), a French sociologist and a founder of the discipline, who stressed that social forces influence our behavior and attitudes. In perhaps his most famous study, Durkheim (1952 [1897]) found that even suicide, normally regarded as the most individualistic act possible, has social roots. Examining data in France and elsewhere, he found that suicide rates varied across locations and across different kinds of people. Protestants, for example, had higher suicide rates than did Catholics. Durkheim explained these differences by focusing on structural characteristics, in particular the level of social integration among the locations and people he studied. People in groups with high social integration, or strong bonds to others within their group, have lower suicide rates. His analysis remains a classic study of the influence of social structure on individual behavior such as suicide.

What exactly is **social structure**? Briefly, social structure refers to how a society is organized in terms of social relationships and social interactions. It is both

▼ The sociological perspective emphasizes that people are social beings more than they are individuals. This means that society shapes our behaviors, attitudes, and life outcomes.



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onyaberkut/123RF

▲ A job-seeker holds a sign indicating his need for a job. C. Wright Mills considered unemployment a public issue that results from structural problems in society.

*horizontal* and *vertical*. Horizontal social structure refers to the social and physical characteristics of communities and the networks of social relationships to which an individual belongs. Vertical social structure is more commonly called **social inequality** and refers to how a society ranks different groups of people. In U.S. society, social class, race and ethnicity, and gender are key characteristics that help determine where people rank and whether some people are “more equal” than others.

Sociologist C. Wright Mills (1959) emphasized that social structure lies at the root of **private troubles**. If only a few individuals, he wrote, are unemployed, then their private troubles are their own fault. But if masses of individuals are unemployed, structural forces must account for their bad fortune. What people may define as private troubles are thus more accurately described as **public issues**, wrote Mills. Their personal troubles result from the intersection of their personal biographies with historical and social conditions. Mills referred to the ability to understand the structural and historical basis for personal troubles as the **sociological imagination**. Once people acquire a sociological imagination, they are better able both to understand and to change the social forces underlying their private troubles.

As Mills’s comments suggest, sociology’s emphasis on the structural basis for individual behavior and personal troubles often leads it to challenge conventional wisdom. Max Weber (1864–1920), another founder of sociology, echoed this theme when he noted that one of sociology’s most important goals is to uncover “inconvenient facts” (Gerth and Mills 1946). As Peter Berger (1963) observed in his classic book *Invitation to Sociology*, the “first wisdom” of sociology is that things are not always what they seem: Sociological research often exposes false claims about reality and taken-for-granted assumptions about social life and social institutions. Berger referred to this sociological tendency as the **debunking motif**.

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## Review and Discuss

What do we mean by the *sociological perspective*? How does this perspective help us to understand the origins of crime and the possible ways of reducing crime?

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## The Mutual Relevance of Sociology and Criminology

With this brief discussion of the sociological perspective in mind, the continuing relevance of sociology for criminology immediately becomes clear. Perhaps most importantly, crime, victimization, and criminal justice cannot be understood fully without appreciating their structural context. Using Mills’s terminology, crime and victimization are public issues rather than private troubles. They are rooted in the social and physical characteristics of communities, in the network of relationships in which people interact, and in the structured social inequalities of race and ethnicity, social class, and gender. Reflecting this point, many of criminology’s important concepts, including anomie, relative deprivation, and social conflict, draw from concepts originally developed in the larger body of sociology. Moreover, research methodology originating in sociology provides the basis for much criminological research.

Criminology is just as relevant for its parent field of sociology because of the structural basis of criminality. If crime and victimization derive from community characteristics, social relationships, and inequality, criminological insights both reinforce and advance sociological understanding of all these areas. Crime, victimization, and legal punishment are certainly important negative life outcomes for people at the bottom of the socioeconomic ladder. More than most other subfields in sociology, criminology shows us how and why social inequality is, as Elliott Currie (1985:160) once put it, “enormously destructive of human personality and of social order.” By the same token, positions at the top of the socioeconomic ladder contribute to a greater probability of white-collar crime that results in little or no punishment. Again, perhaps more than most other sociological subfields, criminology illuminates the privileges of those at the top of the social hierarchy.

Another major dimension of inequality, gender, also has important consequences for criminality and victimization and, perhaps, legal punishment. Criminological findings have contributed to



the larger body of sociological knowledge about the importance of gender (Belknap 2021). More generally, the study of crime has furthered the understanding of many standard sociological concepts such as alienation, community, inequality, organization, and social control (Short 2007).

## Intersectionality

An exciting development in the social sciences called *intersectionality* manifests and reinforces the mutual relevance of criminology and sociology. **Intersectionality** refers to the ways in which people's race and ethnicity, social class, and gender interact to produce outcomes reflecting the combined influence of these backgrounds, often to an individual's disadvantage. In criminology, intersectionality-based theory and research examine the combined impact of all these sociodemographic factors on offending, victimization, and contact with the criminal justice system (Durfee 2021; Kruttschnitt and Kang 2021; Potter 2015). This work has shed new light on the importance of race and ethnicity, social class, and gender for both criminology and sociology and promises to continue doing so for years to come.

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## Review and Discuss

In what ways are the disciplines of sociology and criminology relevant for each other?

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## The Rise of Sociological Criminology

Many of the themes just discussed shaped the rise of sociological criminology in the United States during the twentieth century. Because Part 2 discusses the development of criminological theory in greater detail, here we simply sketch this history to underscore the intellectual connection between criminology and sociology. Before we do so, it will be helpful to review some basic concepts.

All societies have social **norms** or standards of behavior. Behavior that violates these norms and arouses negative social reactions is called **deviance**. In most traditional societies studied by anthropologists, the norms remain unwritten and informal and are called **customs**. These customs are enforced through informal **social control** (society's restraint of norm-violating behavior) such as ostracism and ridicule. People obey customs because they believe in them and because they fear the society's informal sanctions. In large, modern societies, many norms tend to be more formal because they are written and codified. These formal norms are called **laws**. Social control is also more formal and takes the shape of specialized groups of people (legislators, police officers, judges, and corrections officials) who create laws, interpret them, and apprehend and punish law violators. With these concepts in mind, we now trace the rise of sociological criminology.

For much of recorded history, people attributed crime and deviance to religious forces. Individuals were said to commit these behaviors because God or gods were punishing or testing them. During the Middle Ages, Europeans blamed deviance on the devil. In the eighteenth century, the *classical school* of criminology stressed that criminals rationally choose to commit crimes after deciding that the potential rewards outweigh the risks. In view of this, classical scholars said, legal punishment needs to be only severe enough to deter potential criminals from breaking the law.

During the nineteenth century, scholars began to investigate through scientific means the causes of criminal behavior. Perhaps the first such scholar was Adolphe Quetelet (1796–1874), a Belgian astronomer and mathematician who gathered and analyzed crime data in France. He found that French crime rates remained fairly stable over time, that they were higher for young adults than for older adults, and that they were higher among men and the poor than among women and the nonpoor.

Later in that century, Émile Durkheim began providing his major contributions. He stressed the primacy of social structure over the individual and thus established the sociological paradigm. He also observed that deviance will always exist because social norms are never strong enough to prevent *all* rule breaking. Even in a “society of saints,” he said, such as a monastery, rules will be broken and negative social reactions aroused. Because Durkheim (1962 [1895]) thought deviance is inevitable, he considered it a *normal* part of every healthy society and stressed its functions for social stability. The punishment of deviance, he said, clarifies social norms and reinforces social ties among those doing or observing the punishing. Durkheim further argued that deviance is necessary for social change to take place. A society without deviance, he said, would be one with





no freedom of thought; hence, social change would not be possible. A society, thus, cannot have social change without also having deviance.

At about the same time, White physicians and other researchers began to investigate the biological basis of criminal behavior. Although their methodology was seriously flawed and many of their views were racist, their perspective influenced public and scholarly thinking about crime. The recent rise of biological explanations of crime indicates their continuing popularity for understanding criminal behavior.

At the end of the nineteenth century, famed Black American scholar W. E. B. Du Bois (1899) disputed a biological basis for crime in his renowned book *The Philadelphia Negro*, in which he attributed the relatively high crime rates of Black Americans to negative social conditions rather than to biological problems. His analysis of crime in Philadelphia is today regarded as an early, classic study of sociological criminology (Gabbidon and Greene 2019). Du Bois was also one of the first social scientists to write about possible racial discrimination in arrests and sentencing. Another Black American scholar, Ida B. Wells-Barnett (2002), documented perhaps the most extreme use of law in this regard in an 1892 pamphlet titled *Southern Horrors*, an indictment of lynch law. She wrote the pamphlet after three of her friends were lynched in Memphis, Tennessee, where Wells-Barnett co-owned a newspaper named *Free Speech*. After she editorialized against these and other lynchings, White people threatened to lynch her and other *Free Speech* staff and forced the newspaper to shut down.

The sociological study of crime advanced further at the University of Chicago after the turn of the twentieth century. Scholars there noticed that high crime rates in Chicago's inner-city neighborhoods remained stable from one year to the next, even as certain immigrant groups moved out and others moved in. They attributed these crime rates to certain social and physical conditions of the neighborhoods (including their stark poverty and residential instability) that reflected a breakdown in conventional social institutions, which they termed *social disorganization*.

One student of the Chicago sociologists was Edwin Sutherland, who soon became a towering figure in the development of sociological criminology. Sensitive to the **criminogenic** (crime-causing) conditions of urban neighborhoods, Sutherland was especially interested in how and why these conditions promote criminality and emphasized the importance of peer influences in his famous *differential association theory*. He further developed the concept of *white-collar crime* and was sharply critical of the illegal and harmful practices of the nation's biggest corporations. At the heart of his sociological criminology was a concern for issues of race, poverty, and political and economic power.

▼ This photo shows a section of the Vietnam War Memorial in Washington, DC. Protests against this war were significant in the turbulent era of the 1960s and early 1970s that stimulated the use of labeling and conflict theories in the study of crime and deviance.



Richard Cummins/Alamy Stock Photo

At about the same time, Robert K. Merton, a Columbia University sociologist, developed his *anomie theory* of deviance. Borrowing heavily from Durkheim, Merton attributed deviance to the poor's inability to achieve economic success in a society that highly values such success. His theory was perhaps the most "macro" of all the early structural theories of crime and remains influential today.

During the 1970s, a new *social control* or *social bonding theory* of criminal behavior rose to prominence. Drawing on Durkheim, this theory emphasized the criminogenic effects of weak bonds to social institutions. Although this theory focused on social relationships, it was less of a macrostructural theory than its social disorganization and anomie forebears.

The 1960s and early 1970s were also turbulent eras marked by intellectual upheaval in several academic disciplines, perhaps most of all sociology. Some sociologists asserted that society is rooted in conflict between the "haves" and the "have-nots" in society. In the study of crime and deviance, *labeling* and *conflict theories* emphasized bias and discrimination in the application of criminal labels and in the development of criminal laws. Shortly thereafter, new feminist understandings of gender and society began to make their way into criminology, as

feminists criticized the male bias of traditional criminological theories and called attention to the gendered nature of crime and victimization.

Today, all of these sociological approaches inform the study of crime and criminal justice. As this textbook will indicate, sociological criminology's emphasis on the structural origins of crime and on the impact of race/ethnicity and poverty continues to guide much contemporary theory and research. To aid your understanding of sociological perspectives on crime, we now discuss some important concepts in the study of crime and deviance.

## ► Criminal Law: Theoretical Underpinnings and Goals

Edwin Sutherland (1947) defined **criminology** as the study of the making of criminal laws, of the breaking of these laws, and of society's reaction to the breaking of these laws. Put another way, criminology is the scientific study of the creation of criminal law, of the causes and dynamics of criminal behavior, and of society's attempts through the criminal justice system and other efforts to punish, control, and prevent crime. Note that criminology as a social science differs from crime-scene investigation, or forensic science, which is featured on many TV shows.

As Sutherland's definition of criminology implies, students of criminology should become familiar with criminal law. In this and the next section, we thus briefly discuss several aspects of criminal law. Before doing so, though, we should first comment on the concept of crime to help set the stage for this discussion.

The term *crime* has already appeared many times in this chapter, but what actually is crime? Most simply, **crime** is behavior that is considered so harmful that it is banned by a criminal law. This straightforward definition begs some important questions: For example, how harmful must a behavior be before it is banned by a criminal law? Is it possible for a behavior to be harmful but not banned? Is it possible for a behavior to be banned but not very harmful? Who decides what is or is not harmful? What factors affect such decisions?

As these questions indicate, the definition of crime is not very straightforward after all. Instead, it is problematic. In sociology, this view of crime derives from the larger study of deviant behavior, of which crime is obviously one very important type. Recall that deviance is a behavior that violates social norms and arouses negative social reactions. Durkheim's monastery example, given earlier, raises an interesting point: Behavior considered deviant in a monastery, such as talking, would be perfectly acceptable elsewhere. This illustrates that deviance is a *relative* concept: Whether a given behavior is judged deviant depends not on the behavior itself but on the circumstances under which it occurs. Consider murder, the most serious of interpersonal crimes. As a behavior, murder involves killing someone. We consider this act so horrible that sometimes we execute people for it. Yet if soldiers kill someone in wartime, they are doing their job, and if they kill several people in a particularly heroic fashion, they may receive a medal. The behavior itself, killing, is the same, but the circumstances surrounding it determine whether we punish the killer or award them a medal.

Whether a given behavior is considered deviant also depends on where it occurs, as the monastery example reminds us. What is considered deviant in one society may be considered acceptable in another. Another way of saying this is that deviance is *relative in space*. As just one example, anthropologists have found that sexual acts condemned in some societies are often practiced in others (Goode 2019).

Deviance is also *relative in time*: Within the same society, what is considered deviant in one time period may not be considered deviant in a later period, and vice versa. For example, the use of cocaine and opium was very common (and legal) in the United States in the late nineteenth century even though

▼ Killing in wartime is considered necessary and even heroic, but killing in most other circumstances is considered a crime (homicide).



Itsuco Inouye/AP Images





Archive Images/Alamy Stock Photo

▲ When Coca-Cola was first manufactured in 1894, it contained cocaine, contributing in no small measure to its instant popularity.

both drugs are illegal today. Many over-the-counter medicines for such problems as depression, insomnia, and various aches and pains contained opium. Many over-the-counter products, including Coca-Cola, contained cocaine. Coke was popular when it hit the market in 1894 because it made people feel so good when they drank it (Goode 2019)!

By saying that deviance is a relative concept, we emphasize that deviance is not a quality of a behavior itself but, rather, the result of what other people think about the behavior. This was a central insight of sociologist Howard S. Becker (1963:9), who famously wrote that “deviance is not a quality of the act the person commits, but rather a consequence of the application by others of rules or sanctions to an ‘offender.’ The deviant is one to whom that label has been successfully applied; deviant behavior is behavior that people so label.”

Becker’s observation alerts us to two possibilities. First, some harmful behaviors, such as white-collar crimes, may not be considered deviant because “respectable” people do them, because they occur secretly, or because people know about them but do not deem them harmful. Second, some less harmful behaviors, such as sex work, may still be considered deviant because people are morally opposed to them or do not like the kinds of people (low-income, etc.) who are doing them.

## Consensus and Conflict in the Creation of Criminal Law

The previous discussion raises two related questions about criminal laws: (1) Why do criminal laws get established? (2) Whom do criminal laws benefit? In criminology, consensus and conflict theories of crime, law, and society try to answer these questions. These views derive from related perspectives in the larger field of sociology.

**Consensus** theory originates in Durkheim’s work. It assumes a consensus among people from all walks of life on what the social norms of behavior are and should be. Formal norms, or laws, represent the interests of all segments of the public. People obey laws not because they fear being punished but because they believe the norms are appropriate to obey. Crime and deviance violate these widely accepted norms, and punishment of this behavior is necessary to ensure continuing social stability.

**Conflict** theory (discussed further in Chapter 9) derives from the work of Karl Marx and Friedrich Engels and is generally the opposite of consensus theory. It assumes that members of the public disagree on many social norms, with this disagreement reflecting people’s disparate positions based on their inequalities of wealth and power. Laws represent the views of the powerful and help them to stay at the top of society’s hierarchy and to keep the powerless at the bottom. Behavior labeled *criminal* by laws is conduct by the poor that threatens the interests of the powerful. The powerful may commit very harmful behaviors, but because they determine which laws are created, their behaviors are often legal, or at least not harshly punished even if they are illegal.

These two theories have important implications for how we define and understand crime. In consensus theory, “crime” is defined simply as any behavior that violates a criminal law, to recall our earlier straightforward definition. Criminal law in turn is thought to both represent and protect the interests of all members of society. In conflict theory, the definition of “crime” is more problematic: It is just as important to consider why some behaviors *do not become* illegal as to consider why others *are* illegal. A conflict view of crime, law, and society thus defines “crime” more broadly than does a consensus view. In particular, the former is willing to consider behaviors as crimes in the larger sense of the word if they are harmful, even if they are not illegal.

Both theories have their merits. The greatest support for consensus theory comes from criminal laws banning the criminal behaviors we call *street crime*, which all segments of society condemn and which victimizes the poor more than the wealthy. Although the historical roots of some of these laws lie in the conflict between the rich and the poor, today they cannot be said to exist for the protection of the wealthy and powerful. The greatest evidence for conflict theory perhaps comes from corporate misconduct, which is arguably more socially harmful than street crime but is less severely punished. Both kinds of behavior are discussed in the chapters ahead.

## Goals of Criminal Law

Criminal law in the United States and other Western democracies ideally tries to achieve several goals. Because criminal law is obviously an essential component of the criminal justice system, perhaps its most important goal is to help keep the public safe from crime and criminals or, to put it another way, to prevent and control crime and criminal behavior.

A second goal of criminal law is to *articulate a society's moral values and concerns*, a goal that consensus theory emphasizes. Ideally, criminal law bans behaviors that our society considers immoral or wrong for other reasons. Murder is an obvious example here. More controversially, criminal law also bans the use of certain drugs, prostitution, and some other behaviors that people voluntarily commit and for which there may be no unwilling victims. We call these behaviors *consensual* or *victimless* crimes, and critics say that society's efforts to ban them amount to "legislating morality" and may in fact do more harm than good (Hart 2021).

A third goal of criminal law and the criminal justice system is to *protect the rights and freedoms of the nation's citizenry* by protecting them from potential governmental abuses of power. This is what is meant by the *rule of law* that is so fundamental to a democracy. This consideration helps us to understand why reports of torture and abuse by U.S. personnel of persons captured in the Iraq War some two decades ago aroused so much concern: The alleged abuse was committed by personnel of a democratic nation and violated the rules of international law governing the treatment of military prisoners and detainees (Cole 2009).



Washington Post/Getty Images

▲ Reports of abuse and torture of Iraqi detainees by U.S. personnel aroused much controversy, in part because critics said these incidents violated international law.

## ► Criminal Law: Origins, Types of Crime, and Criminal Liability

We turn now from this basic understanding of criminal law to its origins and current aspects.

### Origins of Criminal Law

Law in the United States has its origins in English **common law**, which began during the reign of Henry II in the twelfth century. Over the centuries, England developed a complex system of laws that specified the types of illegal behaviors, the punishment for these behaviors, and the elements that had to be proved for someone to be found guilty of a crime. English judges had great powers to interpret the laws and in effect to make new case law. As a result, much of English law derived from judges' rulings rather than from legislatures' statutes.

During this time, the jury was developed to replace ordeals as the chief way to determine a defendant's guilt or innocence. However, the jury's power was limited because jurors could be punished if they found a defendant innocent. Its power and importance grew considerably in 1670 after William Penn was arrested and tried for preaching about Quakerism. When the jurors refused to convict him, the judge imprisoned and starved them. In response, an English court ruled that juries could not be punished for their verdicts. This ruling allowed juries to acquit defendants with impunity and strengthened their historic role as protectors of defendants against arbitrary state power (Barkan 1983).

