

“A” Level Sociology

A Resource-Based Learning Approach

Deviance and Social Control:

New Right Realism

Introduction

If New Left Realist approaches to the study of crime and deviance owe some kind of debt to past theories of deviance, the same is true of New Right Realism. In this instance, however, the origins of New Right Realism lie in both **Control Theory** and, as you might expect, **political Conservatism**.

Unlike the form of "Marxist Realism" of New Left Realism, the "realist" aspect of the neo-conservative theories grouped under the heading of the "New Right Realism" relates more to a "realistic" view about the causes of crime and deviance than to a particular set of methodological principles. In this respect, New Right Realist forms of analysis are, as we shall see, grounded squarely on **positivist** methodological principles.

Thus, the "realistic" assessment of the **causes** of crime (a concept that's used very loosely here since it's probably fair to say that New Right Realism is not unduly concerned with concepts of causality in relation to crime and deviance) and, most importantly, its **prevention**, proposed by New Right Realists focuses on the idea that the reality of crime is very much a "what you see is what you get" principle. If we look at two of the organizational principles under-pinning New Right Realism, this idea should become a little more clear...

1. Ideologically, New Right Realism is, as I've noted, stridently **Conservative** in its political stance (which is not, of course, to say that this is a "bad thing", any more than the Marxism of Radical Criminology or New Left Realism is a "bad thing". It is, however, useful to be aware of this "committed political stance").

The significance of this is twofold:

- a. It is concerned with the attempt to control and prevent criminal behaviour, rather than simply to produce a theoretical elaboration of crime and criminality.
- b. Linked to the above, "solutions" to the "problem of crime" are couched in terms of a clear separation between criminals / non-criminals, such that the behaviour of the former has to be prevented and / or punished.

As you might expect from the above, New Right Realism is not particularly concerned with the exploration of power and ideology structures in society. Rather, it is a "consensus-based" perspective that does not question the nature of law creation, underlying causes of crime and the like (quite the opposite, in fact, as we will see in a moment).

2. Methodologically, for New Right Realism the "reality" of crime is more-or-less as it is portrayed by Official Statistics. This is primarily because such statistics are considered to reflect the "primary concerns" of society at large about criminal behaviour.

This idea, to which we will return in the evaluation of New Right Realism, is strikingly similar to the justification used by New Left Realist's in their "defence" of their use of such statistics.

Additionally, in "Thinking About Crime", **James Wilson**, for example, rejects the idea that crime has "root causes" that can be found in the structural contexts of people's lives. As he argues,

"To people who say "crime and drug addiction can only be dealt with by attacking their root causes", I am sometimes inclined, when in a testy mood, to rejoin: "stupidity can only be dealt with by attacking its root causes". I have yet to see a "root cause" or encounter a government programme that has successfully attacked it..."

Three points are worthy of note here:

1. Wilson adopts an explicitly **positivist methodology**, insofar as he insists that, since "root causes" cannot be identified or measured empirically, we should not bother to look for them or to consider them as evidence.
2. Attempts by government to "identify and eliminate" the **causes of crime** are doomed to failure. Similarly, attempts to increase levels of punishment for those convicted of crimes in an attempt to "deter" criminals will not be successful.
3. "Crime" and "criminal behaviour" cannot be eliminated from society - the "best" that we can hope to do is to reduce its impact upon people's lives...

Question:

How might you respond to Wilson's argument about the "causes" of crime? (Consider both methodological and ideological criticisms).

Question:

Why might "increased levels of potential punishment" not deter people from committing crimes?

For Wilson, therefore, the way to **reduce the impact of criminal behaviour** is not to focus attention upon greater and greater levels of punishment; rather, it involves two ideas:

1. To emphasize the need to ensure conformity / adherence to moral values that stress the idea that criminal activity is socially unacceptable.
2. To increase the chances of a criminal being caught.

In the above, we can see **two main themes** in New Right Realism sociology:

- a. At a **macro level**, a form of **Control Theory**, in which moral values are stressed as being the key to crime prevention.
- b. At a **micro level**, a form of **"cost / benefit" analysis**, whereby the task of control agencies is to make crime too difficult / risky for the potential criminal.

The "Causes" of Crime?

For New Right Realism, criminal behaviour is seen as an **individually-rational** endeavour - if the **potential criminal feels that the likelihood of being caught and punished is greater than the benefit that will derive from the criminal act then**, according to writers such as Wilson, **a criminal act will not take place**.

The **social policy** implications of the above - especially in relation to the **role of the police** - are clear:

The police should focus their effort and attention not on law enforcement (catching people after a crime has been committed), but upon the maintenance of social order.

In this sense, the role of the police is seen to be "**pro-active**" (in the modern jargon) - involving such things as:

- Maintaining a strong presence "on the ground / on the beat".
- Keeping in close touch / working with "local people" to prevent crime.
- Keeping the streets clear of "potential criminals" (youths, drug abusers, beggars, prostitutes and so forth).

Question:

In the above, Wilson applies a kind of "commonsense" attitude towards policing - in effect, since we "all know" who the likely criminals are in our society, why wait until they actually commit a crime before acting against them?

What criticisms and potential dangers / moral implications can you identify in relation to such an approach to "crime control"?

The **rationale** underpinning Wilson's argument relates to the "conformity" aspect of Control Theory. Wilson sees "**informal social controls**" as being most effective in **preventing** crime taking place (which, you might like to note, is a **variant** upon **Sutherland's** concept of "**Differential Association**"). The **role of the police**, therefore, is seen to be an "**active**" one of preventing the break-down of community life by making it safe for the "law-abiding" citizen.

If the police are successful in protecting the law-abiding members of a community, it follows from Wilson's argument that "informal social controls" can be exercised more efficiently / successfully - thereby reducing levels of crime...

Criticisms

Apart from the various **moral implications** that you might have identified above, Wilson's argument has a number of serious **weaknesses**, which we can briefly examine.

Firstly, Wilson - like "everyone else" - knows who are the law-abiding and who are the criminals in any society. In this, two points are evident:

- a. There is an easy distinction made between the "criminal" (the "bad guy") and the "law-abiding" citizen (the "good guy") which - as Interactionist sociology has shown - is simply **not supported by empirical evidence**.
- b. Wilson neglects to include an analysis of power relationships / ideology, whereby behaviour that is disliked by the powerful is criminalized. As we will see, there is little in Wilson's argument that suggests anything other than a kind of "Hollywood" version of human behaviour, whereby "criminals" are "evil" (and probably wear black hats and do unspeakable things to innocent bystanders) and everyone else is "good".

Secondly, he dismisses other evidence / theories of crime on the basis of a fallacious, over-simplified, representation of these theories (along the lines, for example, that "poverty causes crime" - something no serious sociological / psychological theorist has ever seriously argued...).

Thirdly, he ignores the fact that crime is not simply a "lower class phenomenon". The **crimes of the powerful** may not be as visible as those of the powerless, but it is clearly arguable that they are just as - if not more so - significant. This is especially true in terms of the moral basis that Wilson conducts his argument...

Wilson attempts to rationalize this in the following way,

"This book [Thinking About Crime] deals neither with "white-collar crimes" nor, except for heroin addiction, with so-called "victimless crimes". Partly this reflects the limits of my own knowledge, but it also reflects my conviction, *which I believe to be the conviction of most citizens* [my italics], that predatory street crime is a far more serious matter than consumer fraud, antitrust violations, prostitution, or gambling, because predatory crime makes difficult or impossible the maintenance of meaningful human communities".

This type of "conviction theorizing" - while clearly inadequate as the basis for the generation of scientific knowledge - is also inadequate on any level of analysis except that of commonsense. Wilson provides **no evidence** to support his contention, except for his "belief" (which he carefully attempts to give a spurious credibility by claiming it to be the belief of "most citizens").

Question:

In relation to the above, I may claim to believe exactly the opposite. I can support my belief by claiming that all "right-thinking" people would believe what I believe.

Which of us is right?

[The "answer" is that both are right and both are wrong - it simply depends on the kind of initial assumptions you use. The important thing to remember is that neither of

the above arguments offers anything by way of evidence to support - or refute - a particular set of ideas / assumptions].

Fourthly, it is evident that Wilson's argument is driven by his political stance - specifically in the sense that, because he finds the idea of criminal behaviour having a "social causality" politically unacceptable, he rejects this possible explanation out of hand (see above).

While it is clear that people do make **choices** about their behaviour - committing a criminal offence, for example, usually (but not necessarily) involves the individual in some form of conscious choice - it is an over-simplification to ignore the fact that the **choices available** to people in their lives (either real or apparent) are **conditioned** and **limited** in some way by the **social context** of their life.

In methodological terms, Wilson is not really concerned with theorizing crime, as such, but with the development of ways to make crime "less attractive" to people. In this, any idea that Wilson doesn't want to contemplate / explore appears to be ruled-out on the basis of vague generalizations and wishy-washy rationalizations (especially appeals to what "everyone knows" about crime).

What we have to be clear about, as sociologists, is:

a. The extent to which Wilson's partisan approach is valid.

Whilst a "value-committed" approach to the study of social phenomena may be considered possible, a worrying aspect here is that Wilson uses his "value-commitment" as a means of **closing-down an argument**, rather than as a way of illuminating ideas and issues. In essence, if you don't share Wilson's view of the world, then there must be something wrong with you...

b. The kind of role that sociologists should be expected to perform.

Is sociology, for example, concerned with attempting to provide solutions to "social problems" (which, of course, begs the question "To whom is the behaviour of someone a "problem" – and, more pertinently, why?)?

Van Den Haag ("Punishing Criminals", 1975) proposes a similar set of ideas to those of Wilson when he argues that, within **Capitalism**, the basic rationale of the system is that there are "**winners**" and "**losers**". If we accept this, then we also have to accept that the winners must be allowed to enjoy the fruits of their enterprise and risk-taking without these rewards being illegally taken-away by the losers.

In this respect, Van Den Haag is basically saying that, for Capitalism to continue as a (successful) form of economic production, those responsible for the creation / accumulation of wealth must be protected from the activities of criminals. Thus, for Capitalism to survive, it is, according to Van Den Haag, logical that law enforcement should be concentrated upon the activities of the poor and powerless (the losers)...

The criticisms noted above in relation to Wilson's work apply equally (if not more) to Van Den Haag's argument.

Neo-Conservative Theories

Having looked briefly at the work of a couple of (American) New Right Realist writers, it might be useful to place the work of such writers into some kind of **theoretical context**. This context can be given by looking at two basic forms of "neo-conservative" theorizing, namely **Control Theory** and **Situational Theory**.

Although each theoretical perspective has quite marked differences (which we will look-at in more detail in a moment), they also (in their "neo-conservative" incarnation), have a great deal in common. This is especially clear in relation to the **basic assumptions** about crime, criminal behaviour, the nature of the social world and so forth, upon which both theories rest.

Neo-conservative theories tend to be a strange mish-mash of theoretical borrowings, but their power seems to lie with:

1. Their ability to key-into "**commonsense**" explanations of crime / criminals.
2. The fact that they tend to **reflect official government political concerns** (in essence, how best to prevent crime / punish criminals). For this reason alone, the work of such theorists has tended to be generously funded and, by and large, they have produced work that centres upon the concerns of the rich and powerful in our society (namely, how to preserve social order and limit the extent of crime in society).

Ideologically, therefore, New Right Realism concerns itself with finding ways of limiting criminal behaviour, rather than with an elaboration of why people commit such crimes in the first place. As we have seen, within New Right Realism, this question doesn't need to be answered because it doesn't need to be asked - the answer is self-evident. People commit crime because they want the things that they have neither the wit nor the wisdom to achieve legally...

Let's now have a brief look at the theoretical background to much of New Right Realism thought.

A. Control Theory.

Neo-conservative theories generally tend to share the following fundamental attributes:

1. A belief there is a general **value consensus** at the heart of our society.
2. The idea that **laws are created for the benefit of the majority** of citizens.
3. Human beings are **naturally** self-seeking, devious and fundamentally selfish.
4. **People are rational** - they make choices and are aware of the possible consequences of their behaviour.

In the above sense, criminal / law-abiding behaviour tends to be considered (by New Right Realist's) in terms of a "**cost / benefit**" analysis of human behaviour / rationality.

- a. People have no fundamental adherence to various moral principles - in short, they are capable of any type of behaviour.
- b. In **rationaly evaluating** possible courses of action, people weigh-up the likely **cost** (for example, being caught and punished) against the likely **benefits** (for example, getting something for nothing) of that behaviour.

For example, the person who decides to break-into a warehouse will, prior to committing a crime, weigh the possible **cost** of their action (going to prison, for example) against the likely **benefit** (getting some valuable commodities).

Similarly, the person who knowingly buys stolen goods does so on the basis of the **cost** (how likely they are to be discovered) against the **benefit** (getting something cheap).

Thus, **depending upon this rational assessment of both risk and benefit**, the "potential criminal" will be **either encouraged or dissuaded from committing the crime**.

As it is expressed above, this "**cost / benefit**" analysis has a certain **superficial plausibility**. For example:

Breaking into a heavily-guarded warehouse in broad daylight is likely to involve the **potential cost** out-weighing the **likely benefit** (although, if the warehouse contained millions of pounds in gold bullion, the reverse might be true...).

Criticism

This idea presupposes a number of debatable ideas:

Firstly, it **assumes** - rather than demonstrates - that people do indeed behave "rationally" (whatever this idea may mean, however it may be defined and so forth).

Secondly, it **presupposes** that people are always in **full possession of the knowledge** they would need to assess the likely costs and benefits of their behaviour.

Thirdly, how many crimes actually conform to this type of "rational cost / benefit" analysis - both theoretically and empirically?

For example, this type of analysis seems to assume that all forms of criminal behaviour are calmly assessed prior to a criminal act being committed - is this always (or indeed ever) the case?

Question

Can you think of the kinds of instances in which people might not indulge in a cost / benefit analysis of their behaviour prior to committing a crime?

Finally, it **assumes** that the "potential criminal" views likely costs in the same way as any "right thinking person". Whilst on the face of things it appears plausible that a potential criminal would weigh-up the least-risky options in relation to criminal activity, a couple of points need to be noted:

a. It would be a very stupid criminal (hello there) who went out to commit a crime safe in the knowledge they will be caught...

b. If we assume it would be rational not to commit a crime if you thought you were going to be caught, the notion of "cost" disappears since the cost to the criminal will not exist...

The **implications** of this form of Control Theory are clearly that, in order to prevent / limit crime, people have to be made to adhere to certain **moral imperatives** governing various forms of acceptable / unacceptable behaviour. Whilst various **social control agencies** are clearly going to be involved here (the **family, peer group, work group, police** and so forth), the **role of government** is seen to be a crucial one, insofar as its basic task is to ensure that, in any potentially criminal act, the **cost to the criminal outweighs any likely benefits**. There are, as you might expect, a number of ways in which the government might attempt to do this:

Firstly, one way might be to make **laws / punishments severe** (but not too severe - people have to be given the chance to reform their behaviour, for example. In addition, if Capital Punishment applied to all forms of crime, the cost / benefit equation would, ironically, be tipped too far the other way - if, for example, you knew you would be killed for stealing a loaf of bread, what more could society do to you?

In other words, if **punishment is too severe** there would be **no incentive for someone to stop behaving criminally**.

In **cost / benefit terms**, the **cost of initial crime** would be death; therefore, the actually **cost of subsequent crimes** would be **nothing** (since you knew that you would be executed anyway)...

Wilson, for example, sees punishment as only one part of any crime control equation since, as he **correctly** argues, a society can devise the most severe set of criminal punishment imaginable - but they **will not act as a deterrent if the criminal has little chance of ever being caught**...

Thus, in the above terms, the main **role of government** is to somehow **increase the chances of a criminal being caught**, allied to an **appropriate** set of **punishments**.

Secondly, people could be encouraged to take "commonsense" measures to make crime more difficult.

Thirdly, as suggested above, the **chances** of a criminal being **caught** have to be **increased**, using a variety of **formal and informal methods** (more police "on the beat", closer co-operation between police and public, "Neighbourhood Watch" type initiatives and so forth).

The last two points will be elaborated further when we look at **Situational Theory**.

Summary

To sum-up the above, it is clear that, for Control Theorists:

- a. Informal social controls are seen to be the most effective way of deterring crime, mainly because they involve policing by those closest to the criminal.
- b. For informal controls to work effectively, a sense of community has to be maintained. This requires social order and one role of the police is to maintain the orderly social relationships which will allow informal controls to operate effectively.

Evaluation

To evaluate this particular form of New Right Realism, we can look at two distinct, but related, aspects:

1. Theoretical problems:

- a. **Normative theories**, such as **Control theory**, presuppose that "most people" are not involved in crime. In this respect, the distinction between "criminal" and "law-abiding" is not necessarily an easy one to maintain (as numerous **self-report studies** have shown). How, in this instance, can informal controls be effective if those supposedly doing the controlling are themselves involved in criminal behaviour?
- b. **Normative theories** involve a sense of "**self-regulation**" and, as we have seen in relation to white-collar crime, self-regulation tends to be a recipe for unequal treatment - allowing the criminal to escape the consequences of their behaviour, for example.
- c. **Moral arguments are not open to testing** - why should we, for example, accept a concept of morality that clearly favours the rich and powerful at the expense of the poor and powerless?

2. Practical problems:

- a. **Informal control measures** (such as Neighbourhood Watch schemes, video camera surveillance and so forth) tend to simply **displace crime** rather than deter it.
- b. "**Commonsense**" **notions** - rather than empirical evidence - hold centre stage in these types of theory. Little attempt is made to show why we should accept New Right arguments about the nature and extent of criminal behaviour.
- c. Morally, the New Right argument is basically that since everyone is a **potential criminal** our behaviour should be closely watched and monitored at all times. Quite apart from the fact we might consider this "cure" to be worse than the "disease" itself, it begs the question of who should do the watching and monitoring - and to what potential use they might put the information they gather.
- d. Equally, the convenient assumption that crime committed by the working classes, the powerless and so forth is somehow more morally reprehensible / dangerous than crime committed by the rich and powerful can only be sustained by making a moral judgement; it would be just as valid to take the opposite view...
- e. Finally, a common thread running through neo-conservative theories is that a "**sense of community**" (and the informal social controls this presupposes) is the most important factor in limiting crime. What we need to ask is why has this sense of community been lost and, most importantly, did it ever exist in the first place?

There seems to be a **fundamental contradiction** here insofar as if people are **fundamentally selfish** (they need to be morally controlled), why should they act communally?

If the answer is that the **benefit of this behaviour outweighs the cost**, then we need to ask why this has not occurred - why should a "sense of community" ever be lost if it is, fundamentally, in the best interests of the law-abiding to maintain this sense of community at all costs?

The answer here, perhaps, is that the over-easy distinction between criminal and non-criminal, the lack of attention to structural pressures and conditions, the failure to understand the way human behaviour exists within - and is sustained by - a **cultural context** (rather than **theoretically-naive** – and very convenient - notions of "rationality") are **fundamental theoretical weaknesses** in this particular perspective on crime and deviance.

B. Situational Theory.

Of all the theories of deviance at which we have looked, this variant of New Right Realism is probably the one with which you will be most familiar (although you may not be aware of it until now).

As **Paul Rock** ("New Directions in Criminology": Sociology Review) notes:

"Situational Theory was introduced by staff working at the Home Office Research and Planning Unit in the mid 1970's. It embodies an emphasis on the immediate features of the environment in which an offence might be committed."

Situational Theory developed during the period of office of a Labour government in Britain and, as you might expect, has focused upon what successive governments have considered to be the fundamental aspect of crime control, namely the **ability of "ordinary citizens" to prevent crime taking place.**

In this respect, the main aspect of Situational Theory that you might be aware of is the various publicity campaigns promoted by governments from the late 1970's to the present day:

"Look Out - there's a thief about"
"Lock It or Lose It"
"Neighbourhood Watch"
and so forth.

As you might expect from the above, Situational Theory is highly restricted in its theoretical and practical scope, insofar as it is concerned to:

- a. Manage criminal behaviour - by making it more difficult for the criminal to "safely" commit a crime.
- b. Focus upon crimes such as theft, burglary, auto-crime and the like.

The **theoretical background** to Situational theory that we might usefully - if briefly - explore is as follows:

Firstly, it borrows heavily from Control theory in relation to the idea that there is nothing particularly special (either psychologically or socially) about a criminal. Anyone is capable of committing a crime. The main questions, in this respect, are:

- a. What are the social conditions under which people commit crimes?
- b. How can the physical environment be changed to prevent crime?

Secondly, two further assumptions are evident:

- a. That deviants are basically rational people (again, as with Control Theory this presupposes a cost / benefit form of analysis).
- b. A great deal of crime is **opportunistic**. For most of the time, "criminals" are law-abiding (in the sense they do not live solely on the proceeds of criminal ventures), nor do they particularly plan their crimes. However, given the opportunity (an unlocked car, an unattended bag), a crime will be committed.

Given the above conception of "criminals" and crime, Situational theorists such as **Clarke and Mayhew** ("Designing Out Crime", 1980) and **Clarke and Hough** ("Crime and Police Effectiveness", 1984) argue that:

1. **The "causes" of crime are many and varied** - too varied to be adequately theorized and certainly beyond the physical capacity - or political will - of the government / State to adequately address.
2. Increasing police numbers has little effect upon levels of overall crime because:
 - a. The chances of a police officer actually apprehending someone in the commission of a crime are minimal.
 - b. More police find more crime as they dig into the "grey area" of criminal activity revealed by victimization studies such as the British Crime Survey.

Their **solution** to the above is two-fold:

Firstly, as research into the British experience shows, the police are vitally dependent upon the co-operation of the public in limiting crime. In this respect, the most cost effective "police officers" are the general public (note, once again, the central importance given to informal social controls).

Secondly, State resources should be channelled into:

- a. Strengthening the police / public bond.
- b. Examining the ways in which crime can be prevented. For example, by:
 - Making people more aware of the "opportunistic nature" of most crime.
 - Making the physical environment "less safe" for the criminal (through the use of video surveillance, better building design and the like).

Evaluation

1. All New Right Realism tends to rest upon a conception of human behaviour that sees it as being "**fundamentally rational**" in an abstract / absolute sense. That is, it ignores the fact that whilst people may make rational choices (although what is meant by "rational" is not particularly clear - how do we define and measure such a concept?), these choices are conditioned by various structural constraints that surround their lives in any society.

2. Much New Right Realism is **political rationalization masquerading as impartial theory**. In basic terms, the "poor are the problem" that has to be controlled. The fact that people are poor and powerless is apparently justification enough for any action that might be taken against them by the State.

In this respect, the poor are seen as potential criminals; therefore, this justifies harsher treatment from the police, in terms of the overall control of their behaviour.

3. The "primary concerns" that New Right Realism's identify in order to justify their particular conception of crime - and what should be done about it - are ideological judgements / preconceptions masquerading as "objective facts". It is, for example, highly convenient that the "public" should be more concerned about those types of crime that (coincidentally of course) reflect the moral / political concerns of New Right Realism writers...

4. The New Right tend to decry State intervention in people's lives when it suits their particular ideological purpose (the fiction, for example, that the Welfare State makes people less able to look after their own affairs) - yet whole-heartedly advocate massive State intervention in people's lives where crime is concerned. The suspicion here, is that State intervention is perfectly okay when it acts in the interests of a powerful elite, but not okay when it acts against the interests of this particular class.