

## Radical Criminology and Sex Crime

The following is based around an article by **Soothill and Grover** ("The Social Construction of Sex Offenders", 1995 in **Sociology Review**).

The theory put forward by Taylor, Walton and Young concerning the way in which it is possible to study and understand deviant behaviour is a difficult one to understand because of its abstract nature. In this respect, it may help to look at the way it can be applied to concrete examples. As I noted earlier, I have included two examples of the theory's possible application:

The first is one that I have constructed, applying the principles to the way we would need to study sex crimes (and in particular rape). In this example, I am going to "walk through" each of the seven principles outlined by Taylor, Walton and Young.

Your **interpretation** and **application** will be aided by reading the article ("The Social Construction of Sex Offenders" by Grover and Soothill, 1995), because this will familiarise you with a sociological interpretation of the role of the mass media in the construction of public perceptions of "sex offenders". You need to note that neither Grover nor Soothill are Marxists / Radical Criminologists and the article simply provides a context for the following interpretation and application.

### 1. The Wider Origins of the Deviant Act.

In order to understand the nature of crime, (in this example, sex crime), we have to understand the general **social context** within which such behaviour takes place. In this instance, Marxists argue that **power** is a desirable **social resource** that everyone in society is socialised to want, to varying degrees.

For Marxists, the major source of power in Capitalist society is the **ownership of the means of production** (which is why the bourgeoisie is a very powerful class in Capitalist society). Capitalist society encourages people to compete for power and this competition encourages the **exploitation** of one class over another, one individual over another and so forth.

The "wider social context" to sex crime, therefore, is a set of ideas (an **ideology**) that encourages competition and exploitation in order to achieve power (and all its attendant rewards - wealth, status and so forth). Thus, in this context we have an ideology that encourages people to exploit each other and, of course, for men to try to exploit women. We could view this in terms of a **patriarchal ideology** - a set of ideas that justify male exploitation of women.

### 2. The Immediate Origins of the Deviant Act.

In terms of this general ideological context, we can trace the immediate origins of sex crime to two ideas:

- a. The desire for **power**.
- b. The satisfaction of that desire in any way possible.

Men who are denied power legitimately will try to achieve it in any way possible and this may lead them to see women, children and so forth as "easy victims" in a power struggle. This suggests that sex criminals are predominantly male (because they can, for example, translate their greater physical power into domination over women) and it also suggests that sex crime is not about the simple "desire for sex". Rather,

from a Marxist perspective, it is fundamentally about the desire to exert power over someone (in this case women).

In terms of this example, to understand the act of rape we would have to study the particular relationship between the participants in the crime in terms of their individual **social histories** and attitudes. In particular, we would need to focus upon the perpetrator of the crime in order to understand something about his particular political and economic circumstances that made him actually commit the act of rape.

While the wider social context is important, since if society gives people signals about how it is permissible to treat women then this will be a factor in explaining someone's behaviour, the immediate context is also extremely important. We can see this in relation to a crime such as paedophilia (adults having sexual relationships with young children), since our society does not give any approval to such an act in any context. However, the very fact that in our society there exists an ideology of innocence surrounding children may contribute to the wider context of the act.

### 3. The Actual Act.

In looking at sex crime itself (the act of rape, for example), we have to understand why men commit this type of crime. The argument here is that the **wider social context** helps to encourage the belief that women are "fair game", in this context, through an ideology which stresses that males are in some way superior to females in our society. Thus, the act of sex itself becomes a **legitimate** form of power. There are, of course, many different ways that power can be realised in our society (through work, family life, marriage and so forth), but the fundamental point here is that the sex offender will be someone who desires power but cannot satisfy that desire legitimately.

We have to remember, here, that the **immediate origins of the act** will also be significant in determining whether or not a "potential rapist" (in effect, all men) will actually commit this crime. The individual's **socialisation, moral beliefs** and so forth, may demand that they do not commit crimes in order to achieve power.

### 4. The Immediate Origins of the Social Reaction.

As with most theories of crime, the way people respond to an act will be significant in understanding how and why some forms of behaviour become criminalized. In our society, for example, sexual intercourse without consent is illegal (deviant) and, consequently, to commit this act is to invite some form of **social reaction**. However, the type of social reaction that occurs will depend upon a number of social factors (in particular, the **status** of both the victim and the deviant).

For example, the reaction against the rape of a child is likely to be very strong because children are held to be innocent, whilst the rape of a prostitute may not invite a strong reaction for precisely the opposite reason (that the prostitute is playing a potentially dangerous game and is well aware of the possible consequences).

In addition, sex crime as a way of achieving power can be attractive to some men because of the nature of the deviant - victim relationship. It is the type of crime that can be committed away from the gaze of others (lack of witnesses, other than the people involved) and it also revolves around the way **control agents** interpret the behaviour of the participants (which is where status considerations come into play).

In crude terms, the sex offender can achieve power in a way that limits the chances of there being a strong social reaction (either through the victim's fear or through the ability to argue that the victim consented and so forth).

### 5. The Wider Origins of the Deviant Reaction.

One of the central arguments of Radical Criminology is that crime involves choice. People are not simply propelled into crime by uncontrollable **biological** urges or by **social pressures**. In this respect, the argument is that sex criminals weigh-up the likely advantages of their crime (power) against the likely penalties (imprisonment, social stigma, etc.). Unlike a crime such as theft, the accused has the possible defence of "consent" (agreement that an act took place, but that it should be defined differently - as **consensual sex** rather than rape).

Given this element of doubt, the social context surrounding sex crime is significant in determining how a society will respond to it. Radical Criminologists, for example, are suggesting that, except in very clear-cut cases, this form of deviance is unlikely, in itself, to be harshly punished in a society which accepts the ideological exploitation of women by men (a **patriarchal** society).

In addition, we have to study the **wider context of the social reaction**, both from a **control agent** viewpoint and that of the deviant (their **structural location** - the wider context - and their **individual sociology** - the immediate context). Control agents, for example, will react in varying ways to the crime of rape, depending, as we have seen, on factors such as:

Social ideologies about the relationship between and nature of men and women and

The status of the participants.

It is also true that different control agencies are likely to react in different ways to the deviant's behaviour:

Immediate family, for example, may support the deviant (although there is also the possibility that they will not).

Social workers are likely to employ a (psycho-medical) model of understanding that stresses the need to treat the deviant, rather than punish them.

The police are likely to employ a more punitive model, stressing the need to punish the offender. On the other hand, depending upon the wider social context, the police may take the side of the accused against the accuser\_

The Courts, once again, may react in a number of different ways, depending on the status of the participants. In a situation where an individual is accused of raping a child, the outcome is likely to be fairly clear-cut, since the defence of consent will be missing.

Where a prostitute is involved, or a married women, this defence is much more likely to succeed. In addition, the social background of the judiciary will also be significant, since there is plentiful evidence that their ideological perceptions of male / female sexuality affects their judgements\_

## 6. The Outcome of the Social Reaction to a Deviant's Further Action.

The main point to understand here is the possible likely consequences of the social reaction to a deviant's behaviour on both the deviant and other potential deviants. In this respect, the role of control agencies such as the police and courts are going to be significant in terms of:

- a. The signals they give out regarding the seriousness with which a sex crime is considered by those in authority.
- b. Their ability to create and make labels stick to deviants.

Once again, social ideologies surrounding male - female relationships will be important since these ideologies will condition:

- a. How control agencies **react** to sex crime.
- b. How such agents **interpret** the nature of the crime itself.

As we have repeatedly seen, for example, judges in our society have tended to interpret rape in the context of a **biochemical** notion of male and female sexuality (men have certain biological urges which, once aroused, however unwittingly, cannot be controlled).

This ideological belief leads to a certain level of ambivalence and confusion concerning sex crime, since it frequently becomes the case that the victim (the person who has been raped) has been accused of contributing to the act by her behaviour, dress and so forth. To put this in context, imagine someone who has been burgled being accused of "contributing to the crime" because they live in an attractive house containing lots of desirable possessions...

In an overall context, therefore, we can see sex crime as involving a good deal of choice on the part of the deviant; a choice that is made more attractive, as it were, by the knowledge that the **ideological structure** of our society makes it easier for the deviant to escape the consequences of their behaviour. In addition, as part of a labelling process it may be easier for men to escape or deny the label of "sex offender".

## 7. The Nature of the Deviant Process as a Whole.

This final category relates to the way in which it is possible to come to an overall understanding of the reasons for sex crime based upon an understanding of the way in which each of the above categories relate to each other. This involves considering:

- a. The wider, ideological, **social context** within which a man sees rape, for example, as a solution to the problem of his **powerlessness** ("lack of power").
- b. The reaction of control agencies, within this overall context, to the behaviour of both men in general and sex offenders in particular.

Principle seven, therefore, argues that in order to understand crime we need to adopt a multi-causal approach to its study. That is, we have to consider in detail how each of the above principles relate to each other and, in turn, affect each other.