

Training For Success

...minimising corporate threats

Criminology

By Ian Kirke LLB (Hons), MSc., Cert Ed

'It is not enough to condemn crime, we need to understand its causes'.

Critically analyse this statement from the perspective of right wing criminologists AND one other criminological theory.

Introduction

It is arguable that the robust denunciation of illegal acts has latterly become as popular as other forms of media punditry. Heads of State and politicians often trip over themselves in an effort to outdo one another in the battle of the sound bites. The following examples followed the car bomb attack in Beirut, Lebanon which killed anti-Syria MP and journalist Gibran Tueni on December 12th 2005. "The EU is deeply concerned at this latest in a series of attacks against supporters of Lebanese democracy. We reject all acts of political violence. Those who seek to destabilise Lebanon and the region through such cowardly attacks will not succeed. I reaffirm the importance of bringing the perpetrators of this and all the preceding attacks to justice.' UK Foreign Secretary of State Jack Straw (holding the EU Presidency).

'Syria denounces this crime that claimed the lives of Lebanese, irrespective of their political stances.' Syrian Information Minister Mahid Dakhl-Allah." (BBC News 2005).

Condemnation of crime alone, it is submitted, is little more than a reflex



Training For Success

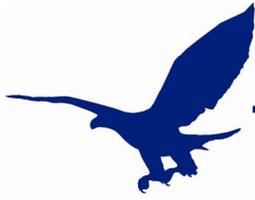
...minimising corporate threats

action. A litter of clever, moralistic words that appear to offer much but deliver little in terms of cohesive deterrents. Denunciation does little to develop an understanding of the key issues that are necessary to develop dynamic solutions. As Oscar Wilde once mused, "I am so clever that sometimes I don't understand a single word of what I am saying." (Oscar Wilde (1854 - 1900)).

This review will critically examine the headline proposition from the standpoints of both right wing criminologists and the heredity theory of criminology. In doing so the underpinning theoretical concepts of the two differing ideologies will be explored prior to an exercise in contrast and comparison. In conclusion case study analysis will be incorporated in an effort to highlight the fundamental contention that there will always be a requirement to comprehend the roots of criminal activity as a precursor to the development of effective solutions.

Right wing criminology – An overview

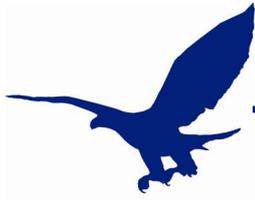
Also referred to as Conservative criminology this premise engages with the theory that people behave in particular ways according to the choices that they make. Drilling down to the core concept people generally choose to do something if the benefits of what they undertake are greater than the costs or expended effort. Debatably this human trait can be found in many areas of life, for example, financial investments, leisure activities and further education. A truly utilitarianism outlook the theory accommodates the notion that individuals



Training For Success

...minimising corporate threats

are more likely to commit crime if they believe that the rewards of the endeavour will outweigh the potential costs. Rewards may include financial, excitement, power or an opportunity to raise their profile within a particular peer group. Costs, on the other hand, may connect with being arrested by the police, the feeling of guilt and shame and future setbacks such as a criminal record affecting employment prospects. Furthermore, even if likely punishments are severe (i.e. imprisonment, substantial fine or disqualification from carrying out a particular activity, such as driving) if the individual believes that there is a minimal chance of being detected then they may nonetheless decide to take the calculated risk. As Margaret Thatcher articulated at her last Conservative Party Conference as Prime Minister in 1990, “We Conservatives know, even if many sociologists don’t, that crime is not a sickness to be cured – it’s a temptation to be resisted, a threat to be deterred, and an evil to be punished.” (Brearley & Savage (2007), p.218). Indeed, this right wing rhetoric is still domestically apparent within the Conservative Party values that engage with the following principles – “We will introduce honesty in sentencing so courts set a minimum and a maximum period of incarceration. We will replace automatic release with earned release. We will make community sentences tough and effective, with new sanctions including withdrawal of benefits for those who don’t attend. We will enforce Drug Rehabilitation Requirements by contracting with private and third sector organisations to operate treatment programmes and pay them by results. Offenders will compensate victims through a Victims’ Fund. Those serving custodial sentences will pay into the Fund through work in prison.” (The Conservative Party 2008). Arguably the

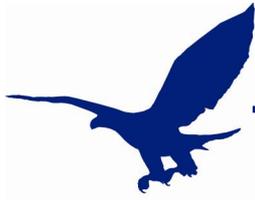


Training For Success

...minimising corporate threats

cost benefit analysis approach views the commission of crime as pure calculation; Weighing up the anticipated rewards against the likelihood of detection and the degree of punishment. This smart quadratic equation can, of course, work both ways. In some quarters of right wing criminology this concept is seen as simply mirroring human behaviour, where self interest is continually gauged intrinsically with the likely outcomes. Similarly, right wing scholars have viewed the concept as an entirely emotional apparatus that is characteristically found in animal behaviour too.

In the early 1980's US political scientist James Q. Wilson fiercely promoted the right wing philosophy. "The average citizen hardly needs to be persuaded that crimes will be committed more frequently if, other things being equal, crime becomes more profitable than other ways of spending one's time. Accordingly, the average citizen thinks it obvious that one major reason why crime has increased is that people have discovered they can get away with it. By the same token, a good way to reduce crime is to make its consequences to the would-be offender more costly (by making penalties swifter, more certain, or more severe), or to make alternatives to crime more attractive (by increasing the availability and pay of legitimate jobs), or both." (Wilson J.Q., 1983, p. 72-88). He follows this initial deposition with due focus on evidencing the right wing dogma, with the following excerpt being a good example, "Perhaps the most dramatic evidence of the operation of deterrence - dramatic because it involved a true experiment on individuals engaging in

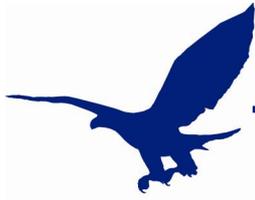


Training For Success

...minimising corporate threats

what some believe is a wholly emotional crime--comes from an effort in Minneapolis to find out how the police can best handle incidents of spouse assault. The conventional wisdom had been that if one or both parties to such an assault were handled by the officer informally--by mediation or referral to a social-work agency--the parties would be better off than if the assaulter were arrested. And the police themselves often preferred not to make an arrest, because it took time and effort and often led to no prosecution when the victim refused to press charges. With the advice of the Police Foundation, a group of Minneapolis officers began handling their misdemeanor spouse-assault cases by randomly assigning the assaulter to one of three dispositions: arresting him, counseling him, or sending him out of the house to cool off. Over 200 cases were treated in this experimental fashion and followed up for six months. The assaulters who were arrested were less likely to be reported to the police for a subsequent assault than were those advised and much less likely than those sent out of the house. And this was true even though, in the vast majority of cases, the arrested person spent no more than a week in jail.” (Wilson J.Q., 1983, p. 72-88).

Wilson latterly joined forces with Richard Herrnstein to produce the 1985 publication ‘Crime and Human Nature’ that edified the central core principle of right wing criminology. “The larger the ratio of the rewards (material and nonmaterial) of noncrime to the rewards of (material and nonmaterial) of crime, the weaker the tendency to commit crimes. The bite of conscience, the approval of peers and any sense of inequity will increase or decrease the total



Training For Success

...minimising corporate threats

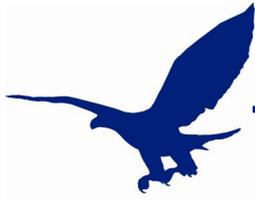
value of crime; the opinions of family, friends and employers are important benefits of noncrime, as is the desire to avoid the penalties that can be imposed by the criminal justice system. The strength of any reward declines with time, but people differ in the rate[s] at which they discount the future. The strength of a given reward is also affected by the total supply of reinforcers.” (Herrnstein, R.J. & Wilson, J.Q., 1985, p. 261). In essence the authors suggested that choice was a learned process too, similar to the outcomes of the infamous canine experiments conducted by Ivan Pavlov (1849 – 1936) in the 1890's.

Heredity Theory – An overview

Heredity theory is perhaps at the furthest point away on the continuum from right wing criminology principally because the central arguments centres upon the premise that criminals are born that way, or at the very least enter the world with a developed predisposition to commit crime. As has been cited many times in numerous forums this strand of research engages with the central question, ‘Are we born bad or made bad?’ Is it really down to choice, as the right wing criminologists would espouse, or are human beings inherently programmed to be either decent or decadent?

Historically the notion of a connection between biology and criminology gained significant momentum in the nineteenth century. Johann Kasper Lavater (1741 - 1801) a Swiss poet was an early advocate of the science of

‘physiognomist’ (“The art of judging human character from facial features”

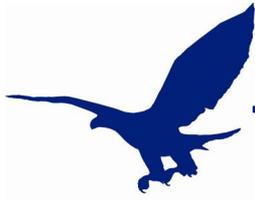


Training For Success

...minimising corporate threats

(The Free Dictionary 2008)). Franz Joseph Gall (1758-1828) a neuroanatomist (a “branch of anatomy that studies the anatomical organization of the nervous system” (Wikipedia 2008) and physiologist claimed that the shape of an individuals head contained important behavioural and cerebral intelligence. Although the ostensible science of ‘phrenology’ eventually lost credence the application of the discipline was still in use during the mid 1880’s at the infamous ‘Sing Sing’ prison in New York (Mount Pleasant Jail) and in force as late as 1904 at the Philadelphia penitentiary.

The inheritance theme continued into the early twentieth century when Alfred Binet (1857 - 1911) a French psychologist introduced a method of intelligence testing that supported the theory of eugenics that suggested that born criminals were in some ways retarded in mental prowess and they could be labelled as ‘feeble-minded’. According to Nicole Hahn Rafter (DOB n.d), “Feeble-mindedness theory was prompted by developments in genetics. In 1900, scientists rediscovered the laws of inheritance that Gregor Mendel, an Austrian monk, had formulated through experimentation with garden peas. And early in the twentieth-century, scientists also began to reject the idea that acquired characteristics can be inherited, replacing it with the new view that chromosomal germ cells (what today we call genes) determine heredity. Applying Mendel’s rules to human inheritance, and assuming that feeble-mindedness was a single, inherited trait, eugenicists reasoned that if they could prevent feeble-minded people from having children, they would be



Training For Success

...minimising corporate threats

able to rid the country of feeble-mindedness and crime in a few generations” (Rafter, N.H., (n.d)). Eugenics sought to advocate the ‘science of improving humanity’ by comparison to other respected fields of scientific research. As medical research could identify the cause of infection Eugenics claimed to identify why people committed crime. The main claim of Eugenics identified groups of people that posed a threat to the ‘pure nature of humans’. This steer clearly established a group of ‘defective humans’ that at the time encompassed foreigners, mentally ill and the poor. Eugenics created a simple progression theory in that ‘defective people’ could reproduce and create more of the same thus threatening the existence of the ‘pure human’ state. Taken to its most obscene parameters Eugenics proved to be a most powerful ‘scientific’ argument for the Nazi regime.

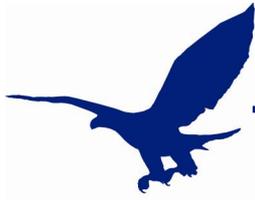
Although early attempts to rigorously explain the potential connection between biology and crime have been questionably lightweight modern genetics has nonetheless established that human beings are born with particular traits which are encoded as a result of the arrangement of twenty-three pairs of chromosomes, each of which contain numerous genes. The dispersal of X and Y chromosomes can influence many human attributes (such as sex and tallness) and genetic anomalies such as Down’s and Klinefelter’s Syndrome. Early contemporary research suggested that individuals with an extra ‘Y’ chromosome (with the specific ‘XYY’ combination) appeared to dominate the American prison population and therefore gave credence to the idea that such



Training For Success

...minimising corporate threats

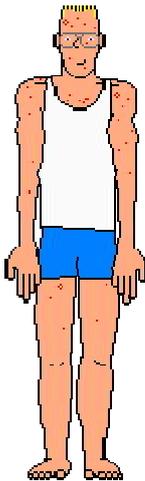
individuals (particularly men) were more likely to be vicious and therefore commit more crime when compared to those people who possessed the more common duo of 'XX' or 'XY'. "25-60 times as high as the prevalence in the general population" (The Lancet, 1968). Although latterly considered to be an overwhelmingly gross misinterpretation of the available data current (especially 'The XYY syndrome: a follow-up study on 38 boys' (Geerts, M. [Steyaert, J. Fryns, J.](#) 2003, vol:14 issue:3 pg. 267-79)) research does tend to suggest that males with the 'XYY' constitution may be more likely to measure lower in intelligence tests thereby promoting the theory that there is an increased likelihood of them committing crime. An abstract of the paper claims, "In the last decade there has been a significant increase in the proportion of XYY males detected prenatally, mostly as a fortuitous finding. It is of utmost importance to obtain a clear idea of the developmental profile of boys with karyotype 47, XYY and of possible problem areas during further development in order to inform the parents correctly during pregnancy and to provide an adequate surveillance later on. In this study we observed 38 XYY males, of which 12 were diagnosed prenatally. We found that these patients are at considerably increased risk for delayed language--and/or motor development. From birth on, weight, height and head circumference are above average values. The majority attends kindergarten in the normal education circuit although in 50% of the cases psychosocial problems are documented. From primary school age on, there is an increased risk for child psychiatric disorders such as autism. Moreover, although normally intelligent, many of these boys are referred to special education programmes." (Geerts,



Training For Success

...*minimising corporate threats*

M. Steyaert, J. Fryns, J. 2003, vol: 14 issues: 3 pg. 267-79). However, as this cartoon parodies, the jury still appears to be out on this particular arena of research –



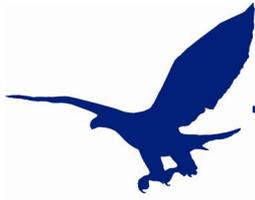
Your XYY Son

1. Tall is cool.
2. Acne is easy and safe to treat.
3. The IQ range for XYY's is the same as for XY men.
4. Like all boys, he needs a clean-living, effective dad or dad-substitute.
5. Like all boys, he needs to be allowed to find his own worthwhile interests and activities, according to his abilities and talents.
6. Despite decades of bad science and media hype, XYY is at most a minor risk factor for antisocial and criminal misbehavior.
7. If he's "a little different" -- hey, who isn't?
8. **You made the right choice.**

(Friedlander, E., 2008)

The 'XYY' argument has, it is submitted, gained a degree of collateral within the general public's psyche with such media productions as the film 'Aliens 3' (Fincher, D, 1992). "The movie Aliens 3 is set in a penal colony for XYY males that are thieves, murderers, and rapists with no hope of rehabilitation due to their genetic make-up. And the idea that XYY is a cause of violence, aggression and criminal behaviour did make it into textbooks so if they have not been properly edited, the misinformation may still be there." (Ponder, D, 2007).

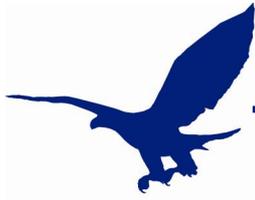
Although a recognised field of research this particular topic still has the ability to raise the temperature of even the most passive members of academia as the following excerpt from the 'New Scientist' (27th February 1993) illustrates



Training For Success

...minimising corporate threats

quite graphically, “A misapplication of modern genetics could create a 'halo of legitimacy' around discredited notions of biological determinism, warned scientists at a AAAS meeting at which they rejected any connection between heredity and criminal behaviour. Debate soon moved beyond the boundaries of scientific discourse, as members of the audience and the panel accused each other of political and racial bias. The organisers of the session had hoped to shed some light on a controversy that erupted around the same topic last summer. A conference on genetics and crime planned at the University of Maryland provoked angry protests and was cancelled after the National Institutes of Health withdrew funding for it (This Week, 26 September 1992). The NIH funds some research into the possible biological basis for aggressive and impulsive behaviour. Critics accused the conference organisers of promoting the idea that genetic markers might identify people who are predisposed to violent crime, a notion they consider scientifically absurd.” (New Scientist, 1993). Research conducted by Hans Eysenck (1952) established some middle ground, suggesting that individuals fundamentally vary on a hereditary standpoint and those who struggle with inherent inhibitions tend not to learn adequately the rules of socialisation and are therefore more likely to demonstrate a lack of affinity with others. In extreme case this may lead psychopathic behaviour.

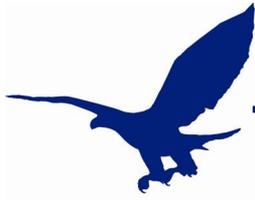


Training For Success

...minimising corporate threats

Conclusion

Given that only two theories have been explored, and notably two of the most disparate, it maybe challenging to accept that any attempt to discuss the actual causes of crime tends only to lead to the stirring up a hornets nest of confusion even though the contrasting theories will undoubtedly contain a wealth of persuasive evidence. However, the very notion of competing ideologies is perhaps the most preferable starting position from which any criminal justice system should aspire to, in order to produce a balanced response to the issue of crime prevention. Contrasting with the field of education, it has become long established that individuals learn in a number of different ways. Broadly speaking and according to the research submitted by Honey and Mumford, for example, human beings learn most efficiently either as activists (reliant on immediate experiences), reflectors (thoughtful reviewers), pragmatists (practical learners) or theorists (logical, ordered learners). “Our description of the stages in the learning cycle originated from the work of David Kolb. Kolb uses different words to describe the stages of the learning cycle and four learning styles...”. (Honey, P. & Mumford, A, 1970). In order to produce an effective learning environment that provides achievement for all learners the successful teacher or facilitator will deliver the learning schedule in a manner that engages with all four domains of learning. The same observation can be asserted about the majority of medical treatments in that the ‘one remedy fits all’ outlook has no place in modern medicine. For example, cancer has a number of treatments ranging from



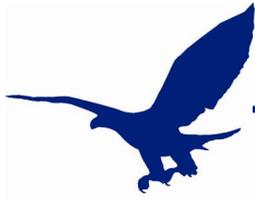
Training For Success

...minimising corporate threats

complimentary, chemotherapy, radiotherapy through to surgery and biological therapy. Arguably a mature and responsible criminal justice system must seek to incorporate a balance of restrictive and supportive interventions and processes that look for engagement with all reputable criminological theories. In relation to right wing criminology, parliamentary legislation that seeks to make crime more hazardous in terms of detection and punishment whilst in relation to the heredity theory, agendas that connect with the imbalances contained within the logical processes of the mind (for example, mental health programmes, anger management and Restorative Justice).

It is contended that a disproportionate swing in any direction would leave a volume of offenders without a discernable counterbalance. For example, those offenders who are enveloped by the heredity theory would not, it is submitted, be dissuaded by the application of purely right wing measures. Conversely this could be argued the other way too. Thus, it is maintained that the headline proposition that 'It is not enough to condemn crime, we need to understand its causes' holds true and is fundamental to the formation and introduction of effective counter measures that seek to neutralise this aspect of human nature. As Confucius (551 BCE – 479 BCE) said, "Balance is the perfect state of still water. Let that be our model. It remains quiet within and is not disturbed on the surface." (Confucius (n.d)).

Word count – 3022 (excluding permitted exceptions)



Training For Success

...minimising corporate threats

References

BBC News. Retrieved 28th February 2008, from http://news.bbc.co.uk/1/hi/world/middle_east/4522158.stm

Brearley, N., Savage, S. P. (2007). *Criminology: Masters Level (2nd ed. Version 2)*. Institute of Criminal Justice Studies, The University of Portsmouth.

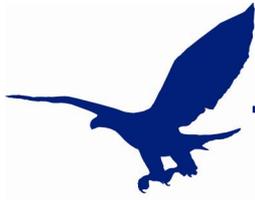
Confucius (n.d). *Balance*. Retrieved on 10th March, 2008 from <http://www.dailycelebrations.com/balance.htm>

Eysenck, H. (1952). *The Structure of Human Personality*. London: Methuen

Fincher, D. (Director), 1992. *Aliens 3*. Brandywine Productions Ltd & Twentieth Century-Fox Film Corporation

Friedlander, E., (2008). *XYX -- Stereotype of the Karyotype*. Retrieved on 10th March, 2008 from <http://www.pathguy.com/xyx.htm>

Geerts, M. Steyaert, J. Fryns, J. (2003). *Genetic Counselling*. Geneva, Switzerland (vol: 14 issue: 3 pages: 267-79)



Training For Success

...minimising corporate threats

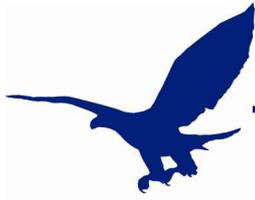
Geerts, M. Steyaert, J. Fryns, J. (2003). *The XYY syndrome: a follow-up study on 38 boys*. Genetic Counselling (Geneva, Switzerland) vol: 14 issue: 3 pages: 267-79

Herrnstein, R.J. & Wilson, J.Q. (1985). *Crime and Human Nature: The Definitive Study of the Causes of Crime*. The Free Press

Honey, P. & Mumford, A, 1970. Honey and Mumford's variation on the Kolb system. Retrieved on 7th March, 2008 from <http://www.businessballs.com/kolblearningstyles.htm>

New Scientist, 1993. This Week at the AAAS: Fury over theory that criminals are born not made. (27th February 1993). Retrieved on 9th March, 2008 from <http://www.newscientist.com/article/mg13718621.400-this-week-at-the-aaas-fury-over-theory-that-criminals-areborn-not-made-.html>

Oscar Wilde (1854 - 1900). Retrieved 28th February 2008, from http://thinkexist.com/quotation/i_am_so_clever_that_sometimes_i_dont_understand/153846.html



Training For Success

...minimising corporate threats

Ponder, D. (2007). *Are XYY men psychopathic killers?* Retrieved on 10th March, 2008 from http://www.genomicseducation.ca/teacher_resources/question_of_the_week.htm

Rafter, N.H., (n.d). *The Curator*. Retrieved 9th March, 2008 from www.albany.edu/museum/wwwmuseum/criminal/curator/nicole.html

The Conservative Party. Retrieved March 9th 2008, from <http://www.conservatives.com/tile.do?def=safer.greener.page>

The Free Dictionary. *The art of judging human character from facial features*. Retrieved on 9th March 2008 from <http://www.thefreedictionary.com/physiognomical>

The Lancet (1968). "XYY Chromosomal Constitution in Criminal Psychopaths," Letter to the Editor, September 7, 1968

Wikipedia. Retrieved on 9th March 2008 from <http://en.wikipedia.org/wiki/Neuroanatomist>



Training For Success

...*minimising corporate threats*

Wilson, J.Q. (1983). *Thinking About Crime*. The Atlantic Monthly (September 1983, Volume 252, Number 3; pages 72-88)