

## **SECTION B**

### **EMPIRICAL STUDY**

#### **CHAPTER FIVE**

##### **5. METHODOLOGICAL OUTLAY AND ASSESSMENT TOOLS**

###### **5.1 Introduction**

In South Africa, no research on offender assessment practices exists and little is known about this phenomenon in the correctional environment (Bergh, personal interview 23 April 2003; Hesselink-Louw & Schoeman 2003:162). International research shows that offender assessment enhances effective rehabilitation and intervention strategies, predicts future behaviour and decreases recidivism rates (Hollin *et al* 2003:422-436; Robinson 2003:33; Sabbatine 2003:67). Currently, the Department of Correctional Services focuses on the introduction of offender assessment as the basis of all correctional practices. This practice has also been listed as a research priority in corrections in South Africa (Consultative Research Forum Meeting, Department of Correctional Services, 7 May 2004; Draft White Paper on Corrections in South Africa 2003:59-61; Government Gazette, No. 26626, 2004:34; Monacks, personal interview 1 October 2004).

This chapter explains the methodological outlay of the study, and the necessary tools (interviewing, observation and theoretical explanation) to criminologically assess, analyse, evaluate and explain criminal behaviour are discussed. These tools will assist criminologists to assess criminal behaviour more holistically and will contribute to a comprehensive and multi-disciplinary approach in intervention practices. For this reason it is of paramount importance that criminologists have a sound knowledge of theories of crime to supplement their methodological skills.

###### **5.2 Research design**

A void in research on offender assessment supports a qualitative (explorative, explanatory and descriptive) research design. This research design is undertaken to investigate offender assessment on a first-hand basis to understand the perspectives of the offenders (De Vos, Strydom, Fouché & Delpont 2002:105-106). This “hands-on” approach evaluates the different dimensions (classification, intervention, risk management and pre-parole status) of offender assessment, while selected case

studies representative of these dimensions are assessed, analysed and explained from a criminological perspective (Alexander 2000:102; Champion 2000:10, 85, 89, 135; Pogrebin 2003:270). Attention is furthermore given to national and international research, the role of the criminologist and individual assessment practices. An integrated approach towards offender rehabilitation is followed in this study.

### **5.2.1 Research goals**

A lack of South African research on offender assessment motivates the researcher to explore, describe and explain offender assessment as a new focus in criminology and in corrections (Monacks, personal interview 1 October 2004). According to Babbie (2001:94), most qualitative research will have elements of exploration, description and explanation. *Exploration* is used when a researcher is breaking new ground, yields new insights into a topic, wants to explore a relatively new phenomenon, and to assist the researcher in a better understanding of the subject (Babbie 2001:91-93; De Vos *et al* 2002:109).

The purpose of a *descriptive* study is to describe certain events (socialisation processes and involvement in crime) and situations (involvement in substance abuse and gang activities) by means of research. The researcher observes why behaviour came about, what this behaviour implies, and then describes the behaviour in question. *Explanation* is a method used to explain behaviour and to answer questions of *why, where, when* and *how* (Babbie 2001:93-94; De Vos *et al* 2002:109-110; Sarantakos 1998:6-7). In this study, a theoretical analysis supports the assessment of criminal behaviour and assists the researcher to determine the onset, origin, motives and contributory factors of criminal behaviour.

#### **5.2.1.1 Research objectives**

The *primary* objective of this research project is to individually assess, evaluate, analyse and explain selected case studies from a qualitative-criminological perspective. The *secondary* objective is to use national and international research findings pertaining to offender assessment in order to determine the personal and criminal background of the offender, personal needs, risks, responsivity, origin, onset, motives, triggers and contributory factors of criminal behaviour. Important assessment tools are identified, an inter-disciplinary approach towards rehabilitation is promoted, and the role of criminologists in corrections is underlined in the identification and analyses of criminal behaviour (causes, motives and onset of

criminality). Scientific explanations with regard to criminal involvement are also offered.

These objectives enhance the correction of offending behaviour in that it identifies the contributory factors to criminality, intervention indicators, triggers, high-risk situations, and provides a theoretical explanation of the behaviour in question. Such assessments can assist Parole Boards to make informed decisions regarding parole matters, assist prison authorities in managing “at-risk” individuals, provide intervention indicators, and reduce recidivism in South Africa.

### **5.2.1.2 Unit of analysis**

The unit of analysis refers to the “what” of the study – in other words, the person from whom the social researcher collects data (Curran & Renzetti 2001:231; De Vos *et al* 2002:107). Four selected case studies (convicted adult males), representative of the different offender assessment dimensions, are examined to describe, explain and understand criminal behaviour from offenders’ own experiences, perspectives and world (Babbie 2001:285-287; Champion 2000:145; Pogrebin 2003:21).

According to De Vos *et al* (2002:275), a case study can be regarded as an exploration or in-depth analysis of a single case over a period of time. The sole criterion for selecting cases for a case study should be the opportunity to learn. The exploration and description of the case take place through detailed, in-depth data collection methods (such as interviews, document analysis and observation) that are rich in context (Champion 2000:145-146; De Vos *et al* 2002:275). In addition, Champion (2000:145) and Hagan (2000:229) are of the opinion that a case study design is one of the most popular types of qualitative research designs used by criminologists and other social scientists to thoroughly examine specific social settings. Hagan (2000:229) claims that most case studies have been restricted to delinquency research with fewer studies focusing on adult criminals.

Advantages of a case study design include that they are flexible and enable researchers to use multiple data-gathering techniques (observation, interviewing and examinations of records), they are tests of theories, and they are inexpensive. However, case studies have limited generalisability (limited in scope to larger social aggregates), and are therefore not representative and conclusive to all criminal behaviour (Champion 2000:146-147).

### 5.2.1.3 Access to subjects

A formal application to conduct research and gain access to both the prisons and the offenders was submitted to the Department of Correctional Services (see Appendix A). The necessary permission was granted to conduct a criminological assessment, evaluation and analyses of selected case studies for classification, intervention, risk management and parole purposes at Leeuwkop, Baviaanspoort and Zonderwater Correctional Centres. In this regard, Hollin (2001:351) states that ethical standards in research require informed consent, which means that the researcher, offender and prison authorities should understand the purpose of the interview and aspects pertaining to confidentiality.

### 5.2.1.4 Time dimension

Myer (2001:13), the author of *Assessment For Crisis Intervention: A Triage Assessment Model*, suggests that the time needed to conduct assessments with offenders varies depending on the experience and expertise of the assessor, the type of offender, the criminal history of the offender and the immediate situation (the responsiveness of the offender). Myer (2001:13) holds that as interviewers “become seasoned they improve their ability to focus on the critical elements needed in the assessment. Expertise also influences the time needed.”

The following diagram illustrates the time dimension of each case study

Case study	Amount of and duration of interviews	Time schedule	Place of interviews
A	Eight interviews: One and a half hour each	9:30 – 11:00	Zonderwater Maximum Prison
B	Nine interviews: One and a half hour each	11:00 – 12:30	Leeuwkop Maximum Prison
C	Seven interviews: One and a half hour each	9:30 – 11:00	Baviaanspoort Maximum Prison
D	Ten interviews: Two hours each	9:30 – 11:30	Leeuwkop Medium Prison

This diagram indicates the number of interviews, the duration of each interview, the time schedule and where the interviews were conducted. The interviews with **case study A** were conducted in the psychologist’s office at Zonderwater Maximum Prison and no interruptions occurred during the eight interviews. Regarding **case study B**, nine interviews were conducted in the office of the social worker. At first the social worker wanted to be present during the interviews but after explaining the sensitivity (confidentiality and ethical codes) of the information and research to him, the

researcher was allowed to conduct the interviews in private with the offender. The third interview was interrupted by prison and gang violence, and the offender had to be returned to his cell in order for the prison authorities to stabilise the prison environment. Seven interviews were conducted with **case study C** at Baviaanspoort Maximum Prison in the psychologist's office and no interruptions occurred during these interviews. The interviewer conducted only seven interviews with case study C because extensive notes and reports on the offender's Departmental file assisted the interviewer with the offender's biographical details, crime analysis and his adaptation in prison. Regarding **case study D**, ten interviews were conducted in private with the client in the social worker's office and each interview lasted two hours. The reason for this is that during two of the interviews the offender was under the influence of drugs, which made it difficult for the interviewer to communicate with him. The offender also did not attend the sixth scheduled interview, because according to him he "was sleeping at the time".

In summary, between seven and ten interviews were conducted with the offenders and all interviews occurred in private in staff offices inside the correctional centres.

#### **5.2.1.5 Demarcation of the study field**

For the purpose of this study, the research population is confined to convicted adult male offenders representative of Leeuwkop, Baviaanspoort and Zonderwater Prisons (Gauteng). Four selected adult male prisoners participated in this project and this specific geographical demarcation is related to the researcher's voluntarily involvement since 1998 as a criminologist (for the purpose of conducting criminological assessments and profiles for the Department of Correctional Services) at these correctional centres.

#### **5.2.1.6 Sampling technique**

Champion (2000:172-173), De Vos *et al* (2002:334) and Sarantakos (2000:156) describe sampling in qualitative research as relatively limited, based on saturation, not representative, the scope not statistically determined, involving low cost and not being time-consuming. From this it can be deduced that in qualitative investigations non-probability sampling is used almost without exception, where samples of elements, rather than an entire population, will be studied.

In this study, non-probability sampling techniques are used to direct the research project. Babbie (2001:179) and Pogrebin (2003:22) suggest that non-probability

sampling techniques apply to research observation conducted with case studies where the research participants are representative of *purposive or judgemental sampling*. That is, research subjects are chosen on the basis of knowledge of the different dimensions of offender assessment practices, namely classification, intervention, risk management and pre-parole assessments (Babbie 2001:179; Champion 2000:192-193).

In purposive sampling a particular case is chosen because it illustrates some feature or process that is of interest to a particular study (De Vos *et al* 2002:334). Purposive sampling is used to handpick certain individuals to represent the target population as it is the researcher's duty to ensure that certain research subjects are deliberately included in the sample (Champion 2000:196).

Although offenders representative of the different offender assessment dimensions were selected for this research project, it does not mean that the chosen sample is without merit. This non-probability sample has heuristic value in that it may direct future researchers in selecting random samples to study (Champion 2000:193; Curran & Renzetti 2001:234-235).

According to Hagan (2000:146), there is no simple answer to the question: "What is an appropriate size sample to choose?" De Vos *et al* (2002:334) and Neuman (2000:198) answer this question by stating that sufficient data are often derived from one or two cases when these cases are not selected randomly. Denzin and Lincoln (2000:370) and Hagan (2000:142) point out that qualitative researchers seek out individuals and settings where the specific processes being studied are most likely to occur. Advantages of judgemental samples are that certain elements will definitely be included in the resulting sample, the method is less cumbersome, the elements are accessible to the researcher and the population is directly related to the study objectives (Champion 2000:197).

In this study, **case study A** was chosen to illustrate offender classification assessment. This assessment is a re-classification that determines the offender's suitability to be transferred from a maximum to a medium prison facility. This assessment focuses on the client's dangerousness, aggressiveness, escape risk, risk of harming fellow inmates and the staff, the offender's behaviour and adaptation in prison, personal development, therapy and treatment received in prison (Ellis & Sowers 2001:59; Howitt 2002:354).

**Case study B** was chosen to demonstrate the function of offender intervention assessment. Ellis and Sowers (2001:57) propose that assessment for intervention purposes should focus on offender specific needs (such as substance abuse and employment), risks (such as suicide and escape), and offence specific information (crime analysis, contributory factors to criminal involvement) to guide therapists in individualised rehabilitation practices.

**Case study C** represents assessment for risk management purposes. The aims of this type of assessment include: To identify risk factors related to the probability that the offender might reoffend, be uncontrollable, violent and/or aggressive, and to identify specific triggers and/or high-risk situations in which the offender might behave violently, aggressively and/or criminally (Ellis & Sowers 2001:76-77; Howitt 2002:356).

Finally, **case study D** was selected to illustrate pre-parole assessment. The aim of a pre-parole assessment is to determine the offender's propensity to: Reoffend, abscond from supervision and/or parole, his dangerousness to the public or known individuals, and his readiness to be integrated into, and to adapt in law-abiding society (Guay *et al* 2004:330-331; Simourd 2004:306-307).

### **5.3 Measuring instruments**

In qualitative research observation, interviewing and documentary analysis form the centrepiece of measure instruments (De Vos *et al* 2002:339). According to Alexander (2000:102), Myer (2001:10-11, 13, 20) and Pogrebin (2003:271), in-depth semi-structured interviews, observation and field notes are vital research measuring instruments when conducting research in a prison environment. These methods assist the researcher in understanding offenders' first-hand experiences, perceptions and meaning of their "worlds".

For the purpose of this research project, semi-structured interviews and observation are used to gather information from convicted adult male offenders. This process is also known as *triangulation* where two or more techniques are utilised to gain information for research purposes (Champion 2000:215).

#### **5.3.1 Literature study**

Before discussing observation and interviewing as measuring instruments, it is important to note that a comprehensive literature study regarding relevant national

and international research findings on offender assessment were conducted to provide the researcher with a fundamental knowledge of this phenomenon. Various scientific journals, books, the World Wide Web (the Internet), visits to private and international prisons, and interviews with experts in the field of offender assessment and/or corrections supplemented the data collection methods of this study.

According to Champion (2000:80-81), a literature review determines what is known about the phenomenon to be studied and whether research ideas are current and relevant. In this regard, it became evident that a void exists in offender assessment practices in the Department of Correctional Services (Draft White Paper on Corrections in South Africa 2003:59-61; Du Toit 1998:21; Tshiwula 2001:136; Moncaks, personal interview 1 October 2004). This void enhanced the interest in this research initiative as a relatively new phenomenon.

Relevant sources fundamental to this study include:

- Interviews with national experts in the field of offender assessment. National interviews were conducted with: Dr. Lorinda Bergh (Director of Psychological Services and Head of the Assessment Tools Committee, Department of Correctional Services); Mr. Deon De Bod (Deputy Director Therapeutic and Counselling Services, Directorate Psychological Services, Department of Correctional Services); Mr. Derick De Klerk (Deputy Director Mangaung Private Maximum Prison, Bloemfontein, Group 4 / Global Solutions South Africa); Dr. Irma Labuschagne (Forensic criminologist); Professor Willem Luyt (Associate Professor at the Department of Corrections Science in the College of Law and Justice, University of South Africa); Mr. Clive Monacks (Director: Risk Profile Management, Personal Corrections, Department of Correctional Services); Mr. Jeromy Mostert (Chief psychologist at Leeuwkop Management Area, Department of Correctional Services); Superintendent André Neethling (Provincial Coordinator of the Family Violence, Child Protection and Sexual Offences Unit, Gauteng, The South African Police Service); Dr. Marelize Schoeman (the then Chief social worker at Baviaanspoort Maximum Prison, Department of Correctional Services); Mrs. Jenny Schreiner (the then Chief Deputy Commissioner of Functional Services, Department of Correctional Services); Professor Ricky Snyders (Head and Chairperson of the Department of Psychology, University of South Africa); and Mr. Frikkie Venter (Managing Director of Mangaung Private Maximum Prison, Bloemfontein, Group 4 / Global Solutions South Africa).



- Interviews with international experts in the field of offender assessment: International experts and forerunners in the field of offender assessment such as Dr. James Bonta (Director Corrections Research, Solicitor General Canada, Ottawa); Professor Clive Hollin (Professor for Applied Psychology, Forensic Section, University of Leicester, England); Professor James McGuire (Professor of Forensic Clinical Psychology, University of Leicester, England); and Dr. Larry Motiuk (Director General, Research Branch, Correctional Service Canada and Adjunct Research Professor at Carleton University, Psychology Department, Canada) were consulted. All of the aforementioned international experts are authors of various books, research findings and publications in the field of offender assessment practices.
- *The Internet*: General publications, the Department of Correctional Services (South Africa), the Canadian, Texan, British and Australian websites pertaining to offender assessment practices were examined.
- *Scientific journals*: Journals such as the *Acta Criminologica*, *Canadian Journal of Criminology*, *Crime & Delinquency*, *Crime and the Law & Social Change*, *Criminal Justice and Behavior*, *International Journal of Offender Therapy and Comparative Criminology*, *Journal of Criminal Justice*, *Journal of Interpersonal Violence*, *Journal of Offender Rehabilitation*, and *The Prison Journal* contributed to an in-depth evaluation of literature pertaining to offender assessment.
- *Publications and recent research findings*: Relevant publications such as the Centre for the Study of Violence and Reconciliation; Corrections, Research and Development from the Canadian Department of Correctional Service; the South African Department of Correctional Services' Annual Reports; the Draft White Paper on Corrections in South Africa (Department of Correctional Services); and Nedbank and Institute for Security Studies were examined and analysed for this research project.
- *Document analysis*: Reports from social workers, psychologists, case managers and disciplinary hearings enhanced and supported the assessments pertaining to the case studies.
- *Unpublished research on offender assessment*: Relevant national (Coetzee, 2003b) and international (Blanchette, 1996 & Goggin *et al* 1998) unpublished documents related to offender assessment practices were also included in this research project.
- *Conferences and workshops*: Attendance of national (Intervention with Perpetrators, 4–6 March 2004, Johannesburg, South Africa) and international

(Jill Dando International Crime Science Workshop and Launch of an International Crime Science Network. 24-25 November 2003, London, United Kingdom) workshops and conferences enhanced the researcher's knowledge and understanding of offender assessment.

- *Prison visits*: The researcher visited national (Group 4, Global Solutions, Mangaung Maximum Private Prison in Bloemfontein, South Africa) and international (HMP Pentonville, London, England) prisons (where some elements of offender assessments are practiced) to enrich her understanding in combining theory with practice. Criminological assessments (not included in this study) were also conducted on the request of Group 4, Global Solutions, Mangaung Private Prison in Bloemfontein (see Appendixes C and D).

### 5.3.2 Observation

Observation captures the natural social content where behaviour occurs because it grasps significant events that influence the social interactions of participants. The reality, perspectives, regularities and recurrent behaviours of those observed are determined and factual information disclosed is supplemented with other data-gathering methods (Champion 2000:295; De Vos *et al* 2002:333).

In this study, observation assisted the researcher in determining personal characteristics (such as sense of humour), interaction processes (such as communication skills), habits (such as substance abuse), facial expressions (emotions), body language (indicating nervousness), and unobservable behaviour (such as attitude) of offenders. Regarding the case studies, the researcher observed severe sadness in **case study A**s emotional expressions when he discussed the trauma and economic deprivation that he experienced during his childhood. In **case study B** the researcher observed several scars on the offender's forearms and a deep scar on his cheek. This turned out to be as a result of Mr. B's aggressive and violent behaviour in prison. The offender also became very emotional while discussing his sexual victimisation in prison.

During the first interview with **case study C**, the offender was aggressive and hostile towards the interviewer because the head of the prison requested a risk management assessment of this prisoner – he was *initially* compelled to participate in the assessment. After explaining the purpose of the assessment (to determine what makes him so hostile, angry, violent and aggressive towards his fellow prisoners and

the prison authorities), the offender felt the need to “off-load” his grievances towards the custodial staff and prison management to the researcher. Only after this process did he concede to participate voluntarily in the interviews.

Regarding **case study D**, the researcher observed various tattoos on the offender's body, which are indicative of his gang involvement. Only after enquiring about the tattoos did the offender admit that he is an active gang member in prison. The offender also became sexually aroused when the researcher assessed his sexual arousal patterns (sadism and pornography), sexual preferences (babies and children), and deviant sexual fantasies (to abduct, humiliate and kill women).

### **5.3.3 Document analysis**

Given that the offender's version of events cannot be accepted unquestioningly, reference must be made to other sources for corroboration at some stage in the assessment. Gretton *et al* (2001:431-432) and Långström and Grann (2000:858-859), forensic psychiatrists specialising in offender assessments, suggest that assessors should obtain additional information and data from offender statements or disclosures that are on file, criminal history records, court documents, victim statements, police reports, psychiatric, social worker and psychological reports or evaluations and progress summaries documented of the offender's adaptation and attendance in treatment. This additional information is vital in verifying the offender's account of the offence and his behaviour.

According to McMurren and Hodge (1994:36), it is important for a researcher to access the relevant information on file to prepare for the initial interview. In approaching the assessment of an offender, McMurren and Hodge (1994:36) suggest that, as a rule, the researcher should be furnished with a brief description of the offence, the background and historical details of the offender. The researcher then has to decide whether to approach the offender from this position or to take up the option of researching the offender more thoroughly. The advantage of the first approach is that the interviewer is free from the influence of others' perceptions of events. The advantage of the second approach is that, by informing the offender that the assessor has access to alternative sources of information such as court records, pre-sentence evaluation reports, victim and/or witness statements, and psychological reports, the interviewer may be able to corroborate the validity of self-report (Champion 2000:294, 310; De Vos *et al* 2002:322; Hagan 2000:237, 240, 243-246; McMurren & Hodge 1994:36).

Although only an evaluation of the social worker was on file, the researcher told **case study D** that she had had access to his previous psychological and psychiatric reports prior to his incarceration. As a result of this the offender confessed freely to his sexual preferences, arousal patterns, fantasies, paraphilias, and previous involvement in antisocial and deviant sexual activities.

The following diagram demonstrates the supplementary document analysis pertaining to this study.

Case study	Document analysis
A	Case management report, social worker's evaluation and a psychological report
B	Court documents, case management report and an evaluation from a social worker
C	Case management report
D	Social worker's report

As is illustrated in the above diagram, various secondary documents supplemented the information gathered by the researcher and assisted to verify the offenders' account of their criminality. With **case study A**, the offender's treatment progress, positive attitude, cooperation, devotion in his studies, and model behaviour in prison were noted on his case management file. This behaviour was supported in the reports of the social worker and the psychologist who evaluated this offender. Regarding **case study B**, the researcher had access to his court documents (charge sheet, evidence used in the trial and a transcript of the record), case management report (aggressive and violent behaviour in prison), and a report from the social worker focusing on his adaptation in prison.

With **case study C**, the researcher had access to the case management report that underlined his violent, hostile and aggressive behaviour in prison, threatening behaviour towards fellow inmates, staff and prison management, gang involvement and internal disciplinary hearings against this individual. **Case study D** only had a report of the social worker on his Departmental file which stressed his deviant sexual arousal patterns while attending a sexual offending rehabilitation programme.

#### 5.3.4 In-depth, semi-structured interviews

Alexander (2000:102), Hollin (2001:350-351) and Myer (2001:14-15, 20) posit that the interview is an effective method to gather information for a comprehensive assessment covering important areas, such as the developmental history, social competency, self-regulation, cognitive functioning (psychological vulnerabilities and

stresses), offender needs, beliefs, attitudes, associations, capacity for empathy and perception of victim harm (degree of denial), offence antecedents, degree of planning, force used, and motivation for treatment. Viewing the offender as a whole person, rather than only as an offender will enhance a comprehensive assessment process. To gather this information, Hollin (2001:351) cites that the interview is the most common assessment device available to the assessor.

Champion (2000:269-270) states that the major functions of interviews are to describe and explore a phenomenon. Through interviewing, detail and insights are obtained that would otherwise be missed. Semi-structured interviews are organised around known areas, while still allowing considerable flexibility in scope and depth (Champion 2000:298; De Vos *et al* 2002:302). The purpose that the behaviour served, why it developed, when it started, what the particular offender's learning experiences had been, what the course of the problem behaviour had been, and the consequences of the behaviour in question, are examined within semi-structured interviews (Hollin 2001:130; De Vos *et al* 2002:302).

Hollin (2001:129, 351) cautions that it would be a mistake to presume that the flexibility of the semi-structured interview offers a deeper analysis, since the quality of the information is dependent upon the interviewer's skills and experience at eliciting information. For this reason, the interviewer should use collateral information from documentation on file to corroborate or challenge the information obtained during the interview (Hollin 2001:351). For example, any records provided by social workers and psychologists can be useful to corroborate information.

According to Babbie (2001:291) and De Vos *et al* (2002:302), qualitative semi-structured interviewing is continuous, interactive and flexible, rather than prepared in advance and "engraved in stone". This means that the interviewer should have predetermined questions and an interview schedule, but not a specific set of questions that must be asked with particular words and in a particular order. A semi-structured interview is a conversation in which the interviewer establishes a general direction for the conversation and pursues specific topics raised by the respondent. In other words, the interviewer listens, observes, thinks and talks almost at the same time (Babbie 2001:292; De Vos *et al* 2002:302; Pogrebin 2003:23, 271).

A major benefit of the semi-structured interview is its flexibility. Because criminal behaviour is not tied to a single cause, the interviewer can respond as information

emerges during the interview process and probe for more information to determine the origin, onset and contributory factors of criminal behaviour. By focusing on topics in a scattered manner, the interviewer can uncover information that will lead to effective intervention. This method promotes rapport building and facilitates probing into important information (Hagan 2000:181; Myer 2001:20). With semi-structured interviews the participants play a strong role in determining how the interview proceeds and deviation from the interview schedule is allowed for (De Vos *et al* 2002:302-303).

#### **5.3.4.1 Establishing rapport**

De Vos *et al* (2002:292) cite that the challenge facing the researcher when using qualitative research interviewing is establishing rapport in order to gain information from the participants. Pogrebin (2003:44-45) refers to rapport as a harmonious relationship between the interviewer and the research participant. It relates to a basic sense of trust that has developed that allows for the free flow of information where both the interviewer and the research participant have positive feelings about the interviews.

In this research project, good rapport was established with all the research participants. As noted elsewhere in this chapter, at first **case study C** appeared to be aggressive, hostile and sceptical about the purpose of the interviews, but after the researcher explained the purpose of the interviews, and the offender relived his feelings of anger and hostility towards the prison authorities, good rapport was established and he voluntarily participated in the interviews.

Upon commencement of each interview, the researcher introduced herself to the client and pleasantries were exchanged. The purpose of the research, namely to conduct individual assessments from a criminological perspective in order to enhance a multi-disciplinary rehabilitation approach, and to guide intervention practices and prison authorities were explained to the research participants. It was also necessary to explain the role of the interviewer (as a criminologist) and to give a brief introduction of the field and scope of criminology to each offender. The approximate duration of the assessments, time required, and topics of discussion (such as biographical background and criminal history) were also outlined to the offenders (Pogrebin 2003:44-48).

Semi-structured, in-depth, spontaneous and informal interviews were conducted with the offenders to ensure flexible responses. This was accomplished through probing certain aspects of answers that the offenders gave in order to develop emerging themes and to ensure a greater understanding of certain events and the behaviour in question. In-depth interviews allowed the researcher to use quotes and disclosures from the offenders about their interpretations, ideas and experiences. This reproduction of dialogue between the interviewer and the clients is insightful and ensures an understanding of the offenders' world and experiences (Champion 2000:265-266; De Vos *et al* 2002:302-303).

The offenders were guaranteed that the information obtained during the interviews would be treated with confidentiality and that their anonymity was assured. It was explained to them that field notes would assist the researcher to record their responses accurately. As stated before, all four offenders voluntarily participated in the research and were informed that they could withdraw at any stage should they wish to do so. The researcher followed a non-judgemental and humanitarian approach (treating the offenders as "normal" human beings and not as criminals) and the offenders were free to express their ideas at any time during the interviews. As far as possible, barriers such as noise and interruptions were avoided by ensuring that the interviews were conducted in private offices inside the prisons. Finally, the interviewer thanked the research participants for their time, hospitality and preparedness to participate in this research project (Alexander 2000:14; Champion 2000:256, 263, 274; Hagan 2000:174; Hollin 2001:129-131).

#### **5.3.4.2 Semi-structured interview schedule**

An interview schedule comprises of predetermined topics that are noted down in order to guide the interviews (De Vos *et al* 2002:302). It is important that the researcher defines the information required prior to the interview. Topics under discussion should also be prepared and reviewed beforehand. Hollin (2001:129) cites that interviews for assessment purposes may cover a number of topics, but the topics do not have to be in a fixed order. Instead, they can develop as a result of exchanges between the interviewer and the interviewee. Open-ended questions are used in semi-structured interviews so that the client can say as little or as much as he likes on a particular topic.

In addition, De Vos *et al* (2002:303) and Hollin (2001:129) suggest that interviewers should avoid asking assumptive questions. Under certain circumstances, particularly

when working with sex offenders, asking assumptive questions (such as the role of fantasy) is however, very effective in gaining insight into the offender's behaviour and in conducting "a more complete assessment" (Hollin 2001:129-130). In this regard, the interviewer could use questions such as: "It is quite common for those who have committed sexual offences to have fantasised about their victims prior to committing their first offence, was this the case with you?" Such an interviewing style is much more likely to get clients to be honest in their responses (Hollin 2001:130). It is also suggested that the interviewer should avoid asking questions that have double negatives (for example "You haven't used drugs, have you?"), include complex words or jargon (such as "cognitive functioning"), or ask closed questions that can be answered with a simple "yes" or "no" (De Vos *et al* 2002:302-303; Hollin 2001:129).

In this study, semi-structured interviews are used to accommodate a broad range of themes and/or assessment targets applicable to sex offenders (such as fantasies, sexual preferences, paraphilias and sexual arousal), other violent offenders (temperamental disposition, anger management, conflict and problem resolution skills) and economic offenders (deliberate use of false presentation, negotiable financial instruments, the opportunity to offend and risk-taking behaviour) (Joubert 1999:37-41; Loza 2003:193; Repp & Horner 1999:291-293; Starzyk & Marshall 2003:93). From this it is evident that an extensive literature study assisted the researcher to focus on offence-specific and offender-specific topics.

The researcher has been involved with individual criminological offender assessments since 1998 as a volunteer criminologist. The researcher conducted offender assessments and profiles for the Department of Correctional Services on a weekly basis and through this was exposed to all types of adult male offenders. As a result of this exposure and experience, the Department of Correctional Services offered the researcher a position as "Deputy Director: Offender Profiling". The researcher commenced duty in this position on the 1<sup>st</sup> of October 2004. Furthermore, an extensive literature study and practical guidance from international experts in the field of offender assessment, guided the researcher to determine the main topics under discussion for each case study.

Main topics pertaining to offending behaviour included biographical details, education and employment record and criminal records. When the offender's responses lacked detail, depth or clarity, the researcher probed to complete or clarify the answers, or requested further examples and evidence.



The following diagram illustrates the discussed topics related to the four case studies.

Case study A: Violent and aggressive offender	Case study B: Economic and aggressive offender	Case study C: Violent and career offender	Case study D: Sex offender
Classification assessment	Intervention assessment	Risk management assessment	Pre-parole assessment
Culture	Childhood experiences	History of different types of violent crime	History of deviant and sexual behaviour
Peer influences	Education and employment	Culture	Paraphilias
Sexuality	Aggressiveness	Gang involvement	Deviant sexual fantasies
Origin of criminal behaviour	Cognitive functioning	Substance abuse	Deviant sexual preferences
High-risk situations	Aetiology of criminal involvement	Origin of criminal behaviour	Deviant sexual arousal patterns
Intervention indicators	Triggers	Triggers	Sexual sadism
	Intervention indicators	High-risk situations	Gang involvement
		Intervention indicators	Substance abuse
			Origin of criminal behaviour
			High-risk situations
			Triggers
			Probability of reoffending

Although the case studies are assessed, analysed and discussed in detail in Chapter Six of this study, this diagram highlights some of the specific focus areas of each offender. Case studies A, B, and C are violent and aggressive offenders, but the focus areas for these offenders differ. The reason for this is that **case study A** is an assessment for re-classification purposes and here the interviewer has to determine whether this client is suitable to be transferred from a maximum to a medium prison facility. Mr. A is a first offender and his criminality was predominantly influenced by his susceptibility to negative peer influences. It was further established through probing of this individual's biographic details and examining his cognitive functioning, that his sexual orientation plays a vital role in his possible adaptation in prison and society.

**Case study B** is an assessment for intervention purposes to guide therapists in the effective treatment of this offender. Mr. B is both an economic and an aggressive offender, and this combination is according to research, a rare phenomenon (Hollin 2001:417; Markowitz 2003:145-146; Motiuk & Serin 2001:146; Siegel 2004:323-327). South African research shows that assessors working with economic offenders should predominantly focus on childhood experiences, education and employment

abilities and cognitive functioning to determine the origin, onset and contributory factors of criminality (Joubert 1994:117-118; 1999:37-41; KPMG: Male Finance Execs Fit the 'Profile of a Fraudster' 2004 Report: Internet site). By focusing on this individual's history of violent and aggressive behaviour (under the main topic of "childhood experiences"), and his cognitive functioning (thought processes, his coping mechanisms and self-control strategies), it was discovered that Mr. B does not have a history of violent and aggressive behaviour. The client's violent and aggressive behaviour was the result of adaptation problems in prison and the prison environment itself. Mr. B's aggressiveness is explained in detail in Chapter Six of this study.

**Case study C** is an assessment for risk management purposes and here the main focus is to determine triggers, high-risk situations and intervention indicators for prison authorities to effectively manage this offender. Mr. C's focus areas differ from that of case study A (also a violent offender), because this individual is a career (habitual) offender with an extensive criminal record (Mr. C is a 6<sup>th</sup> offender) related to aggressive and violent crimes. The client's violent behaviour, aggressiveness and criminality are the result of his childhood experiences and a history of gang involvement and substance abuse, which is not the case with case study A.

**Case study D** is a pre-parole assessment. High-risk situations, triggers and Mr. D's probability of reoffending are important assessment areas. Mr. D's focus areas differ from the other case studies in that it focuses on his extensive history of deviant and antisocial sexual activities (although Mr. D is only a first offender). Besides the normal focus on his criminal record (his suspended sentence at the age of 15), this individual's involvement in deviant sexual activities was also explored, as this information and his extensive history of deviant and antisocial sexual activities, were not noted on his Departmental file. As a result of this, specific attention was given to Mr. D's deviant sexual fantasies, sexual preferences, sexual arousal patterns, sexual sadism, victim preference and paraphilias. Through probing it was established that this offender's sexual behaviour is reinforced by his drug addiction and that gang involvement plays a vital role in reinforcing his criminal tendencies.

Culture as a focus area, was only applicable to case studies A and C. General focus areas for all four case studies include: Biographical details, family of origin, education and employment record, childhood experiences and schooling, peer associations, crime analysis, gang involvement, substance abuse, cognitive functioning and prior

treatment and therapy. From these focus areas the origin, onset and contributory factors to criminal behaviour - and where applicable - triggers, high-risk situations, intervention indicators and the probability to reoffend are deduced from the assessment information.

From this discussion it is evident that the use of selected topics in semi-structured interview schedules contributed to more comprehensive assessments. As noted in the foregoing section, the interviewer was guided by the responses of the offenders, which allowed the interviewer to probe for more information to ensure more effective assessments.

#### **5.4 Data interpretation**

De Vos *et al* (2002:339) describe data analysis as the process of bringing order, structure and meaning to the collected data. Pogrebin (2003:270) suggests that qualitative data analysis can involve a search for specific information relating to specific topics, in this case functioning prior to incarceration and while imprisoned. This means that the researcher can holistically interpret and analyse the data.

Babbie (2001:359) asserts that qualitative research methods involve a continual interplay between data collection and theory to determine plausible relationships proposed among concepts and/or behaviour. A theoretical analysis and interpretation presents a better understanding of the behaviour in question as it explains relationships among particular concepts. According to Champion (2000:36):

“Social scientists, criminologists and criminal justice professionals seek to establish causal relations between variables. Theories tie variables together in logical ways, and research permits investigators to explore the validity of these relationships.”

In this research project, deductive reasoning is used to explain and interpret criminal behaviour. That is, logical deductions are made from the interrelatedness of possible linkages (such as childhood abuse and criminal behaviour) among assumptions and propositions to explain criminality (Babbie 2001:359-360; Champion 2000:43-45; De Vos *et al* 2002:267). Specific behavioural patterns, developmental history, offender characteristics, lifestyle patterns, motives, triggers and causes of criminal behaviour are identified, analysed and theoretically explained (Babbie 2001:360; Champion 2000:43-44). This practical skill is discussed in Sections 5.5.3 to 5.5.16.19 of this chapter.

### 5.4.1 Demographic information about the research subjects

The following diagram gives a demographic outlay of the research participants.

N	Age	Ethnic group	Classification	Crime	Criminal history	Sentence	Assessment dimension
1 A	33	Xhosa	Maximum	Aggressive: Armed robbery	First offender	18 years imprisonment	Re-classification
2 B	32	White	Maximum	Economic: Fraud, and aggressive: Murder, attempted murder and assault	Third offender	36 years imprisonment	Intervention
3 C	42	Zulu	Maximum	Aggressive: murder, armed robbery, aggravated assault, theft, burglary and motor vehicle theft	Sixth offender	20 years + 528 days imprisonment	Risk management
4 D	25	White	Medium	Sex offender: Rape	First offender	7 years imprisonment	Pre-parole

This diagram illustrates the four adult convicted males, representative of the Xhosa, Caucasian and Zulu ethnic groups, who participated in this research project to demonstrate the different dimensions of offender assessment practices. Mr. D is the youngest offender (25), while Mr. C (42) is the oldest of the research participants.

Three of the offenders (case studies A, B and C) are maximum category prisoners, while case study D is a medium category prisoner. The research participants committed aggressive (case studies A, B and C), economic (case study B) and sexual (case study D) crimes. Although sexual offending is classified as an aggressive crime, for the purposes of this study (as noted in Chapters Three and Four) sexual offending is assessed as a separate crime category. Case studies A and D are first offenders, case study B is a third offender, case study C is a sixth offender and the research participants' punishment varies from 7 years (case study D) to 36 years (case study B) imprisonment.

The necessary tools (interviewing, observation and theoretical application) to conduct criminological assessments are discussed in the following section.

## 5.5 ASSESSMENT TOOLS

According to Pogrebin (2003:269, 274), researchers who are interested in conducting research in a custodial environment should have an understanding of the complexities (the correctional socialisation process of prisoners and gang procedures) and functioning (the daily routine of prisoners) of prisons. Prisons are characterised by problematic, interrelated relationships (intimidation, alleged corruption, violence and troublemaking inmates) between custodial officers and prisoners, and organised routine activities – a system that is, “fraught with problems, contradictions and dilemmas” (Pogrebin 2003:276, 278). Here, qualitative studies supportive of an exploratory approach and in-depth analyses are important research strategies because they “enlighten readers to the realities and effects that the correctional environment has on prisoners” (Pogrebin 2003:269).

In-depth interviewing, observation and scientific explanations of criminal behaviour are vital assessment tools when conducting research in a prison environment (Alexander 2000:102; Labuschagne 2004:1-26; McMurrin & Hodge 1994:2; Myer 2001:10-11, 13, 20; Pogrebin 2003:271). These skills are necessary to assess, analyse, identify, evaluate, and predict criminal behaviour from a criminological perspective.

### 5.5.1 Interviewing

The interview is the most effective assessment tool to gather information from offenders (Alexander 2000:102; Hollin 2001:350-351; Myer 2001:14-15, 20). Myer (2001:7) is of the opinion that poor assessments are the result of a lack of assessment skills. To conduct interviews with offenders, Alexander (2000:102-103) and Myer (2001:7-8) name primary interviewing skills that may assist an assessor in conducting more accurate assessments. These skills involve (Alexander 2000:103-104; Myer 2001:7-9, 23, 38):

- *Empathy*: The most important skill in interviewing offenders. It consists of accurately conveying to a client the interviewer’s understanding of the client’s feelings, experience and behaviour. The interviewer is empathic with what the client is saying, not approving the offender’s crime, personality or identity.
- *Listening skills*: A failure to give full attention to, or listen to clients may lead to inadequate assessments. Attentive listening skills ensure that the onset, origin and contributory factors of criminal behaviour are determined on an

individual level. Inattention may result in perceiving ineffective treatment indicators and mistaken causes of criminal behaviour.

- *Speed and pacing*: This involves controlling an interview to avoid taking ritualised turns in speaking - a “ping-pong” game between the interviewer and the offender. This means that first the interviewer speaks, then the offender, then back to the interviewer, and then the offender again. Alexander (2000:103) holds that the problem with this method is that it makes observation difficult as it prevents silent periods during which the interviewer can observe the offender’s behaviour.
- *Summarisation*: Summarisation reinforces empathy and controls the speed and pace of an interview. A summary is the emphasising of key points and aspects of a client’s information and is offered to confirm or correct the interviewer’s understanding of the information.
- *Concreteness*: This consists of conducting an interview that elicits precise, exact and specific information. For instance, an offender that is saying that he is “doing fairly well” in prison, is too vague and inadequate to document or relate to the client’s adaptation in prison. Here, open-ended questions will assist the interviewer in probing for more information such as “What do you mean by ‘doing fairly well?’”
- *Immediacy*: Immediacy involves the interviewer being aware of herself as well as the relationship between the interviewer and the client. Immediacy skills are used when an interview situation needs to stay in the here-and-now, or present moment. It is especially helpful if a client persists in talking about the past or future feelings or experiences. Alexander (2000:103) postulates that immediacy is helpful if offenders dwell on what they have accomplished or are going to accomplish with few references to the present.
- *Confrontation*: According to Alexander (2000:104), offenders are frequently “inconsistent, incongruent, dishonest, guarded, and untruthful”. For this reason confrontation is needed to point out discrepancies in the offender’s information, or when an offender engages in denial, distortions, lying, unawareness, baiting, evasions, and games and tricks. Although it is vital, confrontation should be used cautiously and skilfully as some offenders may become aggressive. It may for instance, not be wise to state to an aggressive offender or an offender under the influence of substances that he is not telling the truth. McMurrin and Hodge (1994:3) also caution that there is a prevalent assumption that offenders always give distorted accounts of their behaviour in order to minimise the seriousness of their actions and their degree of

responsibility for them. This assumption can lead to the use of aggressive confrontational techniques, which are unlikely to elicit the desired honesty and openness required of the offender.

- *Assertion*: Assertion skills involve the necessity to assert and define the interviewer's adherence to personal and professional goals, responsibilities, and limitations. An interviewer may need to convey firmness and directness with offenders. Not doing so may lead some offenders to perceive the interviewer to be gullible, easy and manipulable. Demonstrating assertion does however, not mean being aggressive or flaunting one's professional power.

Hollin (2001:129) states that in terms of interviewer skills there are a number of fairly straightforward guidelines to follow when conducting assessments with offenders. The interviewer should make sure that the interview has a natural flow to it, which takes the client through a range of questions, which are sensibly related. For this reason, criminologists who are interested in working in custodial environments should master the necessary skills to conduct interviews with offenders as this method is the predominant mode of data collection in qualitative research (De Vos *et al* 2002:292).

### **5.5.2 Observation**

Observation entails that the researcher should be able to listen, observe and inquire about the everyday and natural experiences of offenders. Through observation criminologists can study and observe offenders' non-verbal behaviour, the meaning attached to their behaviour and attitudes and behavioural patterns in their natural setting. This contributes to a more intensive study of the offending behaviour (Champion 2000:295; De Vos *et al* 2002:80, 280-281, 288). For this reason, it is important that criminologists use observation as an assessment tool to enhance their understanding of criminal behaviour in custodial settings.

### **5.5.3 Theoretical analysis**

The following section underlines the importance of theoretical application as an assessment tool. Criminologists focusing on assessments of criminal behaviour should be able to select, interpret, integrate and select various theories to explain criminal behaviour. A sound theoretical knowledge is therefore essential to conduct assessments. Criminologists should however, be cautious not to overwhelm the reader (who in all probability is not a criminologist and lacks expert knowledge in the field of Criminology), with an abundance of theoretical explanations in formal

criminological reports. This might result in the reader losing interest in the explanation, not grasping vital points pertaining to the behaviour in question, and not understanding the theoretical explanation of criminal behaviour. The challenge for the criminologist is to compile a logical and scientific report where the reader will not be overwhelmed by fundamental academic arguments, facts and concepts. Such a report should rather illustrate the practical application of theories and scientifically explain the behaviour in question in a concrete and logical manner. This skill is demonstrated in Chapter Six of this study.

In this section various theories used in criminology are outlined. Attention is given to traditional, contemporary, integrated and developmental theories that explain criminal behaviour. After this comprehensive theoretical outlay, a brief evaluation pertaining to the weaknesses and limitations of the theories are discussed.

### **5.5.3.1 What is a theory?**

A theory is set of logically sound interconnected and empirically verifiable statements that attempt to describe, explain and predict how two or more events or factors are related to one another. Crime theories attempt to understand and explain criminal behaviour and they suggest methods for solving crime problems (Bezuidenhout & Joubert 2003:80; Curran & Renzetti 2001:2; Labuschagne 2004:6; Messner 2004:95; Schmallegger 2003:92-93; Williams & McShane 1999:2).

According to Schmallegger (2003:93), a good theory provides a complete understanding of the phenomenon under study, it fits the facts, and it stands up to continued scrutiny. In addition, Bezuidenhout and Joubert (2003:80-81) measure a good theory at the hand of its: 1) Plausibility (logical explanation and/or link between two or more facts); 2) real-life evidence (based on empirical findings); 3) falsifiability (ability to be tested); and 3) predictability (sound predictions for future behaviour).

Some theories concentrate on the activities of individuals, and attempt to explain why individuals commit acts of delinquency. These kinds of theories are often called micro theories. Other theories deal with the larger social and cultural context in which humans act, and they address the issue of why rates of delinquency are higher in some settings, or among some collections of people, than in others. These theories are called macro theories (Bezuidenhout & Joubert 2003:80; Labuschagne 2004:6; Shoemaker 2000:7).



### **5.5.3.2 Why are theories important in the assessment of criminal behaviour?**

Anderson and Dyson (2002:15), American theorists, answer the above question by stating that scientific theories enable criminologists to assess, identify, analyse, describe, explain and predict deviant and criminal behaviour. By applying theories, criminologists are able to:

- ❑ Identify social facts as they occur in their natural environment;
- ❑ Determine the causes of criminal behaviour;
- ❑ Describe conditions that precipitate deviant and criminal behaviour;
- ❑ Use explanatory techniques to discern why individuals react the way they do under certain conditions;
- ❑ Understand the motivation for the behaviour within a given social context;
- ❑ Provide a frame of reference to isolate behaviour;
- ❑ Make predictions regarding what the future could hold for those living under similar conditions, or at-risk individuals;
- ❑ Direct future research (Anderson & Dyson 2002:15-16; Andrews & Bonta 1998:5, 7; Curran & Renzetti 2001:2; Labuschagne 2004:6; Messner 2004:95; Schmallegger 2003:92-93; Siegel 2005:3; Van der Hoven 2001a:81).

Criminology is a field rich in theoretical explanations and there are many theories or “schools of thought”. Crime is multifaceted and shaped by a range of factors that operate inside and outside individuals (on a macro and micro level), which have effects across various stages in the life cycle. Therefore, illuminating what causes crime is a daunting task that benefits from efforts to view its origins from many angles and through different perspectives (Cullen & Agnew 2003:1; Messner 2004:96). In short, criminologists seek to understand the meaning of empirical data, they are not satisfied with only identifying or describing criminal behaviour, but also need to determine the causes of criminal behaviour and explain the behaviour in question (Curran & Renzetti 2001:1; Labuschagne 2004:6).

### **5.5.4 Theories of crime**

Different kinds of theories exist to explain various types of deviant and criminal behaviour. Regardless of the particular mode of explanation, no single theory fully explains criminal behaviour and no single cause of crime exists (Andrews & Bonta 1998:206; Labuschagne 2004:6; Messner 2004:95-96; Ovens 1992:6; Schmallegger 2003:91-93; Siegel 2005:3-5).

Criminologists disagree on the various typologies of theories and there is a lack of consensus regarding which theories should be included or excluded under the broad categories of theoretical explanations. Most criminological literature seems to categorise theories into the following: Classical, Positivistic, Social Structure, Social Process, Social Reaction, Critical and/or Radical Criminology, Integrated and Developmental Criminology.

Discrepancy among criminologists regarding the typologies of theories can be found in the following examples. Anderson and Dyson (2002), Curran and Renzetti (2001) and Siegel (2004; 2005) perceive the labeling theory as a social process theory, while Bartollas (2003), Brown *et al* (2001) and Winfree and Abadinsky (2003) view labeling as a social reaction theory. The control balance theory (Tittle) is according to Curran and Renzetti (2001) a social process theory, while Anderson and Dyson (2002) perceive this theory to be an integrated theory. Siegel (2004; 2005) believes that the control balance theory is a developmental theory. Another example of inconsistency is found in the general theory of crime (Gottfredson and Hirschi). Bartollas (2003) holds that the general theory of crime is an integrated theory, while Curran and Renzetti (2001) perceive this theory to be a social process theory. Siegel (2004; 2005) maintains that the general theory of crime is a developmental theory. According to Siegel's (2004; 2005) typology of crime theories, integrated theories are discussed under developmental and life course theories and he does not distinguish between integrated and developmental theories. Bartollas (2003) discusses integrated theories as social process theories and also does not distinguish between integrated and developmental theories.

The following diagram outlines these different viewpoints:

Type of Theory	Social Process Theories	Social Reaction Theories	Integrated theories	Developmental / Life Course Theories
Labeling	Anderson and Dyson, Curran and Renzetti, Siegel	Bartollas, Brown <i>et al</i> , Winfree and Abadinsky		
Control Balance	Curran and Renzetti		Anderson and Dyson	
General Theory of Crime	Curran and Renzetti		Bartollas	Siegel

This diagram illustrates some of the inconsistent application and categorisation of theories of crime. With this confusion in mind, the theoretical outlay of this study is discussed according to the following framework:

<b>Theory of Crime</b>	<b>Main Theorists</b>	<b>Central Thesis of the Theory</b>
<b>Classical</b> Neoclassical	Beccaria and Bentham	Crime occurs when the benefits outweigh the costs - when people pursue self-interest in the absence of effective punishments. Crime is a free-willed choice.
Contemporary Classicists	Cornish and Clarke  Cohen and Felson	Contemporary classicists build on the traditional classical perspective and view crime as a choice influenced by costs and benefits associated with "rationality". Crime can be better deterred if the costs are raised, certainly and immediately.  Crime occurs when there is a link between a motivated offender, an attractive target, and a lack of capable guardianship. People's daily routine activities influence their susceptibility to victimisation where no effective guardianship is present.
<b>Positivistic Criminology</b>  Trait Theories	Lombroso and Contemporary Biological Positivists  William Healy, James Wilson, Richard Herrnstein Lawrence Kohlberg and Hans Eysenck	Criminals are physically and biologically different from non-criminals. Certain chemical, neurological and genetic factors, as well as family background, predispose an individual to crime and criminal behaviour.  Crime is linked to various individual differences such as weight, intelligence, cognitive development and conditioning processes.
<b>Social Disorganisation</b>	Park and Burgess Shaw and McKay	These theories focus on the breakdown of institutions such as the family and the school and they hold that low-class inner city neighbourhoods are characterised by crime and poverty.
<b>Differential Association</b> <b>Social Learning</b>	Sutherland Bandura Akers Sykes and Matza	Crime is learned through associations with criminal definitions. These definitions might be generally approving of criminal conduct or be neutralisations that justify crime only under certain circumstances. Interacting with antisocial peers is a major cause of crime. Criminal behaviour will be repeated and become chronic if reinforced.
<b>Subcultural</b>  <b>Control</b>	Cohen Miller Cloward and Ohlin  Reckless Hirschi Gottfredson and Hirschi	Elements of strain and social disorganisation are combined. Strain, social isolation and a lower-class culture in disorganised areas result in criminal behaviour as an expression of conformity to lower-class values, norms and traditions. Subcultural values are passed on from one generation to the next in a process called cultural transmission.  These theorists ask the question, "Why don't people commit crime?" They assume that criminal motivation is widespread and the key factor in crime causation is the presence or absence of control. These controls or containment might either be rooted in relationships or be internal of nature.

Critical		
Labeling	Tannenbaum, Lemert and Becker	People become stabilised in criminal roles when they are labelled as criminals, are stigmatised, develop criminal identities, are sent to prison, and are excluded from conventional roles.
Contemporary Labeling	Braithwaite, Matsueda and Sherman	
Marxism and Conflict	Marx Vold Bonger Quinney Chambliss and Seidman Hagan	Inequality in power and material well-being create conditions that lead to street and corporate crime. Capitalism and its market economy are especially criminogenic because they create vast inequalities that impoverish many and provide opportunities for exploitation by the powerful.
Left Realism	Lea, Young and Taylor	Left realists recognise that street crime must be addressed in order to protect society, especially members of the lower-class.
Peacemaking	Quinney	Crime is caused by suffering which is linked to injustice rooted in inequality and daily personal acts of harm. Declaring "war on crime" will not work, rather, peace is the solution to crime.
Feminist	Adler, Simon Chesney-Lind Steffensmeier Messerschmidt	Crime cannot be understood without considering gender. Crime is shaped by the different social experiences of, and power exercised by men and women. Patriarchy is a broad structure that shapes gender-related experiences and power. Men use crime to exert control over women and to demonstrate their masculinity.

Instead of categorising theories into structural and process theories, this diagram demonstrates the influence, development and extension of theories in the formulation and natural flow of new ones. A *brief overview* of Classical, Positivistic, Trait, Social Disorganisation, Learning, Subcultural, Anomie, Control, Critical, Integrated and Developmental theories follows.

### 5.5.5 CLASSICAL CRIMINOLOGY

The Classical School was rooted in an attempt during the Enlightenment to reform criminal laws that were unfair and cruel. This school of thought was developed in reaction to the harsh, corrupt, and often arbitrary nature of the legal system in the 1700s. Prominent classical theorists, such as **Cesare Beccaria** and **Jeremy Bentham** criticised this system and offered proposals for reform embedded in their theory of criminal behaviour. Beccaria and Bentham's essential ideas of classical criminology include that individuals are endowed with free will and equal rights, they are rational beings that pursue their own interests, trying to maximise their pleasure and minimise their pain (hedonism principle). Unless human beings are deterred by the threat of swift, certain, and appropriately severe punishments, they may commit crimes in their pursuit of self-interest (Anderson & Dyson 2002:73-74; Bartollas

2003:68-69; Cullen & Agnew 2003:8, 15-16; Reid 2003:60-61, 67; Schmalleger 2003:96-97; Shoemaker 2000:13-14).

Both Beccaria and Bentham were influenced by the philosophical arguments of the social thinkers of their day, namely Locke, Hobbes, Voltaire, and Rousseau, who emphasised hedonism, rationality and free will as the underlying bases of human action (Curran & Renzetti 2001:6). However, it was not long before the practical limitations of the classical position became evident, as it became impossible to ignore the determinants of human action and to proceed as if punishment and incarceration could be discounted. As a result of this, classical criminology underwent revision and revisionists such as Rossi, Garaud and Joly are known as the neoclassicists (Curran & Renzetti 2001:10).

The **neoclassical school of criminology**, had the same basis as the classical school – a belief in free will, but they viewed the penalties that resulted from the classical doctrine as too severe. They emphasised a need for individualised reaction to offenders with more judicial discretion. Important changes implemented by the neoclassical school included that children under seven years of age were exempt from the law because they were presumed to be unable to understand the difference between right and wrong. The courts were encouraged to take into account an offender's criminal record. Mental disease became a reason to exempt a suspect from conviction. Neoclassical criminology also began to explore the causation aspect of criminal behaviour – that is, determining the causes of criminal involvement (Curran & Renzetti 2001:10; Reid 2003:63; Schmalleger 2003:97).

#### **5.5.5.1 Contemporary classicists**

By the late 1970s, some criminologists became disillusioned with the positivist school of criminology which will be discussed later. For example, researchers still had not pinpointed the specific causes of criminal behaviour, and none of the numerous treatment strategies that had been tried in the prisons appeared to be successful, or if they were successful, they had no impact in decreasing the recidivism rate (Curran & Renzetti 2001:10-11). This resulted in the development of contemporary classical criminology that argued that the decision to commit a crime is like any other decision. An individual weighs up the benefits (material as well as psychological) of carrying out an illegal action against the costs (punishment) to be incurred (Curran & Renzetti 2001:11).

The most popular **contemporary neoclassical theories** of crime are the rational choice and routine activity theories. These theories are an extension of the deterrence doctrine found in the classical school, as they focus on the rational calculation of benefits and costs before criminal acts are committed (Curran & Renzetti 2001:11-13; Bartollas 2003:84; Reid 2003:152; Siegel 2004:109-112; 2005:74-76; Schmalleger 2003:97; Shoemaker 2000:16-18). In addition to this, Bezuidenhout and Joubert (2003:105) view the rational choice theory (Cornish and Clarke) as an integrated classical theory.

**Derek Cornish** and **Ronald Clarke's rational choice theory** posit that offenders seek benefit for themselves through decisions and choices provided by their criminal behaviour. These choices exhibit a measure of rationality constrained by a willingness to become involved in crime; previous learning and experience; moral code; personal needs (status or money); perceived solutions (legitimate work); and background factors (intelligence and temperament). The three main components of this theory include: 1) The availability of suitable targets (unguarded homes); 2) the absence of capable guardians (security measures); and 3) motivated offenders (Anderson & Dyson 2002:55; Bartollas 2003:85; Bezuidenhout & Joubert 2003:105; Cullen & Agnew 2003:267, 278-279).

The **lifestyle and routine activities approach** expands on the rational choice theory and is based on two ideas. Firstly, it argues that in order for a crime to occur, motivated offenders must converge with suitable targets in the absence of capable guardians. Secondly, it argues that the probability of this occurring is influenced by routine activities such as work, family and leisure activities (Anderson & Dyson 2002:55). Implicit in **Cohen and Felson's** theory is the idea that offenders make choices according to attractive targets and the absence of guardianship (Cullen & Agnew 2003:1-12, 284; Messner 2004:126-128).

### **5.5.6 POSITIVISTIC CRIMINOLOGY**

Positivism rejects the views of classical criminology and agrees that in the study of crime, the emphasis should be on the scientific treatment of the criminal, and not on the penalties to be imposed after conviction. Advances in the physical and natural sciences specifically played a direct role in the emergence of positivistic criminology as it initiated a scientific revolution in criminology. Supporters of the **positivist school of criminology** advocate that one's options, decisions, and actions are

decided by inherited and/or environmental factors – this is also known as *determinism* (Curran & Renzetti 2001:10, 15; Reid 2003:63).

Positivism is based on three basic assumptions, namely: 1) The character and personal backgrounds of individuals explain delinquent behaviour; 2) the existence of scientific determinism is a critical assumption of positivism; and 3) the offender is perceived as fundamentally different from non-offenders. Positivists believe that individuals cannot help committing crime because they are controlled by either biological or psychological factors, or traits, that cause them to become involved in crime (Bartollas 2003:71; Curran & Renzetti 2001:15-17, 28-29; Reid 2003:88).

**Cecare Lombroso**, the founder of positivism, referred to criminals as *atavists* or “throwbacks”. He believed criminals to be physically different and inferior to non-criminals and that certain biological characteristics distinguished criminals according to the kind of crime they committed. Lombroso emphasised the importance of studying human behaviour through scientific means and rejected the philosophising of the classical school (Bartollas 2003:69, 71-72; Cullen & Agnew 2003:8, 18; Reid 2003:88-89).

#### **5.5.6.1 Contemporary biological positivism**

*Sociobiology* stresses that biological factors (a combination of genetic traits and social conditions) produce delinquent and/or criminal behaviour within an individual (Reid 2003:90; Siegel 2004:139-140; 2005:98). As such positivists assume that one’s family background, and whether the family has a history of criminal behaviour will be determined by one’s heritage (Reid 2003:91).

Recent advances in behaviour genetics have led to more sophisticated knowledge of the relationship between the environment, human genetics and criminal behaviour. Examples of biosocial perspectives that explain criminal behaviour include: Human population genetics (twin and adoption studies); chromosomal abnormality (XYY chromosome); the biochemistry of the nervous system; endocrinology (an imbalance of the body’s chemicals and the glandular system); neurophysiology (central nervous system [CNS]; electroencephalogram [EEG]; computerised axial tomography [CAT]; magnetic resonance imaging [MRI]; positron emission topography [PET]); neurochemistry (the relationship between criminal behaviour and diet); autonomic nervous system (ANS – control of fear responses); the attention deficit hyperactivity disorder (ADHD); and hormone imbalance (Bartollas 2003:73-76; Curran & Renzetti

2001:41-53; Reid 2003:92, 94-101; Schmallegger 2003:100-103; Siegel 2004:141-151).

### 5.5.7 TRAIT THEORIES

Individual trait theories follow in the Lombrosian tradition of trying to discover what is peculiar to individuals that make them criminal. These approaches are searching for individual differences such as eye colour, height, weight, or criminal propensity in explaining criminality. Most of these theories were popular in the early 1900s, and have re-emerged in the last decade. For much of the twentieth century, however, scholars rejected such approaches for failing to incorporate sociological causes of crime (Cullen & Agnew 2003:8).

Various psychologists have linked behaviour to physical characteristics. Early psychologists attempted to explain criminal behaviour by means of *intelligence*, which they assumed to be inherited (Reid 2003:101). **William Healy** shifted the positivists' emphasis from anatomical characteristics to psychological and social elements. Healy and his colleagues believed that the only way to find the roots or causes of delinquent behaviour was to delve deeply into the individual's background and emotional development. These researchers concluded that delinquents had a higher frequency of personality defects and disorders than non-delinquents (Bartollas 2003:72).

The idea that crime and intelligence are related mostly stems from the work of **James Wilson** and **Richard Herrnstein**, who stated that there is a consistent link between criminality and low intelligence (Reid 2003:104). Wilson and Herrnstein argued that genetic make-up, body type and intelligence have an impact on human behaviour. According to these theorists, most offenders are characterised by a mesomorphic (athletic and muscular build) body type, coupled with a low intelligence (Bezuidenhout & Joubert 2003:106).

Another type of psychological theory that has been utilised to explain criminal behaviour is the **cognitive development theory**. This approach is based on the belief that the way in which people organise their thoughts about rules and laws (moral reasoning) result in either criminal or non-criminal behaviour. Jean Piaget was the pioneer of this theory (Reid 2003:104). **Lawrence Kohlberg** expanded on this cognitive development approach and listed three stages of moral reasoning: *preconventional*, *conventional* and *postconventional*. Those who do not complete



“normal transition” between these stages are arrested in their development of moral reasoning, and as a result may become delinquent. According to Kohlberg, most criminals do not progress beyond the two first stages (Reid 2003:105).

Another personality theory is that of **Hans Eysenck** who based his theory (a mixture of behaviourism, biology and personality theories) on the principle of *conditioning*. Eysenck viewed crime as an interaction between environmental conditions and one’s inherited nervous system features. According to Eysenck, three types of inherited conditioning exist. They are: 1) Classical conditioning, such as Pavlov’s dogs’ response to stimuli; 2) operant conditioning, for example, learned response to stimuli; and 3) modelling conditioning, such as reaction based on what people perceive in others’ behaviours. Eysenck theorised that certain biologically-based personality features such as one’s ability, intelligence and temperament, increase the risk of an antisocial outcome (Cullen & Agnew 2003:83-84; Reid 2003:106, 108; Winfree & Abadinsky 2003:111).

#### **5.5.8 SOCIAL DISORGANISATION THEORIES**

Social disorganisation theories suggest that macro-social forces, such as migration, segregation, structural transformation of the economy, and housing discrimination interact with community-level factors, namely concentrated poverty, family disruption, and residential turnover, to impede social organisation (Siegel 2004:182-185; 2005:132-133).

Early social disorganisation theorists, **Robert Park** and **Ernest Burgess** identified distinct *zones* that expanded in a pattern of concentric circles from the center of the city. White, middle and upper class homeowners mostly populate the outer zones, while the middle and inner zones comprise immigrant families, hoboos and black migrants, who occupy high-rise buildings and dilapidated houses. Social disorganisation is caused by rapid social change where dominant values and norms compete with other sometimes illegitimate, ones. As a result, social cohesion breaks down and criminality sets in (Bartollas 2003:96; Messner 2004:111; Siegel 2005:131).

**Clifford Shaw** and **Henry McKay** studied the distribution of delinquency in pre-1940 Chicago, and found that crime rates were highest in neighbourhoods located closest to the center of the city. These theorists rejected the idea that crime in inner-city communities was the result of the individual traits of the people who had moved to

these areas. Instead, they argued that crime was a product of the characteristics of the community. They set forth a **social disorganisation** perspective that linked crime to the breakdown of informal social controls in the neighbourhoods. Shaw and McKay also argued that as control waned, cultural values supportive of delinquency emerged that were transmitted from one generation to the next. This perspective became known as the “**Chicago School**” of criminology (Cullen & Agnew 2003:9; Curran & Renzetti 2001:101-105; Messner 2004:112-114; Shoemaker 2000:79-84).

Shaw and McKay’s perspective gave rise to two distinct theories that have become rivals in contemporary criminology. These are the differential association / social learning theory and the control theory (Bartollas 2003:96-97; Cullen & Agnew 2003:9; Reid 2003:120, 151; Siegel 2004:182-185; 2005:132-133).

### **5.5.9 SOCIAL LEARNING THEORIES**

**Edwin Sutherland** (1939) borrowed Shaw and McKay’s ideas that crime would occur if criminal values were transmitted. Later joined by Donald Cressey, Sutherland formalised this insight into his theory of *differential association*. Sutherland’s key contention was that learning definitions favourable to crime would precipitate illegal conduct (Reid 2003:162; Shoemaker 2000:139-140).

Differential association advocates that criminal behaviour is learned, through interaction with criminals through both verbal and non-verbal communication, and not inherited. The learning of criminal behaviour occurs within intimate personal groups, such as the family and peers, and it includes techniques (skills) of committing the crime, motives (financial success), drives (acceptance and a sense of belonging), rationalisations (justification of, and desensitisation to criminal involvement), and attitudes (procriminal). Motives and drives are learned from definitions of legal codes as favourable and unfavourable, and a person becomes delinquent because of an excess of definitions that are favourable to violation of the law. The learning of criminal behaviour varies in frequency (regular contact with criminal others), duration (the period of time), priority (the time that criminal associations are initiated), and intensity (the degree of identification with criminal associations). The process of learning criminal behaviour involves all the mechanisms that are involved in any other learning as criminal behaviour is an expression of general needs and values (Bartollas 2003:126-128; Messner 2004:100; Reid 2003:192; Schmallegger 2003:116; Siegel 2005:159-160).

In line with Sutherland's learning theory, **Albert Bandura** developed his theory of social modeling. Bandura also rejected the notion that people are born aggressive. Instead, he argued that aggression is learned behaviour. According to Bandura, children witness family members engaging in aggressive behaviour and may also be exposed to aggressive behaviour in the media. Through these methods children learn to accept aggressive behaviour as normal, and if such behaviour is rewarded and reinforced, then similar behaviour will occur (Anderson & Dyson 2002:176).

**Ronald Akers** expanded Sutherland's differential association theory to include the notion that behaviour is strengthened by positive reinforcement and weakened by negative reinforcement. Akers argues that crime may be learned through imitation and differential reinforcement (anticipated rewards and punishments) (Cullen & Agnew 2003:142-145; Reid 2003:192).

#### **5.5.9.1 Neutralisation and drift**

**Gresham Sykes** and **David Matza** are of the opinion that delinquents neutralise middle-class values and develop different values from those of the middle class. The process of becoming delinquent begins when a juvenile neutralises himself from the moral constraints of the law and drifts into delinquency. The delinquent drifts back and forth between convention and deviancy (wilful actions) as he neutralises legal norms. Delinquency becomes permissible when responsibility is neutralised (Reid 2003:151).

Sykes and Matza developed five techniques of neutralisation, or justifications, of criminal behaviour that precede delinquent behaviour. These techniques include: 1) Denial of responsibility ("I didn't mean it"); 2) denial of injury ("I didn't hurt anyone"); 3) denial of the victim ("They had it coming to them"); 4) condemnation of the condemners ("Everyone is picking on me"); and 5) appeal to higher loyalties ("I didn't do it for myself") (Bartollas 2003:132; Schmalleger 2003:118; Siegel 2004:225-226; Winfree & Abadinsky 2003:180).

#### **5.5.10 ANOMIE / STRAIN THEORIES**

Strain theories have two different dimensions, one showing how strain produces the societal condition of "anomie", and another focusing on what happens when individuals personally experience strain.

### 5.5.10.1 Anomie

*Anomie* (or normlessness) is caused by decreased homogeneity that provides a setting conducive to crimes and other antisocial acts (Reid 2003:123). **Émile Durkheim** introduced the concept of “anomie” as he believed crime to be functional and existing in all societies (Curran & Renzetti 2001:112-113; Shoemaker 2000:93; Siegel 2004:192). **Robert Merton** further developed the concept of anomie. He believed that social structures exert pressure on individuals to behave in non-conforming rather than conforming ways. Merton analysed this proposition by focusing on the goals and means (*five modes of adaptations*) of achieving the “American dream”, namely success. These modes of adaptation are conformity, innovation, ritualism, retreatism and rebellion (Cullen & Agnew 2003:181-182; Siegel 2004:193; 2005:139-140).

*Conformists* are perceived to accept both the goals and means which society hold out as legitimate, while *innovators* accept the goals but reject the means. It is innovators whom Merton identified as criminal. *Ritualists* are those who reject success goals but still perform their daily tasks in conformity with social expectations. They hold regular jobs, but without the desire to advance in life. *Retreatists* reject both the goals and the means and usually drop out of society by becoming substance abusers. *Rebels* constitute a special category in which the existence of both “pluses” and “minuses” indicate their desire to replace the existing system of socially approved goals and means with their own system - for example, the *Boeremag* (an extremist left-wing group) who established their own values and rules and rejected the existing ones in South Africa (Bartollas 2003:107; Messner 2004:125-126; Reid 2003:125, 151; Schmallegger 2003:109).

### 5.5.10.2 General strain theory

**Robert Agnew** broadened the anomie theory into his “general strain theory.” Agnew argued that “blocked opportunity” is an important type of strain and specified conditions under which strains are most likely to result in crime. He distinguishes between three different sources of strain, namely: 1) Failure to achieve positively valued goals (educational success and popularity with peers); 2) the removal of positively valued stimuli from the individual (the death of a parent); and 3) the presentation of negative stimuli (feelings of anger and the presence of a step-parent) (Siegel 2005:143-144).

### 5.5.11 SUBCULTURAL THEORIES

Other scholars such as Albert Cohen (a student of Merton and Sutherland), and Richard Cloward and Lloyd Ohlin, focused more on what happens when individuals are blocked from achieving success goals and experience feelings of strain or “status frustration”. According to subcultural theorists, adaptation to this type of strain result in delinquency and an acceptance of delinquent subcultures (Cullen & Agnew 2003:10).

**Frederic Thrasher** originally studied juvenile gangs in Chicago. He viewed them as the result of social disorganisation. **William Whyte** believed that slums were characterised by social organisation, not disorganisation, but that young people living there face conflict between the status system of their culture within the slums and the system of mainstream society (Reid 2003:151).

**Albert Cohen** holds that lower-class youths are protesting against the goals of the middle-class culture and as a result are experiencing *status frustration* (or strain) because they are unable to attain these goals. According to Cohen, such individuals use reaction formation to handle status frustration (Bartollas 2003:109; Siegel 2005:147). Like Merton, Cohen argues that delinquency is caused by goal blockage. Cohen’s theory focused on young males who live in economically disadvantaged neighbourhoods and who are judged by middle-class standards, which they accept but are unable to meet because of their lack of proper socialisation. The result is the development of a subculture that is non-utilitarian (committing crime for the sake of it, without intending to gain or profit from criminality), malicious, negative, versatile, and characterised by short-run hedonism and group autonomy (Cullen & Agnew 2003:186-187; Reid 2003:151).

**Walter Miller** argued that street-corner adolescents in lower-class communities do not “flout” conventional middle-class norms (legitimate work to obtain material success). Instead, delinquents follow behaviour (criminal involvement) that is defined as acceptable by their community. Therefore, lower-class boys who become delinquent are responding to a lower-class culture characterised by criminal involvement. Miller views the social structure of the lower-class in terms of six focal concerns, namely: Trouble (law-violating behaviour), toughness (physical prowess), smartness (the ability to “con”), excitement (a tendency to seek thrills), fate (the idea of being lucky or unlucky), and autonomy (the desire to be independent from external control). These concerns distinguish lower-class from middle-class culture (Bartollas

2003:104; Reid 2003:151; Shoemaker 2000:123-125; Winfree & Abadinsky 2003:176).

The **Differential Opportunity theory** (which draws on both Merton and Cohen's theories) attempts to combine the concepts of anomie, delinquent subculture theory and differential association by analysing both the legitimate and the illegitimate opportunity structures available to individuals (Curran & Renzetti 2001:124; Reid 2003:131). **Richard Cloward** and **Lloyd Ohlin** argue that not everyone has equal access to legitimate means to achieve success goals. As a result of this frustration occurs whereby members of deprived groups try to utilise illegitimate means to attain material success. These theorists developed three types of subcultures, namely: Criminal (based on criminal values), conflict (where violence is the key ingredient), and retreatist (where consumption of drugs is the basic activity) (Bartollas 2003:112-113; Reid 2003:151; Siegel 2005:148-149).

#### **5.5.12 CONTROL THEORIES**

**Walter Reckless**, a member of the Chicago School, was interested the occurrence of "good boys" in "delinquent areas", studied by Shaw and McKay. His answer to this was that these youngsters had "containments" that insulated them against the "pushes and pulls" of crime. The general principle of Reckless's containment theory is that crime is more likely to occur when controls are weak, while crime will be resisted when controls are strong (Cullen & Agnew 2003:9).

According to Reckless, there are two forms of containment that control behaviour. The first is *outer containment*, for instance, effective supervision, opportunity for acceptance and belongingness and social pressure. Secondly, there is *inner containment* such as high frustration tolerance, goal orientation, positive self-concept and ego strength, which regulates the ability to direct oneself. This ability is related to one's self-concept or self-image. These two control components are buffers that assist a person to refrain from engaging in illegal acts. If the buffers are strong then a person is law-abiding, if they are weak then a person is likely to commit crime (Bartollas 2003:136-137; Reid 2003:174-175, 192; Schmallegger 2003:117; Shoemaker 2000:162-164).

The most famous control theorist is **Travis Hirschi**, who proposes a social bond theory. According to Hirschi, "the bond of affection for conventional persons is a major deterrent to crime" (Winfree & Abadinsky 2003:206). Hirschi argues that

control rests in the relationships or bonds that individuals have with conventional society. These social bonds include: 1) *Attachment* to conventional persons (feelings towards meaningful and law-abiding others); 2) *commitment* to conventional behaviour (investment in uplifting and conventional activities such as sport); 3) *involvement* with conventional people (constructive involvement in conventional activities that eliminates involvement in delinquent activities); and 4) *belief* in conventional norms (acceptance of conventional norms and rules of society) (Messner 2004:96-97; Reid 2003:176, 193; Siegel 2004:229; 2005:166-167 ).

**Michael Gottfredson** and **Travis Hirschi** redirected the attention of criminologists to the family and to what parents do, or fail to do, during childhood. They argue that “direct control” is the key to effective parenting and in establishing effective mechanisms of self-control (Cullen & Agnew 2003:24; Labuschagne 2004:7). A *low self-control* is the key element of their general theory that explains involvement in crime. Gottfredson and Hirschi maintain that in order for effective socialisation to occur, and for strong self-control to develop, someone who cares about the child must be responsible for meeting three basic conditions. They include: 1) Monitoring the child’s behaviour; 2) recognising when the child deviates; and 3) punishing the deviation (Curran & Renzetti 2001:161). Persons with low self-control have several characteristics in common. They 1) seek immediate gratification (a “here-and-now” attitude); 2) look for easy or simple ways to gratify their desires (money without work and revenge without court delays); 3) find in crime their need for exciting, risky, or thrilling acts; 4) have little stability in their lives; 5) are self-centered, indifferent, or insensitive to the needs of others; and 6) have little tolerance for frustration (Bartollas 2003:144-145; Messner 2004:99-100; Reid 2003:180, 193).

### **5.5.13 CRITICAL CRIMINOLOGY**

Social turmoil during the 1960s and 1970s, prompted people in the United States to be mistrustful of the distribution of power and equality in society. This resulted in a call for a “new criminology” that would take a “critical” stance toward society. This category of criminology is also referred to as *critical criminology, conflict, radical or Marxism criminology* (Cullen & Agnew 2003:10, 333-334; Curran & Renzetti 2001:183).

#### **5.5.13.1 Labeling theory**

*Labeling* is a social reaction perspective and according to Curran and Renzetti (2001:172-173) and Winfree and Abadinsky (2003:221-233), one of the earliest

perspectives associated with critical criminology. This theory was developed in rebellion against the dominance of the positivist paradigm in criminology. At the same time, one of its goals was to assert the rational element of deviation - it would therefore be inappropriate to consider it a descendant of the classical school. Labeling theory does not fall within the boundaries of the Marxist paradigm either, but is characterised as a link to radical criminological theories (Curran & Renzetti 2001:172-173).

Labelling theorists view crime from a relativist point of view – an act becomes criminal or deviant only when it is defined as such. This theory argues that continued involvement in crime is caused by “societal reaction” initiated by the state’s labelling of people as criminals. Crime is depicted as a transitory stage that would vanish if “left alone”. The incarceration of individuals set in motion social processes that ensnared people in crime and imprisonment will only stigmatise offenders and deepen their criminality (Cullen & Agnew 2003:11, 295; Reid 2003:182).

The critical issue is not the behaviour itself but why the behaviour is labelled deviant. According to **Frank Tannenbaum**, persons are “tagged” as being criminal, and whether the purpose of this process is punishment or reformation, disapproval is indicated (Reid 2003:182, 193; Schmallegger 2003:121). **Edwin Lemert** distinguishes between primary and secondary deviance. *Primary deviation* arises in a wide variety of contexts and has only marginal implication for the individual's psychic structure. *Secondary deviation* consists of deviant behaviour that is a defence to society's reaction to one's primary deviation (Reid 2003:182, 193; Shoemaker 2000:198-199).

**Howard Becker** points out that only some of the people who break rules are considered deviant and deviance is a label created by society that is applicable to some people who engage in deviant behaviour (Schmallegger 2003:121). Once labelled, the labelee has the almost impossible task of shedding that status. Such a person develops a self-concept consistent with the deviant label and acquires the knowledge and skills of the labelled status (Reid 2003:182-183, 193).

### 5.5.13.2 Contemporary labeling theories

**John Braithwaite** uses the concept of *shaming*, which is a process of social disapproval on an individual until it induces remorse. *Disintegrative shaming* stigmatises the subject, while *reintegrative shaming* consists of attempts to reintegrate that person into law-abiding society (Cullen & Agnew 2003:299; Reid



2003:193). **Ross Matsueda** focuses on the development of the self-concept that occurs through social interaction and argues that a key cause of delinquency is the reflected appraisals of others. Some of the reactions lead to self-fulfilling prophecies such as, "They say I'm bad, so I will be bad" (Cullen & Agnew 2003:299; Reid 2003:193). **Lawrence Sherman** maintains that interventions in the lives of offenders can have diverse effects. According to this theorist, legal punishment either reduces, increases, or has no effect on future crime, depending on the type of offender, the offence, the social setting, and the level of analysis. Sherman suggests that the behaviour of police, court, and correctional officials either precipitate or depress the likelihood of deviant behaviour (Cullen & Agnew 2003:300).

### **5.5.13.3 Central theorists of critical criminology**

**Karl Marx** viewed crime in terms of the social structure characterised by social class conflict that was a by-product of capitalism (Reid 2003:152). According to Marx, the market economy creates vast economic inequality, which in turn fosters conditions conducive to crimes by rich and poor alike. The poor are driven to break the law due to socio-economic disadvantage, while the rich are able to use their corporate positions to exploit workers, "rip off" the public, and despoil the environment in their pursuit of greater wealth. Inequality is reinforced within the criminal justice system where the poor who violate the law are imprisoned, while the rich are not charged for their crimes (Cullen & Agnew 2003:11; Shoemaker 2000:217).

**Willem Bongers** studied primitive societies, which he viewed as characterised by altruism (individuals that help one another in ways that are not egoistic). For Bongers, crime is a form of egoism and a rejection of altruism by placing one's own interests above those of other people. Societal solidarity and motivation are created by capitalism where people concentrate on their own individual needs. Bongers identified the advent of capitalism as the breakdown of civilising social relationships, as capitalism makes people greedy, ambiguous and competitive (Cullen & Agnew 2003:343; Curran & Renzetti 2001:186; Reid 2003:152; Siegel 2004:253).

**George Vold** depicts society as a battleground of competing interest groups. He views societies as characterised by conflict that grows out of the struggle between heterogeneous groups that have their interests represented by laws. Vold was especially concerned with explaining crime and deviance generated by conditions of inequality, for example, inequality induced by racial conflicts (Curran & Renzetti 2001:183-184; Reid 2003:152; Siegel 2004:254).

**Marxist criminology** distinguishes between instrumental and structural Marxism. *Instrumental Marxism* is a school of thought which takes the position that the state is the instrument used by those in power to control those they dominate. They view the law, the state, and the ruling class as one, which enables the ruling class to take advantage of other classes by determining the nature and enforcement of law. An important forerunner of instrumental Marxism is Quinney (Curran & Renzetti 2001:187; Reid 2003:141; Siegel 2005:187).

**Richard Quinney** developed a criminological theory that grew increasingly more Marxist and more radical in its orientation (Curran & Renzetti 2001:188-189). He supports the notion that, "crime is suffering and ... the ending of crime is possible only with the ending of suffering" - a non-violent form of criminology (Cullen & Agnew 2003:387). This Marxian thesis on capitalism is characterised by the struggle between the capitalist class and the working class. Quinney spoke in favour of a socialist society free from the oppressions produced by capitalism. According to him, the emphasis should be on a social reality of crime, looking for what ought to be, not what is. In his later writings he added the dimension of peacemaking, seeking a non-violent criminology of compassion and service (Cullen & Agnew 2003:351; Reid 2003:52-53; Shoemaker 2000:217-219).

*Structural Marxism* views law as an attempt to resolve a crisis precipitated by the inherent contradictions of capitalism that occur in the larger economic system. Structural Marxists look for the underlying forces that shape law as those forces may create a conflict between capitalism in general, and any particular capitalist. Chambliss, Seidman, and Hagan are supporters of this perspective (Reid 2003:142; Siegel 2005:187-188).

**William Chambliss** and **Robert Seidman** view the instrumental Marxist position as too static, too deterministic, too focused on economics, and inaccurate in its assumption that all law is used to the advantage of the ruling class and the disadvantage of those ruled over. These theorists observe that simply because law is "on the books," it does not mean that it will be effectively implemented and enforced. They maintain that biases in law enforcement exist (Curran & Renzetti 2001:194; Reid 2003:153).

**John Hagan** perceives power relations to be central to crime. According to Hagan, the presence of power and the absence of control create conditions of freedom that

permit common forms of delinquency. Hagan suggests that two power relationships exist: An instrumental power relationship occurs when those with power manipulate it to achieve certain goals (such as corporate criminals), and symbolic power relationships are ones in which society comes to view certain individuals or groups as less valuable to control agents because they have more power (Reid 2003:153; Siegel 2004:268; Winfree & Abadinsky 2003:259).

**Left realism** views crime as a function of relative deprivation under capitalism and favours pragmatic, community-based crime prevention and control (Siegel 2005:192). Left realists (such as Lea, Young and Taylor) argue that crime victims in all classes need and deserve protection (including the poor on the streets), but they believe that the police should reduce the use of force and increase their sensitivity to the public. They are concerned with the cost of the criminal justice process, as it is the working class and the poor who bear a disproportionate burden in financing the legal system. crime is not a mode of rebellion against the oppression of capitalism, nor is the criminal an underprivileged individual whose goal is to redistribute private property. Most offenders “crave luxuries,” and they are thus the ultimate capitalists. Left realism supports the notion that the wealthy do commit crime and that their crimes are often more costly (in financial value) than crime committed by the poor. They also do not believe that the solution to the crime problem lies in the “get-tough” (such as imprisonment) methods (Curran & Renzetti 2001:197-199; Siegel 2005:191-192).

At the forefront of **peacemaking criminology** is Richard Quinney, who views crime as one of many forms of violence perpetuated in society. Most peacemaking criminologists support the notion that violence begets more violence and they argue that if society responds to crime with harsh, punitive social control measures, then crime will increase, rather than decrease. Peacemaking criminologists describe the criminal justice system as a system of “war-making”, and to end suffering an equitable distribution of resources and a balance of power among social groups are necessary. They encourage offender and victim mediation, conflict resolution, reconciliation, and non-punitive responses to offenders, especially minors and first time offenders, rather than processing offenders through the courts. Other responses include having offenders apologise to victims, make restitution by paying the victim back and/or by paying the community back through service (Curran & Renzetti 2001:199-200; Williams & McShane 1999:281).

#### 5.5.13.4 Feministic criminology

The growing Women's Movement sensitised criminologists, especially female scholars, to the way in which another form of social injustice, namely gender inequality (feministic criminology), was implicated in crime. For many years, criminologists, who were almost exclusively men, limited their studies almost exclusively to male offenders. Feminist scholars, led by among others, Adler, Simon, Chesney-Lind, Daly, Messerschmidt, and Steffensmeier brought attention both to females as criminals and then to females as victims of men.

As this paradigm evolved, the role of patriarchy (men's dominance over women) has been illuminated. Much research and theorising were conducted on how crime was a reflection of gender inequality of power and used by men to control women, such as domestic violence and sexual violence. Later, James Messerschmidt attempted to show how crime was a means through which men attempted to demonstrate their "masculinity" (Cullen & Agnew 2003:11).

Liberation theorists Freda Adler and Rita Simon view the increase in female criminality as the result of greater opportunities for women in the workforce. **Freda Adler's** *Sisters in Crime* (1975), states that the occurrence of female crime increased when women began participating more extensively in the workforce. Adler proclaimed that women were not only committing more crimes but they were also engaging in traditionally male offences (violent crimes). **Rita Simon** contended that females' entry into the job market would prove particularly consequential because it would give them access to opportunities for financial and white-collar crimes, such as fraud, embezzlement, larceny and forgery (Cullen & Agnew 2003:398; Curran & Renzetti 2001:126-127, 212). **Darrell Steffensmeier** argues that the increase in female criminality began before the women's liberation movement. According to Steffensmeier, women have been engaged primarily in traditional female crimes, or when engaged in traditional male crimes (such as murder), they assume traditional female gender roles (Reid 2003:153; Shoemaker 2000:250-252). Steffensmeier showed that since 1960, female patterns of crime were actually more stable than before. Most women were not "new female criminals" but rather remained non-violent, petty property offenders (Cullen & Agnew 2003:399).

Conflict theorists emphasise the subordinate position of women within society's economic structure in explaining the nature and extent of female crime and the criminal justice systems' reactions to such crimes. In this regard, **James**

**Messerschmidt** focuses on the hierarchical structures and economic systems of society, and he views women in most societies to be subordinate to men in both these areas. For this reason women engage in crime less frequently, and the crimes they do engage in are less serious because gender, class and the economy shape their crimes. To Messerschmidt, criminality and masculinity are intertwined and when legitimate means of demonstrating masculinity are denied, crime becomes a resource by means of which to accomplish this task (Cullen & Agnew 2003:402; Reid 2003:153; Williams & McShane 1999:255-256).

Feminist theorists also focus on the dominance of men over women and the impact it has on crimes by and against women. Most feminists aim to eliminate male dominated criminological research. **Meda Chesney-Lind** and **Kathleen Daly** are two of the major proponents of this viewpoint. Chesney-Lind and Daly emphasise that the traditional structure of patriarchy, with men dominating women, is as important as social class in understanding crime. Male dominance is perceived in both the criminal justice system and in criminological research, as men discriminating against women in order to reinforce traditional gender roles. These theorists observe that girls are frequently the recipients of violence and sexual abuse, and patriarchy is conducive to such abuse because females in general are objectified as “sexual property” (Cullen & Agnew 2003:400, 413; Reid 2003:153; Williams & McShane 1999:256-257).

#### **5.5.14 INTEGRATED AND DEVELOPMENTAL THEORIES**

Theory integration is a process by which parts of different theories are brought together to serve as a whole or one theory on the basis of their perceived commonalities. The purpose of theoretical integration is the development of a new theory that improves on constituent theories that enhances the criminologist’s understanding of crime and delinquency (Anderson & Dyson 2002:243-244; Bartollas 2003:13; Bezuidenhout & Joubert 2003:104-105).

According to Labuschagne (2004:5-8), Ovens (1992:32), Sacco and Kennedy (2002:10) and Van der Hoven (2001a:81-82), crime causation should be approached in a dynamic, integrated and holistic manner. This approach should ultimately include factors such as motivation, cognitive aspects, attitudes, perceptions, interpretation of events, individual norms and value systems, respect for other people, interpersonal relationships, interactions and systems (such as the family). Unique South African-oriented factors (such as population composition, cultural, political and social

influences) should also be taken cognisance of in the explanation of criminal behaviour (Van der Hoven 2001a:82).

The following diagram illustrates the integrated and developmental theories of crime that are discussed in this chapter.

Theory of Crime	Main Theorists	Central Thesis of the Theory
<b>Integrated</b>	Kennedy and Sacco Elliott, Ageton and Canter Thornberry Tittle Weis, Catalano and Hawkins Cullen	These theories use components from other theories - usually social disorganisation, strain, control and social learning - to create a new theory that explains crime. They are often also perceived as life-course theories, arguing that causes of crime occur in a sequence across time.
<b>Developmental / Life Course</b>	Farrington Moffit Sampson and Laub	Crime causation is a developmental process that starts before birth and continues throughout the life course. Individual factors interact with social factors to determine the onset, length and termination of criminal careers. The key theoretical issues involve continuity and change in crime. Some theories predict continuity across the life course; others predict continuity for some offenders and change for other offenders; and some predict continuity and change for the same offenders.

This diagram highlights some of the main integrated and developmental theories in criminology that will be discussed.

#### **5.5.14.1 Integrated theories of crime**

Integrated theories discussed in this section include: The Criminal Event (Kennedy and Sacco), An Integrated Theoretical Perspective of Delinquency (Elliott, Ageton and Canter), Interactional theory (Thornberry), Control Balance theory (Tittle), Social Developmental Model (Weis, Catalano and Hawkins), and Social Support and Crime theory (Cullen).

#### **5.5.14.2 The criminal event**

**Leslie Kennedy** and **Vincent Sacco** introduced the term “criminal event” to explain crime, the precursors to criminality, the area, situational factors and the aftermath of the crime. According to Kennedy and Sacco, precursors of crime include individual-oriented, milieu-oriented and situational factors. Individual-oriented factors include predisposing (intelligence and health factors), precipitating (stress and low self-concept), motivational (hunger and revenge), facilitating (substance abuse and availability of firearms), and instigating (verbal provocation and physical intimidation) factors (Labuschagne 2004:5-6; Sacco & Kennedy 2002:8-11; Van der Hoven 2001a:82-84; 2001b:59-71).

Milieu-oriented factors are influences within an individual’s social environment such as urbanisation, family, antisocial peers, social beliefs, population structure and the efficiency of the criminal justice system. Situational factors determine the context, the specific time, place and circumstances under which the crime took place. The aftermath of the crime includes reporting the crime to the police and their response, the harm caused to the victim, correctional steps taken, as well as the long-term consequences of the event in respect of public reaction to the event and the amendment of laws. In brief, the criminal event includes the entire process, from the precursors or precipitating factors, the situation, the course of events and reporting the case, to the judicial process and correctional actions that are to be followed (Labuschagne 2004:5-6; Sacco & Kennedy 2002:10-19; Van der Hoven 2001a:85-88; 2001b:59-71).

#### **5.5.14.3 An integrated theoretical perspective on delinquent behaviour**

**Delbert Elliott, Suzanne Ageton and Rachelle Canter** offer an explanatory model that expands traditional strain, social control, and social learning perspectives into a single paradigm that accounts for criminal behaviour and drug use. Integrating the strongest features of these theories into a single theoretical model, Elliott *et al* contend that the experience of living in socially disorganised areas leads youths to develop weak bonds with conventional groups, activities and norms. High levels of strain, as well as weak bonds with conventional groups, lead some youths to seek out delinquent peer groups. These antisocial peer groups provide both positive reinforcement for delinquent behaviour and role models for this behaviour. Consequently, Elliott and colleagues theorise, there is a high probability of involvement in delinquent behaviour when bonding to delinquent groups is combined

with weak bonding to conventional groups (Bartollas 2003:146; Cullen & Agnew 2003:489; Shoemaker 2000:263-264; Williams & McShane 1999:275-276).

#### **5.5.14.4 An interactional theory**

**Terence Thornberry's** interactional theory shares certain elements with Elliott *et al's* integrated theory. In particular, Thornberry asserts that low social control (or weak social bonds) leads to delinquency by increasing the likelihood of association with delinquent peers. Thornberry draws on Hirschi's conceptualisation of the elements of the social bond, but does not incorporate the strain theory into his model. Thornberry argues that there is good reason to believe that many of the variables in his model have reciprocal effects on one another. While one might argue that association with delinquent peers increases the likelihood of delinquency, it is also reasonable to argue that delinquency increases the likelihood of association with delinquent peers. Thornberry also argues that the causes of delinquency change over the life course of an individual, for example, the importance of parental attachment diminishes as the adolescent ages, while new variables (such as commitment to conventional activities - employment, college or military), enter the model (Bartollas 2003:147-148; Bezuidenhout & Joubert 2003:108; Cullen & Agnew 2003:503; Siegel 2004:295-296; 2005:219-220).

#### **5.5.14.5 Control balance theory**

Although the control balance theory is also perceived to be a social process and a control theory, it is mainly a contemporary theory that offers a revision of Hirschi's traditional control theory. **Charles Tittle** accepts Hirschi's proposition that control is the major component of conformity, but argues that it is not control *per se* that counts, but rather maintaining a balance between the amount of control one is subject to at the hands of others, and the amount of control one can exercise over others (Curran & Renzetti 2001:158-159; Winfree & Abadinsky 2003:294-295).

Tittle's theory identifies two types of control imbalances, namely control deficit and control surplus. *Control deficit* refers to the amount of control to which one is subjected to that exceeds the amount of control one can exercise over others. A control deficit produces *repressive deviance*, which helps individuals to escape control deficits and restore balance to their control ratios. Three forms of repressive deviance exist, namely: 1) Predation (physical violence, sexual assault and robbery); 2) deviance (deviation that challenges dominant norms but does not inflict harm on others, such as truancy and vandalism); and 3) submission (passive obedience to the



expectations, commands, or anticipated desires of others, such as allowing oneself to be physically abused, humiliated, or degraded) (Cullen & Agnew 2003:515; Curran & Renzetti 2001:158-159; Winfree & Abadinsky 2003:295-296).

*Control surplus* occurs when the amount of control a person exercises over others exceeds the amount of control others impose on him. This type of control leads to *autonomous deviance* that assists the individual to further extend control over others and thereby to increase his control surplus. Three types of autonomous deviances exist, namely: 1) Exploitation (an indirect form of predation that includes behaviour such as hiring someone to kill somebody); 2) plunder (individuals or organisations that want to further their own goals while ignoring, or trampling on the rights and safety of others); and 3) decadence (irrational acts engaged in on the spur of the moment such as humiliating another person for one's own pleasure) (Curran & Renzetti 2001:159; Winfree & Abadinsky 2003:295).

#### **5.5.14.6 Social development model**

**Joseph Weis, Richard Catalano and David Hawkins's** social development model is based on the integration of social control and social learning theories. According to the social control theory, the weakening, absence, or breakdown of social controls lead to delinquency. Cultural learning emphasises the role of peers and the community in the rise of delinquency. In disorganised communities, youths are at greater risk of delinquency. The social development model proposes that the development of attachment to parents will lead to attachments to school and a commitment to education, as well as a belief in, and commitment to, conventional behaviour. As a foundation for delinquency prevention, the social development model suggests that families, schools, and peer groups are appropriate objects for intervention, depending on the child's developmental stage (Bartollas 2003:149; Bezuidenhout & Joubert 2003:109; Siegel 2004:290-291).

#### **5.5.14.7 Social support and crime**

**Francis Cullen** illustrates a different approach to theoretical integration. Unlike Elliott *et al* and Thornberry, Cullen does not select concepts from different theories and then describe the relationships between them. Rather, he points to a common theme that is treated in several theories, ranging from the early theories of the Chicago school to the recent theoretical work of feminist and peacemaking criminologists (Cullen & Agnew 2003:533).

The theme is that social support is implicated in crime. Cullen draws on different theories in an effort to elaborate on that theme. In doing so, he presents 13 propositions regarding social support. Among other things, he argues that social support has a direct effect on crime; that it influences other variables which affect crime (such as the level of social control); that it conditions the impact of certain variables on crime (for instance strain is more likely to lead to crime when social support is low); and that it plays a critical role in the prevention of crime and the rehabilitation of offenders. Cullen applies the concept of social support to both micro-level and macro-level questions. For example, he inquires why the United States has such a high crime rate, and also uses the theory to shed light on developmental issues such as the desistance from crime in early adulthood (Cullen & Agnew 2003:533).

### **5.5.15 Developmental theories of crime**

A developmental pattern over the life course can be marked by continuity (behaviour is stable and continuous), or by change (behaviour departs one pathway and heads in an alternative direction). Developmental theorists mainly use the term “onset” to describe the initial entry into crime (Cullen & Agnew 2003:443).

According to developmental theorists, most serious and chronic offenders first started to manifest problem behaviour in their childhood and this indicates continuity in problem behaviour over time. The origins of crime must therefore, be early in life (Cullen & Agnew 2003:12). This realisation pushed criminology back into: Tracing what occurs from the pre-natal period onward to set an individual on a trajectory either toward or away from a life in crime, theorising about what causes continuity in offending, and what might cause offenders to change and abandon a criminal life course (Cullen & Agnew 2003:12).

#### **5.5.15.1 Theory of delinquent development**

According to **David Farrington**, certain observable traits are present in persistent offenders from as early as eight years. Farrington holds that the chronic offender is typically male, begins as a property offender, is born into a low-income, large family headed by parents who have criminal records, and has delinquent older siblings. The individual receives poor parental supervision, harsh or erratic punishment and his parents are likely to divorce or separate. The chronic offender tends to associate with antisocial peers who have low educational achievements, is restless, troublesome, hyperactive, impulsive and truant. After leaving school the persistent criminal is likely

to have a low-status job and an unstable employment record. By the time he reaches his 30s, the former delinquent is likely to be separated or divorced from his wife, to be an absent parent while his life is still characterised by violent behaviour, substance abuse and a disrupted family life (Bezuidenhout & Joubert 2003:107; Siegel 2004:294-295).

#### **5.5.15.2 Life course persistent offender theory**

**Terrie Moffitt's** theory is biosocial in nature. She suggests that biological and environmental deficits interact to produce persistent antisocial behaviour. Moffitt theorises on two groups of teenagers that take different developmental pathways into crime. One group, which she calls life-course-persistent offenders (LCPs), start antisocial acts early and continue their waywardness into and beyond adolescence. The second group, which she calls adolescent-limited offenders (ALs), start and finish their criminality during their teenage years. The age-crime curve is high during adolescence because of the high occurrence of offending by the LCPs and the temporary offending by the ALs (Cullen & Agnew 2003:445).

Moffitt outlines a developmental process in which individual traits interact with the social environment to entrench youngsters in persistent antisociality. The development into life-course-persistent offending starts with neuropsychological deficits when normal brain development is disrupted (such as through exposure to drugs and poor nutrition in the pre-natal period). During childhood, various psychological deficits (such as high activity level, irritability and poor self-control) occur. These traits or individual differences are directly linked to misconduct and social failure throughout life (Cullen & Agnew 2003:86, 446).

#### **5.5.15.3 Crime and the life course theory**

**Robert Sampson** and **John Laub** (scholars of Travis Hirschi) based their work on that of the Gluecks, who examined delinquency in terms of family structure, but extended the analysis beyond that of the childhood family to the adult family. Sampson and Laub's central thesis is that the quality of social bonds helps to explain the onset, persistence, and desistance from criminal and deviant behaviour. That is, social bonds shape why people start offending, continue offending, change and stop offending. Like Hirschi, Sampson and Laub embrace the premise that crime and defiance result when an individual's bond to society is weak or broken. They noted that the trajectory may extend to childhood, and that there is considerable evidence that antisocial behaviour is relatively stable across the various stages of the life

course. In turning away from crime, the key agent of change is establishing conventional social bonds, such as a “good” marriage or a “good” job that will break the criminal continuity (Cullen & Agnew 2003:447; Reid 2003:152; Siegel 2004:298-300; 2005:221-224).

### **5.5.16 Evaluation of theories**

The following section provides a brief overview of the weaknesses and limitations of the discussed theories of crime. It also underlines the facts that no single theory can fully explain criminal behaviour and that all theories have certain shortcomings and limitations (Ovens 1992:6).

#### **5.5.16.1 Classical criminology and contemporary classical theories**

Van der Hoven (2001a:81) states that traditional classical explanations of crime are of historical value and should at most be referred to briefly in contemporary sources. Classical criminology and contemporary classicists assume that everyone is motivated to engage in crime through the pursuit of self-interest, and that people are rational and engage in crime to minimise pain and to maximise pleasure. Some critics argue that many offenders are not rational and that crime is not committed in self-interest. Rather, offenders engage in crime because of forces beyond their control, such as social disorganisation and anomie, and they often suffer greatly because of their behaviour. Classical theorists state that whether people engage in crime is largely dependent on the swiftness, certainty, and appropriateness of the punishments they face. Criminologists now recognise that other factors (such as learning and economic oppression) have a larger impact on the likelihood of crime than the punishments administered by the legal system, which is not concerned with crime causation (Anderson & Dyson 2002:82; Cullen & Agnew 2003:17-18, 268; Curran & Renzetti 2001:12).

Although classical and contemporary classical theories have shortcomings, they are still of great value to criminologists in the explanation of crime and criminal behaviour. For example, these theories are applicable in the assessment of well-planned crimes such as white-collar offences, burglary, kidnapping and contract killings, where elements of rational choice, free will, weighing the benefits and costs of crime, motivated offenders, attractive and/or available targets, and a lack of guardianship play an important role in the decision to commit crime (Siegel 2004:112).

### **5.5.16.2 Lombroso and early positivists**

The research of the positivists are criticised for errors in methodology, in that the samples were not scientifically selected and the subjects usually came from institutionalised populations. The earlier positivists rarely performed follow-up studies. The concepts they measured were not clearly defined, and sophisticated statistical analyses were not utilised. Lombroso and other positivists have been criticised for an overemphasis on biological causes of criminal behaviour leading to the neglect of environmental factors (Reid 2003:65-66, 89). However, Lombroso was one of the first criminologists who profiled offenders and although most of this work is rejected in contemporary society, many criminologists still draw on his ideas to profile offenders from a criminological perspective (Siegel 2004:7).

### **5.5.16.3 Recent biological approaches of crime**

The fear of the policy implications of some biological theories, for example, altering genes, brain structure, or brain chemistry to prevent crime, has led to the rejection of most of these theories (Curran & Renzetti 2001:63). Biological theories did not consider crime as a choice or free-will and they argued that people are predestined to become criminals. Some critics find biological theories to be racist and dysfunctional, as they suggest that offenders are biologically inferior, different or flawed (Anderson & Dyson 2002:105-106; Cullen & Agnew 2003:29, 71-72; Siegel 2005:110).

Biological approaches are, however, still used by criminologists as important theoretical tools to determine and explain crime and criminal behaviour. An example is the well-known case of Pietertjie Grundlingh. Pietertjie is the son of two of South Africa's most infamous murderers, Charmaine Phillips and Pieter Grundlingh, who committed four murders during the early 1980s. Pietertjie, who is currently 24 years old, spent most of his life in the criminal underworld as a drug dealer, a drug addict and he is still an active 26 gang member. He has a criminal record for crimes ranging from possession of stolen goods, assault, burglary to theft. It can therefore, be argued that due to Pietertjie's biological predisposition, which he genetically inherited from his criminal parents, he was prone to become involved in crime (Geldenhuis 2004b:7). The value of biological approaches is also prominent in contemporary theories such as Moffitt's biosocial life course persistent offender theory that explains crime from a holistic perspective (Cullen & Agnew 2003:445-447).

#### **5.5.16.4 Trait theories**

Critics argue that it is unreasonable to assume that intelligence is determined solely by biology. Instead, crime is most likely to occur when individuals have traits conducive to crime *and* are in an unfavourable environment. This statement refutes the notion that only individual and/or personality traits cause criminality. Recently, researchers have amassed solid evidence documenting the cross-situational consistency and the longitudinal stability of traits and their link to criminality (Bartollas 2003:75; Cullen & Agnew 2003:33, 73-74; Reid 2003:104).

Trait theories still play an important role in the explanation of crime. Various elements of traits theories are incorporated into Moffit's life course persistent offender theory and into Sampson and Laub's crime and life course theory (Cullen & Agnew 2003:445-447; Reid 2003:152; Siegel 2005:221-224).

#### **5.5.16.5 Social disorganisational theories**

Social disorganisational theories lost much of their vitality during the late 1960s and 1970s, because theory and research focused primarily on individual, rather than group and community characteristics. Critics argue that Shaw and McKay did not supply a defined discussion of social disorganisation. Instead, they broadly suggested that social disorganisation referred to the breakdown of the social institutions in a community. Other critics suggest that social disorganisational theories are alluded to problems of cultural diversity and problems associated with certain racial groups, as these factors attribute the problem of crime to migrants and immigrants (Anderson & Dyson 2002:125-126; Bartollas 2003:101; Cullen & Agnew 2003:96-98).

However, social disorganisational theories are important tools in the assessment of criminal behaviour. These theories are incorporated into integrated and developmental theories (both the social support and crime theory, and the integrated theoretical perspective on delinquent behaviour) that explain crime from a holistic perspective (Cullen & Agnew 2003:533).

#### **5.5.16.6 Social learning and differential association**

Various criticisms against social learning and differential association exist. Firstly, the terms "frequency", "duration", "priority" and "intensity" are vague, which makes it nearly impossible to test the theory empirically. Learning theories in general are accused of proposing a view that does not deal with several critical questions relating

to the process of learning crime from others. For example, “Why does one youth succumb to delinquent behaviour and another does not?” and “Why do youths who are exposed to delinquent behaviour still engage in conforming behaviour most of the time?” Lastly, learning theories leave no room for human purpose and meaning, because they ultimately reduce the individual to an object that merely reacts to the bombardment of external forces (Anderson & Dyson 2002:180; Cullen & Agnew 2003:125-127; Bartollas 2003:130-131; Reid 2003:164-165; Siegel 2005:164-165).

Learning theories are key theoretical assessment tools used by criminologists in the analysis of among other things, violent and aggressive behaviour. These theories are also incorporated into contemporary integrated and developmental theories of crime (such as Elliott *et al*, Thornberry and Weis *et al*'s theories) in order to explain crime in a holistic manner (Anderson & Dyson 2002:176; Bartollas 2003:126-128, 146).

#### **5.5.16.7 Drift theory**

This theory challenges the notion that delinquents are “constrained” to engage in delinquency. According to this theory, the attitudes of delinquents and non-delinquents toward unlawful behaviours are basically the same. Sykes and Matza’s neutralisation theory appears to apply to some delinquent behaviour (such as aggressiveness) more than to others. These theorists admit that “hardcore” and persistent offenders may not be explained by the neutralisation theory (Bartollas 2003:133-134; Curran & Renzetti 2001:168-169). Elements of this theory are still used by criminologists to explain the justification, minimisation and rationalisation of criminal behaviour that are commonly found in some sex offenders, such as paedophiles (Schmallegger 2003:118; Winfree & Abadinsky 2003:180).

#### **5.5.16.8 Merton’s strain theory**

Merton’s classification of substance abusers as prime examples of retreatists, has been questioned as research has found that some substance abusers are materially successful (some are physicians and business people). Addiction does not necessarily cause the individual to withdraw from society, but rather to become more active in order to secure their supply of substances. Furthermore, this theory does not explain the criminal behaviour of females, why some poor people living in poverty do not engage in crime, and why the wealthy also engage in crime (Anderson & Dyson 2002:146; Bartollas 2003:108; Curran & Renzetti 2001:117; Siegel 2005:141). However, Merton’s theory is still used by criminologists to explain crimes such as terrorism. Elements of this theory are used in integrated theories such as the criminal

event theory to explain crime from a holistic perspective (Sacco & Kennedy 2002:8-19).

#### **5.5.16.9 General strain theory**

Researchers still have to examine the types of strain described by Agnew. Additional research is also needed to determine which types of strain are most strongly related to delinquency, and to test those factors that influence whether individuals react to strain with crime (Cullen & Agnew 2003:174-175, 208; Curran & Renzetti 2001:131-132; Siegel 2005:145). The general strain theory is still valuable to criminologists. For instance, a limited education (failure to achieve positively valued goals), the death of a parent or significant other (the removal of positively valued stimuli), and subjection to negative peer influences (the presentation of negative stimuli) are relevant components in contemporary society in the explanation of criminal involvement (Siegel 2005:143-145).

#### **5.5.16.10 Subcultural theories**

Criticism against Cohen's theory include that most delinquent boys eventually become law-abiding, and that some delinquent youths can be perceived to be rational and committing crime for profit or gain. The theory fails to explain the delinquent behaviour of many adolescents who drift in and out of delinquency during their teenage years, no empirical evidence exists to support the theory, and the concepts (reaction formation and lower-class internalisation of middle-class values) used in this theory are vague. Cohen's theory furthermore does not explain why all lower-class members are not attracted to subcultures, and why boys are more attracted to subcultures than girls (Anderson & Dyson 2002:164; Bartollas 2003:110-112; Cullen & Agnew 2003:186).

However, gang membership and crimes committed by gangs (such as experienced in the Western Cape and in prisons) receive prominent attention in the South African media and criminal justice system. Therefore, subcultural theories are still relevant in the understanding and explanation of crimes that are committed in a group context, and elements of this theory are used in integrated theories such as the criminal event theory to explain crime in an integrated perspective (Van der Hoven 2001a:82-84; 2001b:59-71).



#### **5.5.16.11 Lower-class culture theory**

Miller's contention that the lower classes have distinctive values has been widely criticised. Some critics argue that lower-class youths hold the same values as those of the middle and upper-class. For example, Cohen and Cloward and Ohlin claim that lower-class youths have internalised middle-class values and that their delinquent acts are a reflection of these middle-class values (Bartollas 2003:105). This theory is still used by criminologists to explain crime. For example, Farrington's theory of delinquent development incorporated elements of the lower-class culture theory in order to explain criminal behaviour in a holistic perspective (Bezuidenhout & Joubert 2003:107; Siegel 2004:294-295).

#### **5.5.16.12 The opportunity theory**

Several studies disagree with the assumptions of Cloward and Ohlin's opportunity theory. Researchers argue that the key concepts (aspiration and opportunity) are not clearly defined, a lack of evidence exists in the description of the thought processes of gang delinquents, the perceived aspirations and expectations of delinquents prove that delinquency is consistently associated with both low expectations and aspirations (meaning that delinquents may not expect to get much, but they do not want much either). This theory also portrays gang delinquents as talented youths who have a sense of injustice about the lack of legitimate opportunities available to them (Bartollas 2003:114; Curran & Renzetti 2001:125). This theory is still valuable in the explanation of crime and this is evident in the fact that elements of the opportunity theory are incorporated into Farrington's theory of delinquent development to explain crime in a holistic manner (Siegel 2004:294-295).

#### **5.5.16.13 Containment theory**

Criticism against the containment theory include that it is limited in its predictive ability, that the term "self-concept" is not measurable, and that it is difficult to measure the strength or weakness of external and internal containment. The theory does not explain why some children with poor self-concepts are not delinquent. The containment theory is too broad and its concepts too vague to produce testable hypotheses for empirical research (Reid 2003:176). Travis Hirschi attempted to eliminate these criticisms by refining the elements of control theory.

However, the containment theory is still valuable to criminologists in the explanation of crime. Various "push" and "pull" elements of this theory are incorporated into both

Cullen's social support and crime theory and in Farrington's theory of delinquent development (Bezuidenhout & Joubert 2003:107; Cullen & Agnew 2003:533).

#### **5.5.16.14 Bonding theory**

Hirschi tested his theory on a sample of California youths, using the self-report method of collecting data. He found strong evidence that young people who are not very attached to their parents and school are more likely to be delinquent than those who do have such attachments. Hirschi also found that youths who have positive attitudes toward their own accomplishments are more likely to believe in the validity and appropriateness of conventional laws and the moral rules of society than youths who are negative about their own accomplishments (Reid 2003:177).

In addition, critics cite that Hirschi's theory underestimated the importance of delinquent friends, while overestimating the significance of involvement in conventional activities. The bonding theory does not show how the four elements (attachment, commitment, involvement and belief) operate simultaneously to discourage delinquent behaviour. The relationships between the social bond's four elements are also not empirically tested (Bartollas 2003:142-143; Reid 2003:177-179; Siegel 2005:168-169). This theory is still relevant in contemporary society to explain crime, as various elements of Hirschi's theory are incorporated into integrated and developmental (such as Elliott *et al*, Thornberry and Tittle's) theories of crime to explain crime comprehensively.

#### **5.5.16.15 General theory of crime**

Research reports that across studies testing Gottfredson and Hirschi's theory, low self-control "had an effect size that exceeded .20" – a finding that would "rank self-control as one of the strongest known correlates of crime" (Pratt & Cullen 2000:951-952). However, Akers is of the opinion that research does not come to firm conclusions about the empirical validity of Gottfredson and Hirschi's theory (Reid 2003:181). Other criticisms of the general theory have focused largely on its lack of conceptual clarity, the fact that key elements of the theory remain to be tested, that the theory does not have the power to explain all forms of delinquency and crime, and that questions remain regarding the ubiquity of "self-concept" (Anderson & Dyson 2002:197; Bartollas 2003:146; Curran & Renzetti 2001:164-165). However, the general theory of crime is valuable in the explanation of crimes such as rape, serial rape, serial murder and white-collar crimes, where self-control plays an

important role in the understanding and prediction of future behaviour (Walters & Geyer 2004:263-265).

#### **5.5.16.16 Labeling theory**

Criticism against the labelling theory include that labelling is a perspective and not a theory of crime, it does not produce testable propositions, major propositions of the theory are not empirically supported, it avoids the question of causation, ignores the actual behaviour in question, views the labelee as too passive, does not acknowledge the reciprocal relationship between the actor and the reactor, overemphasises the action of society and de-emphasises the action of the subject being labelled. It also ignores personality characteristics of those who engage in deviant behaviour and focuses on the assumption that labelling produces only negative results (Anderson & Dyson 2002:211; Reid 2003:186-187; Siegel 2005:173).

This theory is still used in modern society to explain the development of deviant and criminal behaviour in juveniles, adult offenders and/or in a group context. For example, juvenile gang members act criminally in order to “live up” to the label attached to them (namely being “bad”, aggressive and/or criminal). In other words, labelled individuals fulfil the expectation and/or label attached to them by becoming involved in crime because they are expected to be criminal (Winfrey & Abadinsky 2003:221-223).

#### **5.5.16.17 Critical criminology**

Critics of early radical criminology have argued that its claims that capitalism is the “root of all evil” is not a testable theory, but rather a political dogma that begs the question of crime causation. Other critics object to radical criminologists’ attempts to expand the definition of crime to include sexism, racism, imperialism, and human rights violations, as they view this expansion as overly broad, vague, highly subjective and unscientific. They have also been criticised for neglecting gender issues (particularly violence against women), and few tests of empirical validity exist. They hold too simplistic views of communities, overlooking racist and sexist divisions within neighbourhoods that put groups in conflict (Curran & Renzetti 2001:191, 199).

Radical criminologists tend to rely heavily on qualitative evidence, historical analysis, and secondary sources for data in support of their theories. They cited statistics on wealth distribution, memberships on corporate boards of directors, commissions and

legislative bodies, as evidence of the existence of a ruling class. Various critics have pointed out that not all laws favour the interests of the ruling class. Health and safety laws, child labour laws, and anti-discrimination laws are examples of the legal system acting for the benefit of the subordinate class or deprived groups. In addition, even powerful people are often arrested, prosecuted and punished for criminal wrongdoings (Anderson & Dyson 2002:235; Curran & Renzetti 2001:190-191; Siegel 2005:191).

Various elements of critical criminology are integrated in Cullen's social support and crime theory and this illustrates the prominence that these theories still hold in contemporary society (Cullen & Agnew 2003:533).

#### **5.5.16.18 Feministic criminology**

Research shows that gender equality's "dark side" is not to create offenders, but that crime is more common among those who did not achieve equality - among women who are trapped in economically marginal positions. Furthermore, the focus on gender socialisation and occupational opportunities did not consider the structural roots of the inequality between men and women. Therefore, they did not get to the core of the problem – that patriarchy underlies how women were socialised, why women experienced discrimination in the workplace, and why women were consigned to marginal economic positions (Cullen & Agnew 2003:399-400).

Messerschmidt's theory can be criticised on a number of grounds, namely: Females are omitted from his theory; the ways in which men can demonstrate masculinity seems narrow, ignoring, for example, being a good father; and the need to be masculine over-explains many criminal acts that are committed simply because they are gratifying (Cullen & Agnew 2003:430-431). Critics also object to feminist criminologists' characterisation of all men as oppressors – as equally likely to harass, rape or batter women. They overlook the importance of other inequalities, particularly social class, inequality and racism (Curran & Renzetti 2001:221, 225)

However, concepts of feministic criminology are integrated into Cullen's theory of social support, and crime and feministic theories are still used by criminologists to explain crime in contemporary society (Cullen & Agnew 2003:533).

### 5.5.16.19 Integrated and developmental theories

Due to a lack of empirical evidence not all integrated and developmental theories have been subjected to criticism and more research is needed to test the validity of these theories. However, some shortcomings have been noted in the interactional, control balance, social development model, social support and crime and crime and life course theories.

The **interactional theory** fails to address the presence of middle-class delinquency, ignores race and gender issues, and its viewpoint that delinquency will persist throughout adolescence and into adulthood, leaves little room for short-term discontinued or permanent termination of illegal behaviour patterns (Bartollas 2003:149). This theory is, however, still widely used by criminologists to explain criminal behaviour that is related to contemporary issues pertaining to among other things, childhood abuse and neglect (low social control), and exposure to criminal peers (through association and learning) (Siegel 2004:295-296).

Regarding the **control balance theory**, Tittle cautions that:

“There are no secondary data sets currently available that will allow us to calculate anyone’s control ratio. Tests of control balance theory will have to be undertaken ‘from scratch’ with researchers designing appropriate research instruments and systematically collecting and analysing original data” (Curran & Renzetti 2001:160).

Research found that the control balance theory is incorrect in predicting that one type of imbalance will lead to a specific type of deviation. They do, however, suggest that this theory is correct in predicting that an imbalance can lead to deviation (Curran & Renzetti 2001:160). Tittle’s theory has great value for criminologists in the explanation of contract killings (the hiring of a third or fourth party in order to murder a spouse or a partner) - especially those cases where an imbalance of power and control existed between partners (Winfrey & Abadinsky 2003:295-296).

According to research, the **social development model** adequately predicts the likelihood of violence at age 18 and is able to mediate much of the effect of prior violence. However, a disorganised community with high rates of delinquency and crime, reduces the potential of delinquency preventions. Youths who are not receiving adequate support and direction from their families and who are not experiencing success in school, are most vulnerable to delinquency (Bartollas 2003:150). Despite the criticism, this theory still adequately explains criminal

behaviour that originates from exposure to violence, childhood neglect and abuse, a dysfunctional family life and association with criminal others (Siegel 2004:290-291).

The concept of **social support** represents an important addition to criminology, as Cullen is the first theorist to draw explicit attention to the central role that it may play in crime. He introduces a new variable into mainstream criminology and this theory of social support suggests a more humanitarian approach to crime. This theory is compatible with much data on crime, and preliminary empirical tests provide evidence in favour of the theory. Research reports that social support reduces delinquent involvement both directly and in combination with parental control (when parents both support and control their children) (Cullen & Agnew 2003:533-542).

Moffit's **life course persistent offender theory** does not suggest the specific types of environmental interventions to prevent life course criminality. Before such suggestions can be made, empirical studies that directly examine the characteristics of social environments that facilitate or inhibit antisocial outcome in biologically vulnerable individuals must be completed. Other critique suggests significant weaknesses concerning the lack of specific empirical tests regarding Moffit's biosocial theory (Cullen & Agnew 2003:86, 90).

## **5.6 Concluding comments**

Chapter Five examines the methodological outlay and assessment tools of the study. Firstly, qualitative research characterised by an explorative, descriptive and explanatory design directed this research project. Four adult convicted males voluntarily participated in this research project and data was collected through a literature study of the phenomenon, observation, document analysis and semi-structured interviews with the assistance of an interview schedule. These case studies were representative of the different dimensions of offender assessment, namely classification, intervention, risk management and pre-parole assessments.

Secondly, criminological assessment tools such as interviewing, observation, and theoretical explanation highlighted the necessary skills needed to conduct offender assessments. These practical skills assist criminologists in determining the onset, origin and contributory factors of crime, motives, triggers, high-risk situations, intervention indicators, and it also provides a scientific explanation of criminal behaviour. Specific attention is also paid to theories of crime as criminologists agree

that the origin, onset and contributory factors to crime can be found in the broad spectrum of crime theories.

Theoretical and contemporary theories as set out in this chapter are subject to pertinent shortcomings. However, some elements of each theory enjoy support as is evident in the inclusion of these elements in contemporary integrated theories. Criminologists are therefore, required to have a thorough understanding of this wide array of theoretical explanations in order to determine their suitability for individual case studies.