Social Reaction and Critical Models of Crime

This section will discuss the evolution of social reaction and labeling theory, reviewing contributions made by early theorists as well as modern developments in this area. We will then discuss social conflict and reaction models of criminal behavior, emphasizing the foundational assumptions and principles of Karl Marx as well as the more criminological applications of Marxist and conflict theory by Willem Borger, Austin Turk, George Vold, and others. During the 1960s and early 1970s, social reaction and labeling theories as well as various critical and conflict theories became popular. At the time, society was looking for theories that placed the blame for criminal offending on government authorities—either the police or societal institutions like economic or class structures. Here, we explore these various theories with a special emphasis on how they radically altered the way that crime and law were viewed as well as how these perspectives highly represented the overall climate in the United States at that time. Specifically, many groups of people—particularly the lower class, minorities, and women—were fighting for their rights during this period, and this manifested itself in criminological theory and research.

Labeling and Social Reaction Theory

Social reaction theory, otherwise referred to as labeling theory, is primarily concerned with how individuals’ personal identities are highly influenced by the way that society or authorities tend to categorize them as offenders. With such categorization or labeling, an offender becomes a self-fulfilling prophecy; from this perspective, and results in individuals confirming their status as criminals or delinquents by increasing the frequency or seriousness of their illegal activity. Furthermore, this perspective assumes that there is a tendency to put negative labels on lower-class individuals or minorities as offenders significantly more often than on middle- or upper-class White people.1

This perspective assumes that people who are labeled offenders have virtually no choice but to conform to the role that they have been “assigned” by society. Thus, social reaction theory claims that recidivism can be reduced by limiting stigmatization by authorities (e.g., law enforcement) and society. This is referred to as the hands-off policy.

and it became very popular in the 1960s and early 1970s. Policies that became popular during this period were
diversion, decriminalization, and deinstitutionalization (known as the 3Ds). All of these attempted to get youthful or
first-time offenders out of the formal justice system as soon as possible to avoid stigmatizing or labeling them as
offenders. Today, these very policies have led critics to dismiss labeling theory by claiming that it promotes lenient
and ineffective sentencing.1

Labeling theory was based on seminal work by George Mead and Charles Cooley, which emphasized the
importance of the extreme ways that individuals react to and are influenced by the social reaction to their roles and behavior. Mead, who was a member of the Chicago School (see Section VII), said that a person's
sense of self is constantly constructed and reconstructed through the various social interactions a person has
on a daily basis.2 Every person is constantly aware of how she or he is judged by others through social interactions.

Readers can probably relate to this in the sense that they have experienced how differently they are treated in
stores or restaurants if they are dressed nicely as opposed to being less well dressed; as you have observed, there
is a significant difference in the way one is treated. Also, when growing up, you probably heard your parents or
 guardians warn that you should not hang out with Johnny or Sally because they were “bad” kids. Or perhaps you
were a Johnny or Sally at some point. Either way, you can see how certain individuals can be labeled by authorities or society and then ostracized by mainstream groups. This can lead to isolation and typically
results in a person having only other bad kids or adults to hang out with. This results in a type of feedback system in
which the person begins associating with others who will only increase their propensity for illegal activity.3

Many strain theorists claim that certain demographic factors, such as social class or the neighborhood where a
certain offense took place, may make it more likely that the offender will be caught and labeled by authorities. This
claim is quite likely to be true, especially given recent policing strategies that target areas or neighborhoods that
have high rates of crime. This is the side of social reaction and labeling theory that deals with the disproportionate
rate at which members of the lower class and minorities are labeled as offenders.

Some of the earliest labeling theorists laid the groundwork for this perspective long before it became popular in
the 1960s. For example, in the 1930s, Frank Tannenbaum used the dramatization of evil that occurred when
youths were arrested and charged with their first offense.4 Later, other theorists such as Edwin Lemert contributed
a highly important causal sequence to how labeling affects criminality among those who are labeled. Lemert said
that individuals typically youths, commit primary deviance, which is not serious (i.e., it is nonviolent) and not
frequent, but they happen to be caught by police and are subsequently labeled.5 The stigma of the label makes them
think of themselves as offenders and forces them to associate only with other offenders. This results in what Lemert
referred to as secondary deviance in which offending is more serious (often violent) and far more frequent. Thus,
the causal model that Lemert describes is illustrated as follows:

Primary Deviance -> Caught and Labeled -> Secondary Deviance

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5Frank Tannenbaum, Crime and the Community (Boston: Ginn, 1938).

According to Lemert's model, if the label or stigma is not placed on a young or first-time offender, then the more serious and more frequent offending of secondary deviance will not take place. Therefore, Lemert's model is highly consistent with the labeling approach's hands-off policies, such as diversion, decriminalization, and deinstitutionalization. If you ignore such behavior, Lemert reasoned, it will tend to go away. However, since the mid-1970s, the get-tough approach has become highly dominant, so such policies are not emphasized by society or policy makers today.

Research on labeling theory suffered a significant blow in the 1970s and 1980s when empirical findings consistently showed that formal arrests and sanctions did not tend to have results that supported traditional labeling theory. In fact, most people who are arrested once are never arrested again, which tends to support deterrence theory and does not support labeling theory. In addition, some experts have concluded that “the preponderance of research finds no or very weak evidence of [formal] labeling effects... The soundest conclusion is that official sanctions by themselves have neither strong deterrent nor a substantial labeling effect.” Furthermore, some theorists have questioned the basic assumptions of labeling theory, pointing out that the label does not cause the initial (or primary) offending and that labeling theorists largely ignore the issue of what is causing individuals to engage in illegal activity in the first place. Also, labeling theorists do not recognize the fact that offenders who are caught tend to be the ones who are committing more crimes than those who are not caught; in fact, there tends to be a strong relationship between being caught and committing multiple offenses.6

However, more contemporary research and theorizing have emphasized more informal forms of labeling, such as labeling by the community, parents, or friends. Studies have shown more support for the influence of this informal labeling on individuals' behavior. After all, it only makes sense that informal labeling by people with whom you interact on a daily basis (i.e., parents, friends, neighbors, employers) will have more impact in terms of how you feel about yourself than labeling by police or other authorities, which tends to be temporary or situational.

Marxist Theories of Crime

Based on the writings of Marx, Marxist theories of crime focus on the fact that people from the lower classes (i.e., the poor) are arrested and charged with crimes at a disproportionate rate. Like conflict criminology, Marxist

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7Akers and Sellers, Criminological Theories, 142.
theories emphasize the effects of a capitalistic society on how justice is administered, describing how society is divided by money and power. Marx said the law is the tool by which the bourgeoisie (the ruling class in a country without a ruling aristocracy, e.g., industrialists and financiers in Western industrialized countries) controls the lower classes (the proletariat and the lowest group, the lumpenproletariat) and keeps them in a disadvantaged position. In other words, the law is used as a mechanism by which the middle or upper class maintains its dominance over the lower classes. More specifically, Marx claimed that law was used as a tool to protect the economic interests and holdings of the bourgeoisie, as well as to prevent the lower classes from gaining access to financial resources. Thus, Marxist theories propose that economic power can be translated into legal or political power and substantially accounts for the general empowerment of the majority.

Willem Bonger

One early key theorist who applied Marxist theory to crime was Bonger, who emphasized the relationship between economy and crime but did not believe simply being poor would cause criminal activity. Rather, he thought crime came about because capitalism caused a difference in the way individuals felt about society and their place in it. In the early 1900s, Bonger said that the contemporary economic structure, particularly capitalism, was the cause of crime in the sense that it promoted a system based on selfishness and greed. Such selfishness manifests itself in competition among individuals, which is obvious in interactions and dealings carried out for the purpose of obtaining goods and resources. This competition and selfishness led to more isolation, individualism, and egoistic tendencies, which promote a strong focus on self-interests at the expense of communalitarianism and societal well-being. Bonger believed that this strong focus on the individual leads to criminal behavior. He also stressed the association between social conditions (largely the result of economic systems) and criminal offending because of cultural differences, crime can be a normal, adaptive response to social and economic problems, he argued. The poor often develop a strong feeling of injustice, which also contributes to their entering into illegal activity.

Richard Quinney

Although Bonger’s theory did not become popular in the early 1900s, when his book was originally published, his ideas received a lot of attention when a neo-Marxist period began in the early 1970s. This renewed interest in Marxist theory was coupled with harsh criticisms leveled at the existing theoretical frameworks, which is why these neo-Marxist theories are often referred to as critical theories. This time, Marxist theories of crime became quite popular, largely because the social climate desired such perspectives. Whereas notable European theorists in this vein include Jan Taylor, Paul Walton, and Jock Young, one of the key figures in this neo-Marxist perspective in the United States was Richard Quinney.

Like Bonger, Quinney claimed that crime was caused by the capitalistic economic structure and the emphasis on materials that this system produced. One way that Quinney’s theory goes beyond Bonger is that Quinney further proposed that even the crimes committed by the upper classes are caused by capitalism. To clarify, Quinney claimed that such acts are crimes of “domination and repression” committed by the elite to keep the lower classes down or to protect their property, wealth, and power. A good example is white-collar crimes, which almost always involve raising profits or income, whether for individual or company advantage; such crimes often result in losses to the relatively lower-income clients or customers.

Evidence regarding Marxist Theories of Crime

Many critics noted that these seminal Marxist theories of crime were too simplistic as well as somewhat naive in the sense that they seemed to claim that the capitalistic economic system was the only reason for crime and that socialism or communism was the only sure way to reduce crime in the United States. Now, even most Marxist theorists reject this proposition. Thus, more modern frameworks have been presented that place more emphasis on factors that stem from capitalism. For example, Mark Colvin and John Paul presented a theoretical model that claims that delinquency and crime are the result of problematic parenting, which results from the degrading and manipulative treatment that parents of lower-class children get in the workplace. However, the empirical tests of this more modern Marxist theory have demonstrated rather weak effects regarding the importance of capitalism (or parenting practices resulting from employment positions or social class). Thus, there does not seem to be much empirical support for Marxist or neo-Marxist theories of crime, which is perhaps why this theoretical framework is not one of the primary models currently accepted by most criminologists.

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12Bernard et al., Vold’s Theoretical Criminology.
14Bernard et al., Vold’s Theoretical Criminology; Akers and Sellers, Criminological Theories.
15Bonger, Criminality and Economic Conditions.

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18Quinney, Critique of Legal Order. See also Akers and Sellers, Criminological Theories, 224–26, for a discussion.
19For a discussion, see Akers and Sellers, Criminological Theories, 226–31.
Conflict Theories of Crime

Conflict theories of crime assume that all societies are in a process of constant change and that this dynamic process inevitably creates conflicts among various groups.

Much of the conflict is due to the competition to have each group's interests promoted, protected, and often put into law. If all groups were equally powerful and had the same amount of resources, such battles would involve much negotiation and compromise; however, groups tend to differ significantly in the amount of power or resources that they have. Thus, laws can be created and enforced such that powerful groups can exert dominance over the weaker groups. So, as in Marxist theories, law is seen as a tool by which some groups gain and maintain dominance over less powerful groups. Furthermore, this state of inequality and resulting oppression creates a sense of injustice and unfairness among members of the less powerful groups, and such feelings are a primary cause of crime.

There are several types of conflict theory; and fittingly, for this framework (as well as inherently supportive of the model), theorists of varying types often give scathing reviews of the other types of conflict theory. Marxist theories are one example. Critics have noted that many communist countries (e.g., Cuba, Russia) have high rates of crime, whereas some countries that have capitalist economic structures have very low crime rates, such as Sweden. Another type of conflict theory is referred to as pluralistic; it argues that, instead of one or a few groups holding power over all the other groups, a multitude of groups must compete on a relatively fair playing field. However, this latter type of conflict theory is not one of the more popular versions among critical theorists because it is sometimes seen as rather naive and idealistic.

Some of the key theorists in the pluralistic (conflict) perspective are Thorsten Sellin, Vold, and Turk.

Thorsten Sellin

Sellin applied Marxist and conflict perspectives, as well as numerous other types of models, to studying the state of cultural diversity in industrial societies. Sellin claimed that separate cultures will diverge from a unitary, mainstream set of norms and values held by the dominant group in society. Thus, these minority groups that break off from the mainstream will establish their own norms. Furthermore, when laws are enacted, they will reflect only the values and interests of the dominant group, which causes what Sellin referred to as border culture conflict. This conflict of values, which manifests itself when different cultures interact, can cause a backlash by the weaker groups.

Case Study: Ted "the Unabomber" Kaczynski

Ted Kaczynski

In 1978, the explosion of what was considered a primitive homemade bomb sent to a Chicago university started Theodore Kaczynski's "campaign of terror." Over the next 17 years, these bombs were either hand-delivered or mailed, resulting in three deaths and 24 injuries. In 1979, a Federal Bureau of Investigation (FBI) task force, including the Bureau of Alcohol, Tobacco, Firearms, and Explosives and the U.S. Postal Inspection Service, was formed to investigate what was designated as the UNABOM (university and airline bombing) case. This task force, which grew to more than 150 full-time investigators, analysts, and others, attempted to recover bomb components and examined the lives of the victims in an effort to identify the bomber.

(Continued)
Evidence regarding Conflict Theories of Crime

Empirical tests of conflict theories are rare, likely because of the nature of the framework, which lends itself to a global view of societal structure and a perhaps infinite number of interest groups who are constantly in play for power.16 However, one notable study found evidence of a relationship between U.S. states that had large numbers of interest groups and violent crime but not property crime.17 The authors concluded that these findings demonstrated the need for more discussion about how competitiveness in the United States affects criminal behavior, but no other studies have examined the influence of political interest groups on criminal behavior. It is rather difficult to test conflict theory in other ways. Perhaps conflict theory researchers should build an agenda of more rigorous ways to test the propositions of their theoretical perspective; as it stands, it remains quite vague. The few studies there are do not seem rigorous enough to persuade other criminologists or readers toward accepting the validity of this model.18

Despite the lack of empirical research supporting the conflict (and Marxist or critical) theories of crime, there is little doubt that such perspectives have contributed much to the theorizing and empirical studies of criminologists regarding this framework. In fact, the American Society of Criminology (ASC)—which is probably the largest and best-known professional society in the discipline—has a special division made up of experts devoted to this area of study. Thus, it is likely that theorizing and empirical research will be greatly enhanced in the near future. Furthermore, it is clear that criminologists have acknowledged the need to explore the various issues presented by the conflict and Marxist perspectives in research in criminal justice and offending.

Policy Implications

A variety of policy implications have come from the theoretical perspectives reviewed in this section. Regarding social reaction and labeling theory, several policies have evolved, known as the Ds: diversion, decriminalization, and deinstitutionalization. Diversion, which is now commonly used, involves trying to get cases out of the formal justice system as soon as possible. Courts try to get many juvenile cases and, in recent times, drug possession cases diverted to a less formal, more administrative process (e.g., drug courts, youth accountability boards or teams). Such diversion programs appear to have saved many billions of dollars, since the offenders would otherwise have been incarcerated, while providing a way for first-time or relatively minor offenders not to experience the stigmatizing effects of being incarcerated. Although empirical evaluations of such diversion programs are mixed and suffer from methodological problems (i.e., the individuals who volunteer or qualify for such programs are likely the better cases among the sample population), some studies have shown their potential promise.19

There have also been numerous examples of decriminalization, which refers to reducing the criminality of certain illegal activities. A good example is the legal approach to marijuana possession in California. Unlike other jurisdictions, California does not incarcerate individuals for possessing less than an ounce of marijuana; rather, they receive a citation, similar to a parking ticket. There are many other forms of decriminalization (which is distinguished from legalization, which makes an act completely legal and not subject to legal sanction). The purpose of decriminalization is to de-emphasize less dangerous crimes and decrease the resources devoted to offenders who

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17 FBI 100.
18 See discussion by Akers and Sellers, Criminological Theories, 210–12.
20 Ellis and Walsh, "Criminologists' Opinions."
pose less danger to society. In terms of social reaction and labeling theory, decriminalization also reduces the stigmatization of individuals who are relatively minor offenders but would likely become more serious offenders if they were incarcerated with more chronic offenders.

Another policy implication of this section is deinstitutionalization. In the early 1970s, federal laws were passed that ordered all youth status offenders to be removed from incarceration facilities. This has not been accomplished; some are still being placed in such facilities. However, the number and rate of status offenders being placed in incarceration facilities has declined, avoiding any further stigmatization and integration into further criminality. Overall, this deinstitutionalization has kept relatively minor, often first-time offenders from experiencing the ordeals of incarceration.

Additional policy implications that can be inferred from this section involve providing more economic and employment opportunities to those who do not typically have access to such options. From a historical perspective, such as the New Deal, which was meant to deal with the effects of the Great Depression of the 1930s, providing more employment opportunities can greatly enhance the well-being of the population, and in that period, there was a very significant decrease in crime and homicide rates (see Section I). Today, perhaps nothing could be more important in our nation than creating jobs; the ability to do this will largely determine future crime rates.

The bulk of policies that have been derived from conflict theories have emphasized attempting to make laws, enforcement, and processing through the justice system more equitable in terms of social class. For example, the federal sentencing guidelines were recently reviewed for drug possession because it became clear that they were unfair in how they punished drug possession offenders. Specifically, according to the 1980s guidelines, possession of an ounce of crack cocaine earned a defendant a sentence 100 times longer than an offender who possessed an ounce of powder cocaine. Not surprisingly, crack cocaine is typically used and sold by lower- or middle-class Whites. The disparity in this form of sentencing, which clearly penalizes a certain group of people more than another, has recently become a target for reform by the Obama administration, so there are current efforts to address this issue. This is just one example of how laws and processing are significantly disproportionate in the sense that certain groups (typically lower-class minorities) are arrested, punished, and locked up far more than well-to-do offenders. Studies showing higher conviction rates and longer sentences for offenders who must rely on public defendants to represent themselves consistently support the high degree of disparities in the criminal justice system, which policies derived from conflict theory attempt to address.

Recently, these hands-off policies have been less attractive to authorities and politicians who want to be seen as hard on criminal offenders so they will be elected or retained in office. Still, due to recent economic crises in many state and local communities, it is likely that many jurisdictions will reconsider these approaches and find alternative strategies for dealing with nonviolent offenders.

**Conclusion**

This section examined the theories that place responsibility for individuals’ criminal behavior on societal factors, particularly factors that are unjust or discriminatory. Specifically, this section discussed theories of social reaction or labeling as well as critical perspectives of criminal behavior. All of these theories have a common theme: They emphasize the use of legal or criminal justice systems to target or label certain groups of people (the poor, women, etc.) as criminals while protecting the interests of those who have power (typically White males). Given the evidence discussed here, you will have enough evidence to make objective conclusions about whether this perspective is valid as well as which aspects of these theories are more supported by empirical research and which are more in question.

We also examined Marxist perspectives of society as explanations of crime. Other theories were examined that are similar to Marxist theory but also include other types of group conflict than those just based on economic factors, such as cultural and political. Most of these latter types of group conflict theories claim that there are a multitude of groups constantly competing for power and influence over the other groups, especially by trying to enact or enforce laws favorable to their group.

**SECTION SUMMARY**

- First, we explored the basic assumptions of social reaction and labeling theory.
- We then reviewed the primary theoretical concepts and propositions of labeling theory, especially the importance of distinguishing primary deviance from secondary deviance.
- We discussed the current state of labeling theory, which emphasizes informal sources of social reaction, not just the formal sources as in traditional models.
- Then we examined Marx’s perspective on reasons for class conflict, particularly the conflict between the bourgeoisie and the proletariat.
- We then discussed numerous subsequent versions of Marxist theory that attempted to directly explain crime.
- One of these was developed by Bourgeois, who claimed that the contemporary economic structure, particularly capitalism, was the cause of crime in the sense that it promoted a system based on selfishness, individualism, and greed rather than more communitarian values and goals.
- Another Marxist perspective of crime was presented by Quinney, who went a bit further than Bourgeois in proposing that even the crimes committed by the upper classes are caused by capitalism, such as crimes of “domination and repression” committed by the elite to keep the lower classes down or to protect their property, wealth, and power.
- We also examined conflict theories that were not based only on Marxist principles or limited to economic factors but rather emphasize that there are multiple groups that are constantly competing for influence and power, which results in crime.
- One key culture conflict theory was proposed by Sellin, who claimed that when laws are enacted, they will reflect only the cultural values and interests of the dominant group, which can cause a backlash by the weaker groups that tend to react defiantly or defensively.
- Void presented a theory that various groups compete with each other for power and to promote their values and interests via control of political processes and enacting laws that can suppress the other groups.
- Also, Turk proposed a theory that emphasized the idea that a certain level of conflict among groups can be very beneficial because it reminds citizens to consider whether the status quo or conventional standards can be improved and also applied group conflict to the various agencies in the criminal justice system.

**KEY TERMS**

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