

PART VI

Labeling Theory: Societal Reaction and the Creation of Criminals

Nearly all criminological theories use the *offender* as the starting point of their analysis. Vigorous debates subsequently ensue over whether the key cause of crime is found inside or outside the offender, and, in either case, there is the additional debate over which specific individual difference or which social experience trumps the others as the preeminent criminogenic factor. Still, these differences aside, there is consensus that the search for crime's etiology must begin by studying the people who break the law.

The distinctiveness of the "labeling" or "societal reaction" perspective, however, lies in its rejection of using the offender as the lynchpin of criminological analysis. Labeling theory proposes that we focus our attention not on the behavior of offenders but on the *behavior of those who label, react to, and otherwise seek to control offenders*. Labeling theory argues that it is these efforts at social control that ultimately trigger the processes that trap individuals in criminal careers. Labeling or societal reaction thus has ironic and unanticipated effects: it creates the very thing it is intended to stop—it produces a self-fulfilling prophecy.

Creating Criminals: Secondary Deviance

Many early criminologists recognized that placing people in prisons—or "houses of corruption," as Shaw (1966 [1930]) called them—could deepen

involvement in crime. These insights on the effects of "labeling," however, were largely voiced in passing and were not integrated into the scholar's theory of criminal behavior. Frank Tannenbaum's (1938: 19–21) discussion of the "dramatization of evil" stands out as a noteworthy exception to this tendency to treat the effects of labeling as a subsidiary concern. For this reason, the roots of labeling theory are often traced to his work.

In *Crime and the Community*, Tannenbaum endorsed the view of the Chicago school that crime was not a manifestation of individual differences but learned as part of an "educational process" in the community. Youths were surrounded by criminal influences, including gangs and older offenders. Even so, a "decisive step in the education of the criminal" is being arrested and having his or her delinquent status held up for public scrutiny—that is, having one's evil "dramatized" (1938: 71). In his most famous passage, Tannenbaum asserted that "the process of making the criminal, therefore, is a process of tagging, defining, identifying, segregating, describing, emphasizing, making conscious and self-conscious; it becomes a way of stimulating, suggesting, emphasizing, and evoking the very traits that are complained of" (p. 20).

In setting forth this thesis, Tannenbaum anticipated many of the key ideas elaborated by later labeling theorists. He noted, for example, that once arrested and labeled a criminal, a youth is forced "into companionship with other children

similarly defined," the result of which is that the youth is exposed to criminal "mores" and "has a new set of experiences that lead directly to a criminal career" (p. 20). Youngsters also begin to think differently about themselves. "In this entirely new world," observed Tannenbaum, "he is made conscious of himself as a different human being than he was before his arrest. He becomes classified as a thief, perhaps, and the entire world about him has suddenly become a different place for him and will remain different for the rest of his life" (p. 19). In the end, by labeling a juvenile with the official status of a delinquent, "the person becomes the thing he is described as being" (p. 20). The best policy in dealing with juveniles is "a refusal to dramatize the evil. The less said about it the better" (p. 20).

The idea that reacting to wayward conduct only makes it worse was conceptualized even more clearly by Edwin Lemert. Writing in 1951, he introduced the concepts of "primary" and "secondary" deviance (see also Lemert, 1972; Rosenberg, 2010). For Lemert, primary deviations occur for a wide range of reasons, some individual and some situational. These deviations are seen by individuals as peripheral to their identity and to the conventional social roles they typically perform on a daily basis. The inconsistency of deviating but not seeing this conduct as a reflection on one's identity creates tension that is "rationalized or otherwise dealt with as functions of a socially accepted role" (Lemert, 1951: 75). One might drink a great deal but still see oneself as a college student, not a "drunk."

Secondary deviance occurs when the individual no longer dissociates from his or her deviation. Instead, the person's "life and identity are organized around the facts of deviance" (Lemert, 1972: 63). But what causes this qualitative shift from primary to secondary deviance? Lemert argued that the key factor prompting a person's life to coalesce around deviance is the "reactions of others." Typically, a gradual process unfolds in which a cycle of deviation and negative reactions from others is repeated and amplified. Continued

deviations call forth increasingly stigmatizing reactions from others. In the course of this interaction, the person eventually accepts his or her "deviant social status" and makes "efforts at adjustment based on the associated role" (Lemert, 1951: 77). They see themselves as deviant and make life choices that are constrained by and reaffirm their deviant status. "When a person begins to employ his deviant behavior or a role based upon it as a means of defense, attack, or adjustment to the overt and covert problems created by the consequent societal reaction to him," stated Lemert (1951: 76), "his deviation is secondary."

Thus, Lemert and Tannenbaum both proposed that when wayward people experience stigmatizing societal reactions, their world is transformed into one in which their criminal (or deviant) status defines their social existence and self-conception. The result is a deepening, not a reduction, of their criminality. Neither Lemert's nor Tannenbaum's insights, however, gained the sustained attention of their contemporaries. It was not until the mid-1960s, with the writings of Howard Becker (1963), Kai Erikson (1966), John Kitsuse (1964), Edwin Schur (1969), and others, that an identifiable school of criminology emerged that self-consciously referred to itself as "labeling" or "societal reaction" theory. In fact, it was at this time that the earlier works of Lemert and Tannenbaum were resurrected and redefined as falling within the tradition of labeling theory.

The Rise and Fall of Labeling Theory

Extending the work of Lemert and Tannenbaum, a group of scholars in the 1960s and early 1970s argued that societal reaction, not the offender, should be the centerpiece of criminological analysis. They focused on three issues that, in one way or another, challenged the assumptions traditionally held in the discipline.

First, criminologists usually define crime as "behavior that violates a criminal law." For labeling theorists, however, this definition takes the existing laws as a given rather than treating them

as a social reality that has been "constructed" through a systematic analysis of "societal reactions existing reality and asks why definitions of these behaviors are labeled as crime and also asks why definitions of these change over time.

Take, for example, the sexual assault that occurs on a date. Until the 1970s, sexual assaults were not seen or treated as crimes. The label was largely reserved for situations in which a woman was raped and visibly injured in the process of assault—the signs that a "real" rape took place (Estrich, 1987). The length of time a woman's rights groups, however, should be considered a rape. The growing acceptance of the concept of sexual assault commensurate with redefined sexual relationships. Coercion, not whether the offender knew one another, became the criterion that should distinguish a rape from a consensual act. The concept of rape has been committed to a definition in which the act of rape took on expanded meaning and passed a wider range of victim definitions (Estrich et al., 2010).

Second, once labels or categories have been invented, not everyone who is detected and designated as a "criminal," therefore, does not become a criminal. It is not the person's actions but on how others react to them. Various factors—legal definitions, social norms, and public opinion affect whether a label is attached to the person's public reputation and how it is altered.

Commenting on the concept of crime, Howard Becker argued that just as well could the concept of crime—Howard Becker argued the thrust of the labeling theory—that deviance is socially constructed rather than an invariant, objective reality. He argued that the traditional "sociological" definition of deviance as the infraction of a rule. But "such an assumption takes the central fact about deviance

as a social reality that has been “constructed.” A systematic analysis of “societal reactions” questions existing reality and asks why certain behaviors are labeled as crime and others are not. It also asks why definitions of these behaviors can change over time.

Take, for example, the sexual assault of women that occurs on a date. Until recently, these assaults were not seen or treated as “rape.” This label was largely reserved for those victimizations in which a woman was raped by a stranger and visibly injured in the process of resisting the assault—the signs that a “real rape” had taken place (Estrich, 1987). The lengthy struggle of women’s rights groups, however, challenged what should be considered a rape. The invention and growing acceptance of the concept of “date rape” redefined sexual assaults committed in intimate relationships. Coercion, not whether the victim and offender knew one another, was trumpeted as the criterion that should distinguish when the crime of rape has been committed. A new reality thus was constructed in which the legal category of rape took on expanded meaning and encompassed a wider range of victimizations (Fisher et al., 2010).

Second, once labels or categories of crime have been invented, not everyone who “breaks the law” is detected and designated a “criminal.” Being a “criminal,” therefore, does not depend only on a person’s actions but on how others react to that person. Various factors—legal and extralegal—affect whether a label is attached and, as a result, the person’s public reputation is qualitatively altered.

Commenting on the concept of deviance—in words that just as well could be applied to the concept of crime—Howard Becker (1963) captured the thrust of the labeling theory argument that deviance is socially constructed rather than an invariant, objective reality. He began by noting that the traditional “sociological view . . . defines deviance as the infraction of some agreed-upon rule.” But “such an assumption . . . ignore[s] the central fact about deviance: it is created by

society.” More specifically, “social groups create deviance by making the rules whose infraction constitutes deviance, and by applying those rules to particular people and labeling them as outsiders.” In Becker’s view, then, “deviance is not a quality of the act the person commits, but rather a consequence of the application by others of rules and sanctions to the ‘offender.’” Labeling or societal reaction thus creates deviants. “The deviant is one to whom the label has successfully been applied; deviant behavior is behavior that people so label” (all quotes from Becker, 1963: 8–9, emphasis in the original).

While these concerns illuminated the need to study the creation and application of labels, the third focus of labeling theory was on the *consequences* of being labeled and treated as a criminal. As noted, in a rejection of offender-based explanations of crime, labeling theorists argued that reacting to people as “criminals” initiated processes that had the self-fulfilling prophecy of making the person become a criminal—someone more deeply entrenched in a criminal career. They noted that once a person bore the label of a “criminal,” it became a “master status”—the most salient public feature of that person. Being a “criminal” thus serves as the focal point of virtually every interaction, a defining designation that cannot be escaped.

Drawing on the sociological theory of symbolic interactionism, labeling theorists argued that a person’s identity or self-conception is shaped by the messages other people deliver as to “who the person is.” Although the process is not rigidly deterministic—identities can be resisted and can be manipulated (e.g., by “putting one’s best foot forward”)—the constant appraisal that a person is a “criminal” eventually takes its toll. Over time, those who have been labeled come to embrace the idea that they are, in fact, “criminals.” This identity in turn makes choosing crime more likely, as people act consistently with their public and now privately held identity.

Labeling transforms not only a person’s identity but also his or her social relationships.

Although not often phrased this way, in essence scholars saw labeling as triggering the very conditions that competing theories linked to crime. Thus, once stigmatized as a "criminal," the person loses conventional social relationships (social bond theory), is forced to associate mainly with other criminals—whether in prison or on the streets (social learning theory), and as an "ex-offender" is denied opportunities for employment (strain theory). Engulfed by these criminogenic conditions, the labeled person is constrained to pursue a life in crime.

As the 1960s progressed, labeling theory's popularity grew to the point where it rivaled, if not surpassed, that of more traditional theoretical perspectives (Cole, 1975). As Hagan (1973) notes, part of labeling theory's appeal was that it was "interesting." Criminologists are attracted to ideas, says Hagan, that reverse a "conventionally assumed causal sequence" (1973: 456), which is precisely what labeling theory attempts. Thus, common sense would dictate that arresting, trying, imprisoning, and rehabilitating offenders would make crime less likely; after all, the manifest function of processing offenders through the criminal justice system is to reduce their recidivism and to make society safer. The unique twist to labeling theory was the claim that these very efforts to prevent crime actually cause crime.

But labeling theory was appealing for another reason. The theory, if correct, contained a stinging critique of state power as exercised by the criminal justice system. Recall that during the 1960s and early 1970s, the United States was greeted with revelation after revelation of the government abusing its power—from Civil Rights demonstrators being beaten, to inmates being gunned down at Attica, to students being shot at Kent State, to Viet Nam, to Watergate, and on and on. As trust in the state plummeted—especially on university campuses—a theory that blamed the government for causing more harm than good struck a chord of truth. Labeling theory, of course, did precisely this in arguing that the criminal justice system stigmatized offenders and ultimately trapped

them in a criminal career. The obvious policy implication was to reduce state intervention into the lives of offenders (Schur, 1973). Most important, juveniles were to be diverted from the system altogether, and virtually all offenders were to be kept out of prison.

In 1973, William Chambliss brought to life the key insights of labeling theory in his classic essay, "The Saints and the Roughnecks" (Chapter 18 in this volume). In an ethnographic study, Chambliss (1973: 24) spent two years "hanging out with two groups of youths from "Hannibal High School"—one group of "eight promising young men" who he called "the Saints" and "six lower-class white boys known as the Roughnecks." Although the members of both groups engaged in a variety of delinquent acts, their waywardness was viewed differently by the townspeople, school officials, and police. The Saints were seen as "good boys who just went in for the occasional prank," observed Chambliss. "After all they were well dressed, well mannered and had nice cars" (p. 27). By contrast, "everyone agreed that the not-so-well-dressed, not-so-well-mannered, not-so-rich" Roughnecks "were heading for trouble" (p. 27). The Saints' delinquency also was less visible, in part because they used their cars to drive to another community to engage in shenanigans and in part because the police saw little reason to stop such "good boys who were among the leaders of the youth in the community" (p. 26). "Lacking transportation," however, the Roughnecks were more likely to hang out and misbehave in public spaces in "the center of town" (p. 29). They tended to be impolite to adults and to be "constantly involved with the police" (p. 27). In different ways, social class thus played an integral role in shaping which group was labeled as "young criminals" (p. 28).

These labels proved consequential. Despite their deviance, all but one Saint moved on to college and then to a successful career. Two of the Roughnecks escaped a life course in crime by earning football scholarships to college, later marrying and becoming high school teachers

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and coaches. Most other members of the group, however, ended up involved in crime, with two serving time in prison on murder charges. Chambliss (1973: 31) described the labeling process that led to this outcome:

The community responded to the Roughnecks as boys in trouble, and the boys agreed with that perception. Their pattern of deviancy was reinforced, and breaking away from it became increasingly unlikely. Once the boys acquired an image of themselves as deviants, they selected new friends who affirmed their self-image. As that self-conception became more firmly entrenched, they also became willing to try new and more extreme deviances. With their growing alienation came freer expression of disrespect and hostility for representatives of the legitimate society. This disrespect increased the community's negativism, perpetuating the entire process of commitment to deviance.

Despite its intuitive appeal, the long-term viability of labeling theory as a comprehensive explanation of crime was undermined by the disclosure of an empirical weakness (see especially Gove, 1980; cf. Cullen and Cullen, 1978). In its most extreme and interesting form, labeling theory proposed that societal reaction, especially by the criminal justice system, was the key factor in—indeed, a necessary and sufficient condition for—offenders becoming stabilized in a criminal career. But this claim is obviously false, as early critics realized (see, e.g., Mankoff, 1971). As life-course research reveals, stability of crime and deviance often emerges early in life before formal interventions have taken place (see, e.g., Moffitt, 1993 [Chapter 43]; Sampson and Laub, 1993). That is, being officially labeled through an arrest, conviction, and prison sentence often comes in response to an individual's breaking the law and becoming entrenched in a criminal role. As will be noted, the fact that life-course-persistent offending has its origins in other conditions does not mean that labeling, when it occurs, has no effect. Although not the sole cause of offending,

research suggests that it is a contributing factor to deepening criminal involvement.

On a broader level, labeling theory wishes to pretend that being raised in criminogenic conditions for 10, 15, or 20 years is largely inconsequential. The effects of these day-in and day-out experiences—such as having a dysfunctional family life, associating with delinquent friends, and failing at school—are said to pale in comparison to the effects, albeit over a more limited time, of being arrested and perhaps jailed. This assertion is not credible and cannot be sustained empirically. If true, it would mean that all other theories of crime would be incorrect because they attribute criminal involvement to an array of factors that do not include labeling either in the community or by criminal justice officials.

Contemporary Labeling Theories

Chastened by withering critiques of labeling theory, criminologists moved on to other theoretical frameworks. Whereas they had once embraced the theory without any evidence of its validity (Hagan, 1973), criminologists now rejected labeling theory on the grounds that the perspective “had no empirical support.” More recently, however, a revisionist position has emerged that suggests that it would be premature to dismiss societal reaction as irrelevant to crime causation. Thus, a number of quality studies have shown that contact with the criminal justice system increases recidivism (see Farrington and Murray, 2014). The research on the criminogenic effect of system involvement on juveniles is mounting (Cullen, Chouhy, et al., 2020; Motz et al., 2020).

Of particular concern, more than 6.4 million adults—1 in every 40 in the United States—are under correctional supervision on any given day. This figure includes nearly 4.4 million on probation or parole and more than 2.1 million in prison or jail (Maruschak and Minton, 2020). Some evidence exists that due to inmate releases tied to the Covid-19 pandemic, the incarcerated

population may have slipped to 1.8 million, at least temporarily (Kang-Brown et al., 2021). Imprisonment is racially disproportionate. As Currie (2020: 206) notes, the “prison incarceration rate for African American men is more than 2,300 per 100,000 population, six times the rate for whites.” Moreover, it is estimated that more than 600,000 federal and state inmates return to society annually (Jonson and Cullen, 2015). During the past decade, there has been a much-belated but growing recognition that successful prisoner reentry is a pressing problem (Gunnison and Helfgott, 2013; Mears and Cochran, 2015; Petersilia, 2003; Travis, 2005). Imprisonment is known to disrupt family relationships and to decrease job prospects by stigmatizing people as “ex-offenders” (Alexander, 2010; Pager, 2007; Pattillo et al., 2004). Programs to help those reentering the community assume productive prosocial roles are in short supply. Not surprisingly, recidivism rates among returnees are high (Jonson and Cullen, 2015).

In fact, the existing empirical evidence suggests that placing offenders in prison does little to deter future criminality and, in fact, may be criminogenic (Cullen et al., 2011; Nagin et al., 2009; Petrich et al., 2021). That is, imprisonment may have labeling effects, creating rather than preventing criminal involvement (see also Cullen and Jonson, 2017). In this context, understanding the impact of societal reaction on individuals takes on renewed criminological significance.

In this regard, four theoretical developments have emerged that may help to revitalize interest in studying the effects of societal reaction: Ross Matsueda’s focus on informal reactions, John Braithwaite’s focus on reintegrative shaming, Lawrence Sherman’s focus on defiance, and Shadd Maruna’s focus on redemption scripts.

First, within criminology, labeling theory had usually been interpreted as contending that the application of *formal* criminal sanctions was the key societal reaction that fostered career criminality. This position made sense, since criminal sanctions involved a person’s official and public designation as a “criminal” and could involve a

lengthy stay behind bars. Less attention was paid, however, to the potential role played by *informal* sanctions—that is, the societal reactions of parents, friends, neighbors, and the like. There is at least beginning evidence that, under some circumstances, informal societal reactions can worsen wayward conduct (see, e.g., Triplett and Jarjoura, 1994; Ward and Tittle, 1993; see also Wells and Rankin, 1988).

Ross Matsueda provides the most sophisticated theoretical statement of the potential criminogenic effects of informal labeling. Drawing on symbolic interactionism, Matsueda argues that a key proximate cause of delinquent behavior is the “reflected appraisals of others”—that is, a youth’s perception that other people, especially those “significant” to the youngster (e.g., parents)—view him or her as a “delinquent.” In part, this reflected appraisal is influenced by the youth’s own behavior: juveniles who engage in delinquency are more likely to believe that others see them as “troublemakers.” Reflected appraisals also are influenced, however, by the “actual appraisals of others.” Thus, when youngsters are appraised or labeled as a delinquent (e.g., by their parents), they perceive that others see them as wayward and act upon this conception of themselves. In short, labeling creates a delinquent “self,” which in turn prompts illegal conduct. It is noteworthy that Matsueda has marshaled evidence supporting this causal sequence (Bartusch and Matsueda, 1996; Matsueda, 1992; see also Heimer and Matsueda, 1994).

Second, another avenue for the revitalization of labeling theory starts with the observation that the effects of societal reaction are contingent on a range of factors. Traditional statements of labeling theory assumed that societal reaction virtually always increases crime and deviance. This thesis, however, is clearly false. Research from corrections, for example, shows that while punitive interventions have no effect or increase recidivism, rehabilitation programs reduce future criminality (Bonta and Andrews, 2017; Cullen and Jonson, 2014; Manchak and Cullen, 2015).

John Braithwaite (1989 [Chapter 19] developed the most noteworthy attempt when societal reaction, whether formal or informal, results in more or less criminality (Braithwaite et al., 2006). “The first step in theorizing about crime is to think contentiously that labeling offenders makes things worse. The contention,” observes Braithwaite (1989: 12), “is both right and wrong: if a criminal act is detected, attempts to shame the person, a concept that encompasses “all social processes of expression and approval which have the intention or effect of evoking remorse in the person being shamed or condemnation by others who believe in the shaming” (p. 100). Whether such shaming “makes things worse,” however, depends on the quality of the societal reaction.

In his central proposition, Braithwaite (1989) contended that shaming is consistent with labeling theory, that shaming increases crime. In this view, the effort is made to reconcile the offender with the community” (1989: 101). Instead, the offender is made into an outcast and is cut off from traditional relationships. As a result, the offender is often in criminal subcultures, where his or her behavior is reinforced and opportunities to correct behavior are plentiful.

Unlike labeling theory, however, Braithwaite recognizes that another form of societal reaction exists: *reintegrative* shaming, a process in which shaming “is followed by efforts to reintegrate the offender back into the community of law-abiding or respectable citizens through works of forgiveness or ceremonies that honor the offender as deviant” (2002: 100–101; Maruna, 2011a, b). This type of shaming sends a message to the individual and to the community that the offender’s behavior is wrong and should not be repeated. At the same time, the reintegrative aspect of the reaction conveys to the offender as a person is not a criminal. Accepting the repentant offender into the community reinforces the offender’s conventional social bonds and keeps

John Braithwaite (1989 [Chapter 19]) has developed the most noteworthy attempt to specify when societal reaction, whether formal or informal, results in more or less criminality (see also Braithwaite et al., 2006). "The first step to productive theorizing about crime is to think about the contention that labeling offenders makes things worse. The contention," observes Braithwaite (1989: 12), "is both right and wrong." When a criminal act is detected, attempts usually are made to "shame" the person, a concept used to encompass "all social processes of expressing disapproval which have the intention or effect of invoking remorse in the person being shamed and/or condemnation by others who become aware of the shaming" (p. 100). Whether such shaming "makes things worse," however, depends on the quality of the societal reaction.

In his central proposition, Braithwaite argues, consistent with labeling theory, that *stigmatizing* shaming increases crime. In this instance, "no effort is made to reconcile the offender with the community" (1989: 101). Instead, the offender is made into an outcast and is cut off from conventional relationships. As a result, the offender joins criminal subcultures, where his or her criminality is reinforced and opportunities to commit illegal acts are plentiful.

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from seeking out the company of other criminals. The result is that reintegrative shaming strengthens prosocial influences in the offender's life and thus reduces recidivism.

Third, similar to Braithwaite, Lawrence Sherman (1993) observes that, depending on the circumstances, interventions into the lives of offenders can have diverse effects. Thus, Sherman (1993: 445) contends that "legal punishment either reduces, increases, or has no effect on future crimes, depending on the type of offenders, offenses, social settings, and levels of analysis." Sherman proposes that in the face of criminal penalties, "defiance" and thus greater crime are likely to result when offenders are poorly bonded to society and define the sanctions against them as stigmatizing and unfair. In contrast, recidivism is less likely when offenders have close ties to conventional society (e.g., employment) and see the sanctions against them as deserved and fairly applied.

Sherman (2000) also understands, however, that the objective quality of the sanction is a salient consideration in whether defiant criminality is, or is not, produced by criminal justice interventions. Again, offenders may react very differently to the same sanction depending on their social bonds and sensitivity to injustice (i.e., the tendency to see attempts to control their misconduct as "disrespecting" them). Nonetheless, Sherman's theory suggests that the quality of the behavior of police, court, and correctional officials also plays a role in precipitating or depressing the likelihood of defiance. If, in interacting with offenders, these officials act with respect, with procedural fairness, and integratively, defiance is less likely to occur than if they act with disrespect, arbitrarily, and harshly. In short, defiance is the result of a complex interaction between the objective quality of the sanction being applied and how this sanction is interpreted by offenders (again, depending on their social bonds and social attitudes; for an updated version of defiance theory, see Sherman, 2010).

Fourth, a unique insight of labeling theory is that "dramatizing evil" and stigmatizing

rule-breakers as “the other” can lead individuals to internalize a criminal identity or self-concept that then directs them to deepen their offending. Implicit in this traditional view, however, is that identities are stable, contribute to secondary deviance, and help to entrench the labeled in a life in crime. But what if a criminal identity was not static but dynamic—something that could be transformed from “being bad” to “making good”? If this were the case, then offenders might develop a prosocial identity and escape their criminal careers. It is precisely this possibility—and thus this fresh line of inquiry—that Shadd Maruna (2001) explored in his book *Making Good* (Chapter 20 in this volume).

Maruna argued that an identity was not a fixed, trait-like self-concept, such as “I am a delinquent.” Drawing on the work of psychologist Dan McAdams (2001), he conceptualized identity as an evolving life story—or “narrative”—that people use to make sense of who they are, why they act as they do, and what their future might hold. These stories are said to give individuals, including offenders, coherence and meaning in their lives. They are not “fairy tales” invented to rationalize untoward behavior but a causal identity that shapes everyday choices (McAdams, 2001: 100). Maruna used this perspective when he analyzed interview data from the Liverpool Desistance Study, a project on which he was the co-principal investigator in the latter part of the 1990s. He was particularly interested in comparing two groups of career criminals similar in almost every respect: a group of 20 subjects who were persisting in crime and a group of 30 subjects who had desisted from crime. Although all of these offenders had lengthy criminal histories and faced dire economic circumstances, some had nonetheless given up a life in crime in favor of attempting to “make good” in society. Why was this so? According to Maruna, the key differentiating factor was the type of narrative identity the offenders embraced.

Maruna (2001) argued that there were two narrative or life-story identities that offenders

manifested—a “condemnation script” and a “redemption script.” Consistent with traditional labeling theory, the group of persisters using a condemnation script saw themselves as “doomed to deviance” and as so ensnared in a criminal life course that they had no control to change their wayward destiny. By contrast, the group of desisters using a redemption script believed that change was possible and that they could create a good life. They tended to see their past crimes as not reflecting their “real self,” were optimistic (perhaps unrealistically so) that they could overcome the obstacles they now faced, and felt that they could devote themselves to serving a higher purpose, such as sharing their experiences to counsel others on how to stop offending. As the title of Maruna’s book noted, they were now “making good.”

Maruna’s work thus enriched labeling theory by developing a more sophisticated view of the criminal identity and by showing that a narrative identity could be a source of both persistence in and desistance from crime. His work has implications for stability and change in offending across the life course, as will be seen in Part XIII, where theories of this genre are presented. Some evidence in support of Maruna’s approach has appeared (see, e.g., Bullock et al., 2019; Stone, 2016). More studies, especially quantitative research using larger samples of offenders, are needed to further substantiate and perhaps refine Maruna’s theoretical insights (see Rocque et al., 2016).

Policy Implications

The ideas of Sherman (1993, 2000) and of Braithwaite (1989) have important policy implications. Traditionally, the mantra of labeling theory was “radical non-intervention” (Schur, 1973)—to do whatever possible to limit criminal justice interventions into the lives of offenders. This perspective assumed that, due to powerful labeling effects, such legal interventions were *uniformly* harmful. Sherman and Braithwaite, however, reject this view. Although they would agree that

many sanctions *as they are now* are criminogenic, they believe that a *restorative* justice system exists to create sanctions that do less harm (see also Cullen and Gendreau, 2001). The need to do so also is seemingly urgent. In the United States, for example, more than 6.4 million people are incarcerated or under probation and parole supervision on any given day, talk of a *restorative* justice system is farfetched. Either those in the population continue to receive traditional punitive and humane criminal justice sanctions, or an effort is made to construct a *restorative* justice system.

Along with a number of other restorative justice activists (Braithwaite, 2002, 2020), Braithwaite has endorsed a reform of the criminal justice system. In brief, this strategy is to “restorative justice.” In brief, this strategy is to dislodge the state from its traditional adversarial that exacts justice by protractedly inflicting pain on lawbreakers. In a *restorative* justice system, the state functions as a partner that works with the offender to reduce the harm as a result of the criminal act that has been committed. A goal is achieved through a sanction that “restores” victims, the community, and the offender.

A key component of this restorative justice is a “conference” attended by the offender, their family members, other community members with a stake in the problem, and some type of mediator. When the offender is a victim, the injury caused, and the consequences of their conduct, offenders may be required to apologize for the crimes they have committed. In any event, the conferences react to the harm on a plan that will enable offenders to make amends for the harm they have caused (e.g., by reparation to the victim, through community service). Furthermore, these agreements are made in a *restorative* justice system, believing that the prison is stigmatizing, harm producing, and not a *restorative* justice system. Rather, in exchange for restoring their harms, offenders are reintegrated into the community, where they receive support to reintegrate them into conventional society.

many sanctions as they are now being applied are criminogenic, they believe that the potential exists to create sanctions that do more good than harm (see also Cullen and Jonson, 2017). The need to do so also is seemingly indisputable. Thus, with more than 6.4 million people either incarcerated or under probation and parole supervision on any given day, talk of nonintervention is farfetched. Either those in the correctional population continue to receive traditional penalties, or an effort is made to construct more effective and humane criminal justice sanctions.

Along with a number of other scholars and activists (Braithwaite, 2002, 2020), Sherman and Braithwaite have endorsed a reform known as “restorative justice.” In brief, this strategy seeks to dislodge the state from its traditional role as an adversary that exacts justice by prosecuting and inflicting pain on lawbreakers. Instead, under restorative justice, the state functions as an arbiter or partner that works with the victim and the offender to reduce the harm associated with the criminal act that has been committed. This goal is achieved through a sanctioning process that “restores” victims, the community, and the offender.

A key component of this restorative strategy is a “conference” attended by the victim and offender, their family members, other community members with a stake in the proceedings, and some type of mediator. When faced with the victim, the injury caused, and the shamefulness of their conduct, offenders may be moved to apologize for the crimes they have perpetrated. In any event, the conferences reach a consensus on a plan that will enable offenders to restore the harm they have caused (e.g., by making restitution to the victim, through community service). Furthermore, these agreements reject incarceration, believing that the prison experience is stigmatizing, harm producing, and unlikely to be restorative. Rather, in exchange for working to restore their harms, offenders remain in the community, where they receive support to reintegrate them into conventional social roles

(e.g., help securing employment, mentoring, tutoring to achieve higher grades).

The key policy issue is how much recidivism is reduced by restorative justice programs. The research reveals that such programs do lower reoffending and clearly are more effective than punitive sanctions. Still, the effects of these interventions tend to be fairly modest and are not as strong as the best-designed rehabilitation programs (Bonta and Andrews, 2017; Cullen and Jonson, 2017). One alternative option is to combine restorative justice with what is known about the principles of effective treatment (Cullen et al., 2001).

Beyond the issue of restorative justice, labeling theory sensitizes policymakers to the need to reduce the stigma associated with a criminal conviction. During the get-tough era that reigned for most of the past four decades, systematic efforts were made to define offenders as “the other” and to exclude them from many of the rights and privileges enjoyed by American citizens (Alexander, 2010; Jacobs, 2015). In particular, legislatures passed hundreds of laws that barred ex-offenders, especially those convicted of a felony, from voting, sitting on juries, collecting welfare benefits, living in public housing, taking out college loans, and many types of employment. Labeling theory would predict that these punitive policies—called the “collateral consequences of conviction”—are unlikely to deter future wrongdoing and, if anything, would be criminogenic because they sever offenders’ social bonds to conventional society. Notably, over the past decade, there has been a growing recognition that these restrictions are counterproductive, and efforts are being made to roll back collateral consequences (Burton et al., 2020). For example, more than 150 cities and counties and 35 states have passed “ban-the-box” statutes that preclude employers from asking job applicants to disclose whether they have a criminal record (usually by checking a box on the application; see Burton et al., 2020). Employers can only consider past offenses once they have winnowed the list of applicants to the stage at which interviews are conducted.

However, in *The Eternal Criminal Record*, Jacobs (2015) reminds us that it may be impossible for the vast majority of ex-offenders to conceal their past legal indiscretions and fully escape a life of stigmatization (see also Lageson, 2020). In the age of the internet, where governments provide public access to computerized criminal records and sell this information to commercial vendors, the capacity to conduct background checks is virtually unlimited. One policy option is to expand the opportunity for offenders who remain crime-free for several years to have their criminal records “wiped clean” by having them sealed or expunged (Jacobs, 2015). The public supports this initiative, especially for those convicted of property and substance-abuse offenses and who stay crime free for 7–10 years (Burton et al., 2021).

In this context, Shadd Maruna (2001: 155) asks us to do more—to recognize that the legal system should create a process for “recognizing redemption” (see Chapter 20). In various writings, Maruna (2011a, b) has proposed the creation of a formal ceremony, with all the rituals of other rites of passage (e.g., high school graduation), at which offenders would be declared rehabilitated. These might be called rehabilitation or redemption ceremonies; regardless, the purpose is to declare that an offender has been restored to full citizenship with all the rights and privileges that bestows. To earn redemption, offenders would have to complete their sentence, perhaps stay crime-free for a time period commensurate to their criminal history, and undertake self-improvement (e.g., hold a job, complete a drug treatment program; see

Cullen, Lee, et al., 2020). Importantly, a national study reports that a large percentage (8 in 10) of the American public support the creation of such ceremonies that would recognize redemption by declaring ex-offenders “rehabilitated” and free from all legal penalties and other collateral sanctions of their crimes” (Butler et al., 2020: 43; see also Thielo, 2017).

In closing, at this point in its development, it is unlikely that labeling theory—even in its most sophisticated forms, such as the perspectives of Matsueda, Braithwaite, Sherman, and Maruna—will provide a complete explanation of criminal behavior. Frequently, it would seem, societal reaction is the result, rather than the cause, of law-breaking. A large omission in labeling theory is that it places little focus on the early years of life during which the conduct problems that underlie much stable serious criminality first emerge. Labeling theorists also often pay insufficient attention to how, independent of societal reaction, structural inequality and the concentration of disadvantage in inner-city communities might affect behavior.

Nonetheless, scholars working in this tradition have identified a factor—stigmatizing, rejecting, nasty societal reactions—that rarely makes matters better and more often serves only to solidify an offender’s commitment to a criminal career. It would be unwise, therefore, for criminologists to assume that “labeling has no effects,” and more prudent for them to continue to specify the conditions under which societal reaction pushes offenders into, rather than out of, a life in crime (Farrington and Murray, 2014).

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19. Crime, Shame, and Reintegration

John Braithwaite

Braithwaite's central thesis is that crime is higher when shaming is stigmatizing and lower when shaming is reintegrative. This thesis explains both why some societies have higher rates of crime than others and why some individuals are more likely to offend than others.

At the macro level, Braithwaite starts with assumptions that mirror social disorganization theory: societies marked by urbanization and residential mobility are less "communitarian" and less likely to have interdependency between their citizens. When societies lack communitarianism—that is, when individuals are not "densely enmeshed in interdependencies which have the special qualities of mutuality and trust" (1989: 100)—they will engage in shaming that is stigmatizing. As large numbers of people are stigmatized, they come together to develop ongoing criminal subcultural groups that provide learning environments for crime and "illegitimate opportunities to indulge tastes." At any given time, stigmatized individuals have incentives to participate in these ongoing subcultural groups because they are excluded from conventional society. Furthermore, the process of stigmatization has a feedback effect that erodes communitarianism. The end result is a society—such as the United States—that has a high crime rate.

On the micro level, stigmatizing shaming has its greatest negative effects on individuals with few social bonds to conventional society—especially

young, unmarried, unemployed males. Lacking interdependencies that might blunt stigma and foster reintegration, these rejected individuals have their social bonds further attenuated. As controls weaken, they join criminal subcultural groups in which antisocial values are reinforced and illegitimate opportunities are made available. In short, stigmatizing shaming evokes the conditions that control theory and differential association theory link to crime. The result is the continued, if not heightened, involvement of the individual offender in criminal activities.

Unlike labeling theorists, Braithwaite does not suggest that nonintervention is the most effective criminal justice policy. In fact, he believes that shaming is necessary for social control: the offender and the larger community benefit from a public ceremony in which the criminal act—but not the criminal—is defined as immoral. This moralizing is also done informally by those in the offender's social networks. The key issue is what follows shaming: reintegration or stigmatization. Reintegration is essential because shamed individuals are at a turning point in their lives—a time when they can reattach to conventional society or deepen their commitment to crime. When quality social relations exist, they provide the means through which offenders are given the forgiveness and support needed to become members of the community.

Within the United States and elsewhere, "restorative justice" programs most closely mirror

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the outcast offender with the opportunity to reject her rejectors, thereby maintaining a form of self-respect. In contrast, the consequence of reintegrative shaming is that criminal subcultures appear less attractive to the offender. Shaming is the most potent weapon of social control unless it shades into stigmatization. Formal criminal punishment is an ineffective weapon of social control because it is a degradation ceremony with maximum prospects for stigmatization.

The nub of the theory of reintegrative shaming is therefore about the effectiveness of reintegrative shaming and the counterproductivity of stigmatization in controlling crime. In addition, the theory posits a number of conditions that make for effective shaming. Individuals are more susceptible to shaming when they are enmeshed in multiple relationships of interdependency; societies shame more effectively when they are communitarian. Variables like urbanization and residential mobility predict communitarianism, while variables like age and gender predict individual interdependency. (A schematic summary of these aspects of the theory is presented in Figure 19.1.)

Some of the ways that the theory of reintegrative shaming builds on earlier theories should now be clear. Interdependency is the stuff of control theory; stigmatization comes from labeling theory; subculture formation is accounted for in opportunity theory terms; subcultural influences are naturally in the realm of subcultural theory; and the whole theory can be understood in integrative cognitive social learning theory terms such as are provided by differential association. . . .

Preventing Crime

We have seen that the micro process of shaming an individual has consequences far beyond the life of that individual. The social process of gossip links a micro incident into a macro pattern. A shaming incident reinforces cultural patterns which underwrite further cultural products like

a moralistic children's story, a television program, a school teacher's homily. The latter modalities of public (societal) shaming exert pressure for further private (individual) shaming.

The reasons why reintegrative shaming works in preventing crime might be summarized as follows:

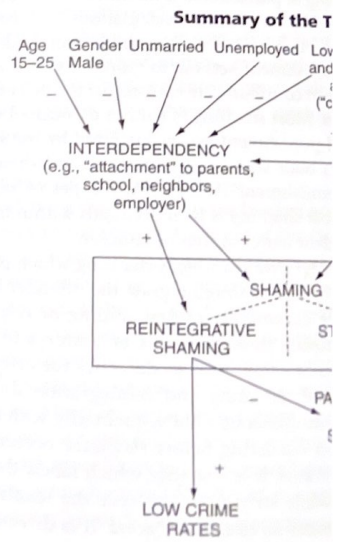
1. The deterrence literature suggests that specific deterrence associated with detection for criminal offending works primarily through fear of shame in the eyes of intimates rather than fear of formal punishment.
2. Shame not only specifically deters the shamed offender, it also generally deters many others who also wish to avoid shame and who participate in or become aware of the incident of shaming.
3. Both the specific and general deterrent effects of shame will be greater for persons who remain strongly attached in relationships of interdependency and affection because such persons will accrue greater interpersonal costs from shame. This is one reason why reintegrative shaming makes for more effective social control than stigmatization.
4. A second reason for the superiority of reintegrative shaming over stigmatization is that the latter can be counterproductive by breaking attachments to those who might shame future criminality and by increasing the attractiveness of groups that provide social support for crime.
5. However, most compliance with the law is not achieved through either specific or general deterrence. Most of us comply with the law most of the time, not because we rationally weigh our fear of the consequences of detection against the benefits of the crime, but because to commit the crime is simply unthinkable to us. Shaming is the social process which leads to the cognition that a particular type of crime is unthinkable. Cultures where the social process of shaming is muted are cultures where citizens often do not internalize abhorrence for crime.

6. A third reason for the superiority of the reintegrative shaming over stigmatization is that a combination of shame and repentance by the offender is a more powerful affirmation of the criminal law than one-sided moralizing. A shaming ceremony followed later by a forgiveness and repentance ceremony more potently builds commitment to the law than a shaming ceremony alone. Nothing has greater symbolic force in community-wide conscience-building than repentance.
7. Because shaming is a participatory form of social control, compared with formal sanctioning which is more professionalized than participatory, shaming builds consciences through citizens being instruments as well as targets of social control. Participation in expressions of abhorrence toward the criminal acts of others is part of what makes crime an abhorrent choice for ourselves to make.
8. Once consciences have been formed by cultural processes of shaming and repentance, pangs of conscience become the most effective punishment for crime because whereas conscience delivers a timely anxiety response to every involvement in crime, other negative reinforcers, including shame, are delivered unreliably or with delay.
9. Shaming is therefore both the social process which builds consciences, and the most important backstop to be used when consciences fail to deliver conformity. Formal punishment is another backstop, but a less effective one than reintegrative shaming.
10. Gossip within wider circles of acquaintances and shaming of offenders not even known to those who gossip are important for building consciences because so many crimes will not occur in the direct experiences of limited groups like families. Societal incidents of shaming remind parents and teachers of the need to moralize with their children across the whole curriculum of crimes.
11. Public shaming puts pressure on parents, teachers and others to ensure that they

- engage in private shaming which is sufficiently systematic, and public shaming increasingly takes over the role of private shaming once children move away from the influence of the family and school. The latter is one reason why public shaming by courts of law has a more important role to play with strictly adult offenses like crimes against the environment than with predominantly juvenile offenses like vandalism.
12. Public shaming generalizes familiar principles to unfamiliar or new contexts. It integrates new categories of wrongdoing, which may arise from technological change into pre-existing moral frameworks. Public shaming transforms the loss of life in a battle at My Lai into a "war crime" and a "massacre," and through our distant involvement in the incident of shaming, the moral category of illegal killing acquires some expanded meanings.
13. Cultures with heavy emphasis on reintegrative shaming establish a smoother transition between socialization practices in the family and socialization in the wider society. Within the family, as the child grows, social control shifts from external to internal controls; punishment-oriented cultures set this process more starkly in reverse in the public domain than do shame-oriented cultures. To the extent that crime control can be made to work by continuing to catalyze internal controls it will be more effective; this is precisely why families are more effective agents of social control than police forces.
14. Gossip and other modalities of shaming can be especially effective when the targets of shame are not directly confronted with the shame, but are directly confronted with gestures of forgiveness or reintegration. Citizens who have learnt the culture do not have to be shamed to their faces to know that they are the subject of gossip, but they may need to be directly offered gestures of acceptance before they can be confident that they are again part of the community of law-abiding citizens.

In other words, shaming which is excessively confrontational renders the achievement of reintegration a tall order. There is thus something to be said for hypocrisy: our friends are likely to recover from a suspicion that we have stabbed them in the back, but stab them in the front can be divisive!

15. The effectiveness of shaming is often enhanced by shame being directed not only at the individual offender but also at her father or her company if she is a corporate criminal. When a collectivity as well as an individual is shamed, collectivities are put on notice of their responsibility to exercise informal control over their members, and the moral impact of shaming is multiplied. For reintegration which will be elaborated in the next chapter, a shamed family or company will often transmit the shame to the individual offender in a manner which is as regenerative as possible. From the standpoint of the offender,



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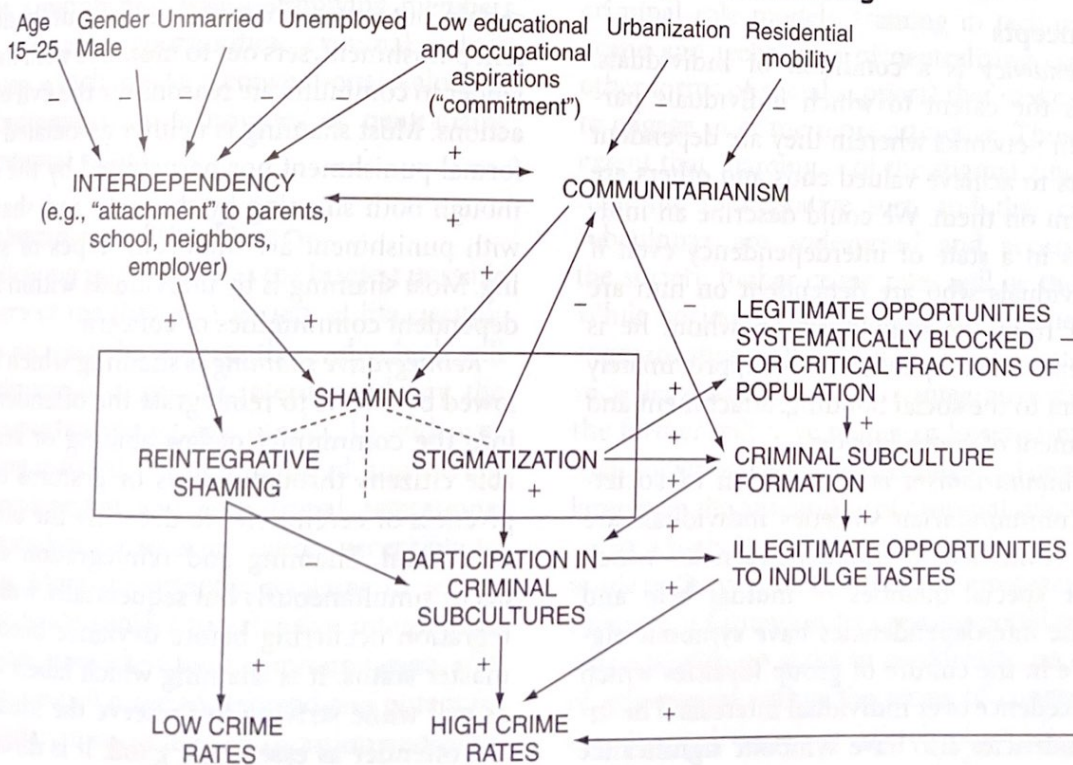
15. The effectiveness of shaming is often enhanced by shame being directed not only at the individual offender but also at her family, or her company if she is a corporate criminal. When a collectivity as well as an individual is shamed, collectivities are put on notice as to their responsibility to exercise informal control over their members, and the moralizing impact of shaming is multiplied. For reasons which will be elaborated in the next chapter, a shamed family or company will often transmit the shame to the individual offender in a manner which is as regenerative as possible. From the standpoint of the offender,

the strategy of rejecting her rejectors may re-suscitate her own self-esteem, but her loved ones or colleagues will soon let her know that sinking deeper into the deviant role will only exacerbate the shame they are suffering on her behalf.

The Theory of Reintegrative Shaming

Figure 19.1 provides a schematic summary of the theory. In the first part of this chapter clear definitions are attempted for the key concepts in Figure 19.1. The cluster of six variables around interdependency at the top left of Figure 19.1 are characteristics of individuals; the three at the top right are characteristics of societies; while high levels of crime and shaming are variables which apply to both individuals and societies. The theory as summarized in Figure 19.1 thus gives an account both of why some kinds of individuals and some kinds of societies exhibit more crime.

Figure 19.1
Summary of the Theory of Reintegrative Shaming



We could get a more parsimonious theory by collapsing the similar constructs of interdependency (an individual-level variable) and communitarianism (a societal variable) into a single construct, but then we would no longer have a framework to predict both which individuals and which societies will have more crime. On the desirability of being able to do this I can only agree with Cressey:

A theory explaining social behavior in general, or any specific kind of social behavior, should have two distinct but consistent aspects. First, there must be a statement that explains the statistical distribution of the behavior in time and space (epidemiology), and from which predictive statements about unknown statistical distributions can be derived. Second, there must be a statement that identifies, at least by implication, the process by which individuals come to exhibit the behavior in question, and from which can be derived predictive statements about the behavior of individuals. (Cressey, 1960:47)

Key Concepts

Interdependency is a condition of individuals. It means the extent to which individuals participate in networks wherein they are dependent on others to achieve valued ends and others are dependent on them. We could describe an individual as in a state of interdependency even if the individuals who are dependent on him are different from the individuals on whom he is dependent. Interdependency is approximately equivalent to the social bonding, attachment and commitment of control theory.

Communitarianism is a condition of societies. In communitarian societies individuals are densely enmeshed in interdependencies which have the special qualities of mutual help and trust. The interdependencies have symbolic significance in the culture of group loyalties which take precedence over individual interests. The interdependencies also have symbolic significance

as attachments which invoke personal obligations to others in a community of concern, rather than simply interdependencies of convenience as between a bank and a small depositor. A communitarian culture rejects any pejorative connotations of dependency as threatening individual autonomy. Communitarian cultures resist interpretations of dependency as weakness and emphasize the need for mutuality of obligation in interdependency (to be both dependent and dependent on). The Japanese are said to be socialized only to *amaeru* (to be succored by others) and also to *amayakasu* (to be nurturing to others) (Wagatsuma and Rosett, 1986).

Shaming means all social processes of expressing disapproval which have the intention or effect of invoking remorse in the person being shamed and/or condemnation by others who become aware of the shaming. When associated with appropriate symbols, formal punishment effects shames. But societies vary enormously in the extent to which formal punishment is associated with shaming or in the extent to which the social meaning of punishment is no more than to induce pain to tip reward-cost calculations in favor of certain outcomes. Shaming, unlike purely deterrent punishment, sets out to moralize with the offender to communicate reasons for the evil of his actions. Most shaming is neither associated with formal punishment nor perpetrated by the state, though both shaming by the state and shaming with punishment are important types of shaming. Most shaming is by individuals within interdependent communities of concern.

Reintegrative shaming is shaming which is followed by efforts to reintegrate the offender back into the community of law-abiding or respectable citizens through words or gestures of forgiveness or ceremonies to decertify the offender as deviant. Shaming and reintegration do not occur simultaneously but sequentially, with reintegration occurring before deviance becomes master status. It is shaming which labels the offender as evil while striving to preserve the identity of the offender as essentially good. It is directed

signifying evil deeds rather than evil. In the Christian tradition of "hate the sinner, love the sinner." Specific disapproval is within relationships characterized by social approval; shaming criminal behavior is complemented by ongoing social approval of alternative behavior patterns. Shaming is not necessarily weak; it can be even vicious. It is not distinguished from stigmatization by its potency, but by (a) its duration which is open-ended rather than fixed; and by (b) efforts to restore bonds of love or respect through a period of suffering shame.

Stigmatization is disintegrative which no effort is made to reconcile with the community. The offender's deviance is allowed to become a degradation ceremony is not followed by efforts to decertify deviance.

Criminal subcultures are sets of attitudes and conduct norms which exist to support criminal behavior. They are usually facilitated by subcultural values which provide systematic social support for any of a number of ways—supporting criminal opportunities, supporting attitudes which weaken conventional law-abidingness, or techniques for supporting conventional values.

Short Summary of the Theory

The following might serve as the summary of the theory. A variety of circumstances increase the chances that an individual will be in situations of greater interdependency, the most important being age (under 25), being married, female, high employment and education. Interdependent persons are more likely to be shamed. More importantly, shaming is more likely to be effective in interdependent societies. Urban communitarian societies, Urban

signifying evil deeds rather than evil persons in the Christian tradition of "hate the sin and love the sinner." Specific disapproval is expressed within relationships characterized by general social approval; shaming criminal behavior is complemented by ongoing social rewarding of alternative behavior patterns. Reintegrative shaming is not necessarily weak; it can be cruel, even vicious. It is not distinguished from stigmatization by its potency, but by (a) a finite rather than open-ended duration which is terminated by forgiveness; and by (b) efforts to maintain bonds of love or respect throughout the finite period of suffering shame.

Stigmatization is disintegrative shaming in which no effort is made to reconcile the offender with the community. The offender is outcast, her deviance is allowed to become a master status, degradation ceremonies are not followed by ceremonies to decertify deviance.

Criminal subcultures are sets of rationalizations and conduct norms which cluster together to support criminal behavior. The clustering is usually facilitated by subcultural groups which provide systematic social support for crime in any of a number of ways—supplying members with criminal opportunities, criminal values, attitudes which weaken conventional values of law-abidingness, or techniques of neutralizing conventional values.

Short Summary of the Theory

The following might serve as the briefest possible summary of the theory. A variety of life circumstances increase the chances that individuals will be in situations of greater interdependency, the most important being age (under 15 and over 25), being married, female, employed, and having high employment and educational aspirations. Interdependent persons are more susceptible to shaming. More importantly, societies in which individuals are subject to extensive interdependencies are more likely to be communitarian, and shaming is much more widespread and potent in communitarian societies. Urbanization and high

residential mobility are societal characteristics which undermine communitarianism.

The shaming produced by interdependency and communitarianism can be either of two types—shaming that becomes stigmatization or shaming that is followed by reintegration. The shaming engendered is more likely to become reintegrative in societies that are communitarian. In societies where shaming does become reintegrative, low crime rates are the result because disapproval is dispensed without eliciting a rejection of the disapprovers, so that the potentialities for future disapproval are not dismantled. Moreover, reintegrative shaming is superior even to stigmatization for conscience-building. . . .

Shaming that is stigmatizing, in contrast, makes criminal subcultures more attractive because these are in some sense subcultures which reject the rejectors. Thus, when shaming is allowed to become stigmatization for want of reintegrative gestures or ceremonies which decertify deviance, the deviant is both attracted to criminal subcultures and cut off from other interdependencies (with family, neighbors, church, etc.). Participation in subcultural groups supplies criminal role models, training in techniques of crime and techniques of neutralizing crime (or other forms of social support) that make choices to engage in crime more attractive. Thus, to the extent that shaming is of the stigmatizing rather than the reintegrative sort, and that criminal subcultures are widespread and accessible in the society, higher crime rates will be the result. While societies characterized by high levels of stigmatization will have higher crime rates than societies characterized by reintegrative shaming, the former will have higher or lower crime rates than societies with little shaming at all depending largely on the availability of criminal subcultures.

Yet a high level of stigmatization in the society is one of the very factors that encourages criminal subculture formation by creating populations of outcasts with no stake in conformity, no chance of self-esteem within the terms of conventional society—individuals in search of an alternative

culture that allows them self-esteem. A communitarian culture, on the other hand, nurtures deviants within a network of attachments to conventional society, thus inhibiting the widespread outcasting that is the stuff of subculture formation.

For clarity of exposition the two types of shaming have been presented as a stark dichotomy. In reality, for any society some deviants are dealt with in ways that are more stigmatic while others receive more reintegrative shaming. Indeed, a single deviant will be responded to more stigmatically by some, more reintegratively by others. To the extent that the greater weight of shaming tends to stigmatization, the crime-producing processes on the right of Figure 19.1 are more likely to be triggered; to the extent that the balance of shaming tips toward reintegration, informal processes of crime control are more likely to prevail over these crime-producing processes.

The other major societal variable which fosters criminal subculture formation is systematic blockage of legitimate opportunities for critical fractions of the population. If black slum dwellers are systematically denied economic opportunities because of the stigma of their race and neighborhood, then criminal subcultures will form in these outcast neighborhoods. It can be seen that stigmatization (as opposed to social integration) as a cultural disposition may contribute to the systematic blockage of these economic opportunities; but cultural variables like stigmatization will be of rather minor importance compared with structural economic variables in determining opportunities. I have argued that the blockages in this part of the theory are not restricted to closed opportunities to climb out of poverty; systematically blocked opportunities for ever greater wealth accumulation by the most affluent of corporations often lead to corporate criminal subculture formation. . . .

Criminal subcultures are the main mechanism for constituting illegitimate opportunity structures—knowledge on how to offend, social support for offending or communication of

rationalizations for offending, criminal models, subcultural groups which assist in the avoidance of detection and which organize collective criminal enterprises. However, illegitimate opportunities are greater in some societies than others for a variety of further reasons which are not incorporated within the theory. While the effects of legitimate and illegitimate opportunities on crime are mostly mediated through participation in criminal subcultures, the blockage of legitimate opportunities combined with the availability of illegitimate opportunities can independently increase crime. Whether illegitimate opportunities to engage in crime are supplied by participation in criminal subcultures or otherwise, they must be opportunities that appeal to the tastes of tempted individuals for them to result in crime.

This summary is crudely simple because it ignores what goes on within the shaming box in Figure 19.1. That is, it ignores the treatment of the social processes that combine individual acts of shaming into cultural processes of shaming which are more or less integrative: gossip, media coverage of shaming incidents, children's stories, etc. In turn, the summary has neglected how these macro processes of shaming feed back to ensure that micro practices of shaming cover the curriculum of crimes. . . .

Shunting the Colliding Locomotives of Criminological Theory

This sharp contrast with the inability of the existing dominant theories to explain much of what we know about crime is achieved, ironically, through the addition of just one element—the partitioning of shaming—as a shunt to connect these diverging theoretical tracks. Through putting the old theoretical ingredients together in a new way, we can do better at accounting for the facts than can any of these traditions separately. Moreover, we can do better compared with adding together their separate (contradictory) elements as partial explanations within an abstract retical multi-factor model.

The top left of Figure 19.1 incorporates key variables of control theory; the far left—opportunity theory; the middle and right—subcultural theory; the bottom and bottom left—learning theory; the bottom right—labeling theory. One crucial exception (reintegration) is therefore no originality of this theory, simply originality of its effect of interest.

Through the effect of interest in reducing crime, we can capture the successes of control theory in many deviance. Through shaming away from other forms of s

Discussion

1. What is the difference between stigmatizing and shaming?
2. In the United States, what is the most common form of shaming? Give examples?

The top left of Figure 19.1 incorporates the key variables of control theory; the far right—opportunity theory; the middle and bottom right—subcultural theory; the bottom, particularly the bottom left—learning theory; the right side of the middle box—labeling theory. With one crucial exception (reintegrative shaming), there is therefore no originality in the elements of this theory, simply originality of synthesis.

Through the effect of interdependency in reducing crime, we can capture the explanatory successes of control theory in accounting for primary deviance. Through shunting stigmatization away from other forms of shaming (as that sort

of shaming which triggers subcultural participation) we proffer a more promising approach to the explanation of secondary deviance in labeling and subcultural theory terms. We achieve a more specified theory of differential association with conventional others versus others who share a subculture. Conceived another way, it is a theory of differential shaming. Most shaming is by conventional others on the anti-criminal side of a tipping point. When stigmatization produces secondary deviance, it is because the balance of shame has tipped; for those who share the subculture there is sufficient approval for crime . . . to outweigh the shaming of conventional society.

Discussion Questions

1. What is the difference between shaming that is stigmatizing and shaming that is reintegrative?
2. In the United States, what kind of shaming is most common? Can you provide some examples?
3. Why does stigmatizing shaming cause crime? How does this relate to labeling theory?
4. If you were going to develop a reintegrative shaming program for juvenile delinquents, what would it involve?