Evaluation of left realism

Exercise 6.8

Ⓘ Ⓔ 1. You will see below a number of evaluation statements relating to the left realist approach to crime and deviance. Separate the strengths from the weaknesses and list them in a two-column chart.

Evaluation statements

(a) There are clear policies that can act as alternatives to crude control by the state.
(b) Left realism barely acknowledges the existence of white-collar crime and does not explore it in a meaningful way.
(c) There is a focus on masculinity and subcultural features as contributing to criminal behaviour.
(d) Left realists have created a category of the 'criminal', who is different from the rest of the population in some way, and they have therefore reverted to a simplistic social control model of crime.
(e) Left realism recognizes the importance of control agencies other than the state, such as social services and the factory inspectorate.
(f) It tends to assume that there is a clear difference between victims and offenders in the working class (Ruggiero, 1992).
(g) Left realists are somewhat idealistic about the chance of communities being able or allowed to police themselves.
(h) There is an appreciation of the reality of crime, as it affects all sections of the population.
(i) There is nothing new about left realism, it is just an amalgam of other theories such as anomie and situational control theories (Downes and Rock, 2007).

Ⓔ 2. Now that you are familiar with the strengths and weaknesses of left realism and right realism we would like you to write under your chart a brief conclusion that establishes why you favour either the right realist or the left realist approach to crime.

POSTMODERN DEVELOPMENTS FROM REALISM

Many of the ideas of realism have been drawn upon by postmodernists when looking at the issue of crime. In particular postmodernists have developed the idea of identity as a way of looking at the phenomenon of crime. They also accept that crude control of the population by the state is not possible in the fragmented conditions of post-modernity, and therefore a more sophisticated analysis of social control is needed. Four main lines of analysis have been developed:

- constitutive criminology;
- discipline in postmodern societies;
- left realism and the underclass;
- sociology of crime and disrepute.

Constitutive criminology

This line of postmodernist thought proposes a 'constitutive criminology', that is, one that recognizes both the freedom and the constraints under which individuals operate. This entails the recognition that individuals are 'constituted', that is, they interact with the social world in order to produce the 'reality' of crime. These interactions may be of a 'legal' or an 'illegal' nature. This reality can be deconstructed and then reconstructed to form less 'criminal' realities. Human beings are therefore both self-interested and cooperate with others – their lives are a process, consisting of a biography (their past), a potential (their future) and the contingent present moment (the 'now'), which exists in social and biological circumstances that are often beyond the control of the individual. The biological circumstances are characteristics such as skin colour, gender, innate factors, and so on. The social circumstances consist of discourses and structures.

Discourses can be viewed as 'ways of talking' (statements that define the 'reality' of the social world). Discourses allow structures (or patterns of behaviour) to be formed, by providing continuity between the interactions of agents carrying out their individual actions. This triad of 'agency, discourse, structure' is discursive, that is, each is constantly being constituted and reconstituted by the actions of others in a process. One does not cause the other, rather they exist in relation to each other. It is from the interactions of individuals with others, in the context of existing and emergent discourses and structures, that crime emerges (Henry and Milovanovic, 1994).

Discipline in postmodern societies

Drawing on the work of Foucault (1977), it can be argued that society is entering a phase in which new technologies are able to regulate and control the body and its movements by means of heightened surveillance. The body has thus become the locus of power in postmodern society. In the same way that Foucault used the public execution of a regicide (the murderer of a king or queen) as a way of dramatizing the nature of power in preindustrial society, electronic tagging can be used as a metaphor for the way that individuals are treated as objects in postmodern society. Society has therefore moved from the disciplinary technique of public torture to the disciplinary technique of self-surveillance. That is, rather than the body being abused physically, new forms of punishment stress the way that the body is trained and supervised through the manipulation of the body by 'micropower'.

The transition from public execution to this new form of disciplinary power is exemplified by the move towards imprisonment as the main form of control in society. In the nineteenth and early twentieth centuries the purpose of prison was to allow experts, through observation, to make 'normalizing judgements' (evaluation of an individual's behaviour against a standard), so that the techniques of discipline – work, exercise, training – would produce docile citizens. In order to achieve this, total control of an individual's body in time and space was necessary – hence prison.

Ⓐ

Exercise 6.9

Draw up an extended version of the chart below and set out what you consider to be the main aims of imprisonment today. We have started the chart off for you by identifying two aims. You should provide a description of these and suggest at least two further aims, with descriptions. You might find Chapter 9 useful here.

Aims of imprisonment

Aim	**Description**
1. Deterrence	
2. Rehabilitation	

But the 'disciplinary society' is marked not just by the development of imprisonment as a disciplinary technique, but also by the 'swarming' of techniques to the everyday life of the whole of society, in what Foucault called 'No-power'. This means that at every point in their lives individuals are subject to the same techniques and normalizing judgements as prisoners, because the techniques fan out into everyday life. For example schools begin to monitor parents, social security officials vet the lives of the poor and computers are used to track consumers' purchases. In postmodern society, then, the gaze of accountability focuses on individuals' lifestyles – what they do, when they do it, how they do it. An example of the perceived normality of this increased surveillance is the widespread public acceptance of drug and alcohol testing in a whole variety of settings from athletics to the workplace. As Hanson (1993) argues, testing is a ritual – a 'disciplinary drill' – that causes docility among those subjected to it.

This process was reinforced in the 1980s by the moral panic about the nature of society as generated by the new right. This moral panic was itself a response to the collapse of traditional modernist certainties such as the family, separate gender identities, jobs for life, and so on. It was built on a romantic attachment to a mythological past of order and certainty (Denzin, 1991), not just in terms of crime but lifestyle as well. This moral panic constructed a vision of the ideal citizen (hard-working, religious, and so on) with a particular and worthy lifestyle. The effect of this was to extend the attempt to regulate individuals beyond the traditional criminal concerns and into lifestyle issues, such as drugs (both legal and illegal), illegitimacy, disease, and so on.

The main way in which society responded to this moral panic was to extend the microtechniques of surveillance into everyday situations. The emergence of new controlling bureaucracies (home-based probation services), new technologies (tagging equipment – see Exercise 6.10) and disciplinary rituals (the requirement to report once a week to the probation officer) meant that an individual, once intertwined with these bureaucracies, could be controlled and trained. For Foucault, then, disciplinary power was not triumphalist and 'in-your-face', rather it was modest and everyday, based on suspicion and minor procedures.

But 'disciplinary society' involves not just surveillance (which would be quite expensive to maintain if all 'offenders' had an individual looking over them), but self-surveillance. As Corbett and Marx (1991) have shown, much of the home surveillance of convicted offenders is computerized, with automatic phone calls and recorded responses. This system relies on offenders agreeing to the anonymous control to which they are being subjected. The offenders thus become agents in their own surveillance, a form of participatory monitoring. Offenders act as if they are being monitored by a real person – and thus engage in self-surveillance.

Item E

Electronic monitoring: key points

- During the second year of the trials, magistrates and judges made 375 curfew orders – more than four times as many as in the first year of the trials. This was due to increased use at the original courts and the introduction of this sentence in new courts. However, compared with most other disposals, curfew orders remain comparatively rare.
- One area (Greater Manchester) produced most of the orders – over two-thirds of those made in the second year. Once caseloads are taken into account, the rate of use was very similar for Norfolk (between 13 and 14 per 1000 cases) and approximately double the rate of use in Berkshire.
- The most common offences for which offenders received curfew orders in the second year were theft and handling, burglary, and driving whilst disqualified. Just under half of those tagged had previously been in prison, while three-quarters had received other community penalties in the past. More than four of every five orders made were imposed by magistrates on adult offenders and four out of five were successfully completed.
- Curfew orders tended to be used as a severe form of community penalty – effectively 'in competition' with community service orders, combination orders and custody.
- The average cost of a curfew order with electronic monitoring, if used over the whole of England and Wales, was estimated to be less than that for a probation order, but more than a community service order.

Source: Mortimer and May (1998).

Exercise 6.10

A good example of the use of home surveillance is electronic tagging to enforce curfew orders. In 1998 the Home Office reported the findings of three localities that were conducting trials on the use of electronic monitoring as a sentence. The summary findings are reproduced in Item E. Study the item and answer the following questions.

KU 1. Briefly explain what is meant by a curfew order.
I 2. According to Item E, what are the most common offences for which offenders receive curfew orders?
I 3. If it were to be used throughout England and Wales, would the average cost of a curfew order with electronic monitoring be more or less than the cost of a community service order?

Developing the work of Foucault, some criminologists have argued for the existence of 'spatial governmentality' in twenty-first century post-industrial cities (Beckett and Herbert, 2008). They highlight the changes in the use of space in the city, as it becomes increasingly privatized and public spaces contract. This is exemplified by the domination of the shopping mall in the post-industrial city. Access to privatized spaces is restricted through architectural forms, the use of gates and walls and through legal ordinance, such as park exclusion laws, that can remove an individual or group for trivial reasons. Such developments are categorized as 'post-disciplinary techniques'. These are post-disciplinary because they are not aimed at the micromanagement of the individual's behaviour, but rather the management of populations, so that potential criminals are excluded from the privatized spaces. The intention is not to arrest criminals and punish them, but prevent them from engaging in problematic behaviour on the 'home turf' of privatized areas, such as shopping malls, gated communities and the like. However, it is important to recognize that modernist, more coercive techniques of control continue to exist in the post-industrial city. Areas of marginalized populations continue to be heavily policed and access to restricted spaces is often controlled by guards, with the ever present threat of force to ensure compliance.

Left realism and the underclass

The concept of an underclass is, according to Gardinier (1995), part of the legitimation of increasing surveillance in society through the emergence of a 'crime control model', designed to get tough with crime. This model is a dual one, in that prisons are seen as one way in which the underclass can be removed both from society and from the unemployment count, but community sentences are seen as a cheaper way of dealing with the increase in crime. Christie (1993) argues that prison is the main way in which industrialized societies attempt to deal with the dangerous underclass. But the increased use of prison means increased costs and therefore decarceration (the use of non-custodial punishment) is also used to control this population. Thus the Criminal Justice Act 1991 established a continuum of punishment from custodial sentences to community service orders. From the left realist perspective, this measure has the potential to be progressive if the community sentences are genuinely connected to the community rather than being imposed cheap labour. Christie suggests that repoliticized communities could begin to develop types of community sentences that reintegrate the criminal into the community.

Item F

Table 6.2 Offenders sentenced for indictable offences, by type of offence and type of sentence, 2006

England & Wales	Discharge	Fine	Community sentence	Fully suspended sentence	Immediate custody	Other	All sentenced (= 100%) (thousands)
							Percentages
Theft and handling stolen goods	*20*	*13*	*37*	*6*	*20*	*4*	98.6
Drug offences	*17*	*34*	*23*	*5*	*19*	*2*	39.5
Violence against the person	*7*	*5*	*41*	*13*	*29*	*4*	41.9
Burglary	*4*	*2*	*44*	*8*	*41*	*2*	22.7
Fraud and forgery	*16*	*13*	*36*	*9*	*24*	*2*	18.3
Criminal damage	*21*	*11*	*48*	*3*	*10*	*6*	12.5
Motoring	*3*	*26*	*28*	*13*	*28*	*1*	6.1
Robbery	–	–	*35*	*4*	*59*	*1*	8.2
Sexual offences	*3*	*3*	*27*	*6*	*57*	*3*	4.9
Other offences	*8*	*34*	*22*	*5*	*19*	*11*	50.0
All indictable offences	*13*	*17*	*34*	*7*	*24*	*4*	302.5

Source: Self (2008).

Exercise 6.11

Study Item F and answer the following questions.

Ⓘ 1. For which type of offence are you most likely to get an immediate custodial sentence?

Ⓘ 2. In 2006, what was the most commonly used sentence?

Ⓐ 3. Give one example of a community sentence issued by the courts.

Sociology of crime and disrepute

Social developments in the last quarter of the twentieth century have led some sociologists to suggest that traditional theories of crime and deviance, for example the sociocultural and interactionist approaches, are now so out of date as to be non-explanatory. The importance of a changed context for the commissioning of crime is that it changes the way in which some areas of society handle disrepute. Disrepute is a status associated with criminal activity, which can lead either to social disapproval by the majority of the community or to a sense of excitement and a rediscovered status within a disadvantaged and disorganized community. In particular, the new sociology of crime and disrepute points to the developments in globalization, changes in the labour market and developments in the relationships of identity, especially in gender and ethnicity, as fundamentally affecting the form and nature of crime in the postmodern world.

In particular Hagan (1994) suggests that the combination of the dual labour market – in which there is a core of highly skilled workers and a periphery of casual workers – and the global economy is having a devastating effect on the social fabric of Western societies, especially the United States. The net effect of these structural changes has been the loss of jobs in the core US labour market (Revenga, 1992). Any growth in the labour market has tended to be in low-wage temporary jobs. The result is increasing inequality in the United States.

The connection between these structural changes and the causes of increased crime are the processes of capital disinvestment and recapitalization (investing in new forms of capital – often illegal forms). Hagan argues that the effect of these structural changes is a loss of social capital (Coleman, 1990). Social capital means the existence of well-integrated family and community networks, often reflected in feelings of security and safety, for example women being able to go out at night without the fear of being attacked. The way that work has come to be organized to meet global pressures has led to a loss of this social capital, and therefore societal groups are unable to increase their actions to achieve community and individual goals.

In particular, Hagan (1994) points to three processes of capital disinvestment that are important in understanding the increase in crime. The first is residential segregation, in which the housing market is highly differentiated according to ethnicity (Massey and Denton, 1993). As job losses tend to be concentrated in areas where there is a high ethnic concentration, the disinvestment process disproportionately affects ethnic minorities. The second is race-linked inequality. The evidence suggests that, over a whole range of issues, black people suffer disproportionately from the changes resulting from globalization, ranging from the largest growth in unemployment to a decline in the real minimum wage (Bound and Freeman, 1992). The third process is the concentration of poverty. According to Wacquant and Wilson (1989), as working families and businesses move out of the traditional ghettos, there develop 'territorial enclaves of extreme poverty', where 40 per cent or more of the inhabitants live in poverty. As a result of this concentration the inhabitants of the hyperghetto have a loose 'labour market attachment' (Wilson, 1991). This is reinforced by the lack of mobility by individual families and the poverty of the rest of the ghetto, which acts as a constraint on the ability of individuals to reintegrate themselves into the labour market.

The effect of all three processes of social capital disinvestment is that people look for alternative solutions to their situation, including reinvestment in forms of social capital that diverge from the traditional ones. This process of recapitalization in deviant activity, the existence of which is supported by ethnographic and quantitative analysis, has been mainly focused on the issue of drugs. Because deviant service industries such as the drug market cannot be supplied by legal means, they come to be seen by those with loose links to the official labour market as offering a new opportunity. Because the inhabitants of the ghetto have little to gain from investing in the usual avenues of school and jobs (because the schools are poor and there are few jobs with family or friendship connections) they reinvest in drug dealing and petty crime (see Padilla, 1992, for an ethnographic account).

OTHER REALIST APPROACHES

While the realist debate has been dominated by the differences between the new right and the left realists, other realist approaches were developed during the 1980s that drew on older traditions such as the Chicago School (see Chapter 3). What united them with the right realists and left realists was their insistence on looking at the real phenomenon of crime, the opportunities that society presents for the committing of crime and the factors behind the decision to commit a crime. Three main approaches have been developed here.

Routine activities theory

Developed by Cohen and Felson (1979), routine activities theory draws on the ecological tradition of the Chicago School as well as the assumptions of the new right. Its focus is on everyday, routine activities that are required for the basic necessities of life, such as going to work, shopping for food, and so on. It is argued that if these routine activities are disrupted by social change, then social disorganization could result. For example, since the Second World War routine activities have taken place further away from home and this has provided people with more opportunities to commit crime.

For a crime to be committed there have to be three elements. First, there has to be a motivated offender (the target of much sociological research). Second, there must be no capable guardian, that is, someone who is able to prevent the crime from being committed. Third, there has to be a suitable target, that is, something worth the risks involved in committing the crime. An example of how social change influences these three elements is the increase in female employment over the last 50 years – this has increased the number of suitable targets (houses) that are left without guardians. It is likely that in these circumstances house burglary will increase. But the theory covers a whole range of other factors that influence the rate of crime, ranging from the availability of goods that are worth stealing, to the growth of car ownership (allowing escape) to the ubiquitous telephone, which aids the reporting of crime. Each of these has a differential effect on the commissioning of crime and the possibility of detection.

Because people's routine activities vary, their exposure to the risk of crime also varies. Moreover the concentration of crime in certain locations (because guardians are fewer and hence there is a concentration of targets) creates 'hot spots' that can be geographically determined by social mapping (Roncek and Maier, 1991). The hot spots are concentrated in predictable areas of the city – the disorganized inner-city areas. In addition, a target's suitability for attack in these areas depends on other contingent factors (Felson, 2002), such as value (the worth of the target to the offender), inertia (how realistic is it to remove things from the target), visibility (how far the target is within sight of the offender) and access (how easy it is to gain appropriate access).

This focus on choice, routine and opportunity has led some criminologists to advocate a strong shift in emphasis for the criminological enterprise. Rather than focus on the causes of crime, which entail a consideration of social and cultural factors at a distance from the criminal and their actions, the proper focus for a 'crime science', they argue, is to establish how crimes are committed and subsequently how they can be combated (Clarke 2004). This would tie criminology into police and security industries much more closely and reduce the sociological aspects of criminology through concentrating on the economics, geography and planning dimensions of crime.

International terrorism and crime

Since the events of 9/11 and the destruction of the World Trade Center in New York through terrorist activity, sociologists have turned their attention to the phenomenon of terrorism and its relationship with crime. Terrorism is distinguished from other forms of violence in that it is designed to create a climate of fear by random violent attacks on innocent civilians and is seen as being outside the parameters of 'normal' dissident activity (Wilkinson, 2006). The significance of the attack on 9/11 was that it indicated that terrorism was now a global phenomenon and not restricted to domestic dissidents committing acts of terrorism in order to promote change within a particular society. It is the growth of international terrorism that has fascinated sociologists of crime, as they considered the appearance of globalization and how this impacted on crime.

The criminological response to this was twofold. Firstly, sociologists began to trace the development of terrorism from a usually internal problem to a situation where terrorism had a global reach. Sociologists such as Hamm (2007) have argued that this represented a 'privatization of terrorism'. After 1945, terrorist activity was in the main low-level and state-sponsored, that is terrorist tactics were supported by state agencies in 'cold' conflicts with usually neighbouring countries, in the pursuit of state-determined political or ideological ends. An example of this is the support that the Soviet Union gave to anti-colonial groups that might from time to time engage in terrorist type activity. Low-level domestic terrorism continues to exist, for example in the activities of the Order, a neo-Nazi group in the United States. However, terrorist groups and movements have developed that are independent of state-sponsorship, or at least are not beholden to any state for supplies and logistical support. The emergence of al-Qaeda as a disparate collection of cells, unified by an overarching ideology and commitment to terrorist acts, is the classic example of this global development.