INTRODUCTION TO CRIMINOLOGY

Crime, Offenders and Criminal Behaviour

Study Unit 1

What is Criminology?

Siegel – according to Siegel (2013:4), criminology is the scientific approach to the study of criminal behaviour.

- Latin term crimen – means “crime” and “logo” means a “study” or “knowledge”.
- Therefore, the word “criminology” means the study of crime.
- First use of this term was in the nineteenth century coined by the French sociologist called Toppinard.

Walsh – Criminology is an interdisciplinary science that gathers and analyses data on various aspects of criminal, delinquent and general anti-social behaviour.

Edwin.H.Sutherland – is celebrated as the father of American criminology.

- Three aspects of Sutherland’s definition of criminology are sometimes referred to as the study of law making, law breaking and reactions to law breaking.
  1) Law making against crime
  2) Area of causes of crime
  3) Work of the police, the courts and correctional services.

Bezuidenhout and Little (2011:15) identify the following fields of specialization in criminology:

1) **Criminal law** – a branch of public law that covers the definition of crime, criminal behaviour, rules and regulations on crime preventing punishment of criminals.

2) **Crime theories** – reasons and explanations provided by criminology social scientists on causes and occurrences of criminal behaviour.

3) **Victimology** – the study of victims of crime.
4) **Criminal and deviant behaviour systems** – risk assessment strategies that examine the patterns of criminal behaviour.

5) **Criminal justice** – the study of agencies of social control that handle offenders.

The Role of Criminologists

- **Schmalleger** (1996:12) maintains that a criminologist is a graduate who makes a study of crime, criminals and criminal behaviour.
- According to Brown, Esbensen and Geis (2001) and Gibbons (in Bezuidenhout and Little 2011:14) – on criminologist is someone whose professional training, occupational role and earnings or remuneration mainly relate to a scientific approach to the study and analysis of crime phenomena and criminal behaviour.

**Beukman** – (in Bezuidenhout & Little 2011:14) considers the main functions of criminologists to be:

1) Lecturing at Universities, Colleges;
2) Researching at Universities, Colleges, or institutions such as the Institute of for Security Studies (ISS);
3) Involved in community service and assisting victims of various violent crimes, domestic violence and victim support.


**Role players in criminology**

- Academics (criminologists)
- Police officers
- Parole officers
- Correctional service officials
- Forensics
- The Discipline of Criminology
Du Preez & Neser (1993:62) – the word “science” refers to knowledge (knowing) and indicates knowledge of a particular discipline that has been systematically collected.

Johnson (1978:49 – 71) the following requirements have to be met if a subject is to qualify as an independent discipline:

1) It must be its own object of study
2) Identified as a unique and demarcated area of study
3) Have its own procedures or scientific methodology
4) Must have a study theoretical foundation
5) Knowledge generated must be applicable to society
6) Taught or practiced at an educational institution

Fluctuating Parameters of Crime

There are numerous examples of acts defined as crimes in one country being tolerated and even expected behaviour in another (walsh 2015:3):

- Nazi mass killing of Jews “Holocaust”
- Apartheid racial treatment of black people
- Abortion is a crime in Italy but not in the United States or in Britain
- Crime is studied from a number of perspectives
- Justice is not consistent – in SA horse racing is legal whereas dog racing (known as greyhound racing) was banned in 1946 still a punishable offence.
- Criminal behaviour is defined by power relations of society
- Prevalent conditions of poverty
- Public tolerance
- Making new rules and regulations

Various Approaches to the Study of Crime

Generally speaking, criminologists study crime from two view points:

1) The Juridical (legal) aspect;
2) The non-juridical (social) aspect
The Juridical Definition of Crime

- Focuses on actions that include a deliberate violation of the law of the State for which punishment may be imposed without justification or excuse (Bezuidenhout & Little 2011:15).
- Main focus is on wrongdoing.
- Before an act or omission may be defined as a crime, criminal law must regard it as such a suitable punishment must be in place.
- Hence the precept “no crime without law and no punishment without law” (Snyman, Middleton, Strauss, Geldenhuys, Albeit & Jordaan 1991:21ff).

Juridical Elements of Crime

1) **The Act or conduct** – a human act under the control of a human will.
   - Three modes of action:
     1) Transgressing a prohibition
     2) Ignoring a prohibition
     3) Committing an act that has harmful consequences
2) **Wrongfulness** – is an act which conflicts with the legal norm or prohibition however, there are exemptions self-defence, emergency situations, victim’s consent and legal command.
3) **Guilt element** – the culpable frame of mind in which a person commits a wrongful act.
   - Two forms of Culp (accountable behaviour of the perpetrator:
     1) Deliberate intent (*dolus*)
     2) Negligence (*culpa*)
4) **The element of punishment** – sentencing of criminal offenders in juridical terms only punishable acts are considered crimes.

The Non-juridical Definition of Crime

Bezuidenhout & Little (2011:16) – Scholars believe that it is too simplistic to be guided only by criminal law when trying to understand human wrongdoing, criminal or unacceptable behaviour and the focus of criminology.
• Scholars broaden their search by seeking reasons of criminal behaviour.
• Consideration of the deviant behaviour of society.
• In a narrow juridical approach, adultery is not legally punishable. However, in broad terms it is unacceptable or deviant behaviour which is frowned upon by society.
• The authors go on to stat that in order to understand deviant behaviour from a non-juridical perspective, the community has to be understood in its totality.
• Belief that narrow definitions of crime are short-sighted and depoliticize criminology.
• Take into consideration of influential factors such as income, poverty social class and level education.

Main Delineations of Social Crime

(1) Crime as a violation of behavioural norms:
• Thorsten Sellin article “Culture, Conflict and Crime”
• Criminology focuses on the violation of social norms of behaviour as well, modern society, apart from being multicultural, consists of a variety of groups, each of which subscribes to certain norms, social values are standards set by particular groups which may disadvantage others.

(2) Crime as Social Harm:

Crime as a Violation of Human Rights

• In 1975 the Schuendingers (proponents of the so-called “New Criminology” argued that any behaviour which violates an individual’s human rights should be regarded as crime.
• These also include acts of imperialism, sexism and racism.
Crime as a Form of Social Deviance

- Social deviations may be defined as behaviour that deviates from the conventional or commonly accepted norms and standards of society and for which are appropriate punishment exists.
- Deviance is defined by religion, political belief and etiquette, among others.
- Proponents of the non-juridical concept believe that criminologists should include all the above elements in concept crime.

Schools of Thought in Criminology

(1) Classical Criminology
- **Origins** – During the late eighteenth century with the work of an Italian mathematician named Cesare Bonesano Beccaria and an English theorist, Jeremy Bentham (Eamon et al 2015)
- **Theory** – Law must apply equally to all citizens and all found guilty of a particular offence should suffer the same prescribed penalty.
- **Pleasure-pain Principle** – punishment should outweigh any pleasure to be derived from criminal behaviour but law must not be harsh and sever so as to reduce the greatest happening. Free will and hedonism where all human behaviour is purposive and based on the pleasure-pain principle.

(2) Positivism
- **Origin** – Italian doctor named Cesare Lombroso
- **Works** – Cesare Lombroso in 1876 published the classic “Criminal Man” (1911), which earned him the dubious title “father of criminology”.
- **Theory** – Lombroso emphasized the biological basis of criminal behaviour arguing that the criminal is “born” that way and can be distinguished from non-criminals according to physical characteristics.
- **Assumptions** – three assumptions:
(1) **Physical characteristics** – criminal behaviour is mainly attributed to genetic, biological and psychological features.

(2) **Belief** – criminal offenders are driven by biological factors and psychological impulses.

(3) **Mindset** – intellectual, emotional skills and rational decision or exercise of freedom may be lacking.

- **Principles** – biological determinism and psychological determinism.

(3) **Critical Criminology**

- **Origins** – Edwin.H.Sutherland coined the term “white collar crime”.
- **Theory** – crimes of the working class are insignificant when compared to crimes of the powerful.

(4) **Feminist Theory**

- **Origin** – developed in the late 1960s and into the 1970s.
- **Theory** – An approach that challenges the male-centeredness of criminology and tradition of “malestream” criminology fails to observe gender and sex roles.
- **Principle** – feminists see women as oppressed by both gender inequality and by class inequality ultimately they interpret female crime from a feminist perspective.
- **Liberal feminism** – discrimination of women in social practices leads to oppression of women.
- **Radical feminism** – Patriarchy describes a power relationship inherent in the structures which cause female subordination and exploitation.
- **Maxist feminism** – subordination of women is based on capitalist exploitation of their domestic role.
- **Socialist feminism** – “dual system theory” – recognizes the systems of capitalism and patriarchy to be separable but both influence oppression of women.”
• **Black feminism** – grounded on hierarchical and ideological belief that the system based on structure of domination prevalent personal, cultural, institutional and experiences of black women.

• **Postmodern feminism** – modern branch of feminism strives for equality for all genders.

(5) **Rational Choice**

• **Origins** – Italian “social-thinker” Cesare Beccaria founded the rational choice theory

• **Theory** – The element of choice involves assessing the rewards and risks attached to committing a crime (Conklin 2004:228). The foundation of the rational choice perspective is that crime is chosen for its benefits.

• **Principle** – the view that human beings choose to commit criminal behaviour after weighing up the costs and benefits of an illegal act and can be deterred through the threat of punishment (Burke 2014:63)

• **Rational choice perspective** – the reward-risk approach influences offender’s strategic thinking.

(6) **Neo-classical School**

• **Origins** – Originated from a school of thought that merely challenges the classical position of absolute free will.

• **Theory** – The school of thought does not represent any schism.

• **Principle** – Neo-classicists specifically argue that free will can be inhibited by pathology, incompetence, mental disorder or other conditions that mitigate personal responsibility.

(7) **Critical Criminology**

• **Origins** – Critical criminology is an umbrella term for a variety of theories.

• **Works** – In the US Edwin Sutherland invented the term “white collar crime” elsewhere in the U.K. in late 1960s and radical criminology also emerged.
• **Theory** – these are diverse theories such as conflict criminology, radical criminology, critical new criminology, radical human rights criminology, Marxist, neo-Marxist and left realist.

• **Principle** – critical criminologists propose that legitimate response to come must be built upon a strategy of social empowerment.

• Edwin.H.Sutherland – it has been observed that there is a fine line between “entrepreneurialism” and “flair” and “sharp practice” and “fraud”.

(8) **The Social Milieu School of Thought**

• **Origins** – Tarde, Guerry and Quetelet were proponents of this school of thought.

• **Theories** – Two psychosocial Approaches:
  
  • **Social structure theory** – reflects a fundamental faith in social system.
  
  • **Social process theory** – most commonly attempt to explain how individuals become law violators by focusing in the social interactions or processes experienced by individuals.

• **Principle** – the premises or points of departure from the social-environment school of thought may be summarised as follows:
  
  • It is based on the juridical conception of crime.
  
  • The main focus is on the criminal’s social environment.
  
  • It is assumed that improved social conditions will prevent crime.
  
  • To all intents and purposes the criminal and the victim are ignored.
  
  • There is no concern with punishment or rehabilitation.

(9) **Postmodern Criminology**

• **Origins** – developed in the late 1980s

• **Principle** – postmodern criminology also focuses on universal factors that contribute to crime with its ultimate goal being to understand new ways of knowing.

• **Theory** – Van Dijk (1998:8) includes the following universal facts or determinants that can contribute to the risk of crime and victimization:
(1) Economic constraint and great differentiation in income.
(2) Low educational qualifications;
(3) A great number of firearms in circulation;
(4) Rapid urbanization without the necessary infrastructure being available such as housing, schools and health services;
(5) Mere outgoing lifestyle;
(6) Multicultural population;
(7) A high alcohol and drug abuse rate;
(8) A large population of young people;
(9) Repeated victimization especially among young people with an outgoing lifestyle who live in big cities.

- Gottfredson’s theory of self-control and crime as well as feminist crime perspectives.

Study Unit 2

The Classification and Management of Crime:

Key concepts

Crime – an intentional act in violation of the criminal law committed without legally acceptable defence or excuse and penalized by the State.

Code of crime list – this is used for the classification of crime in South Africa and consists of 35 categories.

Official crime statistics – statistical data compiled by the police courts and corrections and routinely published by governments.

Crime trends – the increase and decrease in crime rate such as murder, rape, burglary and robbery over a specific period.

Dark figure of crime (date deficient figure) – number of unreported crime.
The Classification of Crime:

**Definition** – Classification entails the arrangement of certain crime data/information into categories.

**Purpose** – so that we can predict whether this type of crime will increase and take preventative measures to combat and prevent it.

**Classification** – in the past South African Police used the following classifications that is seven distinguishable categories:

1) **Crimes of violence** – murder, attempted murder and robbery with aggravating circumstances.
2) **Social fabric of crime** – rape, assault with intent to do grievous bodily harm and ordinary assault.
3) **Property-related crime** – breaking into residential and business premises, other robbery, stock theft, shoplifting theft from vehicle to other forms of theft.
4) **Commercial crime** – fraud, counterfeit and embezzlement.
5) **Violence aimed at property** – arson, malicious damage to property.
6) **Crimes heavenly dependent on police action for training** – illegal possession of firearms, drug-related crimes and driving under the influence.
7) **Crimes falling under robbery with aggravating circumstances** – vehicle and truck hijacking, robbery of cash in transit and bank robbery.

Factors Influencing Criminal Activity:

1. **Effects of Alcohol on Behaviour:**
   - Research shows drinking releases fantasies of power and domination.
   - Alcohol affects the individual’s physiology, personality and social behavior.
   - Pharmacologically alcohol is a depressant and that inhibits the functioning of the higher brain centres.
   - Alcohol is a brain-numbing depressant at law dosages it is actually a stimulant because it raises dopamine levels.
• Alcohol direct effects can help us reinvent ourselves as “superior” beings where fear turns into courage, the withdrawn and timid (shy) become confident and the timid become more assertive.

2. The dark Figure of Crime (Data deficient figure):

Unreported crimes – Walsh (2015:42) defines the dark (or hidden) figure crime as that portion of the total crimes committed each year that never come to light.

According to Singh (2011:105) and Eamonn et al (2015:32), the following are some of the reasons why people might not report a crime to the SAPS:

• A crime is sometimes seen as too insignificant to report, for example domestic abuse.
• A victim might not be sure how seriously their allegation will be taken by the police.
• People are not always aware that they are under threat or that a crime has been committed against them, for example fraud.
• The victim fears retaliation or repeat victimization.
• Victims might fear that their complaints will not be believed or that they will be dismissed as too trivial.
• The crime is considered personally embarrassing or shameful, for example domestic violence.
• There is a lack of trust in the competency in the SAPS.
• The victim may decide to take the law into his/her own hands and dispense justice personally.
• The victim may not want to harm the offender – this is true of many household violence and molestation situations.

3. Crime patterns and trends

“Crime patterns” – is a specific pattern or occurrence in the incidence of criminal activity which is influenced by various factors, such as the geographical area for example the nine provinces in South Africa, age, gender and educational level.
“Crime trends” – refers to the rise and fall in crime in a particular year. These fluctuations (rises and falls) are caused by factors such as economic situation in the country, educational level and age group.

Crime trends according to categories

Categories of crime indicate the type of crime committed. The government has rolled out the National Crime Prevention Strategy. Theft, robbery, robbery with aggravating circumstances, murder and rape are a few that are particularly problematic (high report rates and difficult to prevent). Seven crimes which pose the greatest threat to citizens and the welfare of the country are namely:

1) **Crime with firearms** – which has allowed violence to increase to a great extent;
2) **Organized crime** – such as drug trafficking, smuggling and illegal immigration which has risen sharply since South Africa’s re-admission into the international community
3) **White collar crime** – fraud, money laundering, misappropriated and theft of funds;
4) **Sexual violence** – crimes against children, rape, molesting and indecent assault;
5) **Gang violence** – such as those prevalent in KwaZulu-Natal and the continuing taxi wars;
6) **Vehicle theft and hijacking** – causes insecurity among vehicle owners;
7) **Corruption** – in the political, economic sphere and legal system.

Crime trends according to region

- Crime trends differ from country to country, from region to region and from province to province.
- South Africa is divided into nine provinces and the crime statistics show that Gauteng overshadows all other provinces in respect of crime. Increased population density results in an increase in potential offenders as well as victims because there are more opportunities to commit crime.
• Rapid population growth, enhanced influx of economic refugees, fuels a process of accelerated urbanization, an increasingly younger and restless population at risk and sufficient economic growth.

Crime trends according to day, season and climate

• The warm summer months show an increase in reported crimes. Research has shown that stress levels climb higher due to long-term exposure to extreme temperatures causing increase in violent crimes.
• In addition, young people commit more crime than any other age group and during the long holiday season (November to January) they greater opportunities to commit and also to become victims of crime.
• During this same period, houses are left vacant because people are on holiday making them more vulnerable to property crimes.

The first day of the month can also have an influence on the increase in crime. Consider the following two reasons:

• Paying out of pensions
• People having extra money available which may relate to behavior associated with crime such as drinking, partying and gambling (Siegel 2009:45)

Social class and crime

Push factors - traditional observations show that poor and unemployed people have the greatest incentive to commit crimes.

Instrumental crimes – occur when desired goods which cannot be obtained by conventional means may be obtained through illegal activities, for example selling drugs or stealing valuables from people to obtain food.

Expressive crimes – such as rape and assault on the other hand can be seen as a means of expressing rage, anger and frustration against society.
Use of firearms

Firearms, whether legal or illegal play a leading role in criminal activities. Nevertheless, Kleck and Gertz (in Siegel 2009:46) believe that the benefit of firearms as a prevention tool should not be overlooked. Advocates of firearm control see legislation as a positive step towards curbing the ongoing crime wave in which firearms are used in the execution of various crimes.

Official and unofficial sources of crime information

Key Concepts

Arson – the unlawful and intentional setting on fire of immovable property (Kemp et al 2012:623).

Assault – The unlawful and intentional application of force to another or inspiring the belief of imminent force (Kemp et al 2012:623).

Burglary/Housebreaking – Breaking into and entering a home or structure for the purpose of committing a crime (Kemp et al 2012:626).

Car hijacking – The forceful taking of another’s motor vehicle by using violence or the threat of violence to command possession of it.

Questionnaire – A series of questions or items about a single subject or a series of related issues that must be answered by a respondent.

Self-report studies/surveys – the self-report study is a means of collecting information about aspects of an individual’s personal experience such as involvement in offending (Walsh 2015:38).

Victimization survey – this is a statistical survey that measures the amount, nature and patterns of victimization in the population (Walsh 2015:35).

It is of significance to access or obtain the crime statistics from every region in the country for the following purposes:
1) For crime prevention;
2) Evaluation of crime prevention strategies or programmes;
3) To implement a reliable and effective crime prevention system to control crime;
4) Accurate reporting of crime;
5) Eliminate misappropriation and manipulation of crime data;
6) General public perception of the magnitude of criminal activity;
7) Warn the members of the general public on the extent of crimes.

Adolphe Quetelet, a Belgian statistician – compiled the first crime statistics.

- Crime statistics therefore constitute all the data and information on crime that are scientifically arranged and tabulated in order to offer a total picture of the crime problem.

Three official crime information sources in South Africa, namely:

- The South African Police Service (SAPS);
- The court; and
- Prison statistics.

Criminologists however utilize information that originates from the criminal justice system:

- Mass media contain vast amounts of crime coverage and comments e.g. news, films, internet and TV;
- Charities and voluntary organizations – such as NICRO have a long global history of intervening in crime and deviance non-custodial sentencing of juvenile offenders;
- International bodies – such as Interpol provide global and comparative criminological data.

Crime information according to official sources:

Police Statistic
• Police statistics are compiled from records that describe how and when the crime was committed, who committed it (offender), who the victim was and what injuries or losses occurred.
• In South Africa, police statistics are provided by the Crime Information Analysis Centre (CIAC).
• Provincial offices in the nine provinces of the country issue monthly reports on all crimes and this information is then consolidated, processed and interpreted by the centre.
• These statistics do not reflect the real extent of crime in South Africa because of:
  • Poor public reporting or lack of cooperation;
  • Poor police investigations consisting of impartiality and incompetence;
  • Slow administration of justice;
  • Under-reporting by victims
  • Inaccurate media reports;

Judicial and Prison Statistics:

• Statistical figures from Courts and Department of Correctional Services are considerably lower than those extracted from police statistics.
• Once crime has been identified the National Prosecuting Authority must decide whether to prosecute the offender.
• This decision is based on the evidential value and prospects of a successful conviction also available witnesses and police investigations are crucial factors.
• Official statistics indicate that fewer criminals exit the criminal justice system than those who enter which is expressed by a decrease or decline in crime figures.

A decline in crime figure is represented by the following diagram:

Funnel of the Criminal Justice System

<table>
<thead>
<tr>
<th>Broad community</th>
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<td>Serious crimes</td>
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A report published by the Law Commission which involved almost 16000 police dockets provided the following information:

Throughout the country on average only six out of every 100 violent crimes reported to the police end in conviction:

- Statistics show that approximately 11% of all reported murders end in a conviction.
- Up to about three quarters of reported cases of murder, rape and robbery with aggravating circumstances have still not been tried two years after arrest.
- The rate of murder and rape cases is considerably higher in other countries such as England and Wales.
- Inadequately trained and overworked detectives and prosecutors exacerbate/contribute to the problem.
- Police work with insufficient resource and heavy load of cases.
- The public cooperation is an important role through witnesses.
Shortcomings of official crime statistics:

- The main limitations may be summarized as follows:
- Only reported crimes feature in official crime statistics.
- Crime statistics are defective since they are expressed in relation to the total population.
- Some crimes are more likely to be reported than others.
- Police acumen may influence crime reporting.
- Changes in legislation, technology and police manpower may influence crime figures.
- Socio-economic changes may influence the volume of official crime recorded.

Crime information according to unofficial sources of crime information:

Information according to victim surveys:

- Since the 1970s many countries have established official crime victimization surveys.
- This is a key method of addressing the “dark figure” of unreported crimes.
- Victim surveys investigates about peoples’ attitudes and criminal justice system.
- Corruption in the criminal justice system is a major concern for survey respondents.
- The United Nations Interregional Crime and Justice Research Institute (UNICRI) has been undertaking victim studies since 1989.
- Whites are the biggest victims of crime especially in property crimes.
- Black and coloured people were more often victims of violence than whites and Asians.
- The incidence of assault with aggravating circumstances, violent attacks on trains and rape or attempted rape was highest among blacks while coloureds were especially vulnerable to molestation in public.
- Research indicates that victimization, crime and violence are common experience for many young South Africans.
- Young people experience assault nearly eight times the adult rate.
• Young people are exposed to theft at five times and robbery at four times the adult rate (Pelser 2008:2)

Limitation of victim surveys:

1) Dark Figure – some drawbacks in unofficial sources include the “dark figure” which refers to those crimes that are committed but not reported to the police.
2) Unidentified victims – the general inability to tap information of victim profiles or identity.
3) Undetected criminal activity - Many crimes occur in hidden and secluded areas such as the corporate boardroom, the financial marketplace, on the internet or directed against the environment (conservative crimes) therefore there is no research, no theory, no control, no knowledge or statistics.
4) Uncollected data – tendancy to ignore different cultural perceptions affecting the respondents.
5) Inadequate facts – Victims forget important facts of events which took place.
6) Voiceless victims - some victims don’t have confidence in the criminal justice systems or are silenced.
7) Under-reporting of crimes – lack of witness reports.
8) Repetitive story telling – occurs where the same offender is identified hence victim surveys reflect the number of crimes not the number of offenders.

Self-report studies/surveys

• Self-report studies are surveys conducted by anonymous respondents, without fear of disclosure or arrest are asked to respond confidentially to any violations of the criminal law that they have committed.
• Anonymity and confidentiality are guaranteed.
• Self-report items aim to measure attitudes, values, personal characteristics and behaviours.
• Data obtained from these reports can be used to test theories and measuring attitudes towards crimes.
Researchers can correlate a variety of characteristics of respondents with their admitted offences that go beyond the demographics of age, race and gender.

Criminal mindsets such as impulsiveness, empathy and sensitive seeking, peer pressure influences can be weighed.

Problems

- Scope of questions is limited;
- Only directed towards petty crimes such as shoplifting or simple theft;
- Target groups of survey is not representative of the wider population usually students;
- Major focus on juvenile delinquency than adult criminality.

Accuracy of self-report studies

- Concerns have been raised regards the methods used.
- Critics cite the argument that it would be highly unreasonable to expect people to incriminate themselves by openly admitting to their illegal activities.
- Inconsistent testimonies based on false information, lies, confusion and inaccuracies.
- Males tend to report their anti-social activities less honest than females.
- Individuals without serious criminal records tend to under-report their crime.
- Respected criminologists such as Hindelang, Hirschi and Weis foster the opinion that self-reports are accurate and compatible with official crime statistics (Siegel 2004:54).
- Exclusion of institutionalized youth or juvenile offenders and those adult populations in the gathering of information.
- Therefore, self-report surveys may measure only non-serious, occasional delinquents while ignoring chronic offenders.

Data Mining

Data mining is relatively a new criminological technique in terms of which multiple advanced computational methods are used to analyse large datasets involving one or
more sources (Siegel 2013:41). Patterns of crime can be analysed by police such as crime incident reports, witness statements, telephone toll analysis, tip information or internet activity.

Crime Mapping

Crime mapping is one of the mechanisms employed and entails use of modern technology such as Geographical Information Systems (GIS) to map (visualize) and analyse patterns of crime. Effective patrol efforts can be established in crime “hot spot” areas. The geography of the city and its features can influence crime for instance, the location of alleys, buildings, open spaces, houses, businesses, bars, taverns, pawn shops and factories including dilapidated buildings or infrastructure, schools and parks.

Study Unit 3: Individuals in the Crime Situation:

- A closer analysis has to be conducted since people cannot simply be classified as law-abiding citizens and law breakers.
- The unpredictable nature of circumstances where anyone can be a victim just as anyone can commit an offence.
- Criminal behavior is activated by the same needs and for the same reasons as the behavior of law-abiding citizens.

The Criminal a general profile:

- This unit analyses the offender (criminal) his or her motives and the risks associated with a criminal event.
- General characteristics such as cultural, ethnic, diversity, gender and age.

Key Concepts:

Criminal – this term may be used to describe an adult (a person 18 years and older at the time of the crime) with a culpable disposition (accountability) who has transgressed a prohibition or injunction that is (sanctioned) punishable by law.
Juvenile delinquent – the definition of juvenile is directly or indirectly linked to age. However, this is different from the definition of child where section 28 of the Constitution defines “child” as a person below the age of 18. The present Correctional Services Act defines a “juvenile” as a person under the age of 21 years.

Self-report studies – means the collection of information about aspects of an individual’s personal experience.

Liberal feminist approach – this perspective assumes that men and women are “the same”.

Differential association – this concept is an attempt to account for the acquisition and maintenance of criminal behaviour in terms of contact, or association with particular environments and social groups.

Violent offenders

There are four categories of violent offenders, namely:

1) Cultural violent offenders – are offenders who have been exposed to their subcultures over a period of time. Characteristics have limited education, limited social skills and direct frustrations towards the community.

2) Criminally violent offenders – these often commit economic as well as property-related offences for financial benefits generally better educated.

3) Pathologically violent offenders – commits crimes as a result of mental insanity/illness or psychological abnormalities such as schizophrenia and bipolar disorder.

4) Situationally violent offender – are usually acquainted with their victims by close relatives, friends, schoolmates and peers.

Common Characteristics of criminals

Cultural and ethnic diversity:

There are variations in crime rates between different racial and ethnic groups that reflect social, cultural and economic difference among groups.
According to researchers Asian nations have the lowest rates.

1) **Self-report studies** – shows that there are fewer differences in incidence between cultural and ethnic groups for less serious offences.

2) **Social position** – the effects of the discrimination and the decline of certain suburbs which encourages a subculture of violence and lawlessness.

3) **Police prejudice** – argument rejected by several criminologists.

4) **Historical context** – must be taken into account when conducting research.

5) **Socio-economic disadvantages** – show that ethnic groups characterized by high crime and imprisonment rates are also characterized by social and economic disadvantages.

6) **Racial differences** – crime rate may be linked to frustration over perceived racism, discrimination and economic disparity.

7) **Empirical evidence** – Racism is still an element in the African American community where African Americans who live in poor areas with high crime rates may be disproportionately violent because they are exposed to more violence in their daily lives.

8) **Conventional crimes** – are influenced by social structure since many blacks still live in environments that are characterized by poverty, unemployment, family instability and lack of prospects (Sykes & Cullen).

**Gender:**

- Gender is a primary factor in differentiating offenders from law-abiding citizens.
- Crime rates vary from one society to another and from one offence to another.
- The largest numbers of women in South African prisons are incarcerated for economic offences followed by aggressive offences and narcotics related offences.

1) **The Chivalry hypothesis** – suggests that women are more protected from the formal intervention of the criminal justice system.

2) **Arrest Rates** – Male arrests rates are still considerably higher than female rates. However, female arrest rates seem to be on the increase (Siegel 2004:69).
3) **Concept of masked criminality** – implies that there is a possibility that females are involved in a great many crimes their secretiveness and deceitfulness ensure that they are seldom apprehended. Male victims are less inclined to report female criminals or accomplices. Male police officials are also less inclined to arrest female suspects for crimes.

4) Although males are more aggressive than females there is evidence which suggests that females are more likely to act aggressively under certain circumstances:

5) **Reporting** – males are more likely to report physical aggression in their behaviour and intentions than females.

6) **Guilt** – females are more likely to feel anxious or guilty about behaving aggressively.

7) **Comparison** – Females behave as aggressively as males when they have the means to do so.

8) **Empathy** – Females are more likely to empathise with the victims (that is place themselves in the victims position).

9) **Gender differences** – in aggression decrease when the victim is synonymous (of same gender).

10) **Anonymity** – may prevent females from empathizing with the victim.

11) **Aggression** – females may feel more freedom than males to express anger and aggression than males in family settings.

12) **Biological theorists** – hold the view than males are naturally aggressive than females but females may actually be more aggressive than males under certain circumstances.

**Differences between male and female offenders:**

<table>
<thead>
<tr>
<th>Male offenders</th>
<th>Female offenders</th>
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</thead>
<tbody>
<tr>
<td>Commit more crimes of violence</td>
<td>Commit fewer crimes of violence</td>
</tr>
<tr>
<td>Tend to act more aggressively in general</td>
<td>Act aggressively only under certain circumstances</td>
</tr>
<tr>
<td>Male arrests rates are much higher than</td>
<td>Arrests rates much lower but increasing</td>
</tr>
</tbody>
</table>
female arrests rates  faster than male arrests

1) **Socialization** – girls are subject to informal social control and therefore have less opportunity to get into trouble. Boys tend to learn attitudes and role orientations that encourage aggression and risk taking that predisposes them to offending behaviour.

2) **Power-control theory** – predicts that male-female delinquencies will be greater in patriarchal families.

3) **Opportunity** – fewer women are found in managerial positions where they could commit fraud on a large scale. Similar unequal opportunities prevail in the underworld women are usually only exploited as prostitutes.

4) **Participation** – when women began to acquire equal rights with men and moved out into the world their participation in crime rose gradually.

5) **Liberal feminist theory** – explains that the traditionally lower crime rate for women could be explained by their “second-class” economic and social position. Research indicates that crime by women is not alluded to feminism as a cause but is rather linked to the burden.

6) **Differential Association** – a crucial factor in explaining gender differences in delinquency. Males and females differ in exposure to delinquent peers. The moral judgment of females seems to be sufficient to reduce and even eliminate the impact of delinquent peers. Males are substantially more likely than females to have delinquent friends and tend to be influence than females.

**Age:**

- **Age is inversely related to criminality** – this means that young offenders have the highest crime rate as these offenders mature their offending rates decline (Siegel et al 2003:43). Age is ubiquitously correlated to crime. There is a universal tendency for criminal involvement to peak during adolescence and scale down afterwards. This pattern is known as the age-crime curve and is formed from the statistical count for the number of known crimes committed in a population over s given mapped according to age.
• **Age-crime curve** – the curve reflects a sharp increase in offensive behaviour beginning in early adolescence, a peak in mid adolescence and then a steep decline in early adulthood followed by a steadier decline thereafter. The peak may be higher or lower at different periods and the peak age may vary by a year or two at different times or in different places but the peak remains.

• **Prison records** – the majority of South African prisoners are in the age group of 18 to 25 years.

• **Universal pattern** – for most forms of serious crimes such as murder, rape, assault and robbery the proportion of the population involved in crime tends to peak in adolescence or early adulthood and then decline with age.

• **Biological factors** – the question arises why juveniles out of all age groups are involved in most crimes. Many crimes require a certain level of physical and mental development. A drop in physical strength and stamina as well as a drop in dexterity later in life reduce the ability to fight, rob and flee.

• **Unemployment** – differences in availability of employment influences the cross-sectional variation in juvenile arrest rates for property crimes because jobs and petty theft are alternative sources of status, cash, consumer goods and other needs of juveniles.

• **Alcohol and drug abuse** – may facilitate the drift into delinquency. Youthful misconduct seems a natural phenomenon to teenagers.

• **School experiences** – adolescents feel that they are repressed by many restrictions on their behaviour. This leads to aggression, rebelliousness and fighting (Cullen & Sykes 1992:114).

• **Parental supervision** – teens are also characterized by reduced parental supervision and influence. Youngsters seek independence from their parents and look to their peer groups for recognition. The youth culture sets pursuit of pleasure and risk taking above discipline. Increasing criminogenic stress, weakened parental control and increased influence of the peer group offer a possible explanation for increasing lawlessness.

• **Habitual criminals** – some juveniles become habitual criminals who turn their backs on crime only at a very late stage.
• **Attitude changes** – towards criminal behaviour are strengthened by social ties such as an intimate relationship or by joining a religious group, studying or obtaining employment. Aging criminals tend to change their outlook on crime. A career in crime was once regarded as profitable and exciting is now viewed as risky and not worth the trouble.

**Four developmental theories that help shed light on offending behaviours:**

1) **Agnew’s super traits theory** – focuses on how low self-control and irritability (negative emotions) interact with other domains of (e.g. school, work and marriage) across the lifespan to impact on offensive behaviour.

2) **Farrington’s Integrated Cognitive Anti-social Potential (ICAP) theory** – stresses anti-social potential and cognition and how things are shaped into pro or anti-social directions at different times and situations. Farrington distinguishes between long-term and short-term anti-social potential.

3) **Moffit’s theory** – posits a dual-pathway model consisting of adolescent-limited offenders (AL) who limit their offending to the adolescent years and life-course persistent offenders (LCP) who offend across the life course.

4) **Sampson and Laub’s age-graded theory** – is concerned with the power of informal social control (bonds) to prevent offending. Turning points in life for instance marriage and a new job are important in understanding the process of offenders’ desisting from crime.

**The Criminal needs and motives for criminal behaviour:**

**Key concepts**

- **Motive and motivation** – a motive can be defined as an inner drive that causes or compels someone to act.

- **Internal motive** – are factors inside the individual such as needs, desires and interests which activate, maintain and direct behaviour towards certain goals.

- **External events** – involve environmental, social and cultural sources of motivation that have the capacity to energise and direct behaviour or human actions.
- **Needs** – are conditions within the individual which are essential and necessary for the maintenance of life and for the nurturance of growth and wellbeing.

- **Emotions** – can be described as being “short-lived subjective feelings of varying strength prompted by the nervous system arousal in response to some perceived event” (Walsh 2015:99).

- **Cognitions** – refer to mental (intellectual) events, such as thoughts, beliefs, expectations and an individual’s self-concept. Cognitions guide and influence a person’s way of thinking (Reeve 2009:9).

### Types of internal motives:

These are needs, cognitions and emotions:

1) **Needs** – needs are conditions within the individual that are essential and necessary for the maintenance of life and for the nurturance of growth and wellbeing. Reeve (2009:9 – 10) distinguishes between biological needs, psychological needs and social needs:

2) **Hunger and thirst** – are two examples of biological needs that arise from the body’s requirement for food and water.

3) **Competence and sense of belonging** – are two psychological needs that arise from the human being’s requirement for environmental mastery and warm interpersonal relationships.

4) **Social needs** – are associated with the need for achievement.

5) **Cognitions** – refer to mental event such as beliefs, expectations and the self-concept. Cognitive sources revolve around the person’s thinking ways such as plans, goals and expectancies.

6) **Emotions** – are multi-dimensional which means they can be studied from many different points of view. Emotions exist as subjective, biological, purposive and social phenomena. Emotions are also biological reactions and energy-mobilizing responses. Emotions organize and orchestrate four interrelated aspects of experience (Reeve 2009:9):

7) **Feelings** – subjective, verbal descriptions of emotional experience;
8) **Physiological preparedness** – how our body physically mobilizes itself to meet situational demands involve the hormonal system;

9) **Function** – what specifically we want to accomplish at that moment; and

10) **Expression** – how we communicate our emotional experience publicly to others such as gestures, postures, voice, tone and facial expressions.

11) **External events** – are environmental incentives that have the capacity to energise and direct behaviour. Violence is deeply rooted in our historical and political past where individuals were taught to use violence to address social challenges. External events also contribute to the culture of violence in many ways. Environmental sources of motivation are linked to specific stimuli (money) or event (praise). These perceived benefits also act as an incentive for other individuals to join the gang. An incentive refers to rewards that function in a motivating way either “positive incentive” or “negative incentive” describe outcomes individuals seek to attain or avoid. An incentive like a goal is something someone anticipates (Ferguson 2000:11). Unemployed and uneducated youngsters are often targeted by syndicates to hijack cars and smuggle drugs. Money is the incentive for some desperate women to become involved in prostitution.

**Distinction between motive and intent:**

- The terms though used synonymously bear different meanings.
- Motive refers to the reason behind an action and intent is more complex it involves aims or goals directedness, conscious deliberation and purposefulness.
- Intent indicates the desire that a specific result will follow a particular action while motive explains the reason why the particular result is desired.

**The Process of Motivation:**

These theories can be divided into three groups, namely:

1) **Instrumental theories** – which state that reward or punishment serves as a means to ensure that people act in a particular way.
2) **Content theories** – which focus on the content of motivation and are essentially about taking action to fulfill needs.

3) **Process theories** – which focus on psychological processes that affect motivation (Armstrong 2003:218).

Arnold, Robertson and Cooper (Armstrong 2003:216) are of the opinion that there are three components of motivation:

1) **Direction** – what a person is trying to do.
2) **Effort** – how hard is a person trying.
3) **Persistence** – how long a person keeps on trying.

**Process of Motivation**

- Need
- Establish a goal
- Attain a goal
- Take Action

**Motivation and Criminal Behaviour:**

- The role of motivation in relation to human behaviour explores the questions why people commit crime and what causes criminal behaviour in terms of the theories below:
Rational Choice Theory:

- Italian “social-thinker” Cesare Beccaria founded the rational choice theory.
- Central tenets of the rational choice theory are that people are free to choose their behaviour.
- Crime is offence specific because an offender will choose a specific crime based on the characteristics of that crime.
- Offenders might therefore consider whether they possess the necessary skills and resources to commit a specific crime, for example, whether for money or other valuables.
- Rational choice theorists believe that personal (properties) factors motivate people to commit crime include economic opportunity, learning and experience, knowledge of criminal techniques, anger, lust, greed, jealousy, revenge, status, peer approval among others.

Trait Theory

- Cesare Lombroso’s work describes the traits theory as rooted in the that one is “born a criminal”.
- This theory suggests that biological or psychological attributes are adequate evidence to explain away the existence of criminality.
- These theorists view each offender as physically and mentally unique and focus on the possibilities to explain criminal behaviour such as inherited (genetic) criminal tendencies, problems with the nervous system (neurological problems) or blood chemical disorders.

Social structures theory

- Social structure is the framework of social institutions like family, educational, religious, economic and political institutions.
- These theories originated from attempts to explain the link/chain between crime, poverty and unemployment.
• They believe that social forces begin to affect people while they are young and continue to influence them throughout their lives.

Three separate branches within the social structure perspectives:

1) **Social disorganization theory** – focuses on conditions of urban environment that affect crime, such as families, commercial establishments and schools.
2) **Strain theory** – postulates that crime is a function of the conflict between the goals of people and their means.
3) **Cultural deviance theory** – combines both elements of strain and social disorganization theory where strain and social isolation are unique to lower-class culture which results in disorganized neighbourhoods.

**Social process theories**

• Social theorists view the elements of socialization as the chief determinant (motivator) of criminal behaviour.

Branches of the social process theories include the following:

1) **Social learning theory** – primarily associated with Ronald Akers maintains that people learn about criminal techniques and method through the process of socialization.
2) **Social control theory** – states that everybody has the potential to become a criminal. Most people are controlled by their bond to society.
3) **Social action theory** – (labeling theory) states that people become criminals when significant members of society label them as such and they accept those labels as a personal identity. Labeling theory shows that bad labels stigmatise and evoke the errant behaviour the labels signify.

Cohen, Boucher and Seghorn (in De Wet 2008:19) and Bezuidenhout and Kloper (2011:232-3) distinguish the following types of rape on grounds of motivation:

1) Power
2) Anger
3) Exuality/sadism

These typologies specify rape as motivated by anger or dominance rather than sexual desire.

The rapist doubts his masculinity and that act of rape is a means of showing supremacy over the victim to prove that he is in control.

Power rape can be divided into two subcategories:

1) **Power assertion** – the rape is an expression of the rapist’s virility and dominance motivated by the rapist’s feelings of inadequacy.

2) **Power reassurance rape** – is motivated by the rapist’s attempt to resolve lingering doubts about his sexual adequacy and masculinity.

3) **Anger rape** – the act can be viewed as the offender’s expression of his anger and frustration and feelings are motivated by the attempt to retaliate against, perceived wrongs or rejection the rapist believed he has suffered. The rapist harbours intense feelings of hostility towards women in general.

4) **Serial rapists** – are persons who have engaged in sexual conduct with two or more unwilling victims and without their consent usually strangers. Lust has been found to be the primary motive of serial rape.

**Emotion as motivation for criminal behaviour:**

Emotions tend to serve as a motivational force as they energise and direct behaviour.

Similarly, emotions such as anger, possessive jealousy and envy can become powerful motivational factors to commit crime.

- **Chronic anger** – about a supposed injustice or injury gives rise to feelings of hatred which become intense and could serve as an incentive for that person to take revenge.

- **Hate crimes** – known as biased-motivated crimes are crimes committed against people because of their membership of certain groups or categories, such as race, ethnic background, nationality, political affiliation, religion, gender and
sexual orientation. Hate crime can take many forms including physical assault, pelting with injurious or offensive objects, verbal assault, taunting, damage to property, bullying, harassment and/or offensive graffiti or letters for instance xenophobia.

- **Xenophobia** – can be defined as undue or excessive fear, hatred or dislike of stranger or foreigners usually new migrants. This is where an in-group usually develops a sense of solidarity, loyalty and cooperation among themselves but often display feelings of indifference, disgust or even hatred for members of the out casted group.

**Risk Factors Contributing to Criminal Behaviour**

- Risk factors imply that some children and juveniles are more prone to misbehaviour than others due to certain individual, social and environmental factors.
- In this unit we shall anaylse factors that counteract criminal tendencies and help youth desist from crime.

**Key Concepts**

- **Risk factors** – is something that increases the probability of committing a criminal offence.
- **Criminogenic risk factors** – are those factors closely linked or associated with criminal activities, such as delinquency, offending and crime.
- **Somatotypes (basic body types)** – are usually characterized by physical and personality characteristics:
  - **Endomorphs** – are more heavily built and move slowly and their body shape is soft and round. Personality is extrovert, friendly and sociable.
  - **Mesomorphs** – have well-developed muscles and athletic in appearance. They bodily features are hard and round. Personality is strong, active, aggressive and sometimes violent.
  - **Ectomorphs** – have small skeletons and weak muscles. Their body shape is fragile and thin. Personality is introverted, hypersensitive and intellectual.
Risk Factors Contributing to Criminal Behaviour

Criminogenic factors are classified into three categories, namely:

1) Individual  
2) Family  
3) Community-based

Individual risk factors in relation to criminal causation

- **Genetic perspective** – focuses on the physical and biological factors, intelligence, personality and temperament as well as mental and physiological disorders.

- **Individual factors** – include social aspects role of alcohol and drug abuse, growth process to adulthood and cognitive processes.

Genetic and hereditary factors in relation to criminal causation

- **Genes** – are segments of deoxyribonucleic acid (DNA) that code for proteins and act as the blueprint or map that determines all aspects of human development. The protein-building activities of genes determine the physical and psychological development of a human being.

- **Hereditary predisposition** – are an indicator of the genetic differences between individuals which determine, for example, physical traits (looks, height and race), personality (introvert versus extrovert) and life outcomes (predisposition to alcoholism and crime).

- **Environmental influences** – will also determine the severity of the predisposition reaction.

During his research, Sheldon (in Burke 2014:92) identified three basic body types, namely, endomorphs, mesomorphs and ectomorphs.

Physical and biological factors as risk factors associated with criminal causation types (somatotypes), namely:
### Somatotypes

<table>
<thead>
<tr>
<th></th>
<th>Physical characteristics</th>
<th>Emotional characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Endomorph</td>
<td>Heavy person with short arms and legs, soft and roly-poly (chubby)</td>
<td>Relaxed, extroverted and relatively non-criminal</td>
</tr>
<tr>
<td>Mesomorph</td>
<td>Athletic, heavy and muscular</td>
<td>Aggressive and likely to commit violent crime and crimes requiring strength and speed</td>
</tr>
<tr>
<td>Ectomorph</td>
<td>Thin, flat and fragile looking</td>
<td>Introvert and overly sensitive</td>
</tr>
</tbody>
</table>

### Intelligence as risk indicator of criminal causation

- The debate about the link between IQ and criminality is controversial and has still not been conclusively proven.
- Some social scientists are of the opinion that IQ has only an indirect influence on delinquency, arguing that children with a lower IQ are more likely to engage in criminal activities because of frustration associated with their poor verbal abilities.
- Other researchers in turn, believe that there is a direct link between IQ and delinquency based on the fact that children with a lower IQ are unable to manipulate abstract concepts and are therefore not able to foresee the consequences of delinquent and offending behaviour or appreciate the feelings of their victims.

### Personality and temperament as criminal risk factors

Personality can be defined as a unique, relatively stable and consistent behaviour pattern including emotions and thoughts that distinguish one person from another.

1) **Personality traits** – set individuals on a particular developmental trajectory that influences how other people in the family, school, peer group and work domains react to them.
2) **Temperamental components** – include mood (happy/sad), activity level (high/low), sociability (introverted/extroverted), reactivity (calm/excitable), and effect (warm/cold).

3) **Genetic predispositions** – in correlation with environmental factors, previous experiences, influence the individual’s cognition.

4) **Personality characteristics** – have a strong link with criminal behaviour are impulsivity and an inability to experience empathy.

**Mental and physiological disorders as criminal risk factors**

- A disorder can be broadly defined as behaviour that has distinct genetic and environmental associations with specifiable biological, psychological and social processes.
- Mental disorders can range from mild emotional distress to outright insanity.
- Physiological disorders have a biological (genetic) and psychological influence on human behaviour as well as a labeling impact (Hunter & Dantzker 2002:81).
- Psychological disorders include muscular diseases, neurological disorders (multiple sclerosis, cerebral palsy), Epilepsy, Tourette’s syndrome, Autism, Down syndrome and Attention Deficit Hyperactivity disorder (ADHD) (Walsh 2015:215). These disorders can result in truancy and juvenile delinquency resulting from frustration with failure at school, labeling, impulsivity and misinterpretation of behavior.

**Socialization as risk factor for criminal causation**

- **Definition** – socialization can be defined as the sum total of acquired behaviour that enables a person to conform to the rules and expectations in the society and whereby a person learns to become a good member of society as opposed to being a selfish individual (Barkan in Schoeman 2002:99).
- **Detachment** – if a child’s socialization process is incomplete or negatively focused it can result in an adolescent with a poor self-image who is alienated from conventional society and feels little attachment to a law-abiding lifestyle.
Three principal components of socialization according to Lykken (in Schoeman 2002:99) include:

1) **Conscientiousness** – implies a general disposition to avoid crime. This notion is born out of fear of punishment and the rejection of crime.

2) **Pro-sociality** – is based on a person’s general disposition attained by cultivating a person’s ability to empathise with others and to participate in and enjoy affectionate relationships.

3) **Acceptance of adult responsibility** – emphasizes the acceptance of conventional family and social responsibilities. Behavioural processes are focused on conserving and promoting these pro-social rules and values.

**Agents of socialization** – including family, peers, school and mass media, influence people’s values and behaviour.

**Alcohol and drug abuse as risk factors for offending**

Readily available and extremely common consumption of alcoholic substances probably has a much closer link with crime and criminal behaviour than most other drugs.

Conklin (2001:315) states that there are three facilitating factors, namely:

1) Alcohol
2) Drugs
3) Firearms
   - In 1972, Lombroso stated that “there is one disease (‘alcoholism’) that without other causes – either inherited degeneracy or vices resulting from bad education and environment – is capable of transforming a healthy individual into a vicious, hopeless evil being.
   - Lombroso believed that alcohol is the only individual factor capable of causing criminal offending.
   - **Link between crime and alcohol abuse** – Alcohol is furthermore believed to decrease the offender’s ability to contemplate the consequences of crime,
weaken moral disapproval of criminal behaviour and make crime seem more desirable.

- Drug abuse does not appear to initiate a criminal career although it does increase the extent and seriousness of one.

**Familial risk factors associated with criminal causation**

- Adverse home circumstances and family relationships have a significant impact on offending.
- The belief is deeply rooted in the assumption that the family is the primary unit in which a person is socialized in terms of the values, attitudes and processes that guide behavioural patterns of life.

The influence of three factors shall be analysed, namely:

1) **Perinatal factors** – are related to dysfunctional parental behaviour and birth complications
2) **Family structure** – the physical composition of the family tree
3) **Family functioning** – refers to the interaction and relationships between family members

**Prenatal and perinatal factors**

Prenatal risk factors are not genetically based but occur as a result of adverse effects of pregnancy which breed negative reactions such as:

- Brain dysfunction as a result of complications during delivery and pregnancy, resulting from the disruption of foetal neural development.
- Maternal substance abuse of alcohol and drugs result in harm of the child in foetal stages plus other lifelong problems.
- Foetal alcohol spectrum disorder

**Family Structure and Composition versus Crime**

- **Broken homes** – families that are not structurally intact can influence delinquency
• **Causes** – of broken family trees result from parental death, divorce, desertion, separation or illegitimacy, conflicts and abuse

• **Marginalized parents** – do not have the necessary financial means to take care of the upbringing of children.

**Family Functioning as Risk Factor for Criminal Causation**

Siegel and Senna (2000:278) identify four broad categories associated with delinquency:

1) **Marital fragmentation** – Marital conflict and break-up
2) **Conflict** – Interfamilial and interpersonal conflict
3) **Parental neglect and insensitivity** – towards emotional needs
4) **Parental deviance** – resulting in the deviant socialization of children

• **Externalized disorders** – result in behavioural problems

• **Internalized disorders** – cause anxiety and depression

• **Family violence** – such as abuse, neglect, emotional deprivation, interfamilial conflict, encourage aggression in children.

• **Social control theory** – the inability to form interpersonal relationships can result in a weakened bond with society.

• **Parental socialization** – associated with erratic discipline, poor supervision, parental conflict and criminal or anti-social parental role models are crime risk factors.

Toby (in Conklin 2001:238) maintains that socialization will reduce criminal behaviour if:

• **Parent expectations** – parents clearly define their expectations of children

• **Parent relationship** – there is a close parent-child relationship

• **Parents control** – their reaction to their children’s rebellious behaviour

• **Parents reinforce** – the learning of pro-social behaviour and discipline the failure to learn acceptable behaviour

• **Erratic parental discipline** – harsh, cold or rejecting parental attitudes have links with delinquency.
• **Physical abuse** – physical punishment such as slapping, hitting and punching provokes frustration and angry attitudes in children.

Wilson and Petersilia (in Schoeman 2002) conclude that in order to prevent criminal behaviour parents must adopt these directions:

- Restrict children’s activities and maintain physical surveillance by knowing their whereabouts.
- Reduce crime by protecting their home and its occupants against physical, emotional and material harm.
- Act as probation or parole agencies willing to guarantee their member’s good conduct.

**Community associated criminal risk factors**

Burton opines that South African youth are growing up in disorganized societies where they are exposed to risk factors for example community violence, association with delinquent peers, living in poverty-stricken communities and access to alcohol and drugs.

- **Social disorganization** – characterized by a breakdown of social control among traditional primary community groups, poverty and unemployment and adherence to delinquent values.
- **Poverty** – is one of the strongest predictors of adolescent violence for both males and females.
- **Social disorganized environments** – where juveniles interact with and learn from adult offenders.

**Risk factors contributing to a delinquent career**

- **Chronic offenders** – often begin with property offences, are born in large low-income families headed by parents who have criminal records and older delinquent siblings. They tend to have low educational achievement, are restless, troublesome, hyperactive, impulsive and often play **truant**.
Persistent criminal activity – persistent offenders start as early as the age of 8 years. They tend to take relatively well-paid but low-status job but is likely to have an erratic work record and periods of unemployment.

Loeber identifies three paths to anti-social behaviour:

1) **The conflict pathway** – commences from an early age and begins with stubborn and rebellious behaviour as a child.

2) **The convert pathway** – commences with minor “underhand” behaviour such as shoplifting and lying.

3) **The overt pathway** – is depicted by the escalation of delinquent acts commencing with aggression, for example, bullying, leading to physical fighting and ultimately violence.

Risk factors based on South African Research Findings

- **Cape Flats** – youths are exposed to syndicates, lack of parental guidance results of Aids, juveniles who join criminal gangs, they are exposed to hijacking of cars and smuggling drugs.

- **Family Preservation Pilot Project at Inanda** – a low-income area near Durban in KwaZulu-Natal – friction between young males and stepfathers or poor relations with natural fathers according to case studies.

- **Difficulties at Schools** – characterized by absenteeism, dropping out of school, substance abuse, lack of social skills, involvement in a gang and running away from home.

- **Poor education** – limited provision for children’s basic needs, abandonment, negligence, various forms of abuse, lack of supervision, low soci-economic status and overcrowding.

According to Burton risk factors associated with youth violence in South Africa are the following:

1) **Exposure to violence at every level** – from news media, television, radio, films and computer games.
2) **Apartheid regime** – led to an alienated generation of violence.

3) **Fragmented family structures** – the fundamental dislocation of society under apartheid led to a generation of abnormal society and fragmented family structure.

4) **Drugs and alcohol** – impact of increasing availability of alcohol and drugs such as methamphetamine.

**Factors Contributing to Desisting from Criminal Activities**

- **Protective factors** – children who are exposed to more protection are more likely to develop pro-social behavioural repertoires.
- **Discontinuity** – Farrington found that either they are able to remain non-offenders or they begin a criminal career and then later desist.
- **Shy personality** – children with few friends avoided damaging relationships with other adolescents (members of a high-risk group) and were therefore able to avoid criminality.
- **Unemployment** – seems to be related to the escalation of theft offences.
- **Marriage** – helped diminish criminal activity however those married to spouse also involved in criminal activity and who had a criminal record increased criminal involvement.
- **Relocation** – helped some offenders desist from criminal tendencies because they were forced to sever ties with co-offenders.
- **Youths** – who managed to avoid criminal convictions were unlikely to avoid other social problems.

**Study Unit 4: Individual Oriented Perspectives on the Causes of Crime**

In general, human beings may be studied in terms of three different levels or dimensions:

1) **Biological dimension** – includes genetic, neurophysiological and biochemical factors.
2) **Psychological dimension** – is subdivided into cognitive, emotional or affective and volition component.

3) **Social dimension** – deals with family, school, peers and work environment.

**Key Concepts**

- **Biological dimension** – the basic premise here is that certain people are inherently wicked and therefore destined to be criminals in other words born criminals.

- **Social learning approach** – people learn attitudes and techniques that are conducive to crime in both non-social and social situations.

- **Rational choice perspective** – the reward-risk approach influences offender’s strategic thinking.

- **Determinism** – there is an assumption that the individual differences are deeply rooted in factors beyond the control of individuals.

- **Free will** – proponents believe that offenders have the ability to have free will and thus can be held responsible for their behaviour.

**The Biological Dimension**

- People are biological as well as social beings.
- Biology is the science of physical life and includes the study of all living cells.
- All human actions have a biological basis.

According to **Franken (1998:25)** behaviour stems from:

- Genetic predisposition;
- Activation of biological circuits;
- Release of various chemicals and hormones;

Without biological processes there would be no action or life.

Biological factors that play a role in criminal behaviour may be classified as:
1) **Genetic factors** – these are those criminogenic characteristics which were inherited from parents. Genetic disorders that are related to criminal behaviour include chromosomal disorders, hyperactivity (attention deficit hyperactivity disorder), Tourette’s syndrome and other behavioural disorders in juveniles. These disorders are significant contributory factors in anti-social behaviour.

2) **Neurological factors** – which may contribute to criminal behaviour involve certain processes in the functioning of the human nervous system and brain. Certain advanced scientific apparatus make it possible to study the functioning of the brain in living persons:

- **EEG (electroencephalogram)** which measures the brainwave activity;
- **CAT scanner** which takes photographs of the internal organs including the brain;
- **PET scanner** which analyses the metabolism of the brain;
- **BEAM (Brain Electrical Activity Mapping)** scanning is the more recent brain scanning technique using electronic imaging; and
- **SQUID (Superconducting Quantum Interference Device)** is another device used.

Research findings have also indicated that violent criminals may have impairment in certain regions of the brain. In a research by Nathaniel Palone and James Hennesy indicates that chronic violent criminals have far higher levels of brain dysfunction than the general population.

3) **Biochemical factors** – these are related to an individual’s diet, blood chemistry, allergies and so forth. Hypoglycaemia for instance is a condition where the blood sugar is very low, causing among other things anxiety, confusion and aggressive behaviour. Serotonin deficiency may be related to impulsiveness, crime and violence and an imbalance involving dopamine, noradrenaline and serotonin may be conducive to criminal behaviour. Hormones cause areas of the brain to become less sensitive to environmental stimuli. High androgen levels create the need for excessive stimulation and the willingness to tolerate pain to experience
a thrill. Other androgen-related male traits include impulsivity, dominance and poorer verbal skills which are also associated with anti-social behaviour.

**The Psychological Dimension**

This dimension is subdivided into cognitive, emotional and volitional component.

**Cognitive component**

- Cognitive processes are those associated with knowing.
- Cognition involves thinking, perceiving, abstracting, synthesizing, organizing and conceptualizing the nature of the external world and the self.

The main elements in the process of cognition are the following:

- Awareness and observation
- The learning process
- Memory
- Thinking

(a) **Components of social cognition associated with criminal behaviour are described briefly below:**

- **Empathy** – is the ability to see things from another person’s point of view.
- **Locus of control** – means the degree to which individuals perceive their behaviour to be under their own control or the control of external forces for instance people in positions of authority and government.
- **Moral reasoning** – is that part of social cognition that relates to criminal behaviour in young people. Delinquency seems to be related to the delay in development and maturation of moral reasoning.
- **Self-control and impulsiveness** – is the lack of self-control often linked to impulsive behaviour which can be described as the failure to stop and think between impulse and action. Delinquents are characterized by high levels of impulsivity.
• **Mind-set of offenders** – the mindset represents the thought patterns of people who behave in basically moral way to meet their obligations and who operate within the law.

**Cognitive approaches to explain criminal behaviour**

**Moral development**

Lawrence Kohlberg formulated the theory of moral reasoning. It is possible that serious offenders have a moral orientation that differs from the law-abiding citizens (Siegel 2004:157)

**Brief Summary of Kohlberg’s Theory:**

The essence of Kohlberg’s (1971) theory may be summarized in the following brief exposition of the different levels and stages of moral development (Walsh 2015:211 – 232).

**I Pre-conventional level**

- The pre-conventional level of moral reasoning is especially common in children although adults can also exhibit this level of reasoning.
- Researchers at this level judge the morality of an action by its consequences.
- A child with pre-conventional morality has not yet adopted or internalized society’s conventions regarding what is right or wrong but instead focuses largely on external consequences that certain actions may bring.

Two stages of pre-conventional level of reasoning:

**Stage one** – (obedience and punishment driven) individuals focus on the direct consequences of their actions on themselves.

**Stage two** – (self-interest driven) expresses the “what is in it for me” position, in which right behaviour is defined by whatever the individual believes to be in their best interest.

**II Conventional level**
The conventional level of moral reasoning is typical of adolescents and adults. To reason in a conventional way is to judge the morality of actions by comparing them to society’s views and expectations. Conventional morality is characterized by an acceptance of society’s conventions concerning right and wrong.

**Stage three** – (good intentions as determined by social consensus) the self enters society by conforming to social standards. Personal views on “I want to be liked and thought well of; apparently, not being naughty makes people like me”.

**Stage four** – (authority and social order obedience driven) it is important to obey laws, dictums and social conventions because of their importance in maintaining a functioning society. Most active members of society remain at stage four where morality is still predominantly dictated by an outside force.

**III Post-conventional level**

- The post-conventional also known as the principled level is marked by a growing realization that individuals are separate entities from society and that the individual’s own perspective may take precedence over society’s view.
- Individuals may disobey rules inconsistent with their own principles. Post-conventional moralists live by their own ethical principles.
- Rules are not absolute dictates and must be obeyed without question.

**Stage five** – (social contract driven) the world is viewed as holding different opinions, rights and values. Laws are regarded as social contracts rather than rigid edicts. Democratic government is ostensibly based on stage five reasoning.

**Stage six** – (universal ethical principles driven) moral reasoning is based on abstract reasoning using universal ethical principles. Laws are valid only insofar as they are grounded in justice and commitment to justice carries with it an obligation to disobey unjust laws. Immanuel Kant suggests that decisions are not reached hypothetically in a conditional way but rather categorically in an absolute way.

**Social learning approach**
• Albert Bandura, Richard Walters and Ronald Akers are three of the best-known representatives of the social learning approach (Burke 2014: 123: 266).
• These researchers maintain children model their behaviour on the responses they evoke from other people such as parents and on the behaviour of people they view in television programmes or in the movies (Siegel & Senna 1991:103).

Bandura identified three major types of model, namely:

1) Family members;
2) Members of one’s subculture;
3) Symbolical models

• According to Bandura aggressive behaviour in adolescents is the result of a distorted dependency relationship with the parents.
• Bandura’s (1961) famous Bobo Doll experiment vividly exemplifies the narrative below:
• Children pay attention to some of these people (models) and encode their behavior. At a later stage they may imitate (i.e. copy) the behaviour they have observed.
  1) Firstly, the child is more likely to pay attention to the behaviour it imitates those people it perceives as similar to itself.
  2) Secondly, the people around the child will respond to the behaviour it imitates with either reinforcement or punishment. If a child imitates a model’s behaviour and the consequences are rewarding the child is likely to continue performing the behaviour.
  3) Thirdly, the child will also take into account of what happens to other people when deciding whether or not to copy someone’s actions. This is known as vicarious reinforcement.

Rational choice approach

• This third cognitive perspective is based on the premise that people are reasonable being who think rationally and first weigh up the advantages and disadvantages of a particular action before performing it.
• The emphasis is on the processes whereby individuals initially decide to commit a crime, then proceed with it and eventually decide to stop.
• The element of choice involves assessing the rewards and risks attached to committing a crime (Conklin 2004:228).
• Recent economic-based theories portray criminals as rational decision-makers.
• The foundation of the rational choice perspective is that crime is chosen for its benefits.

**Emotional component**

The second element of the psychological dimension will be analysed:

(a) **Analysis of the emotional component**
- Emotions are multi-dimensional with subjective, biological, purposive and social dimensions (Reeves 2005:293).
- In part emotions are subjective feelings such as anger or joy.
- Furthermore, emotions are more purposeful.
- Anger, for instance, creates a motivational desire to fight or to protest an injustice.
- Lastly, emotions are a social phenomena.
- Examples of emotions are anger, anxiety, fright, guilt, shame, sadness, envy, jealousy, love and compassion.

(b) **Emotional and criminal behaviour**
- Most homicides, rapes and other violent crimes directed at harming the victim are precipitated by hostile aggression in the offender.
- This behaviour is characterized by the intense and disruptive emotion of anger.
- Unpleasant feelings or negative effects give rise to a variety of sensations, thoughts and memories that are associated with either flight (fear) of fight (anger) instincts.
- Some people tend to act quickly on the basis of their initial emotions without further deliberation of forethought which may lead to acts of violence.
• Humiliating encounters and threats to reputation and status are also major contributing factors in violence. Personal insults or demeaning comments engender anger, depression or sadness in everyone (Bartol & Bartol 2005:247).

• Research findings indicate that people who are passive and unassertive are more likely to experience intense frustrations and to find themselves in situations where they feel threatened, insecure and powerless.

• Some major characteristics of psychopaths stem from defective emotional development. Psychopaths are characterized by lack of remorse or guilt, lack of affect and emotional depth, lack of empathy, a short temper and emotional immaturity.

**Volitional component**

• The third element of psychological dimension will be explained:
• The term “volition” refers to purposeful behaviour an action taken of free will. It implies choice a person’s own decision to act in a specific way.

Volition is an element of intention. Intention consists of two elements, namely:

1) Cognitive (or intellectual) element;
2) Connative or volitional (voluntary) element

There are three forms of intention:

1) Direct intention (*dolus directus*);
2) Indirect intention (*dolus indirectus*)
3) Foreseeing consequences (*dolus eventualis*)

Three different classical view on the question of free will:

1) **Cesare Beccaria** – an exponent of the classical school acted on the assumption that people have free will. Also that their behaviour is rational and purposeful and that it is based on the hedonistic principle (the pleasure-pain principle).
2) Cesare Lombroso (1835 – 1909) rejected the classical idea of free will and maintained that criminals are born that way. He regarded criminals as a reversion to more primitive development – a phenomenon he termed “atavism”. This implies that people cannot be held responsible for their behaviour because it is determined biologically.

3) Freud – a classical psychoanalyst supports the view of hard determinism assumes that human behaviour is completely determined by factors outside the conscious person and that choice is irrelevant.

These three views on human will can be represented schematically as follows:

<table>
<thead>
<tr>
<th>Total free will</th>
<th>Soft determinism</th>
<th>Hard determinism</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Classical School)</td>
<td>(Limited free will)</td>
<td>(No free will)</td>
</tr>
</tbody>
</table>

Mental illness and immature age may affect a person’s capacity to understand the wrongfulness of his or her actions.

The Social Dimension

- This involves the interaction between the individuals and their social worlds.
- Human beings cannot be studied in isolation because they constantly interact with their social environment.
- People affect their environment and the environment in turn influences people’s behaviour. Complex interaction takes place between the individual, the family, the school, peers and the broader community.

The Family Environment

- The family plays an important role in young people’s lives and has major influence on delinquency.
- Personality traits are formed in early childhood and are perpetrated into adulthood.
• During this period the child begins to develop attachments and bonds with significant others, mainly the parents, who are likely to exert the most influence on the child’s perception of himself or herself.
• Positive responses from the parents such as love, warmth and affection contribute to a positive self-image.
• Consonant states that parents who ensure that children are properly socialized and instilled with the appropriate moral values will be well shielded against involvement in criminality and anti-social behaviour.
• Divorced and single-parent families, blended families, out-of-wedlock births, homelessness, unemployment, alcohol and drug-abuse.

**Parental conflict and broken homes**

• Most theories of delinquency rely heavily on the parent-child relationship and parent practices to explain delinquency.
• Family relationships and parenting skills are directly or indirectly related to delinquent behaviour.
• Research conducted with families with a delinquent child reveals that such families are characterized by high levels of parental conflict such as excessive arguments, unhappiness, anger, blame and denial of responsibility which is antecedent to delinquent behaviour.
• Parental discord is associated with anti-social behaviour in children even when the parents stay together.

Wells and Rankin’s analysis on delinquency found that:

**Comparisons** – prevalence of delinquency in broken homes is 10% to 15% higher than in intact homes. Correlation between broken homes and juvenile delinquency is stronger for minor forms of juvenile misconduct and weakest for serious forms of violent criminal behaviour.
**Broken family bonds** – type of family break seems to affect juvenile delinquency because the association with delinquency is slightly stronger for families broken by divorce or separation than by the death of a parent.

**Gender** – there are no consistent differences on the impact of broken homes between girls and boys or between black youth and white youth.

**Age** – there are no consistent effects of the child’s age at break-up on the negative effects of the separated family.

**Foster homes** – there are no consistent evidence of the negative impact of step-parents on juvenile delinquency.

**Parental Rejection**

- Several studies have found a significant relationship between rejection by parents and delinquent behaviour.
- More specifically, research has indicated a strong relationship between emotional deprivation or lack of parental love, and juvenile delinquency.
- Emotionally neglected children tend to look for support by associating with groups outside the family.
- Jenkins found that parental rejection had a direct effect on the child’s ultimate development of conscience.
- Bandura and Walters found a direct correlation between rejection by hostile fathers and the delinquent behaviour of their sons.

**Method of parental control**

- Methods of parental control are important aspects of child rearing.
- The parental style of discipline in delinquent families may be described as lax, erratic, inconsistent, harsh and overly punitive.

Two disciplinary styles:

1) **Enmeshed disciplinary style** is where parent’s continually reprimand the child’s every move using verbal threats and expressions of disapproval. The child the
acts in this negative coercive manner outside the family with peers and school teachers.

2) The second problematic style of discipline is a lax or disengaged disciplinary style. This is characterised by very low level of parental control over the child’s behaviour.

McCord, McCord and Zola classify methods of disciplining into five types:

1) **Love-oriented discipline** – in which reasoning is used with the child and punishment involves withholding rewards or privileges.
2) **Punitive discipline** – involves a great deal of physical violence is used, accompanied by anger, aggression and threats.
3) **Lax discipline** – in which neither parent exerts much control.
4) **Erratic discipline** – in which one parent uses love-oriented methods and the other is lax or wavers between the two types.
5) **Erratic discipline (love-oriented, lax and punitive)** – in which one parent is lax or both parents waver between the different methods.

**School Environment**

- The school provides the first location of socialization away from the family unit where a child is exposed to different ideas, choices of behaviour and companions.
- Schools do not always provide a uniform positive atmosphere for a child’s development.
- Every child spends a considerable amount of time at school and many acts of delinquency are committed within the school setting.
- Research has indicated that youth who do not perform well at school or who do not like school are more likely to be involved in delinquent behaviour.
- Learners who violate school standards by smoking, truancy, tardiness, dress, poor classroom demeanour, poor relationships with peers and a lack of respect for authority are more likely to become delinquent than those who conform to set standards.
In contrast doing well at school and developing attachments to teachers can prevent involvement in delinquent activities.

The escalation of school conflict and violence may be attributed to various causes:

1) School staff may lack conflict resolution and management skills.
2) The school has no control over social and family conditions
3) School staff may fail to recognize and address conditions within schools that give rise to violence, negative attitudes, negativity towards certain groups and apathy among school staff members.

**Peer group influences**

- Part of the social development of adolescents is the heightened significance of peer groups and relations outside the home.
- Although most adolescents tend to retain the fundamental values of their parents, they look to peers for guidance on how to dress or do their hair, what music to listen to, how to behave in ways acceptable to the peer group.
- An adolescent from a deprived home environment (lack of love, affection and attention) may be even more vulnerable to peer pressure than are adults (Kassin 1955:319).
- Adolescents in all social classes may be susceptible to the lure of gang membership which is seen to offer excitement, status and camaraderie.
- For underprivileged or deprived youths, the gang becomes a “family” as well as an avenue for economic survival.
- The money made from robberies or selling drugs helps provide for some basic needs and the companionship, recognition and enhanced status of gang membership fulfill other needs that are not met at home at school or in a job situation.

In his book, *The Violent gang*, Yablonsky developed a classification of gangs, namely:
1) **Social gangs** – composed of youths who endeavour to realize their social goals in gang atmospheres.

2) **Delinquent gangs** – have a primary objective the material profit resulting from delinquent activity.

3) **Violent gangs** – are those seeking emotional gratification through violent behaviour.
   - Some youths join gangs in order to achieve personal security.
   - In South Africa, unemployment especially among African males is extremely high.
   - There is often no other entertainment or recreational facilities in the traditionally black townships.
   - In coloured townships, where youths are structurally less deprived street gangs are a feature of the poorer sectors of the townships.

**Conclusion**

See diagram as summary

- **Biological Dimension**
  - Genetic
  - Neurological
  - Biochemical

- **Psychological Dimension**
  - Cognitive
  - Emotional
  - Volitional

- **Social Dimension**
  - Family
  - School
  - Peer Groups
Application of Theory

- Theories are logical constructions that explain natural phenomena.
- These are not always direct observations this implies that theories still have to be supported or qualified by empirical (realistic) data from research or surveys.
- Different theories explain different categories of crimes and apply to different types of crimes. This means the same theories do not always apply to all crimes.

Key Concepts

Theory – The “bread and butter” of any science including criminology.

Systematic observations – this process involves the gathering or collection of information gained from previous experiences of the target groups be it offenders or victims.

Generalization – this is a process by which a pronouncement is extrapolated to a bigger group or population on the basis of a study of a limited number of cases.

Valid (True) – science demands that this concept should be satisfied by observation of survey results and the use of acceptable techniques to collect the required information. Validity thus indicates:

1) The absence of bias in errors;
2) The existence of a close relationship or cohesion between procedures carried out in research process, the research findings and the study object.

Structure theories – concentrate on societal organization and its influence on criminal behavioural attitudes.

Process theories – strive to explain how people become offenders or turn to habitual criminals that is the learning curve peer-pressure groups or gangs or mobsters.

Conflict theories – embody the view that human bahaviour is shaped by internal interpersonal conflict to achieve the perpetrator’s needs or desires.
**Consensus theories** – criminal offences are acts outlawed by society as a whole since they are harmful to the majority of the citizenry.

**What is Theory?**

- In criminology, theories represent individual’s attempts to understand and explain crime.
- A theory is a set of logically interconnected propositions explaining how observed facts within a domain of interest are related and from which a number of hypothesis can be derived and tested.
- Historically, criminological theories have developed according to three distinctive viewpoints, namely, that:
  1) Crime is a hereditary trait (biological theory);
  2) Crime is a tendency that individuals have acquired (psychological explanations for crime);
  3) The causes of crime are to be found in the structure and function of society (sociological explanations for crime).

**What is “Good” Theory?**

According to Maguire and Radosh (1999:157 – 158) four vital components reflect the ideal characteristic of a “good” theory:

1) Plausibility
2) Evidence of validity
3) Falsifiability
4) Predictability of Validity

**Plausibility**

- A plausible explanation must exist for the relationship between two or more facts.
- The elements of a theory must fit together and not contradict each other.

**Evidence of validity**

- To what extent does a theory enjoy real-life (empirical) support.
• A “good” theory will therefore be one that best reflects the findings of the research.

Falsifiability

• Theorists attempt to develop explanations that are precise enough to be tested.
• It is important to realize that no amount of research or testing can ever determine that a theory is absolutely true.
• For this reason it is clearly stated that any theory is subject to scientific falsifiability.

Predictability

• All scientists place great value on those theoretical explanations that have predictive value.
• Anticipating future behaviour has specific policy implications which will underlie the development of effective (crime prevention) programmes and suitable sanctions (punishment).

How to study theory

Maguire and Radosh identify five common areas that will help us to gain a better understanding of a particular theory, namely:

1) Background
2) Key premises
3) Responsibility of actions
4) Policy implications
5) Evaluation

Background

• A theorist who is psychologically oriented and who stresses peoples’ inner lives will emphasise and concentrate on the intrapsychic conditions arising from past experiences contributing to crime.
• Theorists who adopt a psychological approach will stress treatment and therapy for individual offenders.
• A theorist who is sociologically oriented will be inclined to explain crime by means of conditions in the individual's environment.
• Theorists who are environmentally oriented stress on the importance of improved social conditions such as better housing, educational facilities and job opportunities to prevent crime.

Key Premises

• Key premises constitute the framework for a particular theory.
• Key premises are the essential arguments expressed in the theorist’s own words to describe or support his or her theory.

Responsibility for actions (free will)

• This investigates to what extent do individuals operate or act as free agents.
• The responsibility for action is the most important consideration when studying crime.
• Criminal behaviour is explained as a product of three dimensions:
  1) Biological dimension
  2) Psychological dimension
  3) Social dimension
• There should be a balance between theory and practice.

Policy implications

• In the scientific world, theory is only successful by empirical evidence.
• A theory should have policy implications.
• Social science findings can be used to help policymakers determine which course of action to follow “to do something” about the crime problem.

Evaluation
- Theories are evaluated according to their adequacy, comprehensiveness and usefulness in the explanation of a phenomenon.
- Theoretical adequacy refers to a theory’s plausibility, empirical support, falsifiability and predictability.
- Not all theories are comprehensive explanations for criminal behaviour.
- A theory is thus comprehensive when it can explain both violent and non-violent crimes.

The usefulness of theory

- Theories help develop strategies to combat crime.
- The changes brought by theories influence and bring about change in government policy and the criminal justice system.
- In the criminal justice system theory is used on various levels.
  1) **SAPS** – The South African Police Service developed some crime prevention strategies include police patrol and neighbourhood watch.
  2) **Courts** – Judges pass sentences based on the understanding of the accused’s character and the environment the individual lives.
  3) **Forensic criminologists** – In pre-sentencing reports, forensics criminologists individualise the offender before the court and recommend suitable sentencing options.
  4) **The Department of Correctional Services** – takes cognizance of the theory in its endeavours to maintain discipline in prisons.

Classifications of theory

Theories are classified to establish similarities and difference between them.

Classical and positivist theories

- One of the oldest ways of classifying theories is to distinguish between classical and positivist theories.
- **Classical theorists** – focus on laws, government structures and the rights of the individual.
• **Positivists theories** – concentrate on the pathology of criminal behaviour and deal with the correction of criminality within the individual.

**Structure and process theories**

**Structure theories** – focus on the way society is organized and its influence on criminal behaviour. The assumption that a chaotic society causes strain which lead to delinquency and crime. In South Africa, factors such as inadequate education, unemployment and poverty contribute to crime.

**Process theories** – these do not stress on social environmental structures but rather the main emphasizes is on how people become offenders.

**Consensus and conflict theories**

Consensus and conflict theories are also known as the old and new criminology respectively.

1) **Consensus theory** – supporters of this theory are of the opinion that individuals in society agree about what is right and wrong through shared values and rule of law.

2) **Conflict theories** – interest of the rich and power conflict with those of less privileged groups. Conflict theories question the fact that a certain type of behaviour is regarded as unlawful while other activities which are equally detrimental are not illegal.

**Conclusion**

• In criminology, theories are applied to explain criminal behaviour by taking into account general and specific factors that are related or conducive to crime.

• There are various explanatory theories some of which concentrate to a greater extent on the individual and his or her innate or inner characteristics either biological or psychological dimensions.
A “good” theory may be described as meaningful, consistent and valid, supplying an adequate explanation which cannot be proven false and on which predictions may be passed.

**Milieu-related Causes of Criminal Behaviour**

Factors associated with crime are divided into two categories namely:

1) General factors
2) Specific factors

**Key Concepts**

**Vigilantes** – individuals who go on moral crusades without any authorization from legal authorities.

**Social disorganization** – generates pressure which in turn produces crime and deviance.

**Revenge (retribution)** – society’s respect and esteem for the criminal justice system is maintained where the offender has to be punished by way of a sanction fixed by the authorities to vindicate crime victims and other community members.

**Compensation (restitution)** – a system in which the state repays crime victims for their financial losses or physical injuries.

**Marginalization (social exclusion)** – refers to the dynamic, multi-dimensional process of being shut out, fully or partially from the various social, economic, political or cultural systems which serve to assist the integration of a person into society.

**General factors contributing to crime in South Africa**

**Population structure**

- South Africa has a demographically young population.
- The criminal career of such young people begin during adolescence and reach a peak during their mid-twenties.
According to Fergusson, young people between the ages of 12 and 19 are twice as likely to become the victims or perpetrators of violent crime.

**Rapid migration from rural to urban areas**

- The population explosion is far greater in urban than in rural areas.
- Rapid migration to the cities has led to a pressing shortage of housing, massive informal settlements, inadequate services and large-scale unemployment. These circumstances provide a breeding ground for crime.

**Rapid urbanization**

- The process of urbanization is associated with unemployment, the breakdown of traditional norms and values.
- In most countries, urbanization has taken place over a long period of time, for example 40 or 50 years.
- In South Africa, urbanization has taken place rapidly within a period of some 10 years following the abolition of Influx Control Laws in 1986.
- In most countries, the highest crime rates occur in urban areas.
- A greater concentration of people leads to greater stress, increased conflict and competition for limited resources.

**High levels of unemployment**

- In addition to accelerated migration to cities and rapid urbanization, the economic recession has led to high levels of unemployment and poverty.
- People who live in rural areas can still survive on the produce of the land but in urban areas this is impossible.
- People who cannot gain lawful employment must find another way of staying alive.
- In these circumstances crime soon becomes a source of income.

**Political factors**
• The crime rate has increased dramatically since 1990 because of the political stability in the country.
• During the two or three years that preceded the general election in 1994 the police were heavily involved in controlling political violence and unrest.
• Since 2009, however, a level of political stability has been achieved and political crimes do not feature as significantly.

**Social transformation in general**

• In general, social transformation means the breaking down of the old order, and this may leave a void with regard to norms, values and social control.
• Weakened social control makes it easier to commit crime.

**The system of migrant labour**

• The system of migrant labour formed an important component of the South African labour force and economy for many decades.
• Migrant labour was encouraged by former homelands especially in the farms and mines industries.
• This resulted in the absence of the father figure and male role models which has a negative effect on the socialization process.
• Violence in the black rural communities may be ascribed to the weakened role of the male figure.

**Inadequate education and poor preparation for the labour market**

• Many members of the black adult population of today had no access to formal education as children.
• The direct result of this mass unemployment and lack of a well-trained labour force.
• It has also been suggested that this education system did not provide sufficient preparation for life and job skills.

**Inadequate welfare services**
- It has been pointed out that it will take a long time to develop a national plan of action to help families and children.
- However, the Department of Social Development has made endeavours to coordinate and facilitate the delivery of integrated and sustainable development programmes that will promote the achievement of holistic community development through partnerships with relevant stakeholders and civil society.

**Problems with the criminal justice system**

- There are problems in the criminal justice system which consists of the police, the courts, correctional institutions and welfare that will be dealt with below.

**The South African Police**

- For many years the majority of people had no confidence in the South African Police Service (SAPS).
- One of the reasons for this lack of trust was and still remains the abuse of power by some members of the police.
- An indication of the community’s contempt for the police can be seen in the large increase in murders of police officers.
- Another reason for the low credibility of the police is the large number of cases of corruption and involvement in crime.
- Relations between the police and the community have since improved in these recent times where SAPS is transforming itself from a reactive to a proactive police service.

**Poor credibility of the courts**

- In general, the community has lost faith in the courts because of the perceptions that those accused are let out on bail too easily and that there is discrimination on a racial basis.
- Criminals are moreover let out on parole too easily even in cases where serious crimes such as rape have been committed.
• A general impression has been formed that the government has lost control of the crime situation.

**Problems with prison sentences**

• Recently, South Africa has been moving away from prison sentences towards alternative forms of punishment such as treatment of offenders in the community (correctional supervision, non-custodial regimes such as community service and alternative rehabilitation programmes).
• Despite this South African prisons are extremely overcrowded.
• The net resultant effect is that the high incidence of recidivism in South Africa is that more convicted offenders are free to walk the streets and consequently there is a steady increase in crime.

**Presence of large numbers of illegal immigrants**

• In the past few years large numbers of people from neighbouring countries have crossed the South African border illegally to seek work and settle in urban areas.
• They often find the job-hunting expedition extremely difficult which makes them more susceptible to take part in criminal activity.
• Local inhabitants also regard illegal immigrants as competitors for scarce job opportunities.
• This often breeds violent public reactions such as xenophobia and race-wars.

**The current emphasis on human individual rights**

• Individual rights sometimes seem to conflict with rights of the broader community.
• The Department of Justice has been strongly criticized for granting bail so readily.
• An example of this is the case of Frans du Toit and Theuns Kruger who were released on bail after they had been accused of rape. After their release they brutally raped a woman (known then in the media only as Alison) and tried to murder her.
- Currently, the Criminal Procedure Second Amendment Act 75 of 1995 makes stricter rules and bail conditions therefore tougher to acquire bail.

**Large-scale Amnesty**

- The sudden release into the community of large numbers of convicted criminals who have been granted amnesty also affects the incidence of crime.
- This has brought about an increase in recidivism.
- The chances that a released offender will reoffend are therefore significant.

**Poor firearms control**

- Arms have been smuggled unceasingly from neighbouring countries for many years.
- After the end of the war in Mozambique gun-running escalated.
- Because of the widespread unemployment, the sale of the freely available stock of weapons became a viable source of income for the local population.
- The influx of an enormous number of smuggled weapons in South Africa together with the theft of legal weapons has meant that firearms are freely available for use in crimes of violence.
- In view of the increase in crimes of violence committed with stolen firearms the South African government created the Firearms Control Act 60 of 2000 to replace the outdated Arms and Ammunition Act 75 of 1969.

**Specific factors contributing to crime in South Africa**

**The negotiated transition and the destruction of social control**

- Before the transition period, South African society was largely overregulated, undemocratic and unaccountable.
- Many communities are still characterized by social disorganization which manifests in citizens not paying municipal rates and service accounts, parents and schools not being able to control the youth, corruption in the police service and general inability to maintain law and order.
• Criminals have been quick to take advantage of this vacuum as is evident from the high crime rate and the many known crime syndicates currently operating in South Africa.
• Many criminals convicted of politically motivated crimes were granted amnesty in an effort to set the transition process in motion.

Political culture, violence and crime

• South Africa’s long history of confrontation and conflict created a culture of violence which is deeply rooted in many communities.
• Violence has been historically sanctioned, as evidenced by the state-sanctioned hit squads aimed at eliminating political activists and the liberation struggle.
• Violence in South Africa has become an accepted means for solving political, social, economic and even domestic conflict, for example, taxi gang violence.

Political rivalry as a factor contributing to crime

• The general notion that prevailed in the apartheid era that violence was acceptable to preserve the existing order.
• In some areas, such as KwaZulu-Natal this escalated into arbitrary and random violence which was not restricted to killing political opponents but included the killing of innocent women and children, as is evident from the Shobashobane massacre on the KwaZulu-Natal South Coast on Christmas Day 1995.

Absence of national political consensus on crime issues

• The growing crime rate particularly violent crime has resulted in crime being politicized as a “vote catcher” offering simplistic solutions to combat crime.
• There is a tendency to describe crime previously labeled as “political violence” as criminal violence.

Poverty, unemployment and relative deprivation as a result of apartheid

• The relationship between crime, poverty and unemployment is complex.
• In South Africa, as a result of discrimination and the deliberate under-development of the black population during the apartheid era resulted in the white population being economically advanced to the detriment of the black population.
• Consequently, there are vast differences in income across racial lines in South Africa.
• It is recognized that poverty, hunger, unemployment and homelessness don not necessarily result in an increase in crime but a combination of factors such as repression, inequality and discrimination provide an incentive for criminal activity.
• Deprivation can also lead to violent crimes such as robbery, aggravated assault and car hijacking.

Crime and economic development

• South Africa has mixed development features such as modern banking system, sophisticated telecommunication systems, transport systems and relatively well-developed infrastructure.
• However, it also ahs open borders that are poorly controlled and often staffed by corrupt officials.

Youth marginalization

• The historical marginalization and the experience of powerlessness among black South Africans who were socially, economically, politically and educationally marginalized contributed to strong feelings of rejection.
• The Bantu education Act subjected black youth to inferior education which led to the Soweto youth uprising on 16 June 1976.
• Many youths found a new identity in gangs and other criminal activities and subcultures.
• It should be noted that drug and alcohol abuse is often a key element of social cohesion within gangs and the drug-crime link is well documented.

Inadequate support for victims of crime
• In spite of Victim Empowerment Programme and other initiatives in South Africa little is done to assist victims of crime.
• Schemes to assist and support victims of crime are selective and inadequate.
• Support is mostly focused on victims of rape as well as spouse and child abuse.
• No state compensation exists for the victims of violent crime and the criminal justice system is not sufficiently geared to the needs or rights of crime victims.

The factors affecting victimization

Four factors have been identified by the United Nations Interregional Crime and Justice Research Institute (UNICRL):

1) Where people live.
2) Whether they lead a risky lifestyle, including the extent to which they go out at night.
3) How attractive they are as a target which is often measured by individual or household income.
4) The extent of guardianship with the risk of victimization increasing among those who are often in the company of strangers.

Geographical area – international experience suggests that particular individuals and groups experience higher levels of victimization than others depending on their location, for instance, places like night clubs and pubs are infested with criminal activity.

Location and age – have a particular influence on victimization.

International literature – identifies other factors which include economic and marital status, educational achievement as well as the extent to which people take measures to protect themselves against crime.

Statistical analyses of victimization in South Africa identifies certain characteristics:

Demographic variables – younger people appear at greater risk of becoming victims of violent crime. Recent research in Hilbrow, for instance, shows that most of those experiencing violent crime were between the age of 16 and 35.
Location variables – living in the urban areas as opposed to rural locations may increase the risk of victimization. High population density in inner city localities as Hilbrow are marginally higher than townships like Meadowlands in Soweto.

Lifestyle – highly social lifestyles combined with interpersonal relationships and potential alcohol abuse increase the risk of victimization.

Target hardening – UNCIRI survey shows that home security is a factor where those with little or no security are exposed at a greater risk of victimization.

Contextual factors – research has shown that foreigners living in South Africa are at greater risk of both criminal victimization and xenophobic attacks such as those recently witnessed in Johannesburg.

Vigilantism, revenge and self-defence

- The historically based credibility problems of the criminal justice system and the absence of effective victim assistance services have contributed to various informal forms of popular justice such as vigilantes, paramilitary groups and community or peoples’ courts which often mete out brutal justice to suspected perpetrators.

Socio-psychological factors

- The dramatic social and political changes in South Africa since the 1990s have created fear, stress, insecurity and feelings of ineptitude and helplessness in communities.
- These feelings are compounded by high levels of criminal and political violence.
- The socio-psychological response to these feelings often manifests in vigilantism, paramilitary structures and communities arming themselves which in turn reinforces the culture of violence.

Access to firearms

- Illegal firearms are readily available in South Africa as a result of the liberation struggle in South Africa in border countries such as Mozambique and Angola.
These weapons are frequently used in crimes of robbery, rape, murder, assault and taxi violence.

As a result of feelings of insecurity, many South Africans privately own firearms.

**Gender inequality**

- It is recognized worldwide that gender inequality increases the risk of gender-specific violence, especially against women.
- Inadequate victim support systems have been shown to contribute to an increase in crime against women.

**Explanation of Crime**

Different theories have been developed to explain crime but not all such theories comply with the ideal comprehensiveness, meaning that one theory cannot fully explain the criminal phenomena.

1) **Individual theories** – reference to factors within the offender’s personality or ego development (biological and psychological dimensions).

2) **Environment oriented theories** – describe the shortcomings of the social structures and negative impact of subcultures (social dimensions).

3) **Comprehensive theories** – a combined effort to describe all forms of crimes in a single theory (general theories).

**Key concepts**

**Self-control** – a strong moral sense that renders a person incapable of hurting others or violating social norms.

**White-collar crime** – these crimes often involve theft, embezzlement, fraud, market manipulation, restraint of trade and false advertising.

**Self-control theory** – this theory is confined to define criminal acts in as far as the extent to which different people are vulnerable to temptations of the moment.

**Key premise of the General Theory of Crime (GTC)**
The following are the key premises of Gottfredson and Hirschi’s general theory of crime (Burke 2014:302 – 4; Walsh 2015:136)

- The definition of crime is less confined than is the case with other theories.
- The criminal act and the criminal offender are considered as separate concepts.
- The explanation for individual differences in the tendency to commit criminal acts may be found in a person’s level of self-control.
- The root cause of poor self-control is inadequate child-rearing practices.

**The Criminal Act**

**Definition of crime**

Many criminologists believe that because crimes are defined into existence we cannot determine what constitutes real crimes and criminals.

1) *Mala in se crimes* – also known as “inherently bad” crimes are predatory crimes that cause serious harm

2) *Mala prohibita crimes* – also called “bad because they are forbidden” crimes.

Gottfredson and Hirschi define crime “acts of force or fraud undertaken in the pursuit of self-interest.

**Common characteristics of crime**

Criminologists who advocate other theories place too much emphasis on factors such as race and gender.

General theories depict common characteristics of crime as follows:

- Crime provides immediate gratification of needs or desires such as euphoria, drug abuse and gambling.
- Crime provides for the easy and simple satisfaction of needs or desires, for instance,
  1) Money is obtained without working for it;
  2) Sex is practised without courtship;
3) Revenge is executed without delays of court hearings and procedures.

- Crime provides excitement because of the attached risks as well as the associated danger, speed, mystery, deceit and power.
- Certain crimes do not require a great deal of skill or planning.
- The consequences of crime for the victim are pain and discomfort. Property is lost, privacy is violated and trust is destroyed.
- General theorists subscribe the assumption that offenders do not have special motivations, needs or desires all individuals have the same motivations. The real problem is self-control.

The Potential Offender

- Crime brings about an immediate satisfaction of needs.
- Potential offenders have minimal tolerance for frustration.
- If a potential offender regards crime as an easy and simple solution for fulfilling any desires he or she lacks the necessary zeal, perseverance and determination to take any steps that do not provide an easy solution.
- The excitement of crime is attractive to someone with a poor self-image and who is looking for adventure.
- Criminals do not associate long-term benefits with crime.
- Potential offenders with poor self-control are also inclined to have unstable marriages and friendships.
- If the crime does not require much skill or planning, the potential offender does not need academic skills and only a minimal degree of manual skill.
- To summarise, potential offenders share certain traits such as impulsiveness, lack of sensitivity, self-sightedness, short-sightedness and below-average intelligence.

Causes of poor self-control

Poor Child-rearing practices
The main cause of low self-control is ineffective parenting and this failure to instill self-control early in life cannot easily be remedied later.

It has been suggested that children who manifest behavioural problems are likely to be delinquent and eventually become adult offenders.

Children whose parents neglect them or display lax parenting effort may be inclined to be impulsive, to lack sensitivity, be short-sighted in their judgment and be inclined to take risks.

In South Africa, lack of parental control is identified as a significant causative factor of crime.

In order to rear a child correctly so that he or she develops self-control the following minimum requirements must be met:

1) Someone must monitor or supervise the child’s behaviour.
2) Supervisor’s must be able to identify delinquency or detect it if it occurs.
3) If delinquency does occur the child must be punished.

The result of a good education may be that the child will be less intent on immediate gratification of his or her needs.

Circumstantial factors

Gottfredson and Hirschi are of the opinion that the propensity to commit crime is present in human nature and that children will tend to have a higher crime potential in the absence of socialization.

Crime has an attraction for people who have a tendency to it because it holds the promise of pleasure. There is a rational element to this theory.

Other factors such as physical power, speed and alcohol abuse may also play a role in the crime situation.

Crime is not the automatic or inevitable result of poor self-control. Antisocial behaviour such as alcohol abuse and truancy are also the result of poor self-control.

Evaluation
Gottfredson and Hirschi claim that the principles of self-control theory may be used to explain all forms of criminal behaviour.

**Empirical support**

- Several research studies have been conducted that support the theoretical views of Gottfredson and Hirschi.
- One approach is to identify impulsiveness and self-control as correlated with measures of criminality.
- For example, both male and female drunk drivers were found to be impulsive individuals who manifest low self-control.
- Research on violent recidivists indicates that they may be distinguished from other offenders on the basis of their impulsive personality structure (Siegel 1995:274).

**Shortcomings**

- GTC has been criticized for attributing variation in people’s level of self-control solely to variation in parental behaviour and ignoring child effects.
- Child development literature states that socialization is a two-way street in which parental behaviour shapes the evocative behaviour of the child just as much the child’s behaviour is shaped by his or her parents.
- Low self-control may thus be something that children bring with them to the socialization process rather than a product of the failure of that process.
- No conclusive proof that criminals may be distinguished from non-criminals on the basis of personality alone.

**Conclusion**

- Gottfredson and Hirschi argue that crime has distinguishing characteristics.
- Personality traits of potential offenders may be defined on the basis of these characteristics.
- Good discipline in child rearing is important to counteract poor self-control.
Poor self-control not only explains the incidence of crime but also other undesirable behaviour such as heavy or binge drinking.