

SOC 3290 Deviance
Overheads Lecture 14: Conflict Theory 1:

* Conflict theorists reject social consensus & generally see social conflict as central to explaining deviance & crime

* Two types of conflict theorists:

(1) *Pluralistic* (a.k.a. "liberal" or "conservative"): focus on various conflicting interests

(2) *Radical* (a.k.a. Marxist or "critical"): focus on class conflict in capitalism

* Today we focus on pluralistic conflict theory. Its major focus is the process of criminalization (i.e. how behavior is designated as criminal)

Pluralistic Conflict Theories:

* Thorsten Sellin (1938): heterogeneous societies result in conflict between various cultural groups/subcultures. The dominant groups get to form laws, the others are criminalized

* George Vold (1958): shift from culture to groups conflict in the arena of legislation. More powerful groups frame the laws; less powerful are judged by them.

* William Chambliss (1971): power differentials & the daily activities of staff in the criminal justice system:

- law as a tool of power
- law on the books vs. the law in practice
- differences rooted in the historical/organizational background of the law

* Austin Turk (1969): authorities strike an efficient (but tense) balance between consensus & coercion, criminalizing those who cross the line

* Richard Quinney (1970): “The social reality of crime” (we will review his approach in detail)

The Social Reality of Crime:

* Quinney’s theory consists of 6 interrelated propositions:

(1) *Crime is a definition of human conduct created by authorized agents in a politically organized society:*

- emphasizes political formulation/administration of criminal law
- avoids clinical perspective

(2) *Criminal definitions describe behaviours conflicting with the interests of segments of society having the power to shape public policy:*

- powerful groups try to control others through criminal law
- probability increases with increasingly conflicting interests
- also reflected in criminal procedure, legal rights, crime prevention and correctional policies
- changes made when social conditions, emerging interests, demands for legal protection, and changing conceptions of public interest emerge

(3) Criminal definitions are applied by the segments of society that have the power to shape the enforcement and administration of criminal law:

- enforcement and administration are political/ directed against relatively powerless minorities whose interests conflict with the powerful
- delegation of functions to authorized control agents
- local conditions also have an impact (community expectations, visibility/reporting, occupational organization/ideology)
- perceptions/ stereotypes of control agents important

(4) Behaviour patterns are structured in segmentally organized society in relation to criminal definitions, and within this context persons engage in actions that have relative probabilities of being defined as criminal:

- behaviour patterns treated as criminal = those not reflecting the segments of society formulating applying criminal definitions
- probability of developing “criminal” action patterns depends on one’s structured opportunities, learned experiences, interpersonal associations/identifications, and self-conceptions
- reciprocal action patterns later encourage criminal self-definitions

(5) Conceptions of crime are constructed and diffused in the segments of society by various means of communication:

- “crime” is socially constructed in communication
- the role of the media is important
- conceptions of crime reflect power structure of society

(6) The social reality of crime is constructed by the formulation and application of criminal definitions, the development of behaviour patterns related to criminal definitions, and the construction of criminal conceptions:

- we must consider interrelations between the above propositions
- these culminate in the amount and character of crime in society
- this is called “the social reality of crime”
- this model is useful to the extent that it helps understand crime as currently experienced

Critiques:

* Pluralistic conflict theories have been influential, & have done away with the earlier idea of law as reflecting a “value-neutral” consensus

* Rejected by radical theorists as:

- relatively inattentive to social structure as rooted in social class/ economic production
- implies “the way things are is how they naturally have to be”
- inattentive to how power relations/reality are ritually reproduced to perpetuate inequality/ must be undermined

* Next class: Radical (Marxist) conflict theory