**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