Matlovičová K. (2014): Theoretical Framework of the Intra-Urban Criminality Research: Main Approaches in the Criminological Thought (Teoretický rámec výskumu intraurbánnej kriminality: hlavné prístupy v kriminologickom myslení). *Folia Geographica*, Volume 56, No.2, PU Prešov, pp. 29-40. ISSN 1336-6157

THEORETICAL FRAMEWORK OF THE INTRA-URBAN CRIMINALITY RESEARCH: MAIN APPROACHES IN THE CRIMINOLOGICAL THOUGHT

TEORETICKÝ RÁMEC VÝSKUMU INTRAURBÁNNEJ KRIMINALITY: HLAVNÉ PRÍSTUPY V KRIMINOLOGICKOM MYSLENÍ

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Abstract:

Seeking causes of criminality and attempts to find some way how to prevent it or even protect against to it extend in a distant history. It has just lead to the development of numerous criminological theories. The crime has been always seen as serious social phenomena and that is why it is under the intensive research as such. For the purpose of furnish basic set of information for next geographical research this paper describe significant attributes and main schools within group of so called classical, positivistic and postmodernist theories of crime.

Key words:

Crime, classical criminology, positivist criminology, postmodern criminology.

ÚVOD

The change in social conditions that took place in Slovakia after 1989 brought a longawaited increase in personal freedom, well-being and mobility, which gradually transformed into a new culture after the initial euphoria had subsided.

A concomitant sign of the ongoing transformation processes in society is an increase in crime or a decreasing level of subjective sense of security (e.g. Matlovičová 2010). This is especially true for cities and intra-urban crime, where there is an increased concentration of population and activities. In this respect, it is also possible to identify spatial differentiation of crime rates in urban areas. The media-fed image of unlimited opportunities on the one hand, and the often hyperbolized bleakness resulting from deepening social disparities, with the consequent marginalisation of certain (mostly the poorest) population groups, also contributes to this to a significant extent. A frequent concomitant of the loss of social control and the breakdown of general social regulations is the increased incidence of socio-pathological forms of behaviour. In a broader context, the increasingly intensified process of commercialisation and politicisation of society, which, in the spirit of Merton's structuralist theory of tension (Merton 1949), exhibits certain anomic features, characterised by a mismatch between generally clearly and unambiguously acceptable goals and the absence of the definition of socially acceptable regulations for their achievement, can also be regarded as a certain trigger of socially unacceptable deviant behaviour.

Crime as a social phenomenon is thus considered a part of our everyday life to such an extent that the fear of it is not infrequently referred to as a permanently present feature of advanced Western culture (e.g. Garland 2000, Parnaby 2007, Johnston and Shearing, 2003, etc.).

CLASSICAL CRIMINOLOGICAL THEORIES

The search for the causes of crime, ways to prevent it, or at least to prevent it, goes far back into the past and has led to the emergence of many criminological theories.

The early period of their formation falls in the middle of the 18th century, which was influenced by the ideas of the Enlightenment. On their basis, the so-called group of *classical*

criminological theories was formed, represented above all by Cesare Beccaria's revolutionary work of 1746 (2009): 'On Crimes and Punishments'. The classical school of criminology can also be seen as a reaction to the harsh and largely voluntaristic criminal justice system that had been in place until then. The call for its reform was based on the belief that fair and appropriate punishment for convicted offenders, as well as the introduction of clear rules in the justice system, would lead to a reduction in crime based on the free will of the potential offender, who would reconsider socially unacceptable actions as disadvantageous to him or her because they would be accompanied by discomfort in the form of punishment. The cruelty and barbarity of punishment (including the death penalty), in the spirit of this theory, cannot provide prevention against crime to the same extent as the certainty of punishment, which will be judged on the basis of the degree of social severity.

The utilitarian attitude of considering the utility of an action as the basis of human morality led another representative of classical criminology, Jeremy Bentham (1843), to formulate the thesis of maximization of happiness, based on weighing the degree of possible present or future comfort (happiness) in relation to potential discomfort (pain). In other words, a rational acting individual seeks to maximize happiness and minimize suffering, with the chosen activity being a combination of egoism and altruism. Therefore, according to Bentham, the effective prevention of criminal behavior and the guarantee of the establishment of morality as the primary regulator of behavior is the maximization of the number of happy people.

The classical school of criminology was thus based on the assumption that the criminal act is the result of the free will of the perpetrator for which he bears full responsibility and rejects the influence of other supernatural forces (demons, devils, etc.). The stability of society can thus only be guaranteed by voluntary respect for a certain social order, which was understood as a precisely defined set of rules, the violation of which is associated with appropriate punishment. (Tomášek 2010, 122)

POSITIVIST CRIMINOLOGICAL CURRENTS

Despite the unquestionable contribution of classical criminology to the formation of the foundations of criminal procedure, the key period for the development of criminology as a scientific discipline was not until the mid-19th century. The conviction that only scientific methods of explanation would help to elucidate the causes of criminal conduct led to the formation of the *positivist criminological current*. The change from the classical school of criminology consisted mainly in a shift of attention from the criminal to the person of the offender, whose actions are not determined by free will (if it admitted it, it did so only to a limited extent), and to the study of him as a pathological object who is predisposed to crime by a set of internal or external factors. For this reason, it is not appropriate punishment but the belief in the possibility of re-educating or treating the offender that is considered a sufficiently effective means of curbing crime. (e.g. Coleman, Norris 2000, Vagnerová 2010, Tomášek 2010)

The divergence of attitudes towards the identification of a key group of determinants of criminality has led to the profiling of four criminological streams within positivist determinism: biological, psychological, sociological and multifactorial.

The foundation of *biological positivism* in criminology was the *concept of criminal atavism*, which was formulated by Cesare Lombroso (Lombroso-Ferrero G., 2009). His now largely obsolete notion of innate criminality was based on the belief that a certain group of people exhibit certain prehuman traits at birth that predispose them to become criminals. Inspired by phrenological theories and Darwin's theory of evolution, his anthropological measurements on a sample of about 25,000 prisoners (Štablová 2008, 10) resulted in their

classification based on observed physiognomic traits. According to him, delinquents represent a specific anthropological type characterized by a certain degree of degenerative return to a more primitive subhuman level (Tomášek 2010, 129). Thus, according to Lombroso, specific stigmata of degeneration allow to reveal hereditary predispositions for criminality (e.g. a hump indicates a tendency to forgery, curly hair, narrow lips and a large nose in turn reveal a murderer, etc.). (Štablová 2008, 10). Later, he supplemented his theory and admitted the influence of other external environmental factors on the formation of an individual and his susceptibility to criminality. Among other representatives of the above-mentioned direction we can mention, e.g. Among other examples of the latter, one can mention Ernst Kretschmer and his *constitutional typology* (based on the assumed connection between physiognomic and mental characteristics of a person) or the works of Earnest Albert Hooton (the influence of biological inferiority on criminality), William Scheldon (*Sheldon's constitutional typology of temperament*), the *genealogical studies* of Henry Herbert Goddard, *endocrinological theories* or the influence of chromosomal aberrations and dysfunctional brain activities on criminality (Vagnerová 2010, Reid 2002, Goddard 1912, Bubelíny 2008, Madliak et al. 2009, Holcr 2008).

Despite the fact that the above examples of *criminal anthropometry* are nowadays more likely to raise a smile, we still encounter a certain degree of bias in terms of the influence of hereditary traits on criminality (e.g. the tendency of Roma or Blacks to criminality). (Štablová 2008, Madliak et al. 2009)

While psychological positivism relies equally on the person of the offender in the etiology of crime, it does so primarily from the perspective of the offender's mental attributes. After the first attempts to apply psychoanalytic methods in criminological research, the thesis of a higher propensity of oligophrenic individuals to criminal acts seemed very plausible. The psychological-psychiatric optic built on the postulate of the mutual similarity of criminal action and mental health, viewing them as reactions to the same maladaptive stressor(s). This strand of psychological positivism built on Freud's theory of psychoanalysis of personality (made up of three components - the instinctual Id, the conscious Ego, and the superordinate regulator Superego, representing the conscience), and was based on the premise that socially unacceptable criminal behavior is the unconscious consequence of the neurotic conflict of the above components of the offender's personality. Although S. Freud applied this concept primarily to the elucidation of the processes of psychosexual development of the individual, it has served equally well for criminological research. (Tomášek 2010, Madliak et al, 2009) For example, David Abrahamsen (1960) considered the offender as a psychopathological being in whom criminal behaviour is a consequence of aggression over which he has lost control, or a failure of the superego.

The *neo-Freudian criminological current* is represented in particular by the work of August Aichhorn (in Cullen, Wilcox 2010), who likewise sees in the offender certain pathological predispositional traits, the origins of which go back to early childhood. He thus sees the solution in the socialisation process, which should optimally suppress harmful desires or wishes in children and thus create a sufficiently strong regulator in the form of a sense of guilt for the criminal act performed. This perspective on the issue of delinquency considers early childhood to be a key period in human life, when the balance between the various components of a person's personality is formed (Tomášek 2010).

Among the other trends within psychological positivism, let us mention, for example: *Bowlby's* (1982) *theory of emotional bonding*, based on the need for relational experiences and the experience of feeling secure in an intimate relationship with a primary person (most often the mother) in early childhood as an important emotional regulator in adulthood; *Adler's concept of individual psychology*, based on the individual need to assert oneself in a society in which the inability to adequately integrate socially is seen as a cause of feelings of inferiority and efforts are made to eliminate this in socially unacceptable ways (Bubelíni 2008);

Behaviourist theories such as *learning theory*, which assume that socially acceptable behaviour can be achieved through experience (within these theories, e.g., e.g. *Skinner's model of instrumental conditioning, cognitive psychology, social learning theory*) (Tomášek 2010, Holcr 2008); Eysek's theory of differential conditioning (Štablová 2010, Holcr 2008); Theories linking delinquent behaviour with antisocial personality disorders (Tomášek 2010); Theories looking for a link between criminal behaviour and intelligence (Newburn 2007).

There is a certain shift away from the offender as the primary agent of delinquency in the case of *sociological positivism*. The essential difference from the previous positivist approaches is the perception of criminality as a product of the structure of society, with a strong emphasis on the environment in which the individual exists (in a narrower sense of the word family, workplace, school, informal groups, etc., in a broader sense the entire social organization of society, Štablová 2010).

The role of a person's innate characteristics is acknowledged to varying degrees, but a key focus has been on examining the social conditioning of delinquency. In this respect, the *socialist current* represented mainly by Filippo Turati or Willem Adriaan Bonger, who saw the cause of criminality solely in the social injustice of the capitalist system, can be considered extreme (Holcr, 2008, Madliak 2009).

The Franco-Belgian school, which was founded on Durkheim's theory of anomie, came up with a completely new understanding of crime as a normal and even, to a reasonable extent, desirable phenomenon. By anomie he meant a state of lawlessness in society, when crime gets out of control, or When there is confusion due to the conflict and mutual incompatibility of values as well as the disruption of the balance between the goals and acceptable means to achieve them, or the state when people, due to the lack of coordination between the various organs of society, cease to distinguish what is socially "normal" and thus the space is given to instinctive actions, orientation to self-interest, the sense of commitment to society is displaced and as a result of the weakening of social control and its disorganization, and the subsequent rise of socio-pathological phenomena. (Madliak 2010, Tomášek 2010 Štáblová 2010) Durkheim's ideas have been further developed by many authors, among whom we can mention, for example, the works of Robert King Merton. Merton's understanding of anomie has shifted to the level of a clear imbalance between cultural and social structure, which he describes using the example of American society in the 1920s, which set success as the ultimate goal, while not everyone is allowed to achieve it. The existing limits thus create pressure to find non-legitimate ways to achieve it (Tomášek 2010, Tierney 2006).

A different sociological perspective on crime was brought about by the so-called Chicago School of criminology (also known as the ecological school or social disorganization theory), whose emergence was essentially a reaction to rising crime in areas marked by intensive industrialization and urbanization. It is still seen by many authors today as the epitome of the application of development theory and scientific methods of explaining the processes leading to the improvement of living conditions in cities, which were shaped by the example of Chicago in the early 20th century, reeling from an enormous growth in chaos accompanied by a sharp increase in crime (Tibbetts, Hemmens 2009). The focus of this criminological stream has been on examining the impact of environmental factors on delinquency. Numerous empirical investigations (e.g., in the works of Robert E. Park, Ernest W. Burgess, Henry D. McKay et al. in Tibbetts, Hemmens 2009), the internal differentiation of the city according to the intensity of crime has been revealed. Most intensely affected are neighbourhoods with poor living conditions, inhabited by poor populations very often on the periphery of the city, which Brugess refers to as transit zones in the sense of their transition from functionally residential to industrial, characterised by high levels of physical deterioration of the built environment, cultural heterogeneity and poverty (Tibbetts, Hemmens 2009). Such considerations led C. Shaw or H. McKay to the conclusion that the key determinant of crime is the nature of the environment in transit zones and the kind of social disorganization that prevails there, rather than the actual socio-demographic characteristics of its inhabitants. The idea of investing in social prevention and the reconstruction of a destroyed environment is thus seen as the right way to reduce urban crime rates. (Tomášek 2010, Tibbetts, Hemmens 2009)

Despite the contemporary context of research in early 20th century Chicago conditions, the social-ecological approach to studying the environment and reflecting on the spatial aspects of crime distribution on quality of life from a geographic research perspective are still relevant today. Based on the principles of proactive crime prevention based on the theory of routine activities, the Chicago Ecological School and the multifactorial approach to its investigation, the *concept of crime prevention through the creation of the environment*, for example, which is relatively little discussed in the conditions of Slovakia, was formed in the 1970s (e.g. Matlovičová, Mocák 2014).

Other sociological theories include Cohen's theory of subcultures, Coward-Olin's differential opportunity theory, Grassberger's theory of welfare crime, Sutherland's theory of differential association, and Glaser's theory of differential identification. (e.g. Tomasek 2010, Madliak 2010, Štáblová 2010)

The scope and nature of the study does not allow us to exhaustively characterize the entire rich range of positivist approaches to the study of crime, but as our brief overview has indicated, each approach has in some way contributed to and enriched the increasingly intense debates about the elimination of socio-pathological forms of behavior in our country. For this reason, the combination and juxtaposition of several factors simultaneously proves to be very appropriate. Such an approach, also referred to as *multifactorial*, searches for the causes of criminality across a wide range of individual or social characteristics acting on a person (e.g., Tierney 2006, Tomášek 2010, Štáblová 2008, Madliak et al. 2009, Tibbetts, Hemmens 2009).

POSTMODERN CRIMINOLOGICAL THEORIES

The second half of the 20th century brought a further shift in criminological etiology and the formation of a number of *postmodern criminological theories*. Thanks to *radical criminological currents*, the question of changing the social perception of some formerly purely criminogenic traits (e.g. ruthlessness or cold-bloodedness may be perceived in some social strata as a necessity for success) became a matter of debate. *Radical theories* based on critiques of liberalism, in turn, see radical crime as a form of protest against the monopolization of capital and criminality as a consequence of social inequalities. (Štáblová 2008, Madliak et al. 2009, Tibbetts, Hemmens 2009)

In addition to the aforementioned currents, other theories are also the subject of professional debate, such as *realist theories* that consider the lower social classes as victims rather than the cause of deviance, *feminist theories* that criticize the phallocentric approach to the assessment of criminality, or even *labeling theories* based on the analysis of the impact of the social reaction to personal labeling, i.e. i.e. when the 'labelling' of a person as a deviant can lead to a process of identification with the external environment by a (re)assigned label, resulting in the adaptation and subordination of behaviour in accordance with the attributive predictive model. In some extreme cases, one can even perceive an inclination towards abolitionist ideas and arguments advocating the abolition of criminal law and an inclination towards non-punitive criminal regulatory mechanisms (e.g. Tomášek 2010, Čihounková 2013)

Some authors return in their reflections to the ideas of C. Beccaria and form *neoclassical criminological theories* on the postulates of the classical criminological school. Among many, we mention, for example, the *Cohen-Felson theory of routine activities* (Felson 1997), derived on the basis of *rational choice theory*, which considers the basis of crime as the person of the

offender with criminal intent and the prerequisite to fulfill such intent, the existence of a suitable object of criminality (the victim or other target) and the absence of their adequate protection. If there is a synergy of the above factors in space and time, it is very likely that a criminal act will be committed. Crime is thus perceived as normal and dependent on existing opportunities. The possibility of prevention is thus seen through the reduction of opportunities for its commission.

CONCLUSION

As our brief excursus into the existing tangle of criminological currents and trends suggests, the attempt to explain the causes and subsequent elimination of criminality or other socially unacceptable forms of behaviour has been a subject of interest to many scientific disciplines for several centuries. The intensity of research activities has thus led to the formation of many coherent theories, which differ fundamentally in their theoretical postulates and subsequent constructions of proposals for the possible elimination of socially unacceptable forms of delinquent behaviour. The existing diversity of opinions clearly indicates that even in the near future it is very difficult to expect a more fundamental consensus or dominance of any of the described approaches. On the contrary, as e.g. Tomášek (2010) suggests, an integrated approach, based on linking them together and looking for possible interpenetrations, offers much greater potential, as this allows us to better capture the full breadth of possible causes of crime. For this reason, the so-called *multifactorial approaches*, which, in contrast to the theories described above, take into account several factors of different nature, type and origin at the same time (Novotný in Tomášek 2010, Madliak et al. 2009), have been preferred quite often in recent times.

Whichever viewpoint we decide to follow in the process of formulating conclusions in the area of justifying the current state of crime as well as in the search for ways to prevent it, we should take into account the interconnectedness of the whole spectrum of causes and conditions of its occurrence. According to many researches (e.g. Farrington 2002, Tomášek 2010, Madliak et al. 2009), such approaches have the potential to reach more accurate conclusions, which may also contribute to better targeting of intra-urban crime.

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