

## **Sociology Essay**

Functionalist approaches in sociology derive mainly from the work of Emile Durkheim at the end of the nineteenth century. He believed societies were held together by shared values and economic interdependence.

There is always according to Durkheim, the possibility of collapse of society if the values are not constantly reaffirmed and passed on from one generation to the next. Therefore the maintenance of values is a crucial function of society.

According to Durkheim, furthermore there are two important elements to understand crime, which can be seen as contradictory. A limited amount of crime is necessary and beneficial to society, so much so that society could not exist without some form of deviance. However, too much crime is bad for society and can assist to bring about its collapse. Thus the amount of crime determines what is beneficial or destructive for society.

Marxists argue that society is dominated and controlled by those who own the 'commanding heights' of industry, commerce and finance. They believe the definition of what is criminal reflects the dominant social values. Causing the death of another person while in a fit of temper, for example, during a street brawl, is regarded as murder. Yet the death of a factory worker due to their work environment is, at worst, worthy of a fine.

One result of this ideological manipulation is that the law is only applied to less powerful groups such as the young, the working class and blacks.

As societies develop and grow, Durkheim argued that the moral ties which bind people together are damaged because they cannot be repeatedly reinforced by close, personal, contact. Thus, as societies become more -complex in terms of the large amount of social relationships that exist, a mechanism to control these types of relationships has to be developed - and this mechanism is, in effect, a legal system.

Legal systems develop in order to codify moral behaviour and, in doing so, Durkheim argued, this process lays the groundwork for our understanding of the functions of both law and crime.

Durkheim argues that people are shaped by their social experiences and it follows that if the collective conscience is weakened (by, for example, too much criminal behaviour), the moral ties that bind people together are also weakened.

When this happens, the concept used by Durkheim to express this weakening of moral ties was that of anomie:

In a literal sense, this concept can be taken to mean a state of normlessness - a situation in which no norms of behaviour are in action.

One of the major criticisms of Durkheim's general work in relation to crime has been the idea that he ignores the way in which power is a significant variable in relation to the way in laws are created and maintained in any society. Thus, whilst Durkheim argued that the collective conscience was the objective expression of the values held by everyone in society, Erikson ("Wayward Puritans", 1966) attempted to develop Durkheim's basic ideas about such things as the boundary setting function of law. He did this by arguing that powerful groups within any society were able to impose their views upon the majority by a process of ideological manipulation.

Erikson was not attempting to disprove Durkheim's basic ideas but merely to strengthen and extend them by introducing a "refining concept" to the basic theoretical position.

A further example of this is to be found in the work of Robert Merton, in that he adopted Durkheim's basic Functionalist position in relation to law and crime and refined the concept of anomie as a means of attempting to understand the occurrence of conformity and non-conformity to social rules at the level of individual / group behaviour.

Heidensohn. A feminist sociologist argues that the theories of deviance proposed by male sociologists simply accepted stereotyped ideas about females. She suggests that all theories of crime already developed could be undermined by asking how they could incorporate an explanation for the rates of female crime.

Early explanations for female crime were generally based on presumed biological differences between males and females. At the turn of the century the Italian criminologist Lombroso studied female criminals and found that they were abnormal because they lacked some of the 'natural female traits', which included reserve, docility and sexual apathy. He found that female criminals were very like men in that they had 'exaggerated sexuality' - what would be described today as normal sexual desire.

Durkheim states that law is the reflection of the will of the people. Marxists, however, reject this contention; for them the law is a reflection of the will of the powerful, although this may not always be immediately apparent.

Marxists argue that, as economic power guarantees political and social power, the rich are able to manipulate the rest of society and pass laws which benefit it. There are two ways in which the 'ruling class' ensure that laws favourable to themselves are passed.

Firstly, the manipulation of values described above ensures that the debate on law and order is conducted within a framework of values sympathetic to the ruling class- this is known as setting the agenda.

A second method is ensuring the ruling class has its way through the use of pressure group activity. Changes in the law are generally results from pressure group lobbying of the government.

Not all laws, however, are seen to be entirely for the benefit of the ruling class. Clearly many laws do genuinely protect the working class - obvious ones would be the laws on rape, drunken driving and safety at work. Genuine concessions can be gained either when the interests of the powerful and the ordinary people overlap or when representative pressure groups are able to push through reforms in the interest of the wider population.