Chapter 2
Teaching Criminology:
Socio–Anthropology of Crime

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EXECUTIVE SUMMARY

The field of study (and the teaching) of the criminal sociology presents multiple aspects and shows itself at various levels, the methods to implement for the exploration of the numerous research leads that it conceals are multiple and varied as well. This case, as a rough guide, proposes some modalities of approach in this domain.

BACKGROUND

Any constituted human group generates a set of values, norms, rules, and rites – whether in the form of customs or laws. Broadly speaking, this set is bound together thus contributing to the maintenance of its structure. This normative set acts on the social body as a regulation system. Of course, values, norms and rules are contingent on space and time, imprinting their particular marks on the forms of collective life which is hence diversified depending on societies.

Therefore, this is an entire field of the social which is ruled by collective norms and regulations, and which transgression, threatening the more or less precarious balance constituent of the social structure, can lead a group – through the actors/agents[1] qualified to do it – to this reaction that we name punishment. Thus, the triple articulation rules impositions – transgression – social reaction constitutes the focal point of the field of criminal sociology. This is a state of this research field, that the mediatical topicality of our societies makes central in collective preoccupations (the issues which are agitated regarding delinquency, criminality and terrorism facts have indeed become major practical, political and ideological stakes), that we propose to present here.

Sociologists are interested in the study of the criminal phenomenon in many respects. Any act of transgression is an open window on society. Because it challenges society and breaks away from collec-

tive values, crime offers the one who observes it a particular point of view and its study opens the way to a fertile approach for sociologists. In times of crisis, crime is tell-tale sign – and a punctual crisis in itself – bringing out the cogs of society. Indicating – by exceeding them – the limits imposed to its members, not only does crime enable us to see the roots on which the life of a community is based, but through the social reactions that it elicits, it also shows how a society is reinforced or preserved, while maintaining a perspective on the issue of social change. It is a significant element allowing to grasp the degree of cohesion of collective values and solidarities, and to follow their evolution. Furthermore, through the study of the diverse actors/agents that it stages – Code authors, Code breakers, victims, or the diverse institutional actors/agents and other entrepreneurs of morality who stigmatize the authors of transgressions and contribute to attribute the qualification of criminals to them – it is the opposition inside and between the various groups and the social formations that the analysis of the criminal phenomenon emphasizes. Finally, through the study of the processes facilitating the "acting out", it is the formation and the development of the personal identities – and more particularly the ways social life imprints its mark on the individual – that it is given to observe.

French sociologist Émile Durkheim (1858-1917) can be considered as one of the inspirers of the modern criminal sociology. Demolishing the almost inevitable moral judgments on this object, he claims the application of the fundamental rule of his sociological method to the study of the criminal phenomenon: consider it as a thing. It is in The Division of Labour in Society, that we find his famous definition of crime: "...an act is criminal when it offends the strong, well-defined states of the collective consciousness..." (Durkheim, 1986). These collective feelings are "strong" because they are common to the majority of the members of a particular society. They are also "well-defined", that is specified in (penal) codified rules. On the other hand, crime is also defined by Durkheim as a punished act, that is by the social reaction that it elicits: "We can not say that an act offends the common consciousness because it is criminal, but that it is criminal because it offends the common consciousness. We do not condemn it because it is a crime, but it is a crime because we condemn it." By referring to the social norm on the one hand and to the social reaction on the other hand, Durkheim emphasizes two constituent essential features of the issues of the criminal sociology. He goes even farther. Indeed, he dares to write: "There is no society that is not confronted with the problem of criminality. Its form changes (...) but, everywhere and always, there have been men who have behaved in such a way as to draw upon themselves penal repression. There is, then, no phenomenon that represents more indisputably all the symptoms of normality, since it appears closely connected with the conditions of all collective life." Crime is a normal phenomenon (by opposition to a pathological, accidental or contingent one). Not only is it normal, but it is necessary (because it is not able to not be and the fundamental conditions of social organization imply it logically). Finally, and in order to go the whole hog, crime is also useful, because it contributes – directly or indirectly – to the evolution of the customs and the law. If we consider crime simultaneously as a normal, necessary and useful phenomenon, "the fundamental facts of criminality present themselves to us in an entirely new light. Contrary to what is commonly believed, the criminal no longer seems a totally unsociable being, a sort of parasitic element, a strange and unassimilable body, introduced into the midst of society. (...) he plays a definite role in social life."

It can be seen that Durkheim sketched – in his time – a completely original perspective of crime, and it is only more than half a century later that the sociologists took the road which he had thus marked out. Moreover, an attentive reading allows to notice that his sketch embraces simultaneously

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