Crime, Shame, and Reintegration

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Braithwaite’s central thesis is that crime is higher when shame is stigmatizing and lower when shame is re-integrative. This thesis explains both why some societies have higher rates of crime than others and why some individuals are more likely to offend than others.

At the macro-level, Braithwaite starts with assumptions that mirror social disorganization theory: societies marked by urbanization and residential mobility are less “communitarian” and less likely to have interdependencies between their citizens. When societies lack communitarianism—that is, when individuals are not “densely entwined in interdependencies which have the special qualities of mutuality and trust” (1989: 100)—they will engage in shaming that is stigmatizing. As large numbers of people are stigmatized, they come together to develop ongoing criminal subcultural groups that provide learning environments for crime and “illegitimate opportunities to indulge tastes.” At any given time, stigmatized individuals have incentives to participate in these ongoing subcultural groups because they are excluded from conventional society. Furthermore, the process of stigmatization has a feedback effect that erodes communitarianism. The end result is a society—such as the United States—that has a high crime rate.

On the micro-level, stigmatizing shame has its greatest negative effects on individuals with few social bonds to conventional society—especially young, unmarried, men, and males. Lacking interdependencies that might blunt stigma and foster reintegration, these rejected individuals have their social bonds further attenuated. As controls weaken, they join criminal subcultural groups in which ant-social values are reinforced and illegitimate opportunities are made available. In short, stigmatizing shame evokes the conditions that control theory and differential association theory link to crime. The result is a continued, if not heightened, involvement of the individual offender in criminal activities.

Unlike labeling theorists, Braithwaite does not suggest that labeling is the most effective criminal justice policy. In fact, shame is necessary for social control: the offender and the larger community benefit from a public ceremony in which the criminal act—but not the criminal—is defined as immoral. This moralizing is also done informally by those in the offenders’ social networks. The key issue is what follows shaming: re-integration or stigmatization. Reintegration is essential because shamed individuals are at a turning point in their lives—a time when they can react to conventional society or deepen their commitment to crime. When quality social relations exist, they provide the means through which offenders can become the forgiven and stigma needed to become a member of the community.

Within the United States, “restorative justice” programs most closely mirror Braithwaite’s re-integrative theory of crime and shaming. In these programs, the goal is to “restore” both the victim, who has been harmed, and the offender, who has done the harming. Victims are likely to receive both restitution and, after conveying to the offender in a face-to-face encounter the pains they have experienced, a public apology. Repentant offenders potentially are granted a measure of forgiveness by victims and are reaccepted by family and community.

Such attempts at shaming and re-integration present an appealing alternative to stigmatizing criminal justice sanctions (see Braithwaite and Mugford, 1994; Mokhiber and Braithwaite, 1991). It remains to be demonstrated, however, that these interventions have the capacity to alter the life course of persistent offenders. The critical issue, it would seem, is not the public ceremony in which shaming occurs but the quality of the reintegration that follows. Unless these efforts at reintegration are prolonged and target for change the known predictors of recidivism, the reform of offenders is unlikely (see Andrews and Bonta, 1994).

References


The theory in this book suggests that the key to crime control is cultural commitments to shaming in ways that I call re-integrative. Societies with low crime rates are those that shame potently and judiciously; individuals who resort to crime are those insulated from shame over their wrongdoing. However, shame can be applied injudiciously and counterproductively; the theory seeks to specify the types of shaming which cause rather than prevent crime. . . .

The first step to productive theorizing about crime is to think about the contention that labeling offenders makes things worse. The contention is both right and wrong. The theory of re-integrative shaming is an attempt to specify when it is right and when wrong.

The distinction is between shaming that leads to stigmatization—to ostracizing, to confirmation of a deviant master status—versus shaming that is re-integrative, that shames while maintaining bonds of respect or love, that sharply terminates disapproval with forgiveness, instead of amplifying deviance by progressively casting the deviant out. Re-integrative shaming controls crime; stigma pushes offenders toward criminal subcultures.

The theory of re-integrative shaming posits that the consequence of stigmatization is attraction to criminal subcultures. Subcultures supply the outlaw offender with the opportunity to reject her rejectors, thereby maintaining a form of self-respect. In contrast, the consequence of re-integrative shaming is that criminal subcultures appear less attractive to the offender. Shaming is the most potent weapon of social control unless it shades into stigmatization. Formal criminal punishment is an ineffective weapon of social control because it is a dehumanizing ceremony with maximum prospects for stigmatization.

The rub of the theory of re-integrative shaming is therefore about the effectiveness of re-integrative shaming and the counterproductivity of stigmatization in controlling crime. In addition, the theory posits a number of conditions that make for effective shaming. Individuals are more susceptible to shaming when they are emeshed in multiple relationships of interdependency; societies shame more effectively when they are communitarian. Variables like urbanization and residential mobility predict communitarianism, while variables like age and gender predict individual interdependency. A schematic summary of these aspects of the theory is presented in Figure 30.1 (page 2897).

Some of the ways that the theory of re-integrative shaming builds on earlier theories should now be clear. Interdependency is the stuff of control theory; stigmatization comes from labeling theory; subculture formation is accounted for in opportunity theory terms; subcultural influences are naturally in the realm of subcultural theory; and the whole theory can be understood in integrative cognitive social learning theory terms such as are provided by differential association. . . .

Preventing Crime

We have seen that the micro process of shame in a social group has consequences far beyond the life of that individual. The social process of gossip links a micro incident into a macro pattern. A shaming incident reinforces cultural patterns which undermine further cultural products like a moralistic children’s story, a television program, a schoolteacher’s homily. The latter modalities of public (societal) shaming exert pressure for further private (individual) shaming.

The reasons why re-integrative shaming works in preventing crime might be summarized as follows:

1. The deterrence literature suggests that specific deterrence associated with detection
for criminal offending works primarily through fear of shame in the eyes of intimates rather than fear of formal punishment.

2. Shame not only specifically deters the shamed offender, it also generally deters many others who also wish to avoid shame and who participate in or become aware of the act of the shaming.

3. Both the specific and general deterrent effects of shame will be greater for persons who remain strongly attached in relationships of interdependency and affection because service of external shaming will accrue greater interpersonal costs from shame. This is one reason why reintegrative shaming makes for more effective social control than stigmatization.

A second reason for the superiority of reintegrative shaming over stigmatization is that the latter can be counterproductive by breaking attachments to those who might shame future criminality and by increasing the attractiveness of groups that provide social support for crime.

5. However, most compliance with the law is not achieved through either specific or general deterrence. Most of us comply with the law because we feel internalized and emotional, we actually weigh our fear of the consequences of defection against the benefits of the crime, but because to commit the crime is simply unthinkable to us. Shaming is the social process which leads to the cognition that a particular type of crime is unthinkable. Cultures where the social process of shaming is muted are culture where citizens often do not internalize the abhorrence for crime.

6. A third reason for the superiority of the reintegrative shaming over stigmatization is that a combination of shame at and repentance by the offender is a more powerful affirmation of the criminal law than on-sided moralizing. A shaming ceremony followed by a forgiveness and repentance ceremony more potently builds commitment to the abhorrence for crime.

Because shaming is a participatory form of social control, compared with formal sanctioning which is more professionalized than participatory, shaming builds conscientiousness through citizens being instruments as well as targets of social control. Participation in the expression of abhorrence toward the criminal acts of others is part of what makes crime an abhorrent choice for ourselves to make.

8. Once conscientes have been formed by cultural processes of shaming and repentance, shaming conscience become the most effective punishment for crime because whereas conscience delivers a timely anxiety response to every infliction in crime, other repressive organizers, including shaming, are delivered unrecallably or with delay.

9. Shaming is therefore both the social process which builds consciencees, and the most important backstop to be used when conscience fail to deliver conformity. Formal punishment is another backstop, but a less effective one that reintegrative shaming.

10. Gossip within circles of acquaintances and shaming of offenders not only known to those who gossip is important for building consciencees because so many crimes will not occur in the direct experience of limited groups like families. Societal incidents of shaming remind parents and teachers of the need to moralize with their children across the whole curriculum of crime.

11. Public shaming puts pressure on parents, teachers and others to ensure that they engage in private shaming which is sufficient punishment as well. Public shaming increasingly takes over the role of private shaming once children move away from the influence of the family and school. The latter is one reason why public shaming by courts of law has a more important role to play when strictly adult offenses like crimes against the environment than with predominantly juvenile offenses like vandalism.

12. Public shaming generalizes familiar principles to unfamiliar or new contexts. It integrates new categories of wrongdoing which may arise from technological change into pre-existing moral frameworks. Public shaming transforms the loss of life in battle at My Lai into a "war crime" and a "massacre," and through our distant involvement in the incident of shaming, the moral category of illegal killing acquires some expanded meanings.

13. Cultures with heavy emphasis on reintegrative shaming establish a smoother transition between socialization practices in the family and socialization in the wider society. Within the family, as the child grows, social control shifts from external to internal conscience and punishment-oriented cultures set this process more starkly in reverse in the public domain, than do shame-oriented cultures. To the extent that crime control can be made to work by continuing to catalyze internal conscience, it will be more effective; this is precisely why families are more effective agents of social control than police forces.

14. Gossip and other modalities of shaming can be especially effective when the targets of shame are not directly confronted with the shame, but are directly confronted with gestures of forgiveness or reintegration. Citizens who have learned the culture do not have to be shamed to their faces to know that they are the subject of gossip, but they may need to be directly offered gestures of acceptance before they can be confident that they are again part of the community of law abiding citizens. In other words, shaming which includes an active component of the achievement of reintegration is more effective than shaming.

15. There is thus something to be said for hypocrisy: our friends are likely to recover from a suspicion that we have stabbed them in the back, if we stab them in the front can be divisive.

16. The effectiveness of shaming is often enhanced by shame being directed not only at the individual offender but also at her family or her company if she is a corporate criminal. When a collectivity as well as an individual is shamed, collectivities are put on notice as to their responsibility to exercise informal control over their members, and the moralizing impact of shaming is multiplied. For reasons which will be elaborated in the next chapter, a shamed family or company will often transmit the shame to the individual offender in a manner which is as regenerative as possible to the collectivity. The endpoint of the offender, the strategy of rejecting her rejectors may resuscitate her own self-esteem, but her loved ones or colleagues will soon let her know that sinking deeper into the devout role will only exacerbate the shame they are suffering on her behalf.

The Theory of Reintegrative Shaming

Figure 30.1 provides a schematic summary of the theory. In the first part of this chapter clear definitions are attempted for the key concepts in Figure 30.1. The cluster of six variables around interdependency at the top left of Figure 30.1 are characteristics of individuals; the three at the top right are characteristics of societies; while high levels of crime and shaming are variables which apply to both individuals and societies. The theory as summarized in Figure 30.1 thus gives an account both of why some kinds of individuals and some kinds of societies exhibit more crime.

We could get a more parsimonious theory by collapsing the similar constructs of interdependency (an individual-level variable) and communitarianism (a societal-level variable) into a single construct, but then we would no longer have a framework to predict both which individuals and which societies will have more crime. On the desirability of being able to do this I can only agree with Cressey.

A theory explaining social behavior in general, or any specific kind of social behavior, should have two distinct but consistent aspects. First, there must be a statement that explains the statistical distribution of the behavior in time and space (epidemiology), and from which predictive statements about unknown statistical distributions can be derived. Second, there must be a statement that identifies, at least by implication, the process by which individuals come to exhibit the behavior in question, and from which can be derived predictive statements about the behavior of individuals. (Cressey, 1960/67)

Key Concepts

Interdependency is a condition of individuals. It is the extent to which individuals participate in networks wherein they are dependent on others to achieve valued ends and others are dependent on them. We could describe an individual as in a state of interde-
Figure 30.1
Summary of the Theory of Reintegrative Shaming

Shaming by the state and shaming with punishment are important types of shaming. Most shaming is by individuals within interdependent communities of concern.

Reintegrative shaming is shaming which is followed by efforts to reintegrate the offender back into the community of law-abiding or respectable citizens through words or gestures of forgiveness or ceremonies to decry the offender as deviant. Shaming and reintegration do not occur simultaneously but sequentially, with reintegration occurring before deviance becomes a master status. It is shaming which labels the act as evil while striving to preserve the identity of the offender as essentially good. It is directed at signifying evil deeds rather than evil persons in the Christian tradition of "hate the sin and love the sinner." Specific disapproval is expressed within relationships characterized by general social approval; shaming criminal behavior is complemented by ongoing social rewarding of alternative behavior patterns. Reintegrative shaming is not necessarily weak; it can be cruel, even vicious. It is not distinguished from stigmatization by its potency, but by a finite rather than open-ended duration which is terminated by forgiveness; and by efforts to maintain bonds of love or respect throughout the finite period of suffering shame.

Shaming that is stigmatizing, in contrast, makes criminal subcultures more attractive because these are in some sense subcultures which reject the rejectors. Thus, when shaming is allowed to become stigmatization for want of repressive gestures or ceremonies which decry deviance, the deviant is both attracted to criminal subcultures and cut off from other interdependencies (with family, neighbors, church, etc.). Participation in subcultural groups supplies criminal role models, training in techniques of crime and techniques of neutralizing crime (or other forms of social support) that make choices to engage in crime more attractive. Thus, to the extent that shaming is of the stigmatizing rather than the reintegrative sort, and that criminal subcultures are widespread and accessible in the society, higher crime rates will...
be the result. While societies characterized by high levels of stigmatization will have higher crime rates than societies charac-
terized by reintegrative shaming, the former will have higher or lower crime rates than so-
cieties with little shaming at all depending largely on the availability of criminal subcul-
tures.

Yet a high level of stigmatization in the so-
ciety is one of the very factors that encour-
ges criminal subculture formation by creat-
ing populations of outcasts with no stake in conformity, no chance of self-esteem within the terms of conventional society—individu-
als in search of an alternative culture that al-
 lows them self-esteem. A communitarian cul-
ture, on the other hand, nurtures outcasts within a network of attachments to conven-
tional society, thus inhibiting the widespread outcasting that is the stuff of subculture for-
mination.

For clarity of exposition the two types of shaming have been presented as a stark di-
ichotomy. In reality, for any society some de-
viant is dealt with in ways that are more stigmatic while others receive more reinte-
gative shaming. Indeed, a single deviant will
be responded to more stigmatically by some, more reintegratively by others. To the extent
that the greater weight of shaming tends to stigmatization, the crime-producing pro-
cesses on the right of Figure 30.1 are more likely to be triggered; to the extent that the balance of shaming tips toward reintegra-
tion, informal processes of crime control are more likely to prevail over these crime-pro-
ducing processes.

The other major societal variable which fosters criminal subculture formation is sys-
tematic blockage of legitimate opportunities for critical fractions of the population. If
black slum dwellers are systematically de-
nied economic opportunities because of the stigma of their race and neighborhood, then
criminal subcultures will form in these out-
cast neighborhoods. It can be seen that stig-
matization (as opposed to social integration) as a cultural disposition may contribute to
the systematic blockage of these economic opportunities; but cultural variables like stig-
matization will be of rather minor impor-
tance compared with structural economic

variables in determining opportunities. I
have argued that the blockages in this part of
the theory are not restricted to closed oppor-
tunities to climb out of poverty; systemati-
cally blocked opportunities for ever greater
wealth accumulation by the most affluent of
corporations often lead to corporate criminal subculture formation.

Criminal subcultures are the main mecha-
nism for constituting illegitimate opportu-
nity structures—knowledge on how to of-
fend, social support for offending or commu-
nication of rationalities for offending, 
criminal role models, subcultural groups which assist with the avoidance of detection and which organize collective criminal enter-
prises. However, illegitimate opportunities are greater in some societies than others for
a variety of further reasons which are not incor-
porated within the theory. While the effec-
tes of legitimate and illegitimate opportu-
nitites on crime are mostly mediated by partic-
ipation in criminal subcultures, the block-
age of legitimate opportunities combined with
the availability of illegitimate opportuni-
ties can independently increase crime.

Whether legitimate opportunities to engage
in crime are supplied by participation in criminal subcultures or otherwise, they must
be opportunities that appeal to the tastes of
tempted individuals for them to result in
crime.

This summary is crudely simple because it ignores what goes on within the showing box
in Figure 30.1. That is, it ignores the treat-
ment . . . of the social processes that combine
individual acts of shaming into cultural pro-
cesses of shaming which are more or less in-
tegrative: gossip, media coverage of shaming
incidents, children's stories, etc. In turn, the
summary has neglected how these macro processes of shaming feedback to ensure that
micro practices of shaming cover the curri-
culum of crimes . . .

Shunting the Colliding Locomotives of
Criminological Theory

This sharp contrast with the inability of the existing dominant theories to explain
much of what we know about crime is achieved, ironically, through the addition of
just one element—the partitioning of sham-