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Crime, Shame, and Reintegration

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Braithwaite's central thesis is that crime is higher when shaming is stigmatizing and lower when shaming is reintegrative. This thesis explains both why some societies have higher rates of crime than others and why some individuals are more likely to offend that 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 interdependency between its citizens. When societies lack communitarianism—that is, when individuals are not "densely enmeshed 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 shaming has its greatest negative effects on individuals with few social bonds to conventional society—especially young, unmarried, unemployed 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

antisocial values are reinforced and illegitimate opportunities are made available. In short, stigmatizing shaming evokes the conditions that control theory and differential association theory link to crime. The result is the continued, if not heightened, involvement of the individual offender in criminal activities.

Unlike labeling theorists, Braithwaite does not suggest that nonintervention is the most effective criminal justice policy. In fact, shaming 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: reintegration or stigmatization. Reintegration is essential because shamed individuals are at a turning point in their lives—a time when they can reattach to conventional society or deepen their commitment to crime. When quality social relations exist, they provide the means through which offenders are given the forgiveness and support needed to become a member of the community.

Within the United States, "restorative justice" programs most closely mirror Braithwaite's admonition to meld shaming with reintegration. 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 reintegration present an appealing alternative to stigmatizing criminal justice sanctions (see Braithwaite and Mugford, 1994; Makkai 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

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The theory in this book suggests that the key to crime control is cultural commitments to shaming in ways that I call reintegrative. 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 reintegrative shaming is an attempt to specify when it is right and when wrong. The distinction is between shaming that leads to stigmatization—to outcasting, to confirmation of a deviant master status—versus shaming that is reintegrative, 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. Reintegrative shaming controls crime; stigmatization pushes offenders toward criminal subcultures. . . .

The theory of reintegrative shaming posits that the consequence of stigmatization is attraction to criminal subcultures. Subcultures supply the outcast offender with the opportunity to reject her rejectors, thereby maintaining a form of self-respect. In contrast, the consequence of reintegrative 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 party because it is a degradation ceremony with maximum prospects for stigmatization.

The nub of the theory of reintegrative shaming is therefore about the effectiveness of reintegrative 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 enmeshed 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 [289]).

Some of the ways that the theory of reintegrative 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 shaming an individual 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 underwrite 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 reintegrative 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 incident of 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 such persons will accrue greater interpersonal costs from shame. This is one reason why reintegrative shaming makes for more effective social control than stigmatization.

4. 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 most of the time, not because we rationally weigh our fear of the consequences of detection 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 cultures where citizens often do not internalize 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 one-sided moralizing. A shaming ceremony followed later by a forgiveness and repentance ceremony more potently builds commitment to the law than a shaming ceremony alone. Nothing has greater symbolic force in community-wide conscience-building than repentance.

7. Because shaming is a participatory form of social control, compared with formal sanctioning which is more professionalized than

participatory, shaming builds consciences through citizens being instruments as well as targets of social control. Participation in expressions of abhorrence toward the criminal acts of others is part of what makes crime an abhorrent choice for ourselves to make.

8. Once consciences have been formed by cultural processes of shaming and repentance, pangs of conscience become the most effective punishment for crime because whereas conscience delivers a timely anxiety response to every involvement in crime, other negative reinforcers, including shame, are delivered unreliably or with delay.

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

10. Gossip within wider circles of acquaintances and shaming of offenders not even known to those who gossip are important for building consciences 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 crimes.

11. Public shaming puts pressure on parents, teachers and others to ensure that they engage in private shaming which is sufficiently systematic, and 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 with 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 a 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 controls; 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 controls 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 learnt 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 is excessively confrontational renders the achievement of reintegration a tall order. 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, but stabbing them in the front can be divisive!

15. 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. From the standpoint 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 deviant

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 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, 1960:47)

Key Concepts

Interdependency is a condition of individuals. It means 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
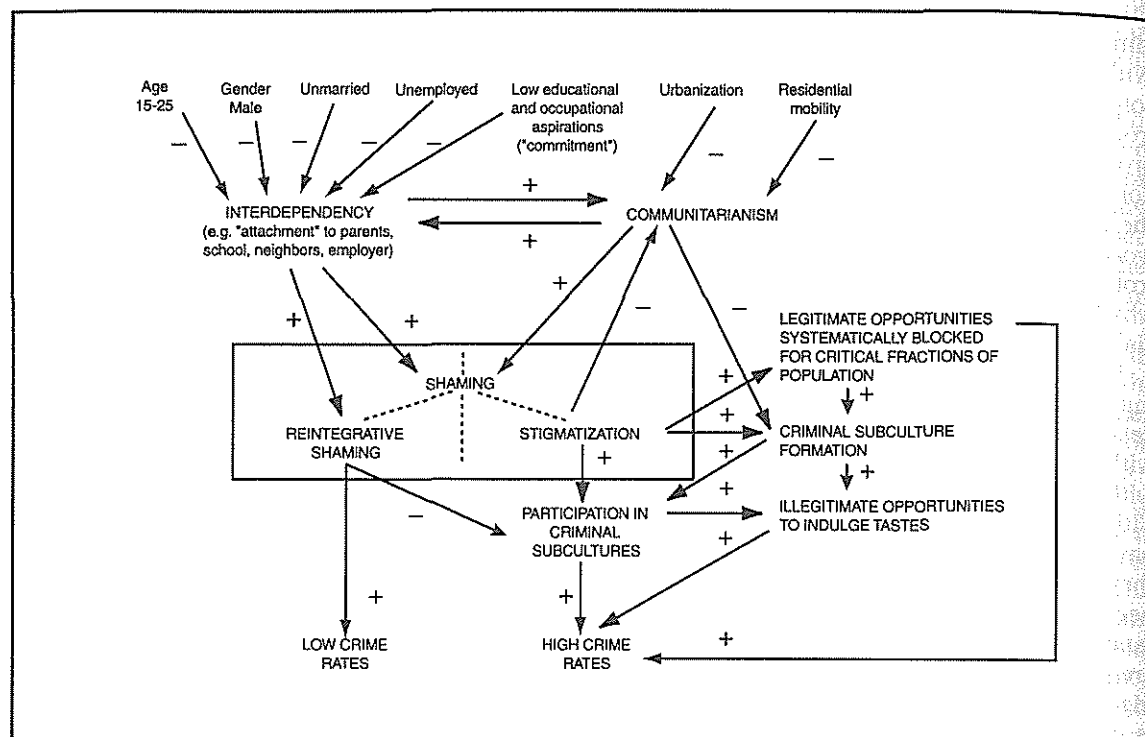
pendency even if the individuals who are dependent on him are different from the individuals on whom he is dependent. Interdependency is approximately equivalent to the social bonding, attachment and commitment of control theory.

Communitarianism is a condition of societies. In communitarian societies individuals are densely enmeshed in interdependencies which have the special qualities of mutual help and trust. The interdependencies have symbolic significance in the culture of group loyalties which take precedence over individual interests. The interdependencies also have symbolic significance as attachments which invoke personal obligation to others in a community of concern, rather than simply interdependencies of convenience as between a bank and a small depositor. A communitarian culture rejects any pejorative connotation of dependency as threatening individual autonomy. Communitarian cultures resist interpretations of dependency as weakness and emphasize the need for mutuality of

obligation in interdependency (to be both dependent and dependable). The Japanese are said to be socialized not only to *amaeru* (to be succored by others) but also to *amayakasu* (to be nurturing to others) (Wagatsuma and Rosett, 1986).

Shaming means all social processes of expressing disapproval which have the intention or effect of invoking remorse in the person being shamed and/or condemnation by others who become aware of the shaming. When associated with appropriate symbols, formal punishment often shames. But societies vary enormously in the extent to which formal punishment is associated with shaming or in the extent to which the social meaning of punishment is no more than to inflict pain to tip reward—cost calculations in favor of certain outcomes. Shaming, unlike purely deterrent punishment, sets out to moralize with the offender to communicate reasons for the evil of her actions. Most shaming is neither associated with formal punishment nor perpetrated by the state, though both

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 decertify 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. Reintregrative shaming is not necessarily weak; it can be cruel, even vicious. It is not distinguished from stigmatization by its potency, but by (a) a finite rather than open-ended duration which is terminated by forgiveness; and by (b) efforts to maintain bonds of love or respect throughout the finite period of suffering shame.

Stigmatization is disintegrative shaming in which no effort is made to reconcile the offender with the community. The offender is outcast, her deviance is allowed to become a master status, degradation ceremonies are not followed by ceremonies to decertify deviance.

Criminal subcultures are sets of rationalizations and conduct norms which cluster together to support criminal behavior. The clustering is usually facilitated by subcultural groups which provide systematic social support for crime in any of a number of ways—supplying members with criminal opportunities, criminal values, attitudes which weaken conventional values of law-abidingness, or techniques of neutralizing conventional values.

Short Summary of the Theory

The following might serve as the briefest possible summary of the theory. A variety of life circumstances increase the chances that individuals will be in situations of greater interdependency, the most important being age (under 15 and over 25), being married, female, employed, and having high employment and educational aspirations. Interdependent persons are more susceptible to shaming. More importantly, societies in which individuals are subject to extensive interdependencies are more likely to be communitarian, and shaming is much more widespread and potent in communitarian societies. Urbanization and high residential mobility are societal characteristics which undermine communitarianism.

The shaming produced by interdependency and communitarianism can be either of two types—shaming that becomes stigmatization or shaming that is followed by reintegration. The shaming engendered is more likely to become reintegrative in societies that are communitarian. In societies where shaming does become reintegrative, low crime rates are the result because disapproval is dispensed without eliciting a rejection of the disapprovers, so that the potentialities for future disapproval are not dismantled. Moreover, reintegrative shaming is superior even to stigmatization for conscience-building. . . .

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 reintegrative gestures or ceremonies which decertify 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 characterized by reintegrative shaming, the former will have higher or lower crime rates than societies with little shaming at all depending largely on the availability of criminal subcultures.

Yet a high level of stigmatization in the society is one of the very factors that encourages criminal subculture formation by creating populations of outcasts with no stake in conformity, no chance of self-esteem within the terms of conventional society—individuals in search of an alternative culture that allows them self-esteem. A communitarian culture, on the other hand, nurtures deviants within a network of attachments to conventional society, thus inhibiting the widespread outcasting that is the stuff of subculture formation.

For clarity of exposition the two types of shaming have been presented as a stark dichotomy. In reality, for any society some deviants are dealt with in ways that are more stigmatic while others receive more reintegrative 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 processes on the right of Figure 30.1 are more likely to be triggered; to the extent that the balance of shaming tips toward reintegration, informal processes of crime control are more likely to prevail over these crime-producing processes.

The other major societal variable which fosters criminal subculture formation is systematic blockage of legitimate opportunities for critical fractions of the population. If black slum dwellers are systematically denied economic opportunities because of the stigma of their race and neighborhood, then criminal subcultures will form in these outcast neighborhoods. It can be seen that stigmatization (as opposed to social integration) as a cultural disposition may contribute to the systematic blockage of these economic opportunities; but cultural variables like stigmatization will be of rather minor importance 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 opportunities to climb out of poverty; systematically 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 mechanism for constituting illegitimate opportunity structures—knowledge on how to offend, social support for offending or communication of rationalizations for offending, criminal role models, subcultural groups which assist with the avoidance of detection and which organize collective criminal enterprises. However, illegitimate opportunities are greater in some societies than others for a variety of further reasons which are not incorporated within the theory. While the effects of legitimate and illegitimate opportunities on crime are mostly mediated by participation in criminal subcultures, the blockage of legitimate opportunities combined with the availability of illegitimate opportunities can independently increase crime. Whether illegitimate 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 shaming box in Figure 30.1. That is, it ignores the treatment . . . of the social processes that combine individual acts of shaming into cultural processes of shaming which are more or less integrative: gossip, media coverage of shaming incidents, children's stories, etc. In turn, the summary has neglected how these macro processes of shaming feed back to ensure that micro practices of shaming cover the curriculum 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-

ing—as a shunt to connect these diverging theoretical tracks. Through putting the old theoretical ingredients together in a new way, we can do better at accounting for the facts than can any of these traditions separately. Moreover, we can do better compared with adding together their separate (contradictory!) elements as partial explanations within an atheoretical multi-factor model.

The top left of Figure 30.1 incorporates the key variables of control theory; the far right—opportunity theory; the middle and bottom right—subcultural theory; the bottom, particularly the bottom left—learning theory; the right side of the middle box—labeling theory. With one crucial exception (reintegrative shaming), there is therefore no originality in the elements of this theory, simply originality of synthesis.

Through the effect of interdependency in reducing crime, we can capture the explanatory successes of control theory in accounting for primary deviance. Through shunting stigmatization away from other forms of shaming (as that sort of shaming which triggers subcultural participation) we proffer a more promising approach to the explanation of secondary deviance in labeling and subcultural theory terms. We achieve a more specified theory of differential association with

conventional others versus others who share a subculture. Conceived another way, it is a theory of differential shaming. Most shaming is by conventional others on the anti-criminal side of a tipping point. When stigmatization produces secondary deviance, it is because the balance of shame has tipped; for those who share the subculture there is sufficient approval for crime . . . to outweigh the shaming of conventional society.

Discussion Questions

1. What is the difference between shaming that is stigmatizing and shaming that is reintegrative?

2. In the United States, what kind of shaming is most common? Can you provide some examples?

3. Why does stigmatizing shaming cause crime? How does this relate to labeling theory?

4. If you were going to develop a reintegrative shaming program for juvenile delinquents, what would it involve? ✦