

# INFORMAL SOCIAL CONTROL OF CRIME — MODIFICATION OF LABELING THEORY (I)

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## 摘要

本文旨在說明及檢證非正式社會控制在犯罪防制上的重要性。透過對標籤理論的反省與修正，以突顯非正式社會控制的犯罪防制功能。

標籤理論基本上認為對違法者的事後社會標籤行動，會促使其二度犯罪。本文則提出羞恥模型以取代社會標籤模型，以修正標籤理論，並主張社會標籤行動不必然導致犯罪的延續或停止，重要關鍵在(1)標籤的來源與性質；(2)被標籤者的內在羞恥心高低。

資料來源根據分別於1974及1975年被美國南加州洛杉磯市警局及郡警局所逮捕到的青少年，對他們所做的連續性追蹤調查（市警局樣本共三次問卷調查，郡警局樣本共二次問卷調查）。為方便分析，乃就二樣本（人數共200人）的前二次問卷進行Panel analysis

研究發現，社會標籤行動是來自非正式網絡者（如親友、鄰里），其作用會比來自正式網絡者（如警政及社工單位）來的大。至於社會標籤行動是產生正面或負面效果，則視標籤的性質—屬於砥礪規勸者則產生正面影響的可能性大，羞辱排斥者則產生負面的影響。

上述研究結果突顯了非正式社會控制途徑在犯罪防制上的重要性。過去政策制訂以正式管道為重心的做法（如增設警力、警備及成立社會性組織），是否切中問題核心值得重新思考。

## Abstract

This paper is an empirical study on social control of crime. A shaming model was adopted to modify societal reaction model, the central thesis of labeling theory. Specifically, this research posits that societal labeling does not always incur negative consequences, depending upon the nature of labeling, either reintegrating or stigmatizing, internal state of shamability of each individual, and, more importantly, the sources of societal labeling, formal sources (i.e. police and social service personnel) or informal sources (i.e. parents, friends, teachers, peers, etc.).

Self-reported panel data were collected at three time points for some juveniles and two time points for others. All juveniles were drawn from the arrest logs of police stations in the Los Angeles metropolitan area. Panel analysis was conducted to examine how shaming and other control variables measured at a prior time point relate to subsequent delinquency self-reported at a later time point. Weighted least

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square regressin was performed and unstandardized regression coefficients reported.

The data suggest that, given a higher sense of shamability, reintegrating shaming helps decrease delinquency while stigmatizing shaming increases delinquency. Informal sources of shaming was found to be more important than formal sources of shaming in influencing juveniles behavior, indicating that informal social control can exert a greater influence upon juveniles' behaviors than formal social controls. This finding invites a policy reconsideration — previous crime prevention efforts were focused upon formal controls to the relative neglect of informal controls. Informal social controls seems worthy of a greater policy attention.

## INTRODUCTION

Crime prevention and control was and still is high on the public agenda in most western industrialized societies. Large-scale experiments were designed and society-wide programs were put into action in the prior decades (Empey, 1982). None so far offers us a convincingly solid promise. Theories come and go for a lack of theoretical comprehensiveness and empirical persuasiveness. What we have learned throughout all those years is the correlates of crimes. Each theory, undoubtedly, contributed some insights. However, we still find ourselves at a stage where we are struggling with specifying the most important predictors of various forms of criminal behavior, as also noted by Aultman (1979: 152). The ineffectiveness in distilling from the existent theoretical knowledge the unique processes that are essential in the explanation of delinquency of a certain type lies with the destructive manner in which the theoretical disputes are handled (Aultman, 1979).<sup>1</sup>

Though there have been some attempts at integrating theories in the last decade, labeling theory was missing in those attempts. For instance, Elliott, et. al., (1985) proposed an integrated model in which ideas from strain theory, social learning theory, social disorganization theory, and control theory were all integrated. Aultman made a typological comparison of path models with the hope that delinquency causation could be discovered for different types of delinquency (1979). Three models discussed in his paper basically adopted ideas from various theories, but control theory was saliently underscored. The labeling concept was treated as one of the

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<sup>1</sup> The theoretical disputes seem destructive because these disputes, though provocative and enlightening, distract the field from scientific inquiry for an explanation of certain behavioral forms. It is unrealistic to expect delinquency theories to explain all aspects of the crime phenomenon. Critics, however, often hinder the development process for insightful ideas by pointing out the particular cases in which a certain proposition is not empirically supported.

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control. In view of the wide popularity it enjoyed before and during the 1960s, the relative absence of the labeling perspective in integration attempts misses an important aspect in understanding crime. This research holds that this perspective, if not being totally disputed for a lack of theoretical significance, does offer a valuable angle to see the crime world. In recognition of its value, the current research builds its foundation on this perspective, but goes beyond it. A modified paradigm is proposed with the hope of addressing its theoretical loopholes that were frequently criticized.

The current research was inspired by the shaming model proposed by John Braithwaite (1989). This model has used the concept of shaming in a manner close to labeling, though the terms are different. They are similar in their basic concern: societal responses. Their difference is, labeling has a more deterministic and negative tone while shaming is cast in both negative and positive manners. The shaming concept diverts the attention from traditional legal and formal methods of crime control to something informal. This shift in attention has empirical supports. Even deterrence research suggests a much stronger effect of informal sanctions on deviance than formal legal sanction (Jensen and Erickson, 1978; Tittle, 1980; Piliavin et al., 1986). In addition, this model does not look directly to those traditional social-demographic correlates of crime for answers. Instead, it holds that shaming is an effective tool to shun people from breaking the law to begin with and bring people, once wayward, to conform to the norm. Comparative study lends support to the correlation between low crime rate and a strong shaming culture (Adler, 1983).<sup>2</sup> If the correlation is not a spurious one, then it merits more serious research to have that relationship tested on an empirically solid ground.

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<sup>2</sup> Adler conducted a comparative study in which ten countries which she believed (according to a United Nations survey) to have low crime rates: Algeria, Bulgaria, Costa Rica, the German Democratic Republic, Ireland, Japan, Nepal, Peru, Saudi Arabia, Switzerland (Adler, 1983). She used "synnomic" to characterize these low crime countries, suggesting a high level of social cohesiveness, a strong family system, and social control systems which do not aim to control by formal agencies. And effective shaming, as Adler concluded, is a product of this synnomic. Japan was often cited in literature as a low crime country which relies upon informal measures of social control and where shaming is a salient feature of Japanese culture (Bayley, 1976; Braithwaite, 1989; Clifford, 1976; Fenwick, 1985).

## PURPOSE AND SIGNIFICANCE

### 1. *Purpose of This Research*

The goal of this research is to create and test a model by incorporating the *shaming concept* into the essential processes of labeling theory. The most frequently investigated labeling process postulated that societal reactions (labeling) lead the labeled on to further deviance through the transformation of social-psychological states, such as altered self-concept. However, literature examining this process has failed to yield consistent evidence supporting this viewpoint. A shaming model is, therefore, adopted to test the key assumptions implied by labeling theory.

The second purpose is to distinguish the impact of official reaction from unofficial reaction on subsequent behaviors. Little effort so far has been directed toward this distinction partly because the original formulation of this perspective uses "societal reaction" in a general and undifferentiated manner to cover many kinds of reactions. Though Becker (1963) and Lemert (1967) have noted the distinction between formal and informal source of societal reaction, they posited a negative effect on self-concept from both sources. To symbolic interactionists, there is a different quality between opinions of significant others and those of unknown strangers in terms of their influence upon our behavior. This research will argue for the greater importance of unofficial reactions. Further, when policy is considered, this distinction becomes even more urgent since previous major justice and social reforms aimed at crime prevention were mainly focused on the reform of formal organizations (i.e. judicial institutions and social service agencies). If the reactions from informal organizations (e.g. family, school, church, etc.) are found more important in directing youth's behavior, the current practice of crime prevention has to be re-evaluated.

The third purpose is to examine the shaming processes within a multivariate framework under which the relationship between labelees' subsequent behaviors and societal shaming will be studied in a social interaction context. Individual behaviors will be examined together with other social forces assumed to be relevant to the shaming process. Little research has been conducted emphasizing the contribution of social-demographic factors (i.e. age, ethnicity, socio-economic status, etc.) to the processes. In other words, this research examines to what extent the relationship between societal shaming and behavior outcomes are modified by those social-demographic factors.

The last goal is to examine the shaming process *over time*, rather than cross-sectionally. The purpose is to observe the development of the sense of shame over

time, and its relation to subsequent behaviors. Ironically, not much research has been carried out longitudinally even though labeling theory implies a longitudinal framework. Most longitudinal studies suffer some methodological flaws, which defeat their initial purpose. For instance, a longitudinal study of the effect of formal and informal sanctions on delinquency by Thomas and Bishop (1984) failed to unravel the causal order between sanctions and subsequent delinquency. This was because their follow-up measure of delinquency involvement and measures of formal and informal sanctions were all taken at the same point in time. The data set employed here offered an advantage since it had follow-up data gathered at different points in time spanning 27 months.

## ***2. Significance of This Research***

This research proposes to improve the societal reaction perspective in a number of important ways.

First, it broadens the societal reaction perspective by introducing shaming, a more dynamic concept, into the processes to explain future behavior outcomes. According to labeling theory, labeled individuals are going to experience an altered self-concept (or a spoiled self-identity) and a greater social liability as a consequence of negative societal responses, which, in turn, reinforce the deviance (Lofland, 1969). Even with the effort made by other labeling theorists (Sykes & Matza, 1957; Davis, 1961; Turner, 1972; Rogers & Buffalo, 1974) in depicting an active individual resisting the negative labels, what they essentially contribute to this perspective is the recognition of the individual initiative in fighting back. However, they basically stick to a "societal reaction paradigm," which still holds that should individuals fail to resist societal labeling, it will lead them to further deviance. Obviously, the main line of thinking is still with the overpowering of individual behaviors by societal labeling. With the shaming model, at least one important aspect of the process is further modified. Specifically, individuals are not only viewed as active participants reactively fighting back, as previously depicted, but also viewed as ones consciously engaging themselves in interpreting other's opinion with reference to a broader social context and in self-reflection (e.g. feeling ashamed brought about by the very acts committed). In other words, the shaming model adopts an active conception of the deviants — making choices (continue or stop committing further delinquent acts) against a background of societal pressures mediated by shaming. As a result, there are variabilities in individuals' perceptions of their actions and of the future course of actions they will take. Deviants are not as the society so labels; rather, their

identity is a gradually emerging product of subjective perception and objective societal response.

Second, it modifies one of the important theoretical assertions of labeling theory, which says: criminality is not a quality of the act; there is nothing inherently deviant, and deviants or deviant behaviors are people so labeled (Becker, 1963:9). The shaming model explicitly posits the existence of an objective behavior standard on which social norms converge, and suggests that criminality, to some extent, is a quality of the act. In fact, proponents of the labeling perspective later were aware of the distinction between the "warranted" (actual behavior evidence) and "unwarranted" (or putative) portions of the societal reaction (Rains, 1975:7). However, due to the influence of ethnomethodological thinking, they gave the unwarranted portions theoretical priority. As Pellner's critique suggests (1974:33), if the societal response is constitutive of deviance, then the fact that no one reacts to an act as deviant means that it is not deviant. The fallacy of this logical extremity is obvious. Therefore, Goode (1975:579) suggests that a probabilistic conception of deviance instead of relativistic view is more appropriate since it can "rescue us from the solipsistic logical extreme of absolute situational relativity." However, such a stance is not to deprecate the value of labeling theory in sensitizing us to rules, norms, and social-political factors that first emerged to define what is "right" and what is "wrong". On the contrary, the shaming model does not rebut labelists' claim about the nature of behaviors, but modifies the extremity of the relativistic stance.

Third, the shaming model clarifies the ambiguity of the consequence of labeling processes by explicitly distinguishing crime-producing consequences of stigmatizing shaming from crime-reducing consequences of reintegrating shaming. The commonly postulated labeling model is vague about behavior outcomes. At best, it predicts that, when individuals are labeled (or stigmatized), this very label will lead to the manifestation of further deviance. "Being labeled" is, under the societal reaction paradigm, synonymous with "being stigmatized." Unfortunately, empirical evidence often fails to support such a prediction. In comparison, the shaming model does not hold that being labeled is equal to being stigmatized. It specifies two types of social processes, reintegration and stigmatization, in examining the conditions under which less deviance results, and the conditions that produce more deviance. Specifically, the shaming model takes into account both the individuals' sense of shame and the societal mechanism of reintegration or stigmatization in predicting behavior outcomes. For example, if an individual is shamable and if the ceremony of social reintegration follows, we can fairly predict that the shamed individual is highly likely to be "reformed."

Fourth, the shaming model directs attention back to informal social control of crime. There were various societal experiments in the 1970s (e.g. diversion programs and deinstitutionalization) and the early 1980s (e.g. selective incapacitation) that did not result in effective crime prevention or reduction. At the same time, comparative cross-cultural research shows the relative effectiveness of informal control of crime in countries that rely heavily upon informal measures in assisting the formal agency in crime prevention (Adler, 1983). Meier and Johnson (1977) concluded that extralegal influences were found to be more important than the legal ones by comparing the effect of the legal and extralegal production of conformity. The shaming model, highlighting the notion that the key to crime control is the cultural commitment to shame, will identify those informal determinants of effective crime prevention. The belief that informal social control should have a bigger role in crime prevention has an empirical base suggesting that compliance with the law by the moralizing quality of social control rather than by its repressive quality will produce a greater crime prevention effect (see Braithwaite, 1989).

## THEORY AND CURRENT RESEARCH

This research is conducted within the labeling perspective, but will go beyond it by introducing the shaming concept into the conceptualization of the labeling process in an attempt to give labeling theory a new aspect. Any task meant to “go beyond” immediately implies some imperfections with its original theoretical formulations. Therefore, we will begin with labeling theory and review its most commonly mentioned criticisms before introducing the new model.

### 1. *Labeling Theory*

Labeling theory grew out of a more general perspective in sociology — symbolic interactionism. What this perspective asserts is: individuals are not simple passive “products” of their upbringing or their environment, but are active participants in making sense out of their environment through interaction and interpretation. Thus, major tenets of symbolic interactionism are particularly appropriate for understanding labeling theory. For instance, it holds that the study of individual definitions and interpretations is essential for an understanding of human conduct (Manis, 1978), as was also noted by Blumer, suggesting that interpretation and definition is a very formative and creative process (1969:135). Labeling theory is concerned with

people's interpretation and definition of social situations, since these will influence their self-conception, and subsequently their future behavior. As noted by Katz (1972), behavioral evidence is not a necessary condition for imputation of deviance to an actor. It is the interpretation of behavior as deviant that defines an actor as deviant.

In addition, this perspective also holds that individual actions are influenced by both internal states and external events, since perceptions and interpretations that guide human actions are shaped by the former as well as the latter (Hewitt, 1970:47). To labelists, societal reaction and individual interpretation of it both determine an individual's behavior. Therefore, strictly speaking, labeling theory is not a separate theory at all; rather, it is a reactive perspective or an interactionist perspective (Goode, 1990:58).<sup>3</sup>

However, ironically, the early thinking reflected in these important writings of the labeling perspective depicted passive individuals and overpowering societal reactions in conditioning individuals' behavior. It is the societal response more than the actual behavior (i.e. behavior that leads to official response, e.g. arrest) that is assumed to be the major determinant of subsequent behavior. The labeling perspective emphasizes societal response rather than previous delinquent level in discussing subsequent behaviors, and external factors instead of the nature of the behavior in defining certain behaviors as deviant.

### 1) *Societal Reaction Paradigm*

Tannenbaum's *Crime and the Community* (1938) was generally considered the first writing touching upon the labeling perspective. In this book, he wrote:

The process of making the criminal, therefore, is a process of tagging, defining, identifying, segregating, describing, emphasizing, making conscious and self-conscious; it becomes a way of stimulating, suggesting, emphasizing, and evoking the very traits complained of . . . . The person becomes the thing he is described as being. (1938:19-20)

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<sup>3</sup> In fact, Becker (1973:178) and Kitsuse (1972:233) have rejected the term "labeling theory" as a valid description of their perspective. Instead, they prefer to using the term "interactionist approach" (Becker, 1973:181;Kitsuse, 1972:235) for two reasons: 1) they do not consider their approach to be a general explanation for why crimes occur in the first place; 2) the term "labeling" implies a oversimplified causal connection between labels and their negative behavior outcomes.



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The whole process is a process of the “dramatization of evil,” (Tannenbaum, 1938:19) implying a lack of individual initiative. What was focused upon, instead, was the societal imposition. In addition, he rejected the assumption that underlies all criminological discussion: there was a qualitative difference between the nature of the criminal and that of the non-criminal. This simplified conceptualization of deviance was later modified in much detail and sophistication by Lemert in *Social Pathology* (1951). Lemert distinguished initial behaviors (primary deviance) from subsequent behaviors (secondary deviance); the latter being a response to the societal reaction to initial behaviors. However, he argued that primary deviation is polygenetic and is not especially important; what is important is the social reaction to the behavior (1951:75-76). His position changed a little later on. Though still arguing for a greater importance of social definitions of deviance, he cautioned against the neglect of the objective nature of the deviant act itself (1979:22). He emphasized continually that “deviance outcomes flow from interaction between the two sets of factors” (1972:21).

The emphasis on the societal reaction to the relative neglect of behavior was also seen in the writings of this theory’s principal contemporary proponents, Howard Becker and John Kitsuse. The most quoted passage reflecting this point by Becker is:

Deviance is not a quality of the act a person commits but rather a consequence of the application by others of rules and sanctions to an offender. The deviant is one to whom the label has successfully been applied; deviant behavior is behavior that people so label. (1963:9)

Equivalent to this is that by Kitsuse:

Forms of behavior per se do not differentiate deviants from non-deviants; it is the responses of the conventional and conforming members of society who identify and interpret behavior as deviant which sociologically transform persons into deviants. (1962:253)

Erikson had a similar remark noting that “deviance is not a property inherent in certain forms of behavior, it is a property conferred upon these forms by the audiences.” (1964:11). All the quotations point to the imputational process through which persons become identified as deviants. Simply put, *behaviors* are not deviant in themselves. Nor are *individuals* deviants by nature. They only become so when

defined and reacted to as such.

The reluctance of labeling theory to talk about actual deviance has its theoretical background in ethnomethodology (Rains, 1975:10). According to ethnomethodological reasoning, imputations of deviance are the methods people use to "recognize" deviance. And it is the recognition that produces the deviant population. In other words, reactions to deviance are conceived of as reactions that constitute deviance. It is fair to say that labeling theory redirects attention to research questions that dramatize the "perceptibility" of the imputational process.

### 2) *The Relativistic Approach: The Importance of Social and Demographic Factors*

Following ethnomethodological thinking, deviance is analytically identified only in relation to interactional processes through which acts or actors are socially defined as deviant (Orcutt, 1975). Therefore, behaviors are only one of many factors considered in the analysis of the social definitions of deviance. As noted by previous research, the interpretational process may be activated by a wide range of situational factors (Erickson, 1964:11; Newman, 1976). These situational factors help answer why and when some rule-breaking behaviors are defined as deviant while others are not. In other words, factors defining certain acts as legitimate or not lie in things external to the behavior itself. The social-cultural setting, political considerations, and individual traits other than behaviors determine what is deviant. As also noted by Goode (1975:577), neither social cost nor objective threat to society was the criterion to define what is deviant. Although not in a deterministic manner, labeling theory appears to suggest that the perceptual variance in respondents' interpretation of deviance, to a great extent, is determined by those situational circumstances. It is obvious that this theory is not so much interested in the etiology of crimes as in origins and consequences of labeling. This approach shifts attention away from the traditional question: Why do they do it? to a focus on how and why definitions of deviance come to be made and what their consequences are (Plummer, 1979:88-90).

### 3) *Secondary Deviance: Consequences of Labeling*

The major thrust of this perspective lies in its explanation of the development of secondary deviance. Labeling theory holds that societal labeling has negative

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consequences on those labeled.<sup>4</sup> What is essentially predicted under this perspective is: the greater the labeling, the worse the consequence, e.g. increased delinquency. "The greater the labeling" means several things, according to the operationalization used by Klein et. al., (1977); one refers to the deeper penetration into the judicial system; another, a greater label spread (i.e. more people know about the event that leads to the application of the label); finally, the content of the label in accordance with the offense seriousness. As a result, this perspective has implications both on a societal and individual level.

From the societal viewpoint, what is significant in this process is that it involves attaching a *stigma* to a person or an activity; it does not much matter whether or not someone being stigmatized is actually engaged in the behavior of which one is accused — falsely accused deviants are still deviants (Becker, 1963:20). This was exactly what Becker's "putative" and Kitsuse's "imputative" meant when they referred to the part of behaviors that are unwarranted. On the other hand, not everyone who violates a rule or law will be criticized or punished. In other words, deviants are selectively chosen to be labeled based on criteria not always related to the acts committed. Uniformity and homogeneity are not assumed in terms of what is deviant. Once an individual is labeled, such a stigmatizing and stereotyping process tends to deny to deviants "the ordinary means of carrying on the routines of everyday life open to most people" (Becker, 1963:35). As a result, the deviant is given "no license to resume a normal life in the community" (Erikson, 1964:16).

On the individual level, what concerns labelists is the consequences of the labeling process, specifically, the amplification and stabilization of deviance. Labelists argue that it is the community's reluctance to accept the deviant back that is crucial in stabilizing people in a deviant position and making people become secondary deviants (Tannenbaum, 1938; Erikson, 1964). The label successfully applied by the community results in the deviants' becoming "engulfed" or encapsulated in the role of deviant. Whether they accept or reject that label is the next step in the whole labeling process. The acceptance of the label, indicating a changed self-concept or self-image consistent with the label, pushes the labeled further on to a deviant way

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<sup>4</sup> In fact, labeling theory posited both positive and negative effects on behavior outcomes as a consequence of societal labeling (Thorsell and Klemke, 1972). However, the positive side has received little attention due to the major social and political movements in the 1960s. The emphasis on the negative consequence of official labeling makes this perspective a target of criticism for its depiction of an actor totally at the mercy of official labelers, not being an independent or responsible person.

of life (Becker, 1973).

Such a process, operating on both a societal and individual level, explains why labeling increases deviants' involvement in delinquency, limits conventional options, strengthens a deviant identity, and maximizes participation in a deviant group.

To be noted, however, the process just described above is not deterministic in manner. For instance, it holds that to be labeled as a deviant may be one of the factors that contribute to the process of building a stable pattern of deviant behavior (Becker, 1973:31). In other words, not everyone who gets caught and publicly labeled is going to experience the stability of that deviant status. Therefore, the question is what is the mechanism that drives those publicly labeled deviants in one direction (i.e. decreased delinquency) vs. the other (i.e. increased delinquency). Labeling theorists looked into some intermediate processes for the answer. The frequently mentioned intermediate step is the process of a changing self-concept. A negative self-concept or a stigmatized self-image was held by this theory to account for the increased delinquency. However, the question as to what leads to a negative self-concept was not satisfactorily answered since research showed that societal labeling does not necessarily lead to a negative self-concept. Therefore, even with the introduction of the social-psychological processes, labeling theory still can not address the question as to what leads to a negative self-concept which in turn results in further delinquency. My argument concerning the mechanism that leads to different predictions is that there is a difference in the nature of the label: some societal reactions are stigmatizing but others are quite reintegrating. This distinction of the different nature of labeling is absent in labeling theory, but is one of major themes in this research.

## 2. *Criticism*

Labeling theory has been inviting criticism over the decades, especially in the 1970s. Though those critiques share some fundamental flaws (Goode, 1975:570),<sup>5</sup> a closer look into those critiques still may help us gain a better understanding of the labeling perspective.

The most common criticism leveled against it is that it is not a theory at all; at best, it is only a particular orientation, a perspective (Goode, 1990:67). As Goode

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<sup>5</sup> Three fundamental flaws as summarized by Goode are: first, they tend to be polemic instead of being constructive; second, they misstate the original theorizing; third, critics seem incapable of acknowledging the potential power of this theory.

suggests, it is a way of looking not at deviance in general, but at some specific features of deviance. What concerned labelists most is the impact of social reaction upon subsequent deviance rather than the explanation of the etiology of crime. As its proponents claimed, what they intended to do is to alert people to some “sensitizing concepts” (Blumer, 1969:147-151), normally ignored by conventional criminological theories. A well articulated defense was made by Kitsuse who noted,

Its distinctiveness leads away from these social-psychological issues to a consideration of how deviants come to be differentiated by imputations made about them by others, how these imputations activate systems of social control, and how those control activities become legitimated as institutional responses to deviance. (1975:282)

It is the position of the labeling perspective that a person’s marginal societal characteristics play the prime role in defining a person as deviant; and being labeled a deviant is the major cause of the development of deviant identities and life styles. Gove (1975:295) concluded that it is the behavior or condition of the person that is the critical factor in causing someone to be labeled a deviant.

This study does not intend to explain the etiology of crime either. However *neither* will it be limited to the conventional focus only (i.e. exclusively societal reactions). Rather, we will enrich the labeling process by discussing the shaming concept at both the individual and societal levels, and examine how shaming is related to the increase or decrease of subsequent deviance. Further, since shaming is a cultural phenomenon, the discussion of the processes will naturally be framed under a broader social-cultural context.

The second common criticism is the theory’s overemphasis upon the societal reaction in advancing deviance, or the irreversibility of the process (Erikson, 1962:311). Acknowledging this problem, later labelists claim that the assertion that labeling is the foundation for secondary deviance is not to locate the origins of rule-violating behavior in societal response (Pfuhl, 1980:208). Labelists such as Kitsuse (1975:279—280) and Lemert (1973:19) even hold that deviant acts are not independent of the labeling of deviants.<sup>6</sup> In other words, these early

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<sup>6</sup> Kitsuse thinks that Lemert’s secondary deviance is oversimplified by the general readers. Secondary deviance should not be thought of as only a self-fulfilling prophesy. In fact, Lemert holds that being labeled as deviant is a function of several factors: how much deviation one engages in, the degree of the social visibility of the deviance, the particular

labeling theorists also recognized that labeling is one of many causes that further deviance (Schur, 1969). Even though proponents has defended against this criticism by asserting that labeling itself is not necessary for further deviance, this theory positioned itself right in the middle of a theoretical dilemma when it begins with the societal reaction as its theoretical focus. In fact, research showed that further deviance could still develop even in the absence of labeling (Clinard & Meier, 1985:82-83), or vice versa, that is, labeling might result in a discontinuation of deviance career (Becker, 1963:59). In other words, labeling may contribute to the development of stability of deviant behavior, or it may lead to its discontinuity. As a result, a challenge facing labeling theorists is the specification of the conditions under which societal labeling works (Davis, 1980).

Another related criticism responds to the assertion made by labeling theory suggesting that no act is intrinsically criminal. The extremity of this statement was later recognized. Wellford (1975) agreed with Schur suggesting that there is an objective behavior that is universally considered immoral.<sup>7</sup> This reseach, in respones to such criticism, attempts to investigate when labelling leads to further deviance and when it does not by examining the different shaming mechanisms under a multivariate framework.

The third criticism is: this theory tends to treat individuals as passive and as the sole analytic unit, which theoretically is consistent with its emphasis on the importance of the societal reaction. However, as Goode (1975:581) pointed out, when referring to behavior, it is contingencies that *constitute* the character of the act; when referring to people, it is contingencies that *qualify* their character. By contingencies, Goode refers to such variables as age, ethnicity, social-economic factors, etc.. Therefore, the labeling process should be examined within a social interaction context where individuals are not only acted upon but also acting toward a milieu of social cues. Further, later researchers also noticed the relative exclusion of the individual's subjective motivation, perceptions, and adaptive mechanisms implicit in the theoretical formulation of this theory. As a result, Hagan stressed the reciprocal relationship between actor and reactor (1973:455-456); Lorber paid

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exposure one has to the societal reaction, and the nature and strength of the societal reaction.

<sup>7</sup> Schur offered an explanation for why some offenses instead of other are defined as deviant. Some forms of deviation may lend themselves less readily to labeling analysis than do others. The value of labeling analysis in explaining a particular form of deviance may be related to the degree of consensus on its social definition. Borderline forms of deviance seem to be especially good candidates for labeling analysis.

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attention to the motives, intentions, activities, and self-view of the deviant (1967); some others even posited an image of an active participant in counteracting the labeling, such as the techniques of “neutralization” by Sykes and Matza (1957), or “deviance disavowal” by Davis (1961), or “deviance avowal” by Turner (1972), or “fighting back” by Rogers and Buffalo (1974).

However, these later modifications did not go beyond the societal reaction paradigm. This research will put emphasis upon individuals’ initiative. As Warren and Johnson mentioned (1972:76-77), people behave with reference to direct (i.e. societal reaction) and indirect (internal moral appeal) labeling operating in the world of deviant behavior. As the process of public labeling is atypical, most people usually experience a self-labeling process which exerts no less an influence on behaviors (Warren and Johnson, 1972). Similar to the concept of self-labeling, this research depicts an active individual by introducing an internal dimension of the shame concept — shamability. Adding this dimension to the processes helps researchers go beyond the societal reaction paradigm.

In addition; the basic assumption of the labeling perspective suggests that being publicly identified as deviant is going to result in a spoiled public identity and incur social liability, which together reinforce the deviance. Foster et. al., think it is a misconception since it misses a critical issue in this theory, simply, how the “deviant” perceives what has happened as a result of his/her being publicly labeled as deviant (1972). It is generally recognized that official intervention is not equally disastrous for all. Juveniles having different delinquent histories and being situated in different social matrix are going to perceive the official intervention and the social liability differently.

In brief, these criticisms connote the inadequacy of labeling perspective in accounting for subsequent behaviors. This research addresses the inadequacy of this theory by introducing the shaming concept into the labeling formulation to explain subsequent delinquency.

### *3. Elaborating Labeling Process With shaming Concept*

The shaming concept introduced in the model comes from Braithwaite.<sup>8</sup> Central

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<sup>8</sup> This research does not adopt Braithwaite’s entire shaming model, which is quite sophisticated and well integrated. The value of his theory of reintegrative shaming lies in the integration of the shaming concept into some important criminological theories with shaming at the centerpiece. Another merit of his shaming model is his incorporation of both individual

to the shaming model is moral consensus, a theoretical prerequisite argued by Braithwaite for shaming to take effect. The shaming model, therefore, avoids the relativistic stance and takes value consensus as *a priori*. It tends to view value consensus as a relatively stable entity. Since predatory crimes are where this consensus converges, he argues for a shaming effect for predatory crimes. He did not, however, expect the same effect for non-predatory crimes where less consensus converges. The current research investigates behaviors which are generally minor offenses. However, even with minor offenses, there is still a relatively clear consensus, although not so clearcut as in the case of index crimes in terms of what is "right" and what is "wrong". This research, therefore, will argue for some effect of shaming on non-predatory crimes. In brief, the shaming model test out the predictive power of shaming upon subsequent delinquency in general, but also the two types of offenses, predatory and non-predatory.

In addition, shaming model does not assume that everyone is equally concerned about his/her public identity. Therefore, when people are not concerned about their public identity, then the negative consequences of labeling are lost from the deviants' perspective. Further, the shaming model gives individual perception and definition as its theoretical focus.

The typical labeling model has postulated that initial acts lead to societal reaction, which, in turn, causes further deviance through some mediating factors (see Figure 1). The dotted line indicates the intensifying degree of labeling due to the stronger response to further deviance.

Problems with such theorizing are twofold. One is that initial acts are not counted as an important predictor of further deviance. However, research has suggested the significance of initial acts (i.e. previous delinquent level) in accounting for the occurrence of subsequent behaviors. Thorsell and Klemke (1972) found that official sanction has more impact upon those who have little deviance history, for the deviant veterans have become too entrenched in a deviant subculture to care greatly about a label.

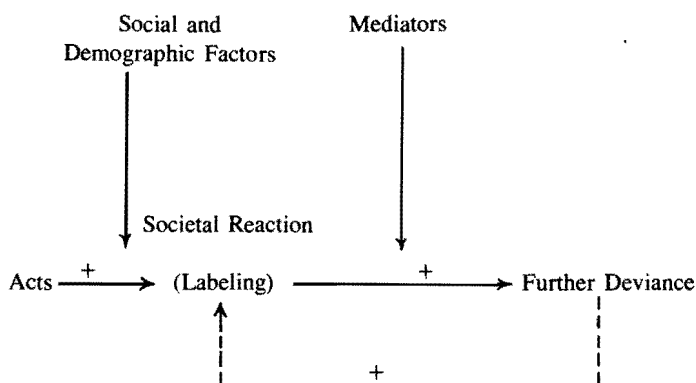
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and contextual variables to explicate the intricate relationships between micro and macro mechanisms in producing different types of shaming. Reasons for not following his model are two. One, the contextual variables are absent in the data set used here, and not all relevant demographic variables are available either. Two, Braithwaite's shaming model does not touch upon the internal shaming state, an important mediator postulated by this research in connecting societal reactions with behavior outcomes. Interested readers are referred to Braithwaite's theory of reintegrative shaming, which is presented in Appendix C.



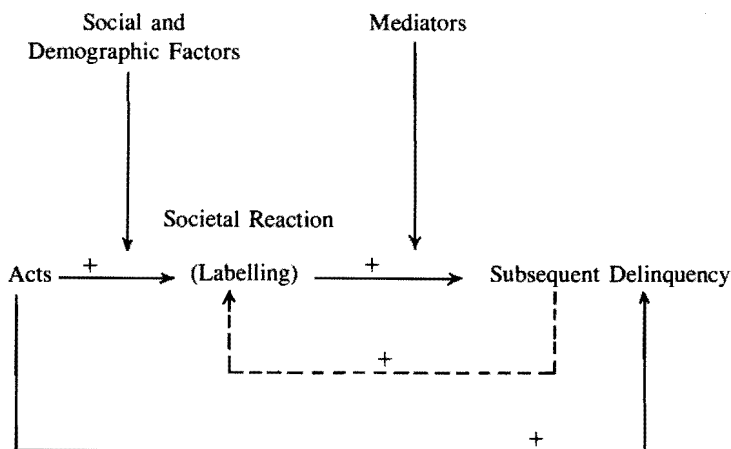
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Figure 1: Causal Diagram of Typical Labeling Model



A similar finding is noted by foster, et. al., indicating that difference in perceptions of social liability is attributed to the growing offense record rather than the type of disposition received (1972:206). The acknowledgement of the importance of prior delinquency level was also noted by Klein et. al., (1977) in their analysis of covariance in which the number of prior records was introduced as a covariate. In addition, too much emphasis on the negative effect of labeling in producing further deviance will inevitably leave us vulnerable in accounting for the increase in the level of deviance among those who escape any societal labeling. Thus, it is theoretically sound to modify this model by posulating previous delinquency level as a direct cause of further deviance, as diagramed below.

Figure 2: Causal Diagram of Modified Labeling Model



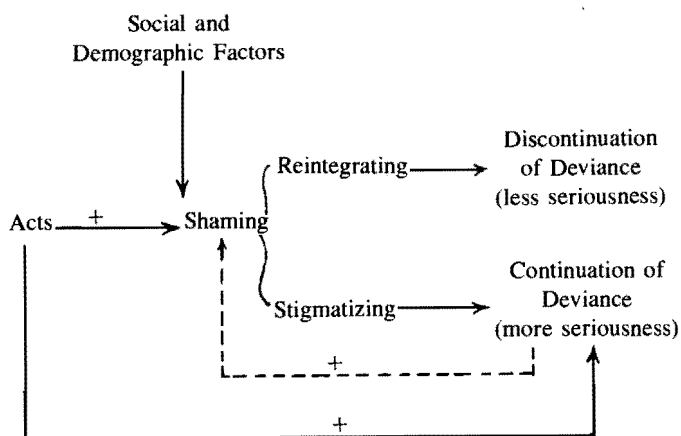
Second, societal reactions were not necessarily found to be related to subsequent delinquency in a direct manner. Therefore, the key question arises: When will they lead to further deviance and when will they not? Labeling theory is vague on this point. As noted by Lemert, societal reaction to primary deviance initiates social and psychological processes which in turn sustain deviance and make it more central in people's lives. Researchers made efforts in this regard by introducing some intervening factors to predict when labeling will eventually result in further deviance. Their efforts, however, did not help gain much insight since no consistent findings could be obtained (Liska, 1981:132). In fact, some prior research suggests that interpersonal relations may be more powerfully related to delinquency than intrapersonal variables, such as self-concept (Campbell, 1988). A study by Hellum (1985) indicates minimal support for labeling theory as it pertains to self-image as an intervening variable. Therefore, in our shaming model, we forego the term "labeling" or "societal reaction" since either implies a negative connotation and has no direct predictive power with regards to the increase or decrease of further deviance.

Instead, we adopt Braithwaite's shaming concept to account for when those who committed crime recidivate and when they discontinue. What is significant about this construct lies in its theoretical distinction between reintegrating shaming, which is predicted to lead to the eventual discontinuation, and stigmatizing shaming, which is assumed to generate further deviance. By specifying precisely the two kinds of mechanisms, we are able to predict to a certain extent the behavior outcome once the nature of shaming is known. Further, since shaming is a social-cultural process, by specifying the notion of shaming in the model, we automatically consider the broader social-cultural milieu where shaming arises.

The simplified diagram in Figure 3 is a better representation at a societal level. That is, society reacts to deviant acts with societal shaming of either kind, which eventually leads to different behavior outcomes. This diagram, however, does not touch upon shaming at an individual level, which is no less important than the shaming at the societal level. Though Braithwaite made an effort in his shaming model to examine deviance from both micro and macro angles, his shaming concept was only employed at the macro level (i.e. societal shaming). How shame operates at the individual level is untouched in his model. This study will argue for the equal if not greater importance of this shaming in shaping human behaviors.

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Figure 3: Causal Diagram of Simplified Shaming Model



The absence of this internal dimension is a big theoretical misspecification because external shaming alone can not explain why people, when externally shamed, will conform or deviate. This is similar to previous efforts by labeling theorists when they introduced some social-psychological states, such as self-concept, to explain behavior outcome. They are not able to account for why some experience a negative self-concept while others do not, given other things being equal. Theoretically, there is a missing link that relates the external shaming to subsequent behavior outcomes. This internal dimension of shaming is hypothesized to be the missing link that mediates between external shaming and behavior outcomes.

Therefore, one of the strengths of employing the shaming concept is that we gain an additional dimension to examine how shame operates within individuals in producing behavior change. Lewis (1987) noted that there are two classes of stimuli that can elicit shame, moral (e.g. moral transgression) and nonmoral stimuli (e.g. experience of failure or defeat, or simply the feeling of incompetency, embarrassment, etc.). In this sense, shame arises as a result either of the awareness of moral transgression, or of the awareness of some personal deficiency. Whichever the case, the self is the center of experience (Hoblitzele, 1987:209). And the experience involves the self-image in the eyes of others, for to symbolic interactionists, shame is a role-taking sentiment, namely, taking the role of some real or imaginary others or generalized others. This sentiment will entail the consideration of how one's self appears to others or generalized others (Shott, 1979:1323). As suggested by Riezler (1943:459) and Ausubel (1955:382), shame arises from an actual or perceived

negative judgment of oneself which results in self-depreciation.<sup>9</sup> This conceptualization of shame at an individual level is similar to symbolic labeling, i.e. the process of "self-labeling" or "being-labeled" (Warren and Johnson, 1972:77).<sup>10</sup> "Self labeling" means labeling one's self as a consequence of an awareness of the public meaning of one's action (Pfuhl, 1980:220). Only by taking the role of the generalized other can one assess the meaning of one's action.

The labeling concept falls short on this dimension; it deals mainly with the external imposition of societal judgement on individuals or their behaviors, and the negative connotation perceived on the part of those so labeled. Therefore, the additional dimension helps us understand the operation of shaming at an individual level. As a result, in this model, we can separate the influence of internal shaming due to the imagined opinions of generalized others from that of external shaming upon subsequent behaviors. Therefore, by specifying the concept of shame, not only an intrapsychic process but an interpersonal process is attended to (Retzinger, 1989:329).

Since shame is a state of self-devaluation (Lewis, 1987:15), i.e. more self-consciousness and self-imagining in the eyes of the other, in order for shame to occur, there must be a relationship between the self and the other in which the self "cares" about the other's evaluation. In this sense, shaming will work in situations where individuals care about others' opinions. That is, only when individuals care about other's opinions will they be shamable. Therefore, a further distinction can be made within internal shaming by distinguishing those with higher shamability and with lower shamability. By examining the internal and external sources of shaming, the concept can better capture the labelists' conceptualization of societal reaction with greater theoretical richness.

However, both internal and external sources of shaming are not independent of each other. This research holds that both sources of shaming not only have respective main effects, but also have interaction effects. Figure 4 depicts such an interaction.

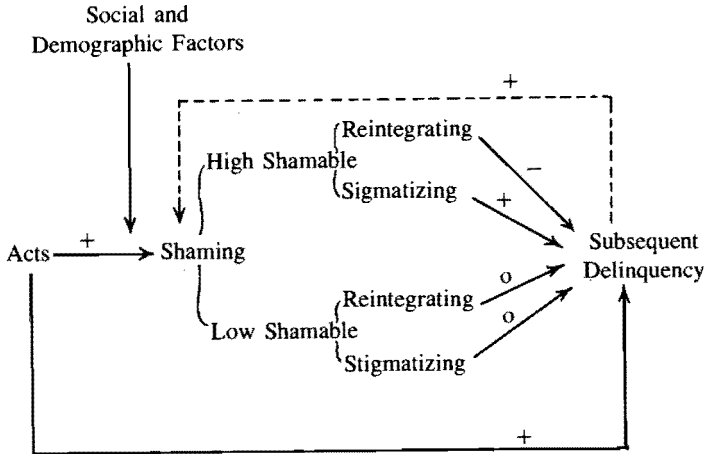
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<sup>9</sup> Even when one does not share the deprecation of other, *recognition* of their negative evaluation is often sufficient to provoke shame (Ausubel, 1955:382; Goffman, 1967:236).

<sup>10</sup> Being labeled is different from the formal official process of labeling. The former can operate in the absence of official acts of labeling. Many people, as indicated by Warren & Johnson, escalate to the status of secondary deviance as a result not from official acts of labeling but from more informal processes of being labeled (Warren and Johnson, 1972:77).

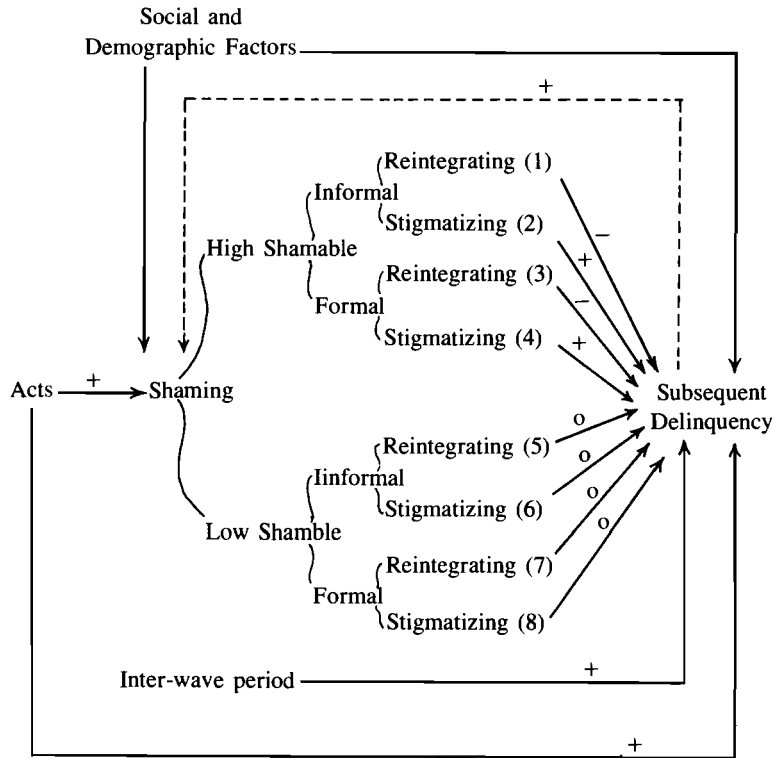
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Figure 4: Causal Diagram of Modified Shaming Model I  
 — The Addition of the Internal Dimension of Shaming —



Drawing on reference group theory, a further question will be posed regarding the external shaming in this model. Essentially, reference group theory questions the relative effectiveness of frames of reference derived from associates and by more general status categories. The “primary environment of opinion” (opinions of one’s close associates) takes some measure of precedence over “secondary environment of opinion” (opinions of those with whom one is not in close association) (Merton, 1968). What Merton showed is a greater salience of informal sources of external shaming. Sagarin (1975:315) also noted the greater importance of the informal network than the formal one based on the argument that shame derives from the concern of being disapproved of by others, particularly by significant others. The greater importance of one’s primary group in influencing one’s behavior has its theoretical basis in symbolic interactionism. Mead (1985) suggests that one’s sense of self as meaningful object arises first from taking the role of primary others and then of generalized others (i.e. wider community). Therefore, it is worthwhile to examine the two sources of external shaming and to determine which can exert more impact on crime prevention. The shaming concept formulated by Braithwaite did not distinguish informal shaming from formal shaming, though he did argue for the greater importance of informal social control. This research, as a result, has included this distinction, as shown in Figure 5.

Figure 5: Causal Diagram of the Full Shaming Model  
 — A Further Distinction of External Shaming —



In addition, the importance of the inclusion of social and demographic variables in the model is twofold: one, these variables are considered important crime correlates, implying a direct effect on behavior outcomes; two, these same crime correlates are also suggested by the labelists as important discriminatory factors in defining deviance. As claimed by labelists, labeling theory does not explain the etiology of deviance, but directs our attention to the law and the moral codes and how they are formulated.

Such a questioning, according to labelists, will hopefully sensitize us to factors that are likely to lead to the definition of certain behaviors or groups of people as deviant and the others as non-deviant. For example, social disadvantages are generally pointed out by labelists and others as heavily influencing the probability of a behavior or group of people being defined as deviant (Hagan, 1973; Lemert,

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1967; Trice and Roma, 1970; Erikson, 1962; Sutherland and Cressey, 1970:132-151; Thornberry, 1973). In other words, those who are socially disadvantaged are considered more likely to be legally disadvantaged. People of minority and low social-economic status are generally considered socially disadvantaged. The inclusion of gender and age in the model is not due to social disadvantages, but because certain gender and age groups are more prone to shaming.

It is obvious that these social and demographic factors are related to individuals' shaming state. By specifying and controlling for those factors in the model, we are able to gain a better understanding of the unique contribution of shaming to juveniles' subsequent delinquency.

Traditional correlates of crime that are often studied are gender, ethnicity, age, socioeconomic status, and commitment to conventional social organizations such as family, school, church, and employment as well as adult sponsored activities. However, this study is not going to discuss each sociodemographic variables respectively. As controls, those variables are introduced to test out the independent effect of shaming.

Analytically, the two dimension of shaming can roughly divide juveniles into eight types as indicated in the following 2 by 2 tables.

Table 1: analytical Distinction of Eight Types of Juveniles

External Shaming	Informal Shaming Internal		Formal Shaming Internal	
	High Shamable	Low Shamable	High Shamable	Low Shamable
Reintegrating	A <sub>i</sub>	B <sub>i</sub>	A <sub>f</sub>	B <sub>f</sub>
Stigmatizing	C <sub>i</sub>	D <sub>i</sub>	C <sub>f</sub>	D <sub>f</sub>

We can draw predictions about the behavior outcomes. specifically, other things being equal, type A<sub>i</sub> juveniles are expected to commit the fewest offenses or eventually discontinue their deviant life. In contrast, type C<sub>i</sub> are expected to exhibit the highest level of delinquency. Type B<sub>i</sub> and D<sub>i</sub> are in the middle; they will commit more or fewer offenses depending upon the situations that constrain their choices of actions since shaming will have no effect on them. Compared to informal shaming, formal shaming will have less effect on juveniles. For instance, A<sub>i</sub> will

show less deviance than  $A_f$ , but  $C_i$  more deviance than  $C_f$ . But there should be no difference in delinquent level for B and D of both since shaming simply has no effect upon those who are unshamable.

In the following analysis, we do not examine the different levels of delinquency among the eight types. Reasons for not doing the testing are both analytical and practical. First, it is analytically possible to distinguish those who receive only one type of external shaming. However, it is nearly impossible practically, since almost everyone is exposed to both types of shaming. It is then a matter of degree of exposure to one type of shaming vs. the other type of shaming. Practically speaking, we do not have a strong indicator of internal shaming, thus rendering any classification inefficient. (to be continued)