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Labeling Theory: Past, Present, and Future

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Introduction

In the 1960s, labeling, whether called theory, perspective, or sensitizing framework, turned the attention of criminologists to the importance of social reactions to behavior, both their effects and their causes. Drawing strongly on symbolic interactionism (see Matza, 1969; Schur, 1971), theorists working in this area asked criminologists to think of deviance and deviants as social constructions that result from a process of interaction. This way of thinking led to the development of two related but separate areas of theory and analysis. The first area explored the importance of social reactions in shaping the behavior of those who are reacted to, or labeled, as deviant. Along with this focus came an emphasis on analytic methods that called for the discovery of meaning through exploration and inspection using qualitative methods (Blumer, 1969). The second area, though not the focus here, addressed questions regarding the development of definitions of behaviors as deviant or criminal, as well as the mechanisms through which formal social control agencies such as the police decide who to process as criminal, and thus label.

The ideas expressed in labeling rose to popularity in the 1960s, as counterpoints to the focus of anomie, social learning, and subcultural theories dominant at the time. Becker's edited volume, *The Other Side* (1964), filled with pieces that would become classics by scholars such as Erikson, Kitsuse, Lemert, Reiss, and Schur, and Becker's own book, *Outsiders* (1963), won the attention of the field. What followed was a period of influence that went beyond even academia to affect criminal justice policies across the US. Labeling's dominance was not long-lasting though. The decline in the second half of the 1970s and into the 1980s came as its ideas about the effects of social reactions were subjected to critique and empirical testing. In addition, reaction to the rebellion of the 1960s set the mood for theories with an individual focus.

The history of labeling theory is not over, however. Despite a decline in the attention criminologists would give it, works that expanded labeling in important ways continued throughout the 1980s and 1990s. Many of these works promoted the integration of labeling ideas with theories of the cause of individual offending, or strengthened its symbolic interactionist roots. In addition, since the turn of the century, the changing social context and various trends in current criminological theory and research suggest a door is opening for renewed attention to a theory that many, perhaps, thought or hoped was long dead.

Emergence of Labeling

Labeling first rose to the attention of criminologists in the 1960s, a decade of questioning and radical differences in visions for the future of the country. John F. Kennedy was assassinated in 1961, ending "Camelot," though Lyndon Johnson would continue with the War on Poverty. The Civil Rights Movement and Women's Rights Movement were calling attention to disparities by race and gender, and demanding change. For example, the civil rights movement's call for change led to passage of the landmark Civil Rights Act of 1964, which banned segregation in public places and employment discrimination on the basis of race, religion, and sex, as well as the Voting Rights Act of 1965, which outlawed discriminatory practices in voting. In 1965, however, Malcolm X was assassinated followed by Martin Luther King, Jr. in 1968. Protest extended to treatment of prisoners a well as the Vietnam War. In protest over overcrowding and living conditions, prisoners in Attica rioted in 1971. The riot led to the death and injury of 43 hostages and inmates. In addition, protests against the Vietnam War were building during the 1960s. One indication of the radically different stances in the country on the war was the Kent State shootings of students by National Guard officers in 1970. These events were indicative of a time of unrest and questioning. They set the mood for a new set of questions for the field of criminology.

Pfohl (1994 , 2009) argues that it is not just the time period, however, that is important to understanding the emergence of labeling. He argues place is important as well, in particular the University of Chicago and the west coast. The University of Chicago was where many early labeling theorists were educated. There they learned about symbolic interactionism – the importance of meaning and its development from interaction with others – and associated methods for exploring meaning. A number of individuals trained at the university found jobs in California as the state university system expanded in the 1960s to provide educational opportunities for a growing state population. Pfohl (1994, 2009) argues that since public education was relatively affordable, the student population at the state universities was fairly diverse. That put the young criminologists from the elite University of Chicago in contact with students from a variety of different ethnic and class backgrounds, some of whom were active in the civil rights or feminist movements and antiwar protests. In addition, he argues, at the same time that the campuses were getting more liberal, politics in California was getting more conservative. Ronald Reagan became governor and, in conjunction with a conservative board of regents, worked to stem radicalism in California's universities. Their attempts to do so merely highlighted the need for a new perspective in criminology which included consideration of the role of social reactions in crime.

Though the 1960s saw labeling rise to popularity, three earlier works laid the groundwork for much that was to come. Perhaps, the earliest work identified with labeling is a 1918 article entitled "The Psychology of Punitive Justice" by George Herbert Mead. In this piece, Mead writes of the hostile attitude that is found in punitive justice. This attitude helps to draw the community together and to define boundaries regarding criminal behavior. At the same time, it makes offenders outcasts, creating consequences for their future behavior. Importantly, it is Mead (1934), and later Blumer (1969), whose work in symbolic interactionism creates a framework on which later labeling theorists would build.

The next scholar whose work is important to the development of labeling is Tannenbaum

(1938). His focus is on the definition of the situation and the process through which labels are initiated, as well as their effect. Tannenbaum begins with the argument that people view youths who break the law as somehow different, or worse, than those who do not break the law. This view of juvenile delinquents as different affects, in turn, both the way society reacts to the youths that it defines as delinquent and the ways in which youths who are defined as delinquent will respond to society's reaction.

The process of defining a youth as delinquent, which he calls the "dramatization of evil," begins with a conflict between the youth and the community over how to define particular activities. He argues that what the youth might define as just a fun activity, members of the community define as bad. Examples of this can be found in the contemporary contradiction between the opinions of adults and juveniles on behaviors such as texting while driving, sexting, downloading music through sources other than iTunes and paid download managers, and accessing TV shows and movies online for free through various non-producer or non-network websites. Adults might view sexting as heinous, simply from its assumed construction of extreme sexual images and verbiage. A similar contradiction in opinion can be found in accessing TV shows, movies, and music for free. Many adults, and the law, favor upholding copyright laws and payment by consumers for the production of the work of the artist. However, youths are increasingly in a world where finding ways to access such media in free ways is possible, shared, and consumed. Many who violate these laws do not view their actions as evil, but rather a normal part of everyday youth life.

The process does not stop, however, with conflict over the definition of an act but moves on to a change in attitude about the youth. As the conflict persists, Tannenbaum argues that the community's attitude toward the youth hardens. Now it is not merely the act that is defined as bad, but the youth as well. Once community members define the youth as bad, changes begin in the way they interact with him or her. Parents begin to exclude the youth from activities with their children and the youth begins to feel isolated from others. These changes in the way people respond make the youth conscious of the fact that the community views him or her as bad. Over time the youth comes to define him- or herself as bad as well. It is this process of "defining, identifying, segregating, describing, emphasizing, making conscious and self-conscious" (1938:20) which Tannenbaum refers to as *tagging*. According to Tannenbaum the changes caused by the dramatization of evil and tagging lead the youth to further delinquent acts.

The most notable of the early works central to labeling is Edwin Lemert's *Social Pathology* published in 1951. The importance of this work for labeling starts with the distinction it makes between primary and secondary deviance. Primary deviance is the name given to the initial acts of deviance that an individual commits that are "rationalized or otherwise dealt with as functions of a socially acceptable role" (75). The reasons that an individual might commit an act of primary deviance include all of those covered by the major criminological theories focused on explaining individual criminal behavior. Strain, support of a peer group, or lack of social control are some of those reasons. Since acts of primary deviance are committed by almost everyone, are temporary, and are not very serious, Lemert did not focus on their causes. The second type of deviance, however, was his focus, and social reactions play a role in its

development. Secondary deviance is deviance that occurs "when a person begins to employ his deviant behavior or a role based upon it as a means of defense, attack, or adjustment to the overt and covert problems created by the consequent societal reaction to him" (76). A good example of secondary deviance is that which occurs after an offender adopts a criminal identity as a result of the change in the way people react to him or her.

Beyond the distinction between primary and secondary deviance, the importance of Lemert's work comes from the emphasis he placed on the fact that that the movement from primary deviance to secondary deviance is the result of a process. For example, he outlined a sequence of interactions that begins with an act of primary deviance. This act causes a social reaction. Further acts of deviance may then occur, resulting in stronger reactions. If this cycle continues, an individual may embrace a deviant role, thus leading to secondary deviance. The emphasis on process and its contingent nature is central to understanding how social reactions affect behavior. Despite the importance that Lemert's ideas will take on in later years, they did not initially receive much attention. It is Becker's work that sparks the interest of the field (See Pfohl, 1994, 2009 and Gibbons, 1979).

A large part of Becker's (1963) contribution to labeling theory comes from his discussion of the development of deviant careers in *Outsiders*. In this book he outlines three phases to the development of a criminal or deviant career. The first phase is the initial act of rule-breaking which may or may not be intentional. Like Lemert, Becker's focus is not on the factors that lead to the initial act. The second phase of the deviant career begins when the rule breaker is caught and labeled deviant. The label has important consequences for how people will view the individual (an individual's public identity), how they will interact with the individual, and how the individual will see him or herself (self-identity). The label of "criminal" shapes how others interact with the offender because, according to Becker, this label is so stigmatizing in our society that it becomes a master status, overriding any other role or position an individual may hold. In short, a master status as "criminal" becomes the defining characteristic of individuals so labeled, regardless of any other characteristic they may have. The final phase in development of a criminal career comes when the labeled person moves into a deviant group. Becker argues that movement into a deviant group further affects the individual's social identity, social interaction and self-image. Movement into a deviant group also provides the individual with rationalizations, motives and attitudes that support deviant behavior.

Much of the focus of discussion of labeling is on the ideas of the importance of social reactions in shaping criminal careers, and that is the focus here. It is important to recognize, however, that another important part of Becker's work centers around two related questions. The first is how do some acts come to be defined as deviant or criminal? The second is how do some people come to be defined as deviant or criminal? Becker points to the development of moral crusades which involves two types of moral entrepreneurs: rule-creators and rule-enforcers. Rule-creators are those who feel that there is some evil in the world which necessitates the development of a rule to prevent it. Focused on the content of the rule, rule-creators campaign to win support for their view and the creation of a rule. Rule-enforcers are those who, though they may not be interested in the development of a new rule or its contents, are interested in enforcing the rule once it is made. They are also interested in justifying their work. Becker

argues that since the content of the rules is not their focus, they may develop their own views of which rules are important to enforce and which offenders, among all of those who break the rules, are those they should focus on. It is this part of Becker's work that gives us the labeling perspective on the creation of rules and law as well as the idea of the differential enforcement of the law.

Becker's ideas helped turn the attention of many in criminology to labeling through the 1960s and into the 1970s. Wellford & Triplett (1993) argue that support for labeling theory came from those who valued the theory for turning attention to the way attempts at social control can lead to more crime. Support for the theory led to calls for radical changes in criminal justice and juvenile justice policy, including the deinstitutionalization of juvenile offenders, decriminalization of status offenses, and the diversion of juvenile offenders from the juvenile justice system.

Critics, however, registered a number of important concerns regarding labeling (see for example Ball, 1983; Wellford, 1975). Wellford & Triplett (1993) argue that three criticisms were key to the decline in interest in labeling that was soon to come. The first criticism was the idea that not everyone who is labeled goes on to commit more crimes. In fact, critics, drawing on work in deterrence, argued that punishment often reduces the likelihood that an offender will reoffend. Labeling, thus far, had paid little attention to this possibility. A second key criticism was that labeling theory ignores the response of the individual to the label. The idea that everyone responds in the same way, even to the same social reaction, ignored the importance of individual differences. Finally, some critics were also concerned about how society was to respond to crime if every response led to labels and more crime. These individuals found the call of some labeling theorists for a different approach to dealing with crime, especially radical non-intervention (see Schur, 1973) unsatisfactory. In addition, others (see Plummer, 1979) have argued that labeling drifted away from the symbolic interactionist ideas it was founded on, creating the misunderstanding of labels as being deterministic of behavior.

In addition to criticism of the theory, by the late 1970s the social context was changing; it became significantly different throughout the 1980s and 1990s. The War on Poverty had become the War on Drugs and the War on Crime. Rehabilitation as a framework for sentencing would give way to calls for punishment. The idea that the field of criminology did not know what caused crime and that the state could best spend its energies on punishment (see Wilson, 1975) led to calls for increases in sentencing and the development of sentencing guidelines. In this context, the number of people placed under some kind of supervision by the criminal justice system began to climb to what is now seen as mass incarceration. The social context was not supportive of a theory that may seem to place the blame for crime on those reacting to it.

Interest Remains

Despite the decline in interest, ideas important to labeling are found in key works published

throughout the 1980s and 1990s. These later works tempered the original statements by the labeling theorists of the 1960s, addressing some of the most important criticisms. Many of them integrated labeling ideas with other theories or drew from labeling's symbolic interactionist roots to develop a more complete theory of the self. These ideas are found in the works of Link and his colleagues on a modified labeling theory, Braithwaite's *Crime, Shame and Reintegration* (1989), Sherman's defiance theory (1993), Heimer & Matsueda's differential social control (1994) and Sampson & Laub's life course theory of cumulative disadvantage (1997).

Link (1983, 1987, 1989): modified labeling theory of mental illness

In a series of papers in the 1980s, Bruce Link and his colleagues (Link 1987 ; Link & Cullen, 1983; Link, Cullen, & Wozniak, 1987; Link, Struening, Shrout, & Dohrenwend, 1989) outlined and tested a modified labeling theory of mental illness. Their work provides some answer to the criticisms that not everyone who gets labeled goes on to continue their deviance and that there are differences in individual responses to labels. In addition, Link and his colleagues' work is important for the attention it focuses on the power of social conceptions and our socialization into them, as well as the emphasis on how employment and social networks, as well as identity, are shaped by labels.

Link and his colleagues begin by arguing that as part of socialization into American society, people come to internalize particular societal conceptions of the mentally ill: who the mentally ill are, what it is to be mentally ill, and how the mentally ill will be treated in our society. Overall, they argue that our socialization teaches us that those who are labeled mentally ill will be devalued – they will suffer a loss of status – and discriminated against – people will distance themselves from them. Knowledge of how our society treats the mentally ill leads those who need psychiatric treatment to expect that they will be devalued and discriminated against, and thus rejected. It is the expectation of rejection that Link and his colleagues argue leads to possible negative consequences for those who are labeled mentally ill.

What is central to their contribution is the idea that not everyone labeled mentally ill responds in the same way. In fact, they argue that the expectation of rejection leads to one of three possible responses – secrecy, withdrawal, or education. Secrecy refers the strategy of hiding psychiatric treatment from friends, family, and co-workers. In withdrawal the individual stops socializing with friends, family, and others who they expect will reject them. Finally, individuals who choose education as a response disclose their label and actively try to change the attitudes of those around them. Link and his colleagues argue that each of these responses has different negative consequences for the individual's social ties, earning-power and self-esteem. Of the three, though, they predict that withdrawal is the most harmful. Withdrawal means that ties to others will be reduced, which can open the individual to decreases in earning power and to lower self-esteem. The reduction in ties to others, earning power, and self-esteem leaves the individual vulnerable to a new mental disorder or a repeated episode of an existing disorder.

Though focused on the mentally ill, Link's work has much to suggest about the labeling that

occurs when someone is caught and processed for breaking the law. It suggests the need to consider social conceptions of offenders, how all are socialized into them, and how those conceptions can shape not only the reactions of individual to those labeled as offenders but the reactions of the offenders themselves. It also asks us to think about the negative consequences, beyond changes in identity, and how they are related to the possibility of further offending.

Braithwaite (1989): *Crime, shame and reintegration*

Perhaps the most influential work in the 1980s to include labeling appeared in 1989 – Braithwaite's *Crime, Shame and Reintegration*. Braithwaite integrates social control, opportunity, subcultural, and labeling theories to understand variation in crime rates across societies. The theory starts with an idea drawn from social control theory. Societies which are high in communitarianism, where individuals are "densely enmeshed in interdependencies which have the special qualities of mutual help and trust" (100), will have lower crimes rates than societies that are low in communitarianism and interdependence. The central explanation for this is differences in how these societies respond to, or shame, those who deviate from the laws.

Braithwaite defines shaming as "all process 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" (100). He argues that communitarian societies, of which Japan is an example, use one type of shaming – reintegrative shaming. This type of shaming uses disapproval "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" (101). Braithwaite argues that reintegrative shaming leads to lower crime rates because it allows individuals to maintain bonds to conventional others. In addition, reintegrative shaming is effective in conscience-building. Societies low in communitarianism, such as the US, however, are likely to use disintegrative shaming, where few efforts are made to bring the offender back into the community of non-offenders. Disintegrative shaming leads to a blockage in legitimate opportunities for success, the formation of criminal subcultures, and the development of illegitimate opportunities to fulfill needs, all of which lead to higher rates of crime.

Braithwaite's work illustrates the power of social reactions, but by integrating labeling with other theories he was able to strengthen its explanatory capacity. At the same time, he showed how there might well be truth in both the labeling prediction that punishment lead to more crime and the prediction of deterrence theories that it reduces crime. Continuing this conversation at the level of the individual is the next theorist, Sherman (1993).

Sherman (1993): defiance theory

Sherman, interested in furthering the conversation about when punishment leads to more crime and when it leads to less, integrates ideas from a variety of sources to argue that the effects of punishment depend on characteristics of the punishment as well as the person being punished. He draws on Braithwaite (1989) to argue that some forms of punishment stigmatize the person,

and from Tyler (1990) to argue that the effect of a punishment depends on whether it is perceived as legitimate or just. Individual characteristics, found in the level of the social bond, will also affect the individual's response to punishment.

Sherman predicts that punishment can lead to one of three results – defiance, deterrence, or none. Defiance, which is "the net increase in the prevalence, incidence, or seriousness of future offending against a sanctioning community" (459), occurs when four conditions are met. The offender perceives the punishment as unfair, the offender feels stigmatized by the punishment, the offender does not feel shame at what has been done, and the offender is not well bonded to society. When the four conditions are absent, behavior is deterred. When some of the conditions are present and some are absent the punishment is likely to have little effect on future behavior.

Sherman's work continues the conversation regarding the differential impact that reactions to rule-breaking can have. While Braithwaite's work emphasized the characteristics of the reaction itself and linked this to crime rates, Sherman points to the importance of understanding how those who are labeled perceive the punishment.

Heimer & Matsueda (1994) – differential social control

So far, these key works of the 1980s and 1990s have dealt with questions regarding the differential response to labels, giving various explanations for why reactions do not automatically lead to more criminal behavior. There are three reasons why Heimer & Matsueda's (1994) theory of differential social control is important for labeling: first, it returns to the symbolic interactionist roots of labeling; second, it uses this framework to expand on the role of the "self" and links it to social control; finally, it focuses our attention on the power of labels given by informal others to shape identity.

In the theory of differential social control, Heimer and Matsueda are interested in the mechanisms through which social control occurs. Role-taking is central to their theory. It involves reflected appraisals, attitudes towards delinquent behavior, expectations regarding the reactions of significant others to delinquent behavior, having delinquent friends, and habit. All five of these are important individual-level characteristics explaining involvement in crime. It is in the idea of reflected appraisals that the ideas of labeling about self identity are seen. Reflected appraisals indicate that how an individual thinks of him or herself depends on what he or she perceives others, such as parents and friends, think of him or her.

As they argue, though, role taking occurs with social organizational contexts which vary both in terms of the content of the roles they stress and their ability to regulate behavior. Some groups stress roles for their members that are largely law-abiding while others support delinquent roles. Heimer and Matsueda suggest that people participate in a wide variety of groups, so it is thus the ability of a group to regulate its members' behavior, through the development of commitment to the group and its roles, which determines the likelihood of delinquency. This is the idea of "differential organizational control."

Heimer and Matsueda's work encourages a focus on the self, locating it within a society

consisting of various groups with both a differential ability to control behavior and a differential willingness to control behavior according to conventional standards.

As the 1990s drew to a close, a final work was published that focused not on identity but other important changes that result from response to crime.

Sampson & Laub (1997): a life-course theory of cumulative disadvantage

Sampson & Laub draw on their own age-graded theory of informal social control (1993), and the work by Link and colleagues described above, to explain the stability of criminal behavior among some individuals. Drawing on Link's work they suggest "a developmental model where delinquent behavior has a systematic attenuating effect on the social and institutional bonds linking adults to society (e.g., labor force attachment, marital cohesion)." They posit, for example, that length of incarceration as a juvenile has effects on the ability to maintain stable employment as an adult. They argue that these disadvantages accumulate over the life-course, making change increasingly difficult, and explaining the persistence of criminal behavior.

By placing labeling ideas within a life-course perspective, Sampson & Laub (1997) returned the focus to an idea central to the work of early labeling theorists such as Lemert and Becker. Social reactions and their consequences occur as part of a process. The success of their work in calling attention to the importance of process comes from their access to data across a long period of time which allows them to explore the mechanisms through which the consequences of punishment affect behavior.

Current and Future Prospects

Since the 1990s, changes in the social context suggest a door is opening for renewed attention to labeling. With the highest incarceration rate per capita, and a large percentage of inmates serving time for drug-related offenses, increasing concerns in the US over mass incarceration have raised questions about both its efficacy and fairness. In addition, Cullen & Agnew (2011) point out that interest in labeling may be connected to the increased attention to the effect of our high incarceration rates. The fact that almost everyone we send to prison will eventually return to the community – "they all come back" as Travis (2005) writes – has raised the question of collateral and unintended consequences of punishment. The constructed image and rhetoric dating back even before that of the Reagan era has helped construct the label of "offender" to a point which affects prospects for rehabilitation and community reentry far beyond serving actual prison time. The label that comes with a criminal record extends the consequences of the punishment process. It thus may affect the ability of others to see an ex-convict as something other than an offender, as well as the ability of the individual to see his or her self as something other than an offender.

September 11th, 2001 is among many symbolic events which inspired increased securitization in an increasingly globalized and technologically advanced world. In response to this act of terrorism, homeland security and issues of control were brought to the forefront of American

politics. The War on Terror quickly raised questions over the label "terrorist" and the net-widening effects witnessed by large groups of people experiencing alienation and oppression because they belong to a group to which the word "terrorist" has become attached.

Today's social context is filled with elements of exclusion and inclusion, using labels and categorization of individuals to perpetuate the construction of "the other." While this is not new, the current social climate is one in which media and technology increasingly, and quickly, influence and interact with constructions and definitions of crime, criminality, and ways to control. For example, Occupy Wall Street signifies a larger global movement to acknowledge corporate greed and protesting civil intolerance for corporate corruption and neglect of humanity. Occupy is a label which has come to represent many forms of unity, particularly unity through protest. Examples include Occupy Wall Street, Occupy various cities such as Occupy Oakland, Occupy Sandy (informally coined events which use Occupy label to indicate coming together in times of crisis and devastation such as Superstorm Sandy).

Today, crises are quickly broadcast nationally and indeed across the globe. Often, the crisis at hand calls for swift social reaction. The debate and polarization around gun laws and ownership after the 2012 school shootings of 20 children and 6 adults in Sandy Hook Elementary in Connecticut is one very recent example. Discussion of securing our nation through crime-control tactics may well pique the interest of scholars in labeling and other interactionist perspectives.

Social context alone will not lead to increased attention of the field of criminology to labeling. It needs the impetus of scholars who address questions central to labeling. There are works since the 1990s that tackles issues raised by early labeling theorists and wrestle with past problems. A few such notable works are discussed below.

Bernburg and colleagues (2003, 2006) – testing for factors mediating the effects of labels

One indication of renewed interest in labeling is found in the work of Bernburg and his colleagues as they examine factors which may mediate the effect of social reactions on offending. Drawing on the work of Sampson & Laub (1997), Bernburg & Krohn (2003) used data from the Rochester Youth Development Study (RYDS) to examine how intervention by the police and the juvenile justice system affects youths' chances of offending as adults. The RYDS is a multi-wave panel study which allowed Bernburg and Krohn to follow a sample of 605 males for a nine-year period. They posited that educational attainment and employment would both be detrimentally affected by official intervention and that this in turn would increase the risk of offending as an adult. Their results supported their predictions and, thus, labeling. Official intervention, by the police or the juvenile justice system, decreased the chance of graduating high school. Having not advanced to graduation, in turn, decreased the chance of employment. These factors mediated some of the effect of official intervention on criminal behavior as an adult. They also drew on labeling to predict that the effects of these labels would be more severe on individuals in disadvantaged groups which have fewer resources for overcoming the labels. Their findings supported this prediction as well, affects were stronger

for lower-class males and African Americans. Interestingly, Bernburg & Krohn (2003) note that police and juvenile justice contact as a youth had direct effects on adult offending even after controlling for educational attainment and employment. They conclude by suggesting that there must be factors other than these that are important in explaining the connection between intervention and future offending.

Bernburg, Krohn, & Rivera (2006) draw on the work of Becker (1963) to explore another factor which may explain the connection between punishment and offending – movement into deviant peer groups. Deviant peer groups may facilitate offending in a number of ways, including supporting deviant identity, and providing rewards, as well as norms and values, supportive of delinquent behavior. Using data from the Rochester Youth Development Study (RYDS) once again, they found that youths who had contact with the juvenile justice system were more likely to become members of a gang in a later period, and to be involved in groups with higher levels of delinquency. They also found that contact increased the seriousness of later offending. Once again, however, they found that there remained a direct effect of intervention on offending. They call for further exploration of factors that explain the relationship between intervention and offending, including changes in identity.

The research of Bernburg and his colleagues, and supportive findings, may lead others to explore the process through which labels affect the probability of future offending. In addition, their support for Sampson and Laub's view of labels as part of a process occurring across the life-course may encourage continued exploration of ways to integrate labeling into life-course theories. The integration of labeling into other theories will broaden its appeal as well, perhaps, as strengthening its ability to explain criminal behavior.

Steffensmeier & Ulmer (2005) – confessions of a dying thief

Bernburg and his colleagues exemplify the way that quantitative methods can be used to explore the long-term effects of labels. The work of Steffensmeier & Ulmer (2005) illustrates the importance of using ethnographic analysis to inform our understanding. In this case, the analysis was of the life of one man, Sam Goodman. Building on Ulmer's (1994, 2000) own work on commitment and labeling, they use concepts from differential association/social learning and opportunity theory as well to explore criminal careers. In terms of labeling, they find that formal and informal reactions did work in important ways to increase Sam's commitment to crime as a way of life. For example, they discuss how prison, though not a place he wanted to return to, acted as a "school of crime," increasing Sam's knowledge and contacts, and reinforcing norms supportive of criminal life. Also, having been in prison meant that Sam faced blocked opportunities for employment and did not fear the possibility of future punishment by the courts. Interestingly, in terms of identity, a key focus of labeling theory, Steffensmeier & Ulmer report that while his identity was one of a criminal, Sam also held contradictory and ambivalent feelings about it. At points he indicated a desire to be viewed as more legitimate, and used techniques of neutralization to protect his view of himself.

Continuing the focus on the role that labeling theory can have in helping explain crime over the life course, Steffensmeier & Ulmer's work also shows how successfully its ideas can be

integrated with other theories. They purposely connect labeling with theories based in symbolic interactionism, and which view crime and criminality as the result of both a process and situational contingencies.

Hirschfield (2008) – the declining significance of delinquent labels

Not all the work in the 2000s designed to test labeling finds supportive for its contentions. In his work, Hirschfield (2008) returns the focus to key labeling contentions about the effects on identity on the likelihood of future offending. By focusing sharply on a group of youths who live in severely disadvantaged neighborhoods he is able to point out limitations of labeling as it currently stands, and possibilities for future development.

In his research, Hirschfield conducted interviews with 20 youths who had been participants in the Comer's School Development Program Evaluation. This study included 800 juvenile arrestees and was intended to examine the effects that contact with the juvenile justice system had on a number of attitudinal and behavioral outcomes of minority youths. The youths Hirschfield interviewed had been arrested an average of 5.7 times.

Intending to test some of labeling's most basic contentions, Hirschfield asked first if these youths saw arrest as stigmatizing. Hirschfield learned from the interviews that the answer to this question was "no," for two basic reasons: first, the youths in the sample suggested that arrest was just too common an occurrence to cause much damage to their reputations; second, for many of the youths, an arrest was just another indicator of stigmatization that had already occurred. Teachers did not need knowledge of an arrest, or another arrest, to tell them that a particular person was a troublemaker. Hirschfield next addressed the question of whether arrest resulted in rejection by significant others. Again, the answer to this question was largely "no" for this sample of youths. Even family members who were disappointed in the youth supported them. Peers either had been arrested before themselves, and thus were sympathetic, or were not aware of the arrest. Finally Hirschfield asked, was arrest harmful to self-perceptions? Once again the answer was "no." He found that youths' perceptions of themselves were highly resistant to the effects of being labeled through arrest. The context in which these youths grew up and lived was simply not one that viewed arrest as stigmatizing.

Hirschfield's findings are clearly not supportive of labeling contentions, but he does not suggest a wholesale rejection of labeling. Hirschfield argues that labeling theory is too narrow in its current state. It focuses too much on how members of mainstream society think about arrest and imprisonment. He writes that the work of those examining labeling's ideas tends to show too little awareness of the context from which many who are arrested come. In addition, he warns that we should not take his findings and "reduce" them to a contingency. Hirschfield calls, instead, for a multilevel labeling framework. He writes, "The normalization and de-legitimation of official labels are entrenched conditions for poor African-American neighborhoods across the United States, wrought by decades of mass arrests and imprisonment. These emergent realities, rooted in social policy and social structure, call for theories, which, like labeling theory but on a much wider scale, implicate the justice system in helping perpetuate delinquency, crime, and imprisonment"(597).

Cultural criminology – cultural enterprise and contested meaning

In the 1970s and 1980s a connection between labeling and conflict criminology grew out of the interest of labeling theorists, like Becker, in how definitions of deviance and deviants came to be. This connection led to hypotheses about the enforcement of the law based on individual characteristics such as class and race that came to be identified as labeling's differential enforcement hypothesis. Lemert (1967/1972) and others (Wellford & Triplett, 1993) have argued this connection to conflict theory was not a necessary, nor a particularly, helpful connection for labeling. Today there is an interesting connection between labeling theory and critical criminology in the form of cultural criminology. Only the future will show whether this connection is helpful for labeling, but there is potential.

Cultural criminology, as expressed in the works of scholars such as Keith Hayward, Jeff Ferrell, and Mike Presdee (see for example, Ferrell, Hayward, & Young, 2008; Ferrell & Sanders, 1995; Hayward & Presdee, 2010; Hayward & Young, 2004; Presdee, 2000), is an alternative to mainstream approaches to understanding crime, criminality, and control which incorporates multiple theories, methods, and disciplines. It has a number of obvious connections with labeling. Like many early labeling theorists, its proponents firmly rejects positivism (Ferrell, Hayward, & Young, 2008; Spencer, 2011). In addition, like labeling theory, cultural criminology is rooted in the symbolic interactionist perspective. This common root means that cultural criminology, like labeling, is interested in interaction and the construction of meaning. Cultural criminology aims to provide a deconstructed understanding of social interactions, interpretations, and constructions occurring at all levels (micro, meso, and macro) and the effects on an individual's identity. It views crime, criminality and control as *cultural enterprises* and sees them as products of ongoing social interaction and power relations, filled with *contested meaning*. While this is not the place to review all of cultural criminology, a couple of areas illustrate the work that cultural criminologists are doing in key areas of labeling theory.

In their view of crime and control as part of a cultural enterprise, one way in which cultural criminologists advance labeling is by providing an understanding of how labels, and the processes of applying them and reacting to them, are produced by a culture at large and enacted in reality (Law & Urry, 2004; Spencer, 2011). Cultural criminologists examine how the processes of applying and reacting to labels affect the lived, day-to-day experience of individuals situated within a culture, how the day-to-day productions further perpetuate meanings and definitions at the macro level, and lastly how the macro, meso, and micro interact in a dynamic process of constructing, producing, and enacting meaning. A key element to this strand of cultural criminology is the importance of understanding the individual and groups, particularly deviant and criminal, situated within the social context of a given culture.

Cultural criminology, then, situates crime, criminality, and social control within the context of a particular culture (Ferrell, Hayward, & Young 2008; Ferrell & Sanders 1995; Presdee 2000). A major part of our culture today stems from technological advancements made over the past few decades. In the current social context, knowledge is increasingly produced by the media, including TV, music, and movies. Online media and immediate access to information via

iPhones, iPads, laptops, mean that the individual is situated within a context in which he or she continually consumes information. This information includes images that shape the construction and production of reality and individual identity. Cultural criminologists examine how these mediated images shape the construction and production of reality and identity.

In terms of crime and the media, a concept often used in cultural criminology is the "spectacle of crime and punishment" (see work by Michelle Brown, Michel Foucault). The "spectacle of crime and punishment" refers to the image of crime experienced and consumed by people on a daily basis. In many ways, the power of an image shapes what individuals in society come to know and define as crime and criminality, and how they behave in relation to crime, criminality, and mechanisms of formal and informal control. From the many advertisements for how to protect oneself from potential victimization on TV to images depicting criminal conviction and interaction with the justice system (i.e. mug shots, crime shows, police blotters, etc.), individuals no longer need to experience crime themselves in order to understand its various elements nor to understand the label's meaning.

Cultural criminology acknowledges the changed nature of culture in which the image is just as influential in communication, language and rhetoric today as the word. Much like the way words shape popular understandings of crime, criminality, and control, the image and consumerism is used to further media and cultural studies. In an increasingly technologized world, images play an important part in the construction of identity, space, and consumption (Ferrell & Sanders, 1995). Cultural criminologists suggest individuals are both products of and producers of culture, that being individuals construct definitions and give meaning to the world as it is constructed, and also consume and enact such definitions and meanings constructed. In this case, deviants and criminals are created, mediated, and constructed through language and images produced by mass media (Hayward & Young, 2004).

Another area that cultural criminology is expanding beyond earlier labeling is in the idea of crime and control as products of ongoing social interaction and power relations, filled with *contested meaning*. Cultural criminologists acknowledge power shapes contested definitions in reality, particularly the intersection of symbolic and material world, and the ways in which economic and political power cannot be disconnected from its understanding (Ferrell & Sanders, 1995). For instance, power and politics as expressed in relation to race, class, and gender relations situated within a culture (Ferrell, Hayward, & Young, 2008; Spencer, 2011). The poor and marginalized are often the least powerful within the class structure in the shaping of formal controls of the justice system and informal controls in society (Spencer, 2011). Cultural criminology has long noted this lack of power and oppression in its scholarly work.

An example of understanding each sentiment from a cultural criminology perspective includes considering the impact of geography, space, place, and its relation to the identity-making process and subsequent controls. This includes who a person is and who is controlled. The labeling process, particularly societal reactions to deviance, may differ greatly from urban to rural settings, each is shaped by culture and politics at micro and macro levels. A contemporary example can be witnessed among moonshiners. *Moonshiner* is a label filled with stereotype, stigma, often relegated to a specific place within the US, perhaps the

Appalachian mountains and similar mid- to southeast rural settings. Today, mass produced media allows society access to imagery of a *moonshiner* as well as see its deviant and illegal activities; mass media allows individuals to consume TV shows and thus produce their own reality and subsequent behaviors toward moonshiners (see the Discovery Documentary, *Moonshiners,* for this dramatized enactment of moonshining). A cultural criminologist might deconstruct the image of a *moonshiner,* not only through qualitative methods such as interviewing moonshiners to better understand the identity process and day-to-day lived experiences, but also to incorporate media and political content analyses on social reactions to moonshining, including potential effects of control by law enforcement on such activities. The perspective aims to provide understanding of social reactions, stigma, and stereotype given such national broadcasting and the effects of dramatized imagery of moonshining as criminal.

Hayward (2010:4) also adds this orientation, examining phenomena at a place where "moral entrepreneurship, political innovation and experiential resistance intersect." In essence, cultural criminology attempts to orient its readers and consumers with a historical, social, and culturally charged understanding of crime, criminality, and control within late-modern culture (Hayward, 2010). Its research and theory focus on unveiling understanding of the conflict between self-expression, identity and exertion of informal and formal control over groups. Cultural criminologists acknowledge the "continuous generation of meaning around interaction; rules created, rules broken, a constant interplay of moral entrepreneurship, moral innovation and transgression" (Hayward & Young, 2004) and how this observation of the nature of reality is important in consideration of scholarly work.

The current social and cultural climate lends a context ripe for tools used by cultural criminologists. Ours is a world in which

> the street scripts the screen and the screen scripts the street; [where] there is no clearly linear sequence, but rather a shifting interplay between the real and the virtual, the factual and the fictional. Late modern society is saturated with collective meaning and suffused with symbolic uncertainty as media messages and cultural traces swirl, circulate, and vacillate… Ferrell, Hayward, & Young
>
> (2008:123–124).

Cultural criminology acknowledges society today is situated within "a place of irony," giving this perspective many new doors, great prospects for scholars, and a potential rise in popularity. Cultural criminologists refer to this time as late modernity, one "which is characterised by the rise of a more individualistic, expressive society, where vocabularies of motives, identities and human action begin to lose their rigid moorings in social structure" (Hayward & Young, 2004).

Conclusion

Labeling rose to attention in the tumultuous 1960s, when deep divides in society were apparent and many were questioning the practices and structures that supported the divide. It fell out of favor before it could develop into a more complete framework for explaining crime. Twenty

years ago, Wellford & Triplett (1993) argued that labeling had not lived up to the potential expressed in the work of theorists like Lemert. They suggested there were three reasons for this. First, they argued, is the tendency of labeling, like most theories of criminology, to try and explain a broad range of criminal behavior with a narrowly focused model. Certainly the idea that labels and reactions to them are the only, or even most important, reason that people re-offend is incomplete. Second, is the connection with conflict theory that developed in the 1970s and 1980s. Wellford & Triplett argue that this connection meant that labeling became associated with the same criticisms of these early conflict theories and to the same end. Finally, is the tendency to drift away from the symbolic interactionist foundation upon which the writing of early labeling theorists was grounded (see also the discussion with Lemert in Laub, 1983). Importantly, this means paying attention to the meaning of the label for those it is applied to and not simply focusing on the application of the label. They argued that the future of labeling, should there be one, "seems quite clear." Such research, they wrote, must be longitudinal and have a developmental component. It should focus on the labeling process both informal and formal and emphasize labeling that happens early in life. Finally, they argued, it must avoid the problem of treating labels as objects rather than symbols of objects and be part of a larger theoretical model.

The field has not seen again the interest in labeling that the works of Lemert & Becker sparked in the 1960s, and it may never. There has been some important work done in the intervening decades, however, much of it taking the path that Wellford & Triplett suggested was necessary. Many of these works have integrated labeling's ideas with other theories for a broader explanation of crime. The theory integrations that seem most promising are those with theories from the life-course perspective and those which share labeling's roots in symbolic interactionism. It is notable as well that some are calling for more attention to the role of culture and the development of societal conceptions of crime and criminality. Finally, the ability to more accurately test some of labeling's key contentions has been aided by the existence of data sets which follow individuals over long periods of time. Whether these works will spark interest among a wide range of criminologists in the current social context only time will tell. But the door remains open.

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