

Position Paper

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Crime is one of society's major challenges alongside other social problems such as unemployment and pollution. It has continually presented setbacks to the achievement of not only local, but also global peace and harmony. It, therefore, remains a headache to the criminal justice system, law enforcers, and society. Crime has been defined as the violation of rules and regulations set up by the legal authorities of a given jurisdiction (Lambert, 2008). It is also described as those actions or instances that are against the morals that make up the social fabric of society.

The efforts to finding concrete solutions to crime have existed for as long as crime itself has. Various theories have been advanced, and models created all in the attempt to stem rising cases of crime. The restorative justice perspective as advanced by John Braithwaite of the Australian National University and the scientific and political perspective as put forward by Gloria Laycock are examples of the kind of work professionals are coming up with in an effort to find lasting answers to the question that is a crime.

Restorative justice, according to Braithwaite, means the ability to restore or take back what was taken from the victim, the offender, and the community. This could mean the physical aspects such as property or body injury or that emotional part such as dignity and respect. In his argument, he asserts that the restoration of victims can only be achieved by restoring such things that they were deprived by the offender. These are property, bodily injury, dignity, the sense of security and empowerment, harmony, and social support. He furthers that while the offender is not deprived of property or injury, he or she acts out of insecurity or disempowerment. These too need to be restored (Braithwaite, 1996).

In Gloria's argument, crime is best addressed from both the political and scientific angle. She believes that by employing scientific methodologies such as the use of DNA and fingerprint screening will help prevent crimes. This she calls evidence-based crime reduction. She goes on to say that, a tough political stance on crime may help bring down crime statistics. She notes the introduction of the Crime and Disorder Act as a significant boost to crime prevention and reduction. In linking these two perspectives, she advocates that politicians should allocate more money to science, science that solves crime, which is crime science (Laycock, 2001).

The above summary of the two approaches depicts both the comparisons and contrasts that are present in their theoretical arguments. In developing their perspectives, Braithwaite and Laycock both appreciate the problems that are because of crime. Braithwaite acknowledges such issues as property loss, body harm, insecurity and loss of dignity (Braithwaite, 1996). Laycock, on the other hand, cites murder, suicides and car thefts as the resultants of crime. In addition, both recognize the lack of theoretical input among professionals as an issue that has created loopholes in the fight against crime. However, the theories of the two viewpoints contrast on the grounds of the causes of crime, the methodologies to adopt in dealing with crime and thus the practical implications of these methods (Laycock, 2001).

In the development of the case of restorative justice, Braithwaite points out that crime is caused by the treatment society directs towards past offenders. This kind of treatment is referred to as shaming and stigmatization. He defines stigmatization as the treatment of offenders as evil persons and shaming as disapproving any act committed that is against the law while still viewing the offender positively. Integrative shaming, however, prevents crime. He describes stigmatization as humiliating and lacking respect that compounds the problems created by the crime (Braithwaite, 1996).

Laycock, on the other hand, argues that crime is caused by opportunity, which she denotes as being a significant and universal cause. The discovery of opportunity as a significant cause of crime overrides the idea that poverty and poor parenting are the major factors causing crime. She, however, asserts that these two have also had their contribution. Opportunity as a cause can be attributed to the capitalistic nature of the economy, which has provided means, which are attractive to the offender (Laycock, 2001).

The two authors have not only differed in their theories on the causes of crime but also on ways to solve it. Braithwaite sees restorative justice as the means through which crime is best solved. This involves developing a criminal justice system that restores to both the victims and the offenders what was deprived of them at the time of the crime as well as after the crime. This should be addressed from both a micro and macro level whereby at the micro level, restoration is focused in schools and the community at large. At the macro level, the approach is to come up with institutions, which address issues such as unemployment. In Braithwaite's perspective, giving employment opportunities to offenders helps restore security and empowerment. Practically, restorative justice appears to work with schools coming up with anti bullying strategies and countries such as South Africa and Rwanda advocating for Truth, Justice and Reconciliation.

According to Laycock, the only way to deal with crime is to increase efforts to fight crime actively, while reducing the rewards that present opportunities to offenders. These efforts are reinforced by integrating the works of both scientists and politicians. She explains that to combat crime effectively, we need to employ the scientist's techniques that embody empirical data, logic, evidence, and rationality. There is also need to involve politicians to the process as they have the capability to provide the much-needed resources, as well as making the decisions

that affect the control of crime. Politicians are also important as they provide legitimacy to the decisions made. The use of scientific techniques is currently in use, in the control of crime, although getting politicians and scientists to work together is yet to be actualized (Laycock, 2001).

Theoretical perspectives do not lack strengths and weaknesses. This is because of the set of assumptions from which they are constructed. The strength in restorative justice is that it presents a collective way to deal with a crime; that is, by involving both the offender and the victim. It also addresses the means to avert the reoccurrence of crime, such as creating employment opportunities for remorseful offenders. However, this approach is based on the assumption that the victim would want to settle crime issues with the offender in a harmonious way. It also assumes that institutions will support the process. However, most victims and their families would rather that the strictest penalties are preferred against offenders. Institutions such as churches, the police and the courts are also in favor of retribution rather than restoration (Braithwaite, 1996).

The modern use of technology and the use of scientific techniques to apprehend criminals and control the upsurge of crime is the strength that is in her approach to solving crime. Law enforcers are continually relying on scientific evidence, to prosecute criminals. The weakness of this approach, however, stems from the assumption that politicians and scientists will work together. Politicians mostly work with what is presented in the media.

In conclusion, in crime prevention, the policy of restorative justice is more effectual in the end. This is because of its broad approach of ensuring that both the victim and the offender are restored and are satisfied at the end. Crime is best controlled where the victim's property, respect, dignity and sense of freedom, and the offender's security and empowerment are restored.

References

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