UWS Academic Portal

"If you want to get paid, you've got to do it"

Maitra, Dev R.; Mclean, Robert; Deuchar, Ross

Link to publication on the UWS Academic Portal

"If you want to get paid, you've got to do it":

A qualitative study on the morality of crime.

Dev R Maitra, Institute of Criminology, University of Cambridge, Sidgwick Site, Cambridge CB3 9DA. Telephone: 07471208986; email: drm58@cam.ac.uk

Robert Mclean, Interdisciplinary Research Unit on Crime, Policing and Social Justice, School of Education, University West of Scotland, Ayr campus, KA8 0SX, UK. Telephone:01292886000; email: robert.mclean@uws.ac.uk

Professor Ross Deuchar, Interdisciplinary Research Unit on Crime, Policing and Social Justice, School of Education, University of the West of Scotland, Ayr campus, KA8 0SX, UK. Telephone: 01292886334; email: ross.deuchar@uws.ac.uk

Abstract

Although many criminological studies do not make explicit references to morality, judgements around 'right and wrong' are implicitly part of criminality. This paper seeks to articulate the moral justifications offered by offenders, and to contrast these to the behavioural codes of wider society. Offenders (n=75) involved in serious organised crime were interviewed in two regions (Glasgow and a county in the North of England), and findings indicate that offenders shared consensus around a) the 'morality of robbing', where some individuals are deserving of victimization, b) violence against women and children, which offenders believe as morally wrong, and c) race-based offences.

Introduction

In his seminal work on the Sicilian Mafia, Gambetta (1993:16) describes a furniture-seller's recollection of a murder. However, because the murder was linked to organised crime and the "paying off a debt of some kind…no negative moral judgement was implied in [the furniture-seller's] words but rather sadness at the fate of his friend [who committed the murder]". In a similar vein, many killings linked to 'settling scores' between offenders are often seen within the criminal underworld as being both necessary and morally acceptable - or at least justifiable. Gambetta (1993:37) suggests an unwritten code to exist whereby offenders unwittingly accept that if 'you live by the sword, you die by the sword'. In other words, there is an implicit – and, at times, explicit – understanding amongst offenders that they are engaging in subterranean, morally dubious, and at times, wholly wrong, actions. This does not only colour specific acts, but often textures the entire moral characters of such individuals.

Adopting techniques of 'neutralization', Matza (1969) argues individuals regularly attempt to absolve themselves from behaviour which wider society, or the 'moral entrepreneurs', would describe, as deviant. This deflection of wrongdoing is found in the ability to provide justification for certain actions, even if such actions are deemed as criminal by the legal system. Certain actions become justified as morally acceptable, or at least permissible in a particular context. By labelling others as offenders like themselves, offenders attempt to absorb such individuals into wider schemas of behaviour, or into criminal codes, which are adhered to by those who engage in criminal activity. This technique of neutralisation vindicates the individual from moral wrongdoing should the 'live by the sword, die by the sword' code need to be applied. Indeed, many criminologists have explored the use of such techniques in relation to a wide variety of crimes and offenders. This ranges from the street activities of gang members (Densely 2013; Maitra 2016a) to armed robbers (Matthews 2002). Matthew summarizes,

"some robbers make a distinction between immoral and illegal actions…different actions [are] associated with different forms of morality…The whole issue of crime is infused with issues morality, guilt and struggles over identity…. if it were only about stealing goods or money it would be of considerably less interest" (2002:40).

The organising principle of this article is to discern which criminal behaviours can be morally legitimized. In particular, this topic is approached from the rare perspective of active offenders, rather than non-criminal members of society. Likewise, while exploring drug-dealing from the supplier's perspective, Hutton (2005) argues it as a necessary and important aspect of criminological research in order to understand criminal motives and actions. Similarly, this paper explores how certain actions are deemed as morally legitimate from an offender's perspective, while others are not. Doing so helps shed light onto the existence of unofficial criminal codes of behaviour. For it is assumed the majority of law-abiding citizens would consistently view violent criminal acts as being more intrinsically akin to *mala in se* than *mala prohibitia*. Indeed, Waddington (1996) also found citizens tend to define what crimes are morally right or wrong largely dependent upon the use, and levels of, violence involved. Moreover, the majority of participants whose responses are used in this study have been involved in particularly violent offences, including kidnapping, torture, firearms offences, knife offences, and extortion. Most individuals would view these acts as being morally illegitimate, even though such individuals may view lesser offences such as drug possession or driving offences in more nuanced terms.

Exploring this theme, the article begins by drawing upon existing literature in order to situate the article's position. Following on from this the methodology is outline, which is followed by a presentation of findings from the authors' empirical data. The findings are placed into three

themes investigating the overarching issue of morality and crime. A discussion of such results will ensue with the article's concluding thoughts at the end.

Background: Crime and morality

Yablonsky (2000) argues gang members live according to parallel moral codes as compared to the rest of society. This results in their actions not always being spontaneous: indeed, a moral schema can be said to exist, whereby some criminal actions are classed as 'rational violence': that is violent acts which are illegal, but still considered rational in the context of deviant behaviour (Yablonsky 1962). Although Yablonsky writes with specific reference to gang members, criminologists have applied similar codifications to criminal activities more generally. For example, Elijah Anderson's (1999) ethnographic study of violence in inner city neighbourhoods found that community members as a whole are often required to carefully negotiate urban street life via unofficial codes which governs daily interaction. This 'code of the street' sees some youths define certain interactions and unlawful behaviour as justifiable. Indeed, 'trophies' procured from robbery are put on visible display at particular staging points for wider society to see. Participation in such behaviour may not only earn individuals material rewards but also respect and status from peers. Such behaviours are said to be exhibited in areas of acute deprivation, where 'street' values supersede 'decent' values such as refraining from criminal behaviour. Whereas Anderson's data is drawn from both 'decent' and 'street' members of society, Yablonsky's classifications primarily arise out of the perspectives of gang members and offenders *themselves*. This shows that offenders have their own views on legitimacy, and the morality of both legal and illegal acts (Fader 2016).

Unsurprisingly, in the criminal world these paradigms of 'rational violence' and 'irrational violence' are not merely theoretical concepts; rather, they are *put into action* often through the

use of severe force and brutal violence. One of the clearest examples of this is amongst drug-dealers, where robbing rivals has become so common that studies have emerged specifically focusing on the phenomenon (e.g., Jacobs 2000; Jacobs et al. 2000; Contreras 2013). The prevalence of this crime has led to the term 'stick up man' being applied to those who regularly rob dealers (Contreras 2013). Such individuals often work in gangs, and upon arrest, many criminal gangs 'import' their *modus operandi* into prisons (Jacobs 1977; Maitra 2016b; Mitchell et al. 2016), leading to behavioural gang codes being replicated within the penal environment. Accordingly, the established body of prison gangs in the US (Skarbeck 2014) and the growing number of gangs in British prisons (Maitra 2016b) leads to such behaviours being solidified within the prison systems of both.

On a wider level, the morality of criminal behaviour is of interest to both academics and offenders. While academics are interested in questions such as the intersection between morality and crime, and how these interactions help or hinder crime prevention (Bottoms 2000), offenders themselves are not immune from being asked questions on morality, and to justify their actions. Indeed, the process of sentencing an offender is often a lengthy exercise mitigated around matters related to whether or not defendants feel remorse or accept guilt. Boutellier (2000:35) summarizes the topic in the following terms:

> If the government is held accountable for the moral level of its policy…then the moral level of criminal conduct should similarly be examined. Anyone who even potentially breaks a law can be called upon…. to justify the offence. What moral meaning does an offence have with respect to the individual suffering or material damage that is caused, trust that is violated, or the community interest that is harmed? It is not the cause of criminal conduct that is at issue, but the question of whether this behaviour can be *morally legitimated.*

However, such issues concerning morality have not only been discussed by criminologists and theorists. Indeed, there is growing body of literature centred on offenders' personal recollections of the morality of their behaviours (e.g., Foreman 1996; Smith 2001; Woolfe 2008). Such works are indicative of the fact that offenders do not act in a moral vacuum, and that, upon reflection, may often be remorseful about their actions. This is especially the case if an individual was under the influence of drugs at the time s/he committed such acts (Woolfe 2008). Moreover, a clear hierarchy exists amongst offenders themselves, with acts such as armed robberies occupying the top of the 'pecking order' (Parker 1995; Liebling et al. 2011). The current body of research, then, shows the distinction existing between offenders' own perceptions of their behaviours as compared to the opinions of wider, 'straight' society. For the latter, it is often the case that "the criminal occupies a position outside the moral community…it is virtually true by definition that offenders are castigated as immoral predators on the moral community" (Waddington 1996:115).

The research methodology

The data presented is taken from two independent studies, occurring at two different sites (Glasgow and a county in the North of England). Glasgow participants were initially part of a larger study investigating gang organisation as a means for gang business. Participants from the North of England site were part of a four-year study into gangs and organised crime. While neither study explicitly focused on the topic of morality, it nonetheless emerged as a frequently recurring theme throughout both studies. As such the 'morality of crime' came to be independently analysed as participants from both sites regularly discussed personal involvement in violent offences, particularly robberies. While offenders frequently questioned the morality of their criminal actions against 'straight society', certain offences against 'criminal society' were deemed wholly justifiable.

The Glasgow site

Primary data was gathered between 2013-2016 as part of qualitative inquiry concerning gang organisation as a means to gang business. Given that Glasgow, Scotland's largest city, has a historically embedded gang culture (Deuchar 2009; Davies 2013; Deuchar 2013; Miller 2015) as well disproportionately retaining the vast majority (70%) of Scotland's organised crime - 65% of which is directly related to illegal drug supply (Scottish Government 2015) – it proved the ideal location for conducting such an investigation. Participants were required to meet the following criteria of a) having engaged in regular group offending, b) having been involved in behaviour outlined by the Scottish Government (2009, 2015) as Serious and Organised Crime, and c) be over 16 years of age. To access participants, street workers attached to outreach projects in Scotland's west coast were initially used. Yet following difficulties associated with accessing hard to reach populations – given participation in organised crime - a snowball sampling technique via gatekeepers was deployed to access wider sample populations (Bhopal and Deuchar 2016). Becker (1963) suggests this is relevant where sampling frame is limited. Accordingly, street workers and interviewed participants were asked to recommend additional contacts who met the criteria.

In-depth interviews with participants (n=35) were conducted. All participants bar one were male, and considered themselves indigenous although not all were white. All considered themselves to have been raised in deprived working-class neighbourhoods situated within the Glasgow conurbation (See Scottish Government 2012). Participant ages ranged from 16 – 27. Efforts were undertaken to design an semi-structured interview schedule that would allow the researcher to be responsive to emerging insights. One of these themes was centred around the morality of offending. Extracts chosen illustrate interviewees' personal construction of reality

through their own voices. Multiple interviews were scheduled with participants whenever possible, ranging between one to five, and typically lasted one hour. Although most interviews were conducted on a one-on-one basis, two group interviews were held with groups of four and five participants. Data was triangulated whenever possible – typically with youth workers or other interviewees. Data was recorded via audio devices and then analysed thematically (Creswell 1998). Ethical approval was granted by the researcher's university, and prior to interviews, an information sheet outlining relevant information was distributed.

The North of England site

Participants (n= 40) from the North of England site were accessed via the adult prison service, with interviews being conducted in two adult men's prisons in a county in the North of England. Once initial contact was established, follow-up interviews were arranged at the prisons in question. Access had to be negotiated with the National Offenders' Management Service (NOMS). To maintain the developing rapport, participants were sent questionnaires and personal correspondence between interviews. Through repeated contact it was hoped that the deep, personal narratives that have previously been found to emerge through this methodological approach would become apparent, as compared to short, 'one off' interviews, during which it is difficult to build rapport (Davies et al. 2015). Interviews were semi-structured, and including a range of questions: dealing with prisoners' personal histories, offending histories, and own morality. Once collected, the data were fully transcribed (both from oral interviews and questionnaires) and manually coded.

Although the bulk of responses were collected from official participants, fieldwork also led to unstructured conversations with prison officers and prisoners who were not part of the formal sample. Where such discussions led to particularly relevant comments, these have been

included in the findings. In general, however, this paper's insights are derived from extensive interviews with the sample-group of prisoners. Responses included a variety of details, ranging from prisoners' personal life histories, offences committed, gang affiliations, and the morality of crime. A balance had to be struck, therefore, between allowing a 'free flow' of ideas during interviews, and steering such conversations to meeting the criteria of the research questions. Finally, it should be noted whilst the research sites were two local prisons, time was also spent in the surrounding local area. Due to this, some data is included from conversations with youth workers, police and other individuals not from within the penal establishment. This is mainly because the paper's data were gathered as part of a wider, ethnographic study into gangs and organised crime in the North of England. Accordingly, sampling was not restricted to solely the prisons, rather involving the collection of wider ethnographic field data, as is often necessary when researching gangs (Scott 2004).

Findings and analysis

In order to explore the wider schemas of criminal behaviour we analyse three distinct topics as a way of explaining the moral justifications offered up by offenders for their participation in crime. These topics are 'the morality of robbery and "payment by results"', 'violence against women and children', and 'race-based offences'. Exploring these separate issues allows us to build up a picture of how offenders negotiate their own sense of morality without deviating from wider mainstream society.

Theme 1: The morality of robbery and 'payment by results'

A significant proportion of participants were found to have committed robbery. While this often included robbing members of 'straight society', robbing other offenders was not

uncommon. Indeed, respondents from both sites reported robbing drug-dealers. Typically, participants had not exclusively targeted drug-dealers but rather drug-dealers were robbed as part of wider crime 'sprees' against the general population. On the whole most robberies were opportunistic. The same was true with regards to robbing drug-dealers. Such incidents regularly occurred during transactions, even when taking place within what Nicholas (2008) identifies as closed markets - whereby dealers only supply known associates in efforts to reduce risk of victimization. Waldo (Glasgow) reminisces about the first time he committed such an act:

Waldo: '[I] knew the guy, aye. Stayed just down the road from me, a bit younger. But heard he was selling [ecstasy tablets], the old cherries (ecstasy type). Remember them, they were dyno[mite] (laughs). I didn't go [out] to rob him, but after I bought the pills I seen him take out a wad of cash and though 'fuck it, am taking that.'

I: Yeah, what did you do? Did you grab it and run**?**

Waldo: Nah man, run, fuck sake. Just said 'give me that'. Obv[iously] he was shocked, but fuck it. Got up in his face. He shat it and gave me the money. Took the pills as well…. fuck it, I don't feel bad. He knew what he was getting into, don't he? His fault for no[t] protecting himself.'

Waldo indicates a lack of remorse and justifies his behaviour as permissible on the grounds of an unofficial criminal code that his victim '*knew what he was getting into'*. It is not that Waldo lacked self-control or demonstrated high impulsivity when presented with an easy opportunity to engage in crime, but rather through rational choice projected unofficial criminal codes onto his victim due to his participation in criminal activity (Mamayek et al. 2016). This would suggest that drug dealing is a risky business (Hutton 2005) particularly for early career dealers still learning unofficial criminal codes - in which dealers should always be ready to act in response to would-be assailants. Similarly, Waldo was aware of the dealer's vulnerability given

that his initial act was illegal and thus could not be dealt with by third-party agents (i.e. police). This viewpoint suggests that the dealer's protection is entirely his own responsibility, and should he prove weak, then assailants are entitled to attempt robberies. Contreras (2013), Gambetta (1993) and Jacobs (2001) all likewise found acts of robbing drug dealers have proved popular amongst offenders given that their engagement in criminality mean they rarely have recourse to the law. In addition to the practical benefits of robbing dealers, it became clear that this type of crime was the easiest to morally neutralise. Bill (North of England) demonstrated this by using moral equivalencies, and argued drug dealers to be 'just as bad as' he was:

> **Bill**: It's alright robbing a dealer's house, taking his gear…cos he's in the same boat as me. He's sat on his arse, unemployed, not worked for it, so that's alright.

This perspective was also echoed by participants at the Glasgow site, as indicated by Rydo;

> **Rydo**: Nothing wrong wi' bumpin' (robbing or stealing from) dealers, no … Fuck them, no' like they are your mates or that. They aren't respectable, know what am saying? They are selling drugs…. They need to be expecting it.

Several other participants at both sites argued that robbing drug dealers was '*not as bad*' as victimizing law abiding citizens. However, drawing on this moral equivalency was problematic due to the fact that respondents had usually robbed both criminal and law-abiding members of society. Accordingly, they would offer justifications for the former (see above), whilst simultaneously expressing disapproval at the latter ("*it's not right robbing people, taking what they've earned*"). To mitigate against charges of hypocrisy, they would chastise their own

actions, expressing shame and remorse for having targeted innocent members of the public:[1]

Statements by Jay and Tom (North of England) sum up this point perfectly:

> **Jay**: There was one time they [a family] weren't giving anything up…. [So] I put a machete into [the male parental figure's] head. *Pauses.* I know. That's really bad, isn't it? [2] I know, it's not right robbing people, taking what they've earned.

> **Tom**: I was getting tooled up with machetes, doing robberies for my rep when I was 15. We'd get £400 in one, £200 in another. Off-licences, petrol stations. But I stopped those, 'cos it's not right robbing people- what they've earned.

Interestingly, the statements by Jay and Tom use similar phrasing when reflecting on the morality of robbing "people" (i.e. non-offenders). Referring to members of straight society as 'people' automatically attaches a label which sees them exempt from the criminal code. This can be contrasted to targeting drug-dealers and other offenders, a category of offending which is least problematic to justify as outlined by Bill earlier (e.g., Jacobs 2000). However, as Fader (2016) points out, the reality is far more complex with drug dealers often sharing living space with family members or associates who are not offenders and associating with others who are similarly not offenders. Nevertheless, the self-justifications offered for such actions meant that respondents were able to recollect these acts with little or no compunction. The brutal torture of drug dealers – something which is common in this practice (Contreras 2013) – was recollected by offenders with little of the moral shame or guilt which was expressed towards

---

[1] It is a moot point as to how genuine this shame was – see n.3

[2] This rhetorical question was in response to the interviewer's visible shock at the respondent's matter-of-fact recollection that he "put a machete into [the homeowner's] head." This was involuntary on the interviewer's part, but clearly affected the prisoner's following statements. It is one of the few times during his research in prisons that the interviewer's facial expression had indicated to the prisoner that he was shocked by a disclosure.

the commission of more 'petty' offences, such as burglaries and robbing vulnerable individuals.

During interviews, two principle types of offenders emerged: the organised criminal and 'low end' offender. Such bifurcation has long existed in the criminal world, and existing literature distinguishes between organised crime (e.g., Stelfox 2002; Levi 2004) and street level 'hustlers' (Wacquant 1998). The two are not, however, neatly distinct categories. Traditionally, though, organised criminal networks are more financially astute in their operations. For many organised offenders, *"it's not like a business – it is a business* (John, North of England*).* Similarly, discussing the UK illicit drugs market Pearson and Hobbs (2000) argue the more organised the level of drug supply, the less likelihood for unaccounted violence. Rather, high rates of violence are attributed as belonging to lower market regions or unstable markets (McLean 2017). Findings from our own data suggest likewise. Detailing his growing involvement in crime, expressed through the gang context, Dee (Glasgow) draws attention to the role violence plays in internal market dynamics:

> **Dee:** 'When me and my mates started out we were always getting into shit man. Were still young and like learning the trade ... would fight wi' cunts over all sorts, robbing folk and shit…. [or] building up big [drug] debts and no' paying. Were always looking to bump cunts. Can't go on like that but … got to be more professional if you want to do it right, stop all that shit cause no one wants to work wi' you.

Dee's statement suggests that prior to his gangs' initial involvement in the illegal drugs market, gang behaviour was somewhat sporadic and opportunistic. Yet to establish their own position in any illegal market, Dee's gang engaged in various crimes in efforts to procure goods. This was typically materialized through robbery, theft, and muggings. While Dee states he '*felt shit'* when carrying out these offences against what he deemed to be '*normal legal folk'* – in other

words law-abiding citizens – the same cannot be said for those offenders with whom he built *'up big [drug] debts'*. The reason Dee gives for ceasing this behaviour was that it proved counterproductive to business. The issue of morality did not come into question. Rather as McLean (2017) points out, as gangs gain experience, continue to organise, and gain a foothold in the illegal drugs market, members often increased in professionalism and as a result violent robberies amongst other types of low-level opportunistic offending gradually ceased.

Similar results were found in the North of England. The instrumentality of violence was clearest when talking to participants themselves. The belief that *"if you want to get paid, you've got to do it"* (Paul, North of England) echoed the phrase found in Contreras' (2013) study regarding the robbing of drug dealers in the Bronx: "You gotta do what you gotta do" (p. 154). Whilst not quite 'neutralization' of criminal behaviour, such phrases indicate that offenders who rob view violence (Jacobs 2000) as being a potential, yet permanent, feature of their 'occupation', particularly amongst the more organised criminal. While criminal coping strategies are more likely to be evident amongst those whom display particular inherent traits, such strategies can be influenced by rational choice (Agnew 2007, 2013). The brutality of what victims are subjected to is almost viewed as incidental to the end result (Luckenbill 1980). This was reflected through the calm narrations which participants delivered regarding their crimes, often laughing at certain points[3]:

> **Tom**: We'd wait in the car [for homeowners to leave] but after a while you just get tired of waiting, so you say "fuck it" and you just go in … *Laughs.* Normally they'd be too shocked. Cos we'd just go in round the back of the house, with sledgehammers. And we'd just lob a slab of concrete or a boulder through the back door, or through the conservatory window. And we're all in black, ballied up [wearing

---

[3] Such instances of laughter were incongruous with later expressions of supposed remorse.

balaclavas] … One time we cut the [gold] bangles off the woman's arm with some pliers. Once we went away with a safe, sometimes we'd take the car keys, too.

While participants as a whole indicated that violence was typically reserved for encounters with other offenders, as Tom's statement highlights, at times members of straight society were likewise targeted. Yet in either incident, the means justified the ends, as Tom suggests the violence inflicted was always secondary to the primary goal of acquiring valuable goods. Even when delivering accounts of the crimes, he was more concerned about detailing, and placing emphasis on, the items and money stolen.

It would seem that the more organised a criminal gang was – or how organised the members perceived themselves to be – the less need, or willingness, there was to use violence to secure their criminal and wider 'business' interests (McLean 2017). Luckenbill (1980) likewise points out that the techniques used during robbery are often dependent upon the perpetrators resources, experience, and objectives. The idea of criminality as being a business was much more than an ideological doctrine; rather, it spoke to the deeper reality that criminal activities were the main – or, in most cases, *sole* source of income for participants. This became even more apparent in prison, where respondents reflected on families who had to be supported now that they were unable to commit street-level offences. Ultimately, while participants engaged in what was at times serious and organised criminal activity, they nonetheless appeared to adhere to an unofficial set of guidelines about what was morally right and wrong within the criminal underworld – at least on the surface. Participants were clear about deserved and undeserved victims. Yet in reality, this distinction between what was morally justifiable and what was not was by no means clear-cut. On many occasions involvement in criminal activity, particularly amongst lower end offenders, saw situations arise which resulted in undeserved victims being caught in the cross-fire. This undoubtedly blurred the distinction between what

was morally right or wrong. As the following theme shows, many incidents which offenders found themselves in proved contradictory to their own sense of morality.

Theme 2: Violence against women and children

Throughout the research, certain crimes were unanimously viewed as unacceptable, such as physical abuse against the elderly, or sexual abuse against children. Such findings are unsurprising, particularly given that the sample primarily consisted of participants engaged in organised crime (Crewe 2009; Blatchford 2008). While participants typically supported the harshest punishments for such offenders, the results became more interesting when analysing respondents' own offences. It was not uncommon for participants who expressed strong sentiments against child abusers, to have themselves tied up home owners' children during burglaries or threatened them with violence should they attempt to alert authorities. Bob (North of England) stated, '*Crimes against women and children ... don't sit with my conscious [sic] and I find them disgusting*', yet his own crime spree often resulted in women witnessing horrific violence against their male partners.

Moreover, Bob elaborated that prior to incarceration he spent considerable time '*selecting/recruiting ... eager youngsters [before] commencing a grooming stage*' to induct them into his gang. It is difficult to classify such actions as having the best interests of the child at heart, and while tying up a child during a home invasion is less heinous than sexual abuse, such moral inconsistencies were apparent through many stages of the research. Moreover, '*grooming*' a child into a gang lifestyle is necessarily committing a 'crime against children' according to the 1989 Children's Act. These positions highlight regular inconsistencies in the moral positions expressed by many respondents. As many had begun their offending behaviour at very early ages, they were committing offences against children when they were children

17

themselves (Bolden 2012). A pertinent question to ask, then, was how this changed the moral landscape of the situation, if at all.

Arguably the exclusion of certain categories of prisoners – and types of offences – was a process in which respondents engaged to grant themselves a sense of moral superiority (Matthews 2002). By classifying paedophiles, sex offenders, etc. as being '*the worst of the worst*', respondents were able to place a moral distance between themselves (often as gangsters) and the *truly* amoral, as demonstrated by prisoner Jay (North of England):

Jay: Only time I saw trouble was when 16, guys all piled into one prisoner because he was a sex-offender.

I: Child sex offences being the biggest taboo in prison?

Jay: Not just child sex offences – any sex offences. Most lads in here are in for domestics, assaults, that sort of thing. (**Jay**)

Jay was correct in assuming that many inmates in his prison had been convicted of offences relating to domestic abuse against female partners. However, Jay's view that physical domestic violence (but not sexual) was acceptable, or at least justifiable, was by no means unanimously accepted by all participants across either site. Many participants felt that crimes against women (physical or sexual) were worthy of being in the same category as those most heinous of crimes. In particular, mothers were held in high esteem. Almost all participants were repulsed by the idea of anyone causing their own mothers harm. Locating exactly where certain offences were to be situated on the moral spectrum was complicated, particularly in relation to violence against women (Crewe 2009).

Despite crime being gendered (Messerschimdt 1993), one participant was female, and although her role within a gang predominantly consisted of logistic management, like male participants she likewise had been involved in a number of incidents involving crimes against women. This typically manifested itself in the form of male on female violence, as a result of outstanding drug debts. Negotiating her own sense of morality, Jobo (Glasgow) states:

Jobo: 'It's no nice seeing another bird (female) getting slapped about. Course not. If it has to do wi' business but I take fuck all to do wi' it … I wouldn't just see a guy hit a woman for nothing, like in the street, but if people owe debt, they owe debt. At end of the day, just because they're a bird doesn't mean they don't take the piss. Fuck, I've did it myself …. make[s] me feel crap know, but it's got to be done, women or not'.

Jobo's statement indicates that, while she acknowledges females are at times the victims of male violence, nonetheless she is still able to distinguish between the 'deserved' and 'undeserved' victim. Should she witness '*a guy hit[ting] a woman for nothing*' then she would feel compelled to intervene, yet should this same action occur over the issue of criminal debts accumulated then the action becomes justifiable, even if it still results in her '*feel[ing] crap*' due to the social actors involved. However, ambiguity amongst participants certainly did not extend to the issue of sexual crimes against any person (women, man, or child). Interestingly, insights from informal conversations with prison officers in the North of England revealed that opinions were also severe towards individuals who had been incarcerated for sexual crimes. *("I just can't stand being round them; I just can't*: Prison Officer).

The harsh moral judgements directed towards sex-offenders, and particularly child sex offenders, were not merely abstract opinions. Indeed, there were numerous recollections delivered by participants at North of England sites of paedophiles and rapists being physically

assaulted in prison. This ranged from one rapist *"getting slapped about 'cos he deserved it"* (Bill, North of England), to instances of far more serious violence, as participant Tim (north of England) reminisced about attacking a convicted sex offender and throwing *'him off the [upper prison] landing'*. Tim's violence towards the sex offender in question was among the most extreme example uncovered throughout the interviews. However, similar to Irwin and Cressey's (1962) outlining of a 'convict code', if one were wanting to devise a 'convict code' for the sample sites, expressing hatred towards sex offenders would be one of the principal 'codes'. Indeed, one participant explicitly stated that *"hating the sex offenders is as much a part of the criminal, and in particular prison, culture as fighting, brewing hooch, doing a bit of bent [corrupt] stuff"* (Alan). The animosity shown towards sex offenders by fellow prisoners was often justified by reference to one's own children. Through making specific mention of this, violence and hatred towards sex offenders was placed in a wider schema of personal morality, and 'neutralized' (Matza 1964). In many ways, the opinions of participants in this research reflected the moralizing tone and judgement which are regularly aimed at sex offenders in wider society.

Theme 3: Racism and race-based norms

Growing multiculturalism in many western societies has seen the issue of race become increasingly central to notions to urban sociology (Anderson 1999). Moreover, the elevated levels of offending amongst black men, for example (Bowling and Phillips 1999) has meant such issues come into stark relief within the prison system. As many prisoners have been socialised in multi-cultural environs (Phillips 2012), there is a sense that prisoners are able to 'do' multiculturalism (*ibid*). However, there also exist conflicts here. For example, in the Northern England several areas where sample sites have been located can accurately be described as de facto segregated spaces (Quraishi 2005). Accordingly, even if allegiances exist

between different groups, these more regularly arise out of practicalities rather than cultural norms. For this research, non-white prisoners were more confident about the 'morality' of attacking perpetrators of racist offences:

Eddie: The first day I went into [prison], they was all shouting "Nigger! Nigger!" from the cells, and I cornered this one racist prick in his cell and beat the shit out of him...

I: And did anyone come to help him out?

Eddie: Nah. Well, he had his mates … but they could see that I was big, beating the shit out him, so they just left it.

Other ethnic minority prisoners were also vocal in describing how lone, racist prisoners would get attacked or '*filled in*' (Maitra, 2013). This reflected existing research (e.g., Earle and Phillips 2015; Phillips 2012) indicating that prisons, especially in inner-city areas, are places where racist offenders are in the minority. Indeed, two participants (Jay and Tom, North of England) were part of a gang that specifically targeted Asian families due to their perceived levels of wealth. Whilst this targeting *in itself* is troubling (Bowling and Phillips 2002), the participants were at pains to stress that their victims were not attacked *because* they were Asian, but rather, because they were perceived to have considerable wealth. This distinction sought to reassure the interviewer – visibly of a South Asian background – that the gang was not *ideologically/politically* racist, particularly when questioned whether or not sharing prison space with Asian prisoners was a problematic issue:

James: No, not at all. In fact, one of me [Co-Defendants] is Asian…I've got absolutely nothing against Asians. Actually, I like the way [you] lot live. Like even if an Asian's got a shit house, unlike white people, there's gonna be gold in there. And the Asian weddings – big tents, lights, Range Rovers,

Bentleys and the women with all those gold bangles – they're arms are covered! The *only* reason we

targeted Asians was 'cos of the gold.

For James (North of England), targeting Asian families was instrumental rather than symbolic[4].

However, it was difficult to discount the proposition that the gang targeted "Asians" based

upon stereotyped perceptions of people from the Indian sub-continent being physically weaker,

offering less resistance and being more compliant (Alexander 2000). Moreover, although the

majority of prisoners interviewed classified purely racist offences as immoral, new terrain was

emerging on this topic. In particular, the increase of radicalization amongst some prison gangs

(e.g., Hamm 2013) has acted as a catalyst for growing anti-Muslim sentiments amongst

prisoners. This problem was specific to high-security prisons, as Paul (North of England) noted:

Paul: There's problems with Muslim gangs and it makes a tense daily situation. Like you're waiting

for something to happen. They tolerate and allow/protect sex offenders, child abusers all the wrong

un's as long as they are or convert to Islam. This is unacceptable.

Paul's observation was that prisoners who converted to Islam would have all their past offences

discounted, regardless of where such activities sat on the wider moral spectrum: Islam trumped

the wider moral code within prison, at least amongst fellow Muslims (Earle 2011). It should

also be noted that this phenomenon was specific to high-security prisons, as in prisons of lower

security category, clear divisions exist between Muslim gang members and Muslim sex

offenders. In the high-security prison system, however, such divisions were described to not

exist – being a Muslim was the *sine qua non* of acceptance. These shifting social norms,

---

[4] However, the particular interviewer's identity in this case as someone of Indian background meant that he was never fully sure how much 'image management' was taking place when prisoners were talking about their views on race and racism (see also Earle and Phillips 2015).

enforced by gangs of radicalized prisoners, allowed non-Muslim prisoners to embrace what was previously a residual sense of white identity. The racialized, 'violent masculinity' which is encapsulated by movements such as the English Defence League (Treadwell and Garland 2011) was transposed into some prisons – with members of the EDL, and newer, 'anti-Muslim' gangs forming. This created a clear break from the recent past, where most forms of racial discrimination were becoming less popular among the general prison population. Yet, wider events had a surprising effect in changing the moral contours as regards race-based norms and views on religion, as Luke (North of England) illustrated:

> **Luke:** In the dispersals they're tryin' to make people convert; pressurize them. My uncle was in [name of prison] and he told me that [name of prisoner] told the Muslims to keep their prayer noise down 'cos they were doin' it in the early morning or whatever. Now, fair enough, you gotta do what you gotta do, but you've got to … umm … anyway, so they [Muslim prisoners] start shouting from their cells that they're gonna cut his head off him for askin' them to be quiet. You know, they're tryin' to be like ISIS, with the beheadings of the journalists and all that. That's not right.

Radical religious views were something which many white (and indeed black) prisoners were willing to vocally oppose. Even those socialised in multi-cultural areas, members of multi-racial gangs, or originating from predominantly Muslim areas felt it their duty to oppose what were perceived as extreme faith identities.

Conclusions

Crime and morality are clearly complicated issues. However, the article attempts to demonstrate that a 'morality of crime' does exist, and not simply as a standalone topic. Rather, it is one component of a wider moral schema, existing both internally within those whom

perceive criminality as intrinsic to their own nature, and often externally policed through violent means (Taylor 2016). The actions and dealings of participants were imbued with normative diktats and value judgements that were at times different to the value systems followed by individuals in wider society. While labelled offenders, participants were likewise members of wider society and accepted, in principle, some wider societal values and norms which govern social interaction. Yet when participants are placed within the criminal context such values can be overridden by the adherence to a criminal code. To help negotiate this somewhat problematic sphere, participants would morally 'code switch' (Anderson 1999) dependent upon context. However, given that in reality the criminal context would often occur within the wider public domain – intertwined with members of straight society - often 'innocent victims' would become caught in the cross-fire. As demonstrated throughout the article such incidents were frequent and required considerable moral negotiation. This lends weight to Bottoms' (2000:16) assessment that,

> … morality is always practiced within a specific social context. A consequence of this … is that proposed crime-reductive policies of a normative kind need to pay close attention to the social circumstances within which they are being proposed. If not, they run the serious risk of being judged to be irrelevant by the very people at whom they are principally targeted.

It would take a deeper, phenomenological study to fully explore criminal views on morality and 'right from wrong'[5]. However, it is certainly the case that many participants' own

---

[5] Included in this analysis should be a study of the effects restorative justice is having on offenders being able to reflect on their crimes and the effects of crimes upon victims (see, e.g., Woolf, 2008). The growth of restorative justice reflects Bottoms' (2000:17) contention that, "criminal law cannot be legitimised anymore by the self-evident social cohesion of a community … to say to an offender or potential offender that 'burglary is wrong according to our traditional morality' now cuts no ice; but to present an offender with clear evidence that his act has caused suffering to a real flesh-and-blood individual (a fellow citizen) may have a much more definite effect in making that offender realise that a wrong has actually been committed (the suffering of the victim draws a line on moral relativism).

backgrounds – of having witnessed domestic violence, being in care, and experiencing elevated levels of physical and sexual abuse as compared to the general population (Ministry of Justice 2012) – meant that they were somewhat reluctant to victimize those who were clearly weaker and vulnerable (Crewe 2009), or deemed to be non-offenders (and thus outwith the criminal code of conduct). Such actions show little in the form of 'criminal capital' (Maitra 2013) whereby one accumulates prestige and respect on the streets through daring acts against powerful individuals: shoot-outs, audacious raids on businesses (Matthews 2002) and brutal behaviour towards fellow, powerful offenders (Contreras 2013; Jacobs 2000). These acts are what gain respect. Certainly, there were respondents in this study who did not abide by this overarching moral framework. Yet importantly the article has been able to shed light on the largely neglected topic of the moral justifications offered by offenders and their relationship with the behavioural codes of wider society, as seen via the criminal lens of those who carry out such acts. Such work can be drawn upon in the development of a steadily, and overdue, growing body of literary evidence whereby insights can be used to form and recommend rehabilitative polices, perhaps to be successfully deployed within the penal system.

Conflicts of Interest

The author reported no conflicts of interest

Permissions

Some material from this paper is drawn from two chapters in Harding, S and Palasinksi (eds), *Global Perspectives on Youth Gang Behaviour, Violence and Weapon Usage* titled "It's a Vicious Game": Youth Gangs, Street Violence, and Organised Crime in Modern Britain and "An Exploratory Study of Prison Gangs in Contemporary Society". Reproduced with permission from IGI Global.

The authors can confirm that this work has not been published elsewhere and that it has not been submitted simultaneously for publication elsewhere.

References

Agnew, Robert. 2007. *Pressured into Crime: An Overview of General Strain Theory*. New York: Oxford.

Agnew, Robert. 2013. "When Criminal Coping is Likely: An Extension of General Strain Theory". *Deviant Behaviour.* 34:653–670.

Alexander, Claire. 2000. *The Asian Gang: Ethnicity, Identity, Masculinity*. Oxford: Berg.

Anderson, Elijah. 1999. *Code of the Street.* W. W. New York: Norton and Company.

Becker, Howard. 1963. *Outsiders.* New York: Free Press.

Bhopal, Kalwant. and Ross Deuchar. 2016. *Researching Marginalized Groups*. New York: Routledge.

Blatchford, Chris 2008. *The Black Hand: The Story of Rene 'Boxer' Enriquez and His Life in the Mafia.* Harper Collins.

Bolden, Christian L. 2012. "Liquid Soldiers: Fluidity and Gang Membership." *Deviant Behavior* 33:207–222.

Bottoms, Anthony E. 2000. *Morality, Crime and Crime Prevention: A Discussion Paper.* Unpublished paper commissioned by the Home Office.

Boutellier, Hans. 2000. *Crime and Morality: The Significance of Criminal Justice in Post-Modern Culture.* Kluwer Academic Publishers.

Phillips, Coretta. and Ben Bowling. 2002. "Ethnicities, Racism, Crime and Criminal Justice". PP. 421-460 in *The Oxford Handbook of Criminology*, edited by M. Maguire, R. Morgan and R. Reiner. Oxford University Press.

Contreras, Randol. 2013. *The Stick-Up Kids: Race, Drugs, Violence and the American Dream.* University of California Press.

Creswell, John W. 1998. *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*. 2nd ed. Thousand Oaks, CA: Sage.

Crewe, Ben. 2009. *The Prisoner Society: Power, Adaptation and Social Life in an English Prison*. Oxford: Oxford University Press.

Davies Andrew. 2013. *City of Gangs: Glasgow and the Rise of the British Gangster*. London: Hodder and Stoughton.

Davies, Pamela, Peter Francis and Victor Jupp. 2015. *Doing Criminological Research*. London: SAGE.

Densley, James. 2013. *How Gangs Work: An Ethnography of Youth Violence.* London: Palgrave MacMillian.

Deuchar, Ross. 2009. *Gangs, Marginalised Youth and Social Capital*. Stoke-on-Trent: Trentham Books.

Deuchar, Ross. 2013. *Policing Youth Violence: transatlantic Connections*. London: Trentham/IOE Press.

Earle, Rod. 2011. "Ethnicity, Multiculturalism and Racism in a Young Offenders' Institution." *Prison Service Journal* 197: 32-38.

Earle, Rod. and Coretta Phillips. 2015. "Prison Ethnography at the Threshold of Race, Reflexivity and Difference" Pp 230-251 in *The Palgrave Handbook of Prison Ethnography,* edited by D.H. Drake, R. Earle, and J. Sloan. Basingstoke: Palgrave Macmillan.

Fader, Jamie J. 2016. "Criminal Family Networks: Criminal Capital and Cost Avoidance among Urban Drug Sellers." *Deviant Behavior* 37(11):1325–1340.

Foreman, Freddie. 1996. *Respect: Autobiography of Freddie Foreman, Managing Director of British Crime.* London: Arrow Books Ltd.

Gambetta, Diego. 1993. *Codes of the Underworld: How Criminals Communicate*. Princeton, NJ: Princeton University Press.

Hamm, Mark. S. 2013. *The Spectacular Few: Prisoner Radicalization and the Evolving Terrorist Threat*. New York: NYU Press.

Hutton, Fiona. 2005. "Risky Business: Gender, Drug Dealing, and Risk". *Addiction Research and Theory* 13 (6): 545-554.

Irwin, John and Donald R. Cressey 1962. "Thieves, Convicts, Inmate Culture". *Social Problems* 10 (2): 142-155

Jacobs, Bruce .A. 2000. *Robbing Drug Dealers: Violence Beyond the Law.* Aldine de Gruyter: New York.

Jacobs, James B. 1977. *Stateville: The Penitentiary in Mass Society*, The University of Chicago Press

Jacobs, Bruce A., Volkan Topalli, and Richard Wright 2000. "Managing Retaliation: Drug Robbery and Informal Sanction Threats". *Criminology* 38:171-198.

Levi, Michael. 1998. "Perspectives on 'Organised Crime': An Overview". *The Howard Journal of Criminal Justice* 37: 335–345.

Liebling, Alison., Helen Arnold and Christina Straub. 2011. *An Exploration of Staff-Prisoner Relationships at HMP Whitemoor: 12 Years On.* Ministry of Justice: National Offenders Management Service.

Luckenbill, David F. 1980. Patterns of force in robbery. *Deviant Behavior.* 1:361-378

Maitra, Dev .R. 2013. *Gangs Behind Bars: Fact or Fiction?* Unpublished MPhil Thesis, Institute of Criminology, University of Cambridge.

Maitra, Dev .R. 2016a. "'It's a *Vicious Game*': Youth Gangs, Street Violence and Organised Crime in Modern Britain." PP. 192-214 in *Psychological Perspectives on Youth Gang Behavior, Violence, and Weapons Use*, edited by M. Palasinski and S. Harding. Hershey, PA: IGI Global.

Maitra, Dev .R. 2016b. "An Exploratory Study of Prison Gangs in Contemporary Society". Pp. 215-237 in *Psychological Perspectives on Youth Gang Behavior, Violence, and Weapons Use*, edited by M. Palasinski and S. Harding, S. Hershey, PA: IGI Global.

Mamayek, Chae, Paternoster, Raymond and Loughran, Thomas A. 2016." Self-Control as Self-Regulation: A Return to Control Theory". *Deviant Behaviour*: 1-22. Available online: http://dx.doi.org/10.1080/01639625.2016.1206730

Matthews, Roger. 2002. *Armed Robbery.* Devon: Willan Publishing.

Matza, David. 1964. *Delinquency and Drift*. Berkley: John Wiley & Sons, Inc.

McLean, Robert. 2017. An Evolving Gang Model in Contemporary Scotland. *Journal of Deviant Behaviour*. DOI: 10.1080/01639625.2016.1272969

Messerschmidt, James W. 1993. *Masculinities and Crime: Critique and Reconceptualization of Theory*. Lanham, MD: Rowman & Littlefield.

Miller, Johanne. 2015. *In Every Scheme there is a Team: A Grounded Theory of How Young People Grow in and out of Gangs in Glasgow*. Unpublished PhD Thesis. University West of Scotland

Ministry of Justice Research Series 2/11. March 2012. *Prisoners' Childhood and Family Backgrounds. Results from Surveying Prisoner Crime Reduction (SPCR) longitudinal cohort study of prisoners.* London: Ministry of Justice

Mitchell, Meghan M., Fahmy, Chantal., Pyrooz, David C. and Decker, Scott, H. 2016. "Criminal Crews, Codes, and Contexts: Differences and Similarities across the Code of the Street, Convict Code, Street Gangs, and Prison Gangs". *Deviant Behaviour*: 1-26. Available online: http://dx.doi.org/10.1080/01639625.2016.1246028

Nicholas, Roger. 2008. *The Impact of Social Networks and not-for-profit Illicit Drug Dealing on Illicit Drug markets in Australia. Discussion paper. Hobart*: National Drug Law Enforcement Research Fund.

Parker, Norman. 1995. *Parkhurst Tales: Behind the Locked Gates of Britain's Toughest Jails.* London: Blake Publishing.

Pearson, Geoffrey and Dick Hobbs. 2000. *Middle Market Drug Distribution*. Home Office, London.

Phillips, Coretta. 2012. *The Multicultural Prison*. Oxford University Press.

Quraishi, Muzammil. 2005. *Muslims and Crime: A Comparative Study.* Hampshire: Ashgate.

Scott, Greg 2004. "It's a Sucker's Outfit: How Urban Gangs Enable and Impede the Reintegration of Ex-Convicts". *Ethnography* 5 (1): 107-140.

Scottish Government. 2009. *Let our Community Flourish*. Edinburgh: Scottish Government.

Scottish Government. 2012. *Scottish index of multiple deprivation*. Edinburgh: Scottish Government.

Scottish Government. 2015. *Scotland Serious Organised Crime Strategy Report*. Edinburgh: Scottish Government.

Skarbeck, David. 2014. *The Social Order of the Underworld: How Prison Gangs Govern the American Penal System.* Oxford University Press.

Smith, Razor. 2005. *A Few Kind Words and a Loaded Gun: The Autobiography of a Career Criminal.* London: Penguin.

Stelfox, Peter. 1998. "Policing Lower Levels of Organised Crime in England and Wales". *The Howard Journal of Criminal Justice* 37: 393–406.

Taylor, Emmeline. 2016. "On the Edge of Reason? Armed Robbery, Affective Transgression, and Bounded Rationality". *Deviant Behaviour:* 1-13. Available online: http://dx.doi.org/10.1080/01639625.2016.1229929

Treadwell, James and Jon Garland. 2011. "Masculinity, Marginalization and Violence: A Case Study of the English Defence League". *British Journal of Criminology*. 51 (4): 621-634.

Waddington, P, A J. 1996. "Public Order Policing: Citizenship and Moral Ambiguity". PP. 114-130 in *Core Issues in Policing,* edited by F. Leishman, B. Loveday and S.P. Savage. London: Longman.

Woolf, Peter. 2008. *The Damage Done: The True Story of a Brutal Life of Crime in London's Dangerous Underworld.* London: Bantam Press.

Yablonsky, Lewis. 1962. *The Violent Gang.* Gretna: Pelican Books.

Yablonsky, Lewis. 2000. *Juvenile Delinquency into the 21st Century*. Belmont, CA: Wadsworth and Thomson Learning.