

Encyclopedia of Criminological Theory

Braithwaite, John: Reintegrative Shaming Theory

Contributors: Nathan Harris

Editors: Francis T. Cullen & Pamela Wilcox

Book Title: Encyclopedia of Criminological Theory

Chapter Title: "Braithwaite, John: Reintegrative Shaming Theory"

Pub. Date: 2010

Access Date: September 12, 2014

Publishing Company: SAGE Publications, Inc.

City: Thousand Oaks

Print ISBN: 9781412959186

Online ISBN: 9781412959193

DOI: <http://dx.doi.org/10.4135/9781412959193.n31>

Print pages: 111-115

©2010 SAGE Publications, Inc. All Rights Reserved.

This PDF has been generated from SAGE knowledge. Please note that the pagination of the online version will vary from the pagination of the print book.

<http://dx.doi.org/10.4135/9781412959193.n31>

John Braithwaite's *Crime, Shame and Reintegration*, published in 1989, presented a general theory of crime at a time when criminology was criticized for theoretical stagnation. The theory received considerable attention, both among criminologists who have sought to test its hypotheses, and in the growing field of restorative justice. From a theoretical perspective, the theory is interesting because it shows that competing theoretical traditions could be reconciled within a single framework, but its more significant contribution has been to highlight the potential of reintegrative practices and challenge the emphasis placed on punishment in debates on criminal justice. At its center, the theory concerns the distinction between stigmatization and reintegration. But a deeper reading of the theory shows that it is concerned with the way in which individuals, communities, and societies form normative expectations through shaming and how individuals manage the emotions that accompany social disapproval when they violate these norms. This theoretical perspective has continued to develop over the last two decades during which time Braithwaite has offered a revision of the theory, buttressed it with a normative theory of justice, and has supplemented it with a theory that proposes a broader framework for regulation.

Stigmatization versus Reintegration

Reintegrative shaming theory takes as its starting point the proposition that communication of social disapproval will have the opposite effect on offending depending on whether it is stigmatizing or reintegrative. This basic argument builds significantly on pre-existing criminological theory but also proposes a unique model to explain the effect of social control on criminality.

Stigmatization and Labeling Theory

Drawing directly on labeling perspectives, reintegrative shaming theory argues that stigmatization of offenders leads to greater re-offending. Being charged with a crime, found guilty of it in a court, and then sanctioned is a particularly potent way of imposing a deviant identity on an individual because it ceremonially changes the position of the

person within society. Being labeled in this way has important social implications, such as reduced employment opportunities, but it is also understood as having psychological consequences, whereby the person comes to think of himself or herself as defined by this criminal status. Central to this critique of criminal justice is the assertion that once imposed, a deviant identity becomes a self-fulfilling prophecy and is almost irreversible: marginalization reduces the individual's access to legitimate opportunities while increasing perceptions of injustice and the attractiveness of supportive subcultures. Braithwaite argues that labeling theory, along with subcultural theory and opportunity theory, explain why it is that stigmatizing of offenders is counterproductive.

Reintegrative Shaming

Reintegrative shaming theory, however, diverges from the labeling tradition by rejecting the idea that stigmatization is an inevitable product of social disapproval, and its corollary that the application of social control is a fraught exercise. Braithwaite argues that [p. 111 ↓] communication of disapproval can be reintegrative in nature, and furthermore that communication of reintegrative shaming is essential to reducing crime. He observes that there are many occasions and social contexts in which disapproval of behavior occurs while preserving the identity of the offender as essentially good. One of the primary contexts in which this can be observed is in family life and the disciplining of children, where research shows that an authoritative, rather than permissive or authoritarian, approach is most effective. Braithwaite also draws on the example of Japan as a society, which is both high in shaming and high in reintegrative traditions, that has a remarkably low crime rate. In each of these contexts, reintegrative shaming involves disapproval, rather than permissiveness, ongoing respect for the individual, and communication of forgiveness following disapproval.

Toni Makkai and Braithwaite have offered a systematic definition of reintegration and stigmatization by identifying four dimensions that define the difference between these opposite forms of shaming. According to Makkai and Braithwaite, reintegrative shaming involves the following: disapproval while sustaining a relationship of respect, ceremonies to certify deviance terminated by ceremonies to decertify deviance, disapproval of the evil of the deed without labeling the person as evil, and not allowing deviance to become a master status trait. Stigmatization involves disrespectful

disapproval, humiliation; ceremonies to certify deviance not terminated by ceremonies to decertify deviance; labeling the person, not only the deed, as evil; and allowing deviance to become a master status trait.

The distinction that reintegrative shaming theory makes between stigmatization and reintegration suggests three hypotheses about the relationship between shaming and crime. These can be summarized as (1) tolerance (an absence of social disapproval) will increase offending, (2) stigmatizing shaming will increase offending, and (3) reintegrative shaming will decrease offending. Since the statement of the theory, numerous studies have empirically tested these hypotheses, as well as the structure of the concepts proposed by Braithwaite.

Moral Norms, Communitarianism, and Social Control

While an important element of reintegrative shaming theory concerns the failure of stigmatization, the distinctive contribution the theory makes is to explain why it is that reintegrative shaming works to reduce offending. Here the theory places greatest emphasis on the role shaming plays in the development or engagement of conscience. As Braithwaite (1989, p. 9) puts it, reintegrative shaming is “conceived as a tool to allure and inveigle the citizen to attend to the moral claims of the criminal law, to coax and caress compliance, to reason and remonstrate with him over the harmfulness of his conduct.”

Shaming is important because of its educative value in developing or reinforcing beliefs about what is wrong. Although the theory suggests that shaming can have a deterrent effect, as an informal sanction that threatens the loss of respect by valued others, this is considered secondary to its moralizing qualities. Shaming that is reintegrative is seen as having distinct advantages because it allows concerns about behavior to be communicated effectively to offenders in a way that stigmatization does not. Affirmation and inclusion of the individual allows for moralizing and denunciation of the act to occur in a way that invites the offender to acknowledge guilt and express remorse knowing that he or she will not be outcast and that forgiveness, or decertification of their deviant

status, will occur. Stigmatization focuses attention on the individual's status rather than the harm he or she has caused and is more likely to damage the offender's bonds with law-abiding others.

Reintegrative shaming theory places considerable store in the ability of moral persuasion to reform individual offenders. However, this faith in moral persuasion at the individual level stems from a broader social premise, which Braithwaite takes from control theorists, that the reason individuals do not commit crime is because they have commitments to shared moral norms and social institutions. He argues that punishment is irrelevant to most people because committing serious crime is unthinkable to them. Socialization of children in families and schools about moral norms leads to a broad consensus about what acts should be crimes. While subcultures that support alternative cultural values exist, support for the criminal law is much greater. Indeed, Braithwaite states that reintegrative shaming theory is only valid to the degree that there is a consensus that certain acts are, and should be, criminalized.

[p. 112 ↓]

Reintegrative shaming theory is clearly applicable to the explanation of secondary deviance, where reintegrative or stigmatic responses are predicted to have different outcomes on offending. However, the theory's emphasis on the importance of moral norms, and community-wide shaming in developing a consensus regarding these norms, suggests that primary deviance is also more likely in communities where social mechanisms to express disapproval of crime are weak. The theory argues that societies in which there are strong commitments to shared norms and lower crime are those that engage in reintegrative shaming more often. Shaming is not just important because of its effect on the individual who is the subject of disapproval, but also because it reinforces commitments to norms among those who witness it. Mechanisms such as gossip are significant because of their role in socializing children and adults about what Braithwaite calls the "curriculum of crimes."

Commitment to social norms will be strongest in societies that are communitarian and have high levels of interdependency between individuals. Interdependencies include social bonds, attachments, and commitments between individuals, as emphasized in control theories. Communitarianism refers to a culture in which group

loyalties and personal obligations to others in one's community are emphasized. Both interdependency and communitarianism are predicted to increase the likelihood that communities will be reintegrative as well as the significance that shaming has for individuals.

Shaming and Shame

A distinctive characteristic of reintegrative shaming theory is its emphasis on informal mechanisms of social control and particularly the notion of shaming. As seen above, it is the communication of disapproval that is seen as central, because it invokes remorse and desistance by offenders, and builds social consensus that certain behaviors are wrong. This core concept is captured by Braithwaite's (1989, p. 100) definition of shaming as "all societal processes of expressing disapproval which have the intention or effect of invoking remorse in the person being shamed and/or condemnation by others who become aware of the shaming."

The appropriateness of shaming within contemporary criminal justice systems has attracted a significant degree of debate. However, it is important to recognize that Braithwaite's definition of shaming is distinctively broad, and perhaps broader than the use of this term in common language. Shaming is not conceived of as necessarily public, humiliating, or directed at demeaning the person being shamed. Indeed, the definition does not restrict itself to those forms of disapproval that are intended to cause shame, or even remorse, in the target. It is also apparent that this definition does not suggest that shaming is only expressed through a specific set of behaviors, such as placing individuals in stocks or publishing their names in newspapers. These extremely overt forms of shaming only capture a small subset of behaviors that are used to communicate disapproval, and they concentrate our attention on only the most stigmatizing forms. Instead, the theory argues that a broad range of actions are used in societies to communicate disapproval, many of which are indirect and subtle. A discussion between parents and their child about how his or her actions had impacted negatively on others might be considered a form of shaming, even if the parents had no intention of causing their child to feel shame—as would a fine handed down by a court. This definition of shaming invites us to consider the contribution that informal processes make to social control as well as to evaluate the degree to which formal processes of

censure are effective in communicating disapproval, rather than focusing just on their instrumental outcomes.

Braithwaite's use of the term *shaming*, rather than simply disapproval, is significant because it implies that the response to disapproval, and its effectiveness, lies in its emotional nature. What prevents crime in the first place is an “abhorrence” of crime rather than a rational weighing up of its benefits, and shaming in response to a crime invokes shame-related emotions such as shame, embarrassment, humiliation, and guilt. However, Braithwaite's initial statement of the theory does not provide much detail about the nature of the emotions involved.

Integrating Shame Management

In 2001, Braithwaite published a revision of the theory (Ahmed, Harris, Braithwaite, & Braithwaite, 2001). This revision does not alter the theory's [p. 113 ↓] prediction that reintegrative forms of shaming reduce crime while stigmatizing forms of shaming increase crime, and Braithwaite points out that this restatement does not preclude testing of the theory in its original form. However, the restatement of the theory seeks to reexamine the foundational concepts forwarded by the theory and, in particular, the relationship between shaming and shame, which Braithwaite argues was undertheorized in the original statement.

Building on theories of shame, particularly those of Helen Block Lewis and Thomas Scheff, and empirical research, this revision of the theory argues that shaming is important because it affects how offenders manage shame. While it might have been expected that the most important emotional outcome for predicting recidivism was the degree to which individuals feel shame, this research suggests that the key distinction is the degree to which individuals experience acknowledged or unacknowledged shame. In acknowledged shame, individuals recognize that they feel shame, accept disapproval of their actions as correct, and feel greater empathy for victims. This emotion allows for greater reconciliation and reintegration of offenders because it involves commitment to a shared ethical identity in which the individual is able to affirm an unspoiled, “true” self. Unacknowledged shame occurs when individuals do not recognize that they feel shame, reject the accusation that they have done something wrong, or externalize

anger toward others. Un-acknowledged shame blocks opportunities for reconciliation and the repair of a damaged ethical identity.

It is hypothesized that reintegrative shaming, especially by highly respected others, increases acknowledged shame (shame-guilt) because it is more likely to persuade individuals to acknowledge wrongdoing and appeals to a shared ethical identity. In contrast, stigmatizing shaming is hypothesized to increase unacknowledged shame because it communicates rejection of a shared ethical identity and undermines attempts to persuade an individual that a shared ethical norm is at issue.

The revision of the theory forwards a number of hypotheses that are beyond the scope of this discussion. Among these, it predicted that reintegrative shaming and acknowledged shame will be greater in restorative justice interventions, but that stigmatization and unacknowledged shame will be greater in court processes.

Reintegrative Shaming and Restorative Justice

From early on reintegrative shaming theory has been associated with restorative justice. Restorative justice presents an alternative approach to the traditional criminal justice system that is defined by a different philosophy and different practices. It argues that justice is best achieved when an offender repairs the harm caused by an offense, rather than punishing the offender, and advocates practices, such as family group conferences, offender mediation, and healing circles that empower the affected parties to come together to decide how this can be achieved.

Reintegrative practices that are evident within restorative conferences are the inclusion of people who will offer the offender support, a focus on the offense and its consequences rather than on the offender (even denunciation of the offense is often eschewed in favor of less confronting discussions about the harms that were caused), and the aim of finding ways in which to restore harm rather than punish the offender. Consequently, restorative justice represents the strongest implementation of reintegrative shaming to date, and is certainly the implementation that has received

most attention. Reintegrative shaming theory has become an important justification for the use of restorative justice, as far as its potential to reduce recidivism is concerned, and has been widely used in the development of practices.

It is also significant that 1 year after *Crime, Shame and Reintegration*, Braithwaite coauthored, with Phillip Pettit, an alternative theory of justice to the principles that define traditional criminal justice practices: deterrence, just deserts, and retribution. Like restorative justice, this republican theory of justice argues that there is no moral imperative to punish where shaming and restitution are successful.

Criminal Justice as Regulation

While reintegrative shaming theory can be read as a conventional theory of crime, it is important to recognize that the theory has its origins in [p. 114 ↓] Braithwaite's interest in business regulation and is also complemented by his subsequent work on responsive regulation. As Braithwaite points out on page 54 in *Crime, Shame and Reintegration*, the conclusion of an earlier work was,

If we are serious about controlling corporate crime, the first priority should be to create a culture in which corporate crime is not tolerated. The informal processes of shaming unwanted conduct and praising exemplary behavior need to be emphasized. (Fisse & Braithwaite, 1983, p. 246)

The continuity between criminology and other forms of social regulation is an important theme in Braithwaite's work, and he has argued that criminology as a discipline may one day be subsumed into the broader study of regulation (Braithwaite, 2000). Indeed, one feature of Braithwaite's theory of responsive regulation is to place restorative justice and reintegrative shaming theory within a broader regulatory framework. The theory of responsive regulation, very simply put, argues that regulation will be most effective when restorative approaches, strong in reintegrative shaming, are given first priority in attempts to change behavior, but backed up by mechanisms based on deterrence and incapacitation (but not stigmatization). An implication of this broader theoretical perspective is that regulatory ideas have relevance to criminology, but also

that restorative justice and reintegrative shaming are relevant across a broad range of contexts such as crime, child protection, business regulation, and peace building.

NathanHarris

<http://dx.doi.org/10.4135/9781412959193.n31>

See also

- [Durkheim, Émile: Anomie and Suicide](#)
- [Gottfredson, Michael R., and Travis Hirschi: Self-Control Theory](#)
- [Lemert, Edwin M.: Primary and Secondary Deviance](#)
- [Maruna, Shadd: Redemption Scripts and Desistance](#)
- [Reiss, Albert J., Jr.: Personal and Social Controls and Delinquency](#)
- [Tannenbaum, Frank: The Dramatization of Evil](#)
- [Tyler, Tom R.: Sanctions and Procedural Justice Theory](#)

References and Further Readings

Ahmed, E., Harris, N., Braithwaite, J., & Braithwaite, V. (2001). *Shame management through reintegration*. Melbourne, Australia: Cambridge University Press.

Ayres, I., & Braithwaite, J. (1992). *Responsive regulation: Transcending the deregulation debate*. Oxford, UK: Oxford University Press.

Braithwaite, J. (1989). *Crime, shame and reintegration*. Cambridge, UK: Cambridge University Press. <http://dx.doi.org/10.1017/CBO9780511804618>

Braithwaite, J. The new regulatory state and the transformation of criminology. *British Journal of Criminology* 40 222–238. (2000). <http://dx.doi.org/10.1093/bjc/40.2.222>

Braithwaite, J. (2002). *Restorative justice and responsive regulation*. New York: Oxford University Press.

Braithwaite, J., and Mugford, S. Conditions of successful reintegration ceremonies: Dealing with juvenile offenders. *British Journal of Criminology* 34 139–171. (1994).

Braithwaite, J., & Pettit, P. (1990). *Not just deserts: A republican theory of criminal justice*. Oxford, UK: Oxford University Press.

Fisse, B., & Braithwaite, J. (1983). *The impact of publicity on corporate offenders*. Albany: SUNY Press.

Harris, N., & Maruna, S. (2006). Shame, shaming and restorative justice: A critical appraisal. In D. Sullivan, ed., & L. Tiffit (Eds.), *Handbook of restorative justice: A global perspective* (pp. 452–460). London: Routledge, Taylor & Francis.

Harris, N., Walgrave, L., and Braithwaite, J. Emotional dynamics in restorative conferences. *Theoretical Criminology* 8 191–210. (2004). <http://dx.doi.org/10.1177/1362480604042243>

Lewis, H. B. (1971). *Shame and guilt in neurosis*. New York: International Universities Press.

Makkai, T., and Braithwaite, J. Reintegrative shaming and compliance with regulatory standards. *Criminology* 32 361–385. (1994). <http://dx.doi.org/10.1111/j.1745-9125.1994.tb01158.x>

Scheff, T. J., & Retzinger, S. M. (1991). *Emotions and violence: Shame and rage in destructive conflicts*. Lexington, MA: Lexington Books.

Van Ness, D., & Strong, K. (1997). *Restoring justice*. Cincinnati, OH: Anderson.