# A QUALITATIVE APPROACH OF SOCIO-SPATIAL CHARACTERISTICS IN THE COMMISSION OF VIOLENT CRIMES AGAINST PERSONS<sup>1</sup>

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#### **Abstract**

The paper aims to explore the interplay between social, spatial, and cultural characteristics in the commission of violent crimes against persons, through a qualitative approach. The research examines court cases from the Athens Mixed Court of Appeal, that focus on three types of criminal offences including homicides, robberies, and rapes, committed in the Greek capital. Thematic analysis indicated two central themes in the examination of spatial- temporal characteristics: (i) absence of surveillance in the public and private sphere and (ii) presence of social control and the role of the bystanders, as well as two central themes from the examination of cultural characteristics: (i) attitudes of the subgroups in which the offender belongs, towards violence and (ii) attitudes of the social surroundings of the offender, regarding the violent event. According to the themes that emerged from the analysis, the informal social control, both by its presence and absence, seems to have a differentiating role in the commission of violent crime, depending on the spatial and cultural characteristics of place.

**Key words:** socio-spatial characteristics, cultural characteristics, integration, violent crimes, qualitative approach, thematic analysis, Greek capital

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### I. Introduction

The phenomenology of violent crime in Greece has changed significantly in the last decades (Zarafonitou, 2016, p. 40). The data from statistics published by the Greek Police, indicate a decline in lethal violence and a parallel increase in community and family violence (Anitsi, 2021, p.170). Moreover, this shift to daily targets is accompanied by a qualitative differentiation in violent crimes, which is characterized by an excessive use of violence (Zarafonitou, 2016; 2019). In addition to devastating consequences for the victims, the differentiation of violence, which has received a great attention from the media, seems to preoccupy the Greek public opinion which expresses worries about the levels of violent criminality and the overall efficiency of the criminal justice system in tackling the problem (Zarafonitou, et. al., 2022, p.22).

The shift of violent crime to daily targets, as is evidenced by the parallel increase in family and community violence, requires an integrative approach, which is the basic characteristic of the science of criminology (Farsedakis, 2005; Zarafonitou 2004; Kranidioti, 2007). The current research examines aspects of both family and community violence, with a focus on the socio-spatial characteristics of the crimes under study. Since the research aims at highlighting unexplored aspects of the phenomenon, it applies a qualitative methodology (Kyriazi, 2011).

#### Violence and violent crimes against persons

The definition of violence is a challenging task, as definitions vary according to the spatial-temporal and legal framework (Zarafonitou 2016, p.282). Differentiations in definitions are very apparent in various scientific fields. In the context of socio cognitive approaches, violence can be understood as an extreme form of aggression. Even though, a plethora of definitions about aggression is also evident in the literature, reflecting the complexity of the phenomenon (Parrott & Giancola, 2007, p.282), most definitions agree on two basic elements that discriminate the behavior, which concern the intention of the attacker to perform the behavior and the intention of the victim to avoid it. Therefore, aggression is defined as "any behavior that is intended to harm another person who is motivated to avoid that harm" (Allen & Anderson, 2017, p.1). In this regard, violence is not considered as a distinct form, but as a subgroup of aggression, which has extreme harm as its goal (Anderson & Bushman, 2002, p.29). From a broader perspective, the World Health Organization (2002, p. 4) defines

violence as "the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation. According to WHO, violence can be divided into three categories, based on who commits the violent act, including: self-directed violence, interpersonal violence, collective violence (ibid). Interpersonal violence, which is the focus of the present paper, is further divided in family and community violence.

To define violent crimes, the distinction between "legitimate" and "illegal" violence is essential. Legitimate violence refers to extreme cases in which the exercise of violence is considered absolutely necessary and is delimited by the law of each country (Zarafonitou, 2016; Courakis, 2005). These cases include the exercise of police force, according to boundaries set by the law or self-defense. On the other hand, illegal or criminal violence refers to the category of violent crimes. As Felson (2009) points out, violent crimes combine both rule-breaking and intentional harm-doing. The Greek Penal Law does not include a special category for violent crimes, nevertheless many cases include the element of violence (Zarafonitou, 2016, p.36). According to Courakis (2005, pp. 2-5), in the context of the Greek Penal Law, the category of violent crimes consists of: (a) crimes that are committed with the use of violence, with indicative examples the cases of robbery and rape, (b) violent crimes that are punished on the basis of the result that is caused, regardless of the means implemented to cause the harm, like in the case of intentional homicide, and, (c) assault.

A broader categorization of violent crimes provided by Zarafonitou (2016, pp. 36-37), includes: (a) violent crimes against persons (homicide, physical injuries, rapes and other forms of sexual violence, domestic violence, and robbery), (b) violent crimes against things (like arsons and vandalisms), (c) violent crimes of a political character, and (d) violent crimes due to excess of state violence. The two first categories are distinguished upon the target of the violence, which can include "persons" or "things". In the first case, which is the focus of the present paper, violence can be physical or psychological, including the exercise of force or threats, to attain a goal (Courakis, 2005, pp. 2-5).

### II. Theoretical framework

The theoretical approaches which are analyzed below are part of socio-spatial criminology, which is a field that integrates sociological and spatial theoretical frameworks (Bottoms, 2007, p. 529). Socio-spatial criminology includes three areas of study, namely the examination of criminal events, social structures and the dynamics of the neighborhood, and lastly cultural factors (Bottoms, 2012, p. 450).

In the context of the study of the criminal event, the offender evaluates the spatial factors under a utilitarian approach (Hirshi, 2014), according to their suitability for the commission of the crime. In this light, as is suggested by the Rational Choice Perspective, the perpetrator considers the characteristics of space and time, through a process of cost-benefit analysis, as factors that facilitate or obstruct crime. From a situational perspective, the spatial-temporal context can have a dual effect on offender decision making, not only by facilitating, but also by triggering the crime (Wortley, 2001;2008). In the second case, in contrast to the rational choice approach, the spatial factors act as precipitators of crime by inducing criminal behavior (Wortley 2011). According to Crime Pattern Theory the choice of the crime location is related to the "awareness space" of the offender (Brantingham & Brantingham, 2008; 2017). As in the case of everyone else, for offenders too, the awareness space is structured through the offenders' trips to their routine daytime activities and is expanded by the awareness space of their social networks. In this view, the potential victims have activity spaces that intersect with the activity spaces of the offenders. Regarding spatial criminal opportunities, two categories of places are described, namely "crime generators" and "crime attractors" (Brantingham & Brantingham, 1995). Crime generators are characterized by high concentration of people, for reasons that are not related to criminal activities, but can generate opportunities for crimes. Crime attractors are places that certain criminal activities take place and therefore attract offenders. Routine Activity Theory emphasizes that the absence of guardianship in a place increases the likelihood of a crime (Felson, 2008). Guardians can be both formal and informal social control, including police, individuals protecting their belongings or household, hired security, the place manager etc. (Eck & Madensen, 2017; Scott et.al., 2008; Eck, 2003).

The central role of informal social control in the surveillance of space is highlighted by sociospatial theories. In this context the role of public ties and relationship of the

community with the police, as well as the collective responses to public issues concerning crime is stressed (Sampson, 2002). The relationship between urban space and criminality, has also been examined through the approaches of "disorder" (Skogan, 2012) and "incivilities" (Taylor, 2018). In this light and according to the broken windows theory, signs of incivilities in space attract potential offenders, as they symbolize the unwillingness of the people to react or call the police (Wilson & Kelling, 1982). However, according to recent findings, the spatial elements that the offenders consider while evaluating the suitability of an area, do not relate to the appearance of the place, but to the location and the types of activities that take place (St. Jean, 2007).

From a cultural perspective, crime is approached as an adaptation of a competing system of values that is linked to the life in the community. In the context of the Ecological School of Chicago, crime develops as a form of social tradition, in disadvantaged areas, which are characterised by social disorganization (Shaw & McKay 1969/2010, p.115). Sutherland argued that crime is related to the exposure of people to cultural influences that are favourable to the violation of law, as a consequence of the differential social organization of neighbourhoods (Tierney, 2010, p.100). Building on Sutherland's theory, Cloward & Ohlin emphasised on the differential opportunities provided to young delinquents, from deprived areas to adapt to criminal values (Spinelli, 2014, p.254). Moreover, they identified violent subcultures, that emerged in socially disorganised neighbourhoods. Based on Wolfgang and Ferracuti, subcultures of violence represent a way of life that in some respects differ from the parent culture, while in others it endorses it (Zarafonitou, 2004, p.118). In this framework violence and aggression are considered as appropriate responses to provocations, since they are in accordance with the standards of the group. According to a "culture in action" perspective, culture is not a mechanism that reproduces behaviours which confirm a value orientation, but it is considered as a toolkit that provides the tools to individuals, to choose behaviours which are situationally appropriate (Wilcox & Swartz, 2018). In this frame, the daily interactions in the community form the norms which define the appropriate behaviours for each case (Sampson & Wilson, 1995). In this respect, violence constitutes an alternative behavior of problem solving in one's cultural repertoire, which is exercised according to the specific situations (Kubrin & Weitzer, 2003).

# III. The current study

### Identity and Purpose of the research

This paper aims to explore the interplay between social, spatial, and cultural characteristics in the commission of violent crimes against persons. Through a qualitative approach, the research analyses court cases concerning three types of criminal offences: intentional homicides, robberies, and rapes. The research questions focus on the examination of the socio-spatial characteristics of the violent event and the attitudes of the social environment of the offender. The research is part of the doctoral dissertation "The synthesis of the individual (psychological) and environmental perspective in the case of violent crimes" which is conducted under the supervision of Professor Christina Zarafonitou in Panteion University.

# Methodology

# Qualitative approach

The conceptual definition of qualitative methodology is a complex issue and the attempts to define the field usually implement a variety of strategies (Merriam, 2009). A common strategy refers to the definition of qualitative research based on the elements that differentiate it from quantitative research (Pourkos, 2010). From this perspective, in contrast to quantitative approaches which apply a hypothetical-deductive approach, qualitative inquiry is characterized by flexibility and is based on inductive analysis (Tsiolis, 2013; Tsiolis, 2015; Kyriazi, 2011; Patton, 2002).

According to Yin (2011, pp.19-10), the credibility and trustworthiness of a qualitative research is achieved through: (i) transparency, which refers to the thorough description of the procedures followed, (ii) methodic-ness, that includes keeping balance between being flexible and following a set of procedures, and (iii) adherence to the evidence. As far as the issue of generalizability of the findings is concerned, in the case of qualitative research, it is substituted by the notion of "transferability" (Merriam, 2009, p.223; Patton, 2002, p.584; Isari and Pourkos, 2015, p. 126).

#### Research material

According to Patton (2002, p. 242), a fundamental criterion in the process of the sampling strategy is the inclusion of "information-rich cases from which one can learn

a great deal about matters of importance and therefore worthy of in-depth study." As far as the size of the material included in the research is concerned, there are no specific rules (Yin, 2011, p.89). The current study used textual material and more specific "Court proceedings and decisions", drawn from the Athens Mixed Jury Court of Appeal.

The Athens Mixed Jury Court of Appeal is a higher penal court that hears appeals against the decisions of the first instance courts (Section 109, Code of Penal Procedure, Law 4620/2019). It decides on serious crimes (e.g., homicide, rape, grievous bodily harm, etc.) and consists of three professional judges, four public members of the jury (who are not judges) and one professional prosecutor (Fair trials, 2011).

The research material was considered appropriate and information rich, based on its content, as it consists of the detailed proceedings of the trial and the court decision. In specific, it includes: (i) the testimony of the victim, who in the Greek Criminal Justise System is considered a witness, (ii) the plea of the defendant, (iii) other witnesses' testimonies, including defense witnesses, like the family and/or friends of the defendant, prosecution witnesses, (iv) testimonials of forensic experts (coroners, psychiatrist, etc), (v) eyewitnesses of the event, (vi) the police, (vii) hospital personnel which treated the involved parties etc. The material also includes the decision on guilt of the accused, which is a reconstruction of the criminal event, as it entails both the subjective experiences drawn from the testimonials and the objective elements of the case.

#### Collection of the material

For the collection of the material a search was conducted in an online legal base, aiming to identify the cases which were included in the research. For each case, the Court of Appeal, the criminal offences and a short summary were available. The research included cases from 2010 onwards, tried in the Athens Mixed Jury Court of Appeal. The cases were selected based on the conviction of the defendant and the type of the criminal offence, including homicides (attempted and accused), robberies and rapes (attempted and accused). In addition, a combined sampling strategy was applied. From this perspective the research material included extreme and "maximum variation" cases (Patton, 2002, p.243). In total, thirty cases were selected, from 126 cases, based on the

above criteria.<sup>3</sup> The research material was collected from the Athens Court of Appeal, after approval of the researcher's request for the conduction of the research. The material was provided anonymized by the Archives Department.

### Thematic analysis

The analysis of the textual material was conducted through the process of thematic analysis, "a method for identifying, analysing and reporting patterns (themes) within data" (Braun & Clarke, 2006, p.79). There are few published guides on how to carry out TA. Moreover, the published studies that apply the method, do not usually report clear specifications (Joffe, 2012, p.219). Among the different versions of TA used to date, the version of Braun & Clarke (2006), which is applied in the present research, is among the most widely used (Clarke & Braun, 2017, p.297). In this view, the analysis of the court cases was carried out in six stages (Braun & Clarke, 2006; Braun & Clarke, 2012; Tsiolis, 2018), which included familiarization with the material, categorization of the cases based on the criminal offences included in each case and production of the initial codes through a cross-sectional approach, with the use of text passages. Some parts of the material were not used in the analysis, as they were considered irrelevant to the object of the study. In some cases, the same text passages were used for the production of more than one code. In the next stages, the initial codes were used to structure themes, which were revised in the process.

# IV. Findings

# Socio -Spatial and temporal characteristics of the violent crime

The exploration of the spatial and temporal characteristics revealed two main themes; the themes are centered around the absence of surveillance, in the context of the public and private sphere, and the presence of informal social control, including the differentiating responses of the bystanders towards the violent event.

# Absence of surveillance

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<sup>&</sup>lt;sup>3</sup> The pre-selection of all the research material from the entry stage of the research was considered necessary, due to issues regarding the formal permission for access to the material.

### *a)* Public sphere

The first theme is constructed by common patterns of meaning that indicate the absence of surveillance in public and private space. The text passages portray a "remote" or "desert area", while in some cases the absence of surveillance is related to temporal characteristics including late night hours. In three cases of homicide the offender and the victim went to the place for reasons of entertainment, whereas in three other cases of rape and homicide, the offender drove or led the victims in the remote area, in order to trap the victim and conceal the act. In two cases the violent crime was committed in abandoned buildings, that the offender or both offender and victim used as a living space.

"This is a two-story abandoned building, enclosed by a low-height stone fence, with unsecured courtyard door. The windows and doors are covered with boards, except for a low window to the right of the door, used as an entrance."

According to the analysis of some cases, the violent crime was committed in off-peak hours. In three cases of robbery and rape, crimes were committed after midnight in an apartment building entrance, or a park in the centre of the city, while in three other cases, including robberies and homicides, the crime took place in a central street in midnight hours, or in a store, before closing time. Another case portrays the commission of crime in a central artery, while also indicating the low visibility, due to the dark and the weather conditions.

"...given the unfavorable light and weather conditions ...it was expected with certainty that the victim would get hit by one or more passing vehicles."

# b) Private sphere

In nine cases, the violent crimes are committed in the context of the private sphere, which includes the residence of the offender, the victim, or both. The residence is a "closed" space which is characterised by lack of or limited surveillance from other cohabitants. The possibilities of escape and access to help for the victim are constricted. The victim appears to cohabit with the perpetrator in four cases that include rapes of minors and intimate partner homicide. Five cases indicate the victimisation of the

victim in its residence. One of them includes the rape of a minor, in which the offender was close to the family of the victim and had easy access to the victim's residence. The other four cases include robberies committed along with rapes or homicides. The crime is usually committed when the victim is alone, or when the other cohabitants are sleeping.

### Presence of social control

The second theme is constructed by cases in which the crime was committed in the presence of witnesses, that included bystanders, neighbors, residents etc. The role of the bystanders seems to be twofold, since in most cases they are portrayed as indifferent to the violent event, while in others they react strongly.

### a) Indifference of bystanders

Four cases indicate the commission of the violent crime in places that are linked to drug use, drug trafficking and street fights.

"I was in Omonia Square looking for a friend to give me drugs."

Despite the presence of informal social control, like in the case of "a bus stop with many people on the opposite sidewalk", the bystanders seem indifferent or reluctant to intervene to the violent event. At the same time the presence of witnesses does not have any deterrent effect on the commission of crime.

Additionally, one case indicates the commission of the crime in spaces that in certain days and times are related to violent confrontations and riots, as is the spaces outside of a stadium, after a football match.

"Two teams were playing, and the fans of the teams were fighting with each other ... they were throwing marbles and stones, Molotov cocktails."

### b) Reactions of bystanders

Moreover, the analysis of two cases, including completed homicides, indicates the commission of violent crimes outside of a church or in a neighbourhood in the presence of residents or other bystanders. In this context, the text passages portray the indifference of the perpetrators to their pleas to stop.

"I heard the victim screaming 'help'. The defendant was not talking at all. From their balconies people were shouting "what are you doing, what are you doing?"

"At that time, he had approached the garbage disposal dumpster...I saw my husband down and the defendant on top of him. I was begging him to let go."

### Cultural characteristics

This part of the analysis examines the social environment of the offender, through the trial testimonies. In some cases, the analysis reveals that the offender is a member of subgroups with different lifestyles, including the group of immigrants with unauthorised residence in the country, the homeless, the drug users in drug hangouts, the hangouts in Omonia and Vathis square, the camp and the football fanatics. In this context, the text passages that structure the first theme are centered around the beliefs and opinions of the subgroups about violence. In other cases, the offender is portrayed as well adjusted, living a "normal" life. In this respect, the second theme that emerges reflects the attitudes of the social surroundings of the offender regarding the victim, the offender, and the criminal act.

### (i) Attitudes of the subgroups in which the offender belongs

The testimonies from six cases demonstrate a kind of habituation to forms of violence, which include "fights involving many people" in the street and "conflicts", or to the existence of guns. In some cases, the involvement of the offender to violent incidents is known to the group.

"the defendant was staying in that camp...There are weapons in the camps."

"...he was seen in a hotel..going to dinner alone, with bloody clothes and shoes...In response to questions he answered that he argued with ..and then washed himself"

"it's a mob... you don't understand what's going on, we went there, and they stabbed somebody...100 people in ..."

In four cases which include reports of drug abuse by the offender, violence is portrayed as an expected reaction for the satisfaction of a pressing need "to find money and buy

drugs" or due to the "withdrawal syndrome", which is also evident in descriptions that highlight the offenders' display of complete indifference about getting caught or about the consequences of his/her actions.

"The defendant was within 5-10 metres of the scene of the attack. I think they are not interested in being arrested."

"...all he wanted was a little money to secure his payment...he wanted to scare her, coupled with the withdrawal syndrome."

According to testimonials from six cases, violence emerges as a means to resolve conflicts within the group. In this context, which is linked to homelessness, unauthorised residence in the country and the hangouts in the centre of Athens, the possession of a weapon is portrayed as a means of self-defence or as a necessary means of survival. Disputes that arise are resolved within the group, while in some cases bystanders act as mediators to end violent incidents.

"...a coffee shop where they were hanging out ..they saw a lot of people and that there was a fight going on..it started with a quarrel. They argued and then got into a fight. During the scuffle they broke bottles"

"Everyone has such daggers. In Vathi Square they usually stab in the chest. No one can guarantee you'll get out of them alive."

"...they argued over a bench, there was a quarrel, a fight and then he was found stabbed... the defendant had a homemade bat, made with stones."

In another case of homicide of a client in the context of commercial homosexual sex, violence is portrayed as a reaction to the violation of informal rules, that regulate those modes of interaction.

### ii) Attitudes of the social surroundings of the offender

The majority of the cases included to the category of rapes, indicate the derogatory attitudes of the social surroundings of the perpetrator towards the victim. The victim is portrayed as "naïve" or "reactionary", or the character of the victim is contrasted to the character of the offender. Victims may or may not be involved in the social circle of the offender. Moreover, some testimonies reflect the underestimation of the violent crime.

"...I don't believe that this was done by force, I didn't say it was done with the consent of the children."

"... all I can say is the defendant is a decent man, the victim was an alcoholic."

"She went down a bad path...she lied a lot, she wanted to show that she was somebody, she was reactive, maybe that was also the reaction of adolescence..."

"Usually, all Greeks like women... He said he gave this drug to relax them, but he wouldn't rape them."

Some text passages included in cases of homicides, suggest the tolerance of the social surroundings of the offender towards violent or unlawful behaviour. According to the testimonies:

"...that the defendant becomes aggressive when he drinks."

"There had been incidents between father and son in the past because he was asking his father for money to buy drugs."

"The defendant asked his cousin to lend him the. car to go to his house..Later, however, fearing involvement in the defendant's escape, his cousin declared the car stolen.."

### V. Conclusions

According to the themes that emerged from the analysis of the court cases, space influences the commission of violent crime, through social and cultural elements, which include the absence of surveillance and the attitudes of the informal social control towards violence and the violent event.

The absence of surveillance, specifically, of informal social control, is related to the lack of activities due to temporal and spatial characteristics. Regarding the incidents that occurred in the public sphere, during the time of the commission space gathers some characteristics, which facilitate the commission, as they assist in concealing the violent act and framing the victim. As indicated by the text passages, the violent crime is committed in a "remote" place, a "park" or a deserted building, the entrance of an apartment building, a shop, a central artery road in off-peak and night-time hours.

In respect to the commission of the violent crime in the private sphere, which can be the residence of the offender, the victim's too, or of both, the informal social control is absent on a real, but also on a symbolic level. As is indicated by the attitudes of the social surroundings of the offender, in some cases the social circle seems to be tolerant of the offender's violent or unlawful behaviour, or underestimates the violent act, while expressing derogatory attitudes towards the victim.

The place can reinforce the commission of the crime, due to the specific activities that take place in space. For example, the "drug hangouts", or due to the connection of space with violent confrontations and riots, as in the case of the space outside a stadium, after a football match. In these cases, the presence of informal and in some cases formal social control, does not have a deterrent effect in the commission of the crime. As portrayed by the attitudes of the subgroups to which the offender belongs, violence is considered as a means to resolve conflicts within the group or as an expected reaction for the satisfaction of pressing need. Furthermore, weapons are regarded as means of self-defence or as a necessary means of survival. The testimonies also reflect a kind of habituation to certain forms of violence, like "fights involving many people" in the street. In this context, the bystanders are presented as inactive or as members of the crowd that participates in the violent event. Although in a few instances bystanders act as mediators to end the violent incidents. In some cases, the violent crime is committed in spaces where the bystanders, present in the incident, exhibit strong reactions against the violent victimisation of the victim, but the perpetrator is portrayed as indifferent to their pleas to stop.

In conclusion, the informal social control, both by its presence and absence, seem to have a differentiating role in the commission of violent crime, depending on the spatial and cultural characteristics of space. The absence of informal social control may refer to the physical absence or it can be symbolic. Symbolic absence is expressed by tolerance, as in the case of the commission of violent crime in the private sphere or with lack of reaction during the commission of the violent incident, in the public sphere. The presence of social control, depending on spatial characteristics, can be reinforcing, like in the case of riots after a football match or where the space is related to illegitimate activities and fights in the street. But it can also serve to the reduction of tension, due to cultural characteristics, as is the case of bystanders who act as mediators to end the conflict. Finally, in a few cases, the presence of informal social control and its' strong

negative reactions towards the violent incident, seems to have no effect in the commission of the action and spatial characteristics only facilitate the perpetrator in locating the victim.

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