

Table 6—Opportunity Theory and Crimes of Self-Help

Black (1983, 1984) argues that in traditional societies, where a formal legal code is absent, crime is used as a form of self-help:

- **When crime is used as a form of self-help or social control, it is done to pursue justice, express disapproval, punish offenders and express the grievances of individuals or groups**
- **Crimes such as assaults, homicides, property destruction and theft were frequently pursued as acts of self-help in traditional America where the law was absent**
- **Because the law did not exist, the individual decided what was deviant and did not see the use of violence or other crimes to resolve disputes as wrong**
- **Rather, he saw himself as the victim or the wronged party and he saw his own use of violence as legitimate, moral and as the pursuit of justice**
- **Black is taking a *relativistic* view of violence by suggesting that traditional Americans who used violence in these ways did not see it as wrong**
- **By contrast, the Offender Centered theorists take an *absolute* view of violence and assume that most Americans would agree that violence is always wrong**
- **With the rise of the modern state and the spread of the rule of law, the state increasingly defines when violence is legitimate and when it is a crime.**
- **And, while those using self-help today may still see themselves as the aggrieved party and resent the intrusion of the state, the modern state does have the power to define their acts of self-help as illegitimate and immoral and punish them as crimes.**
- **Even in modern America, there are still some *Stateless Spaces* where the law is weak, absent or unavailable and that is where crimes of self-help occur**

