

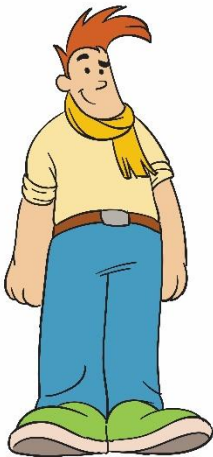
Crime Prevention Necessitates Investment in Human Capital (A Law Student Perspective)

In the 1950s and 60s, Gary Becker, an economist, proposed a way of thinking about criminal behavior that was fundamentally different from how criminals were understood at the time. He took an economic approach to crime which led to the conclusion that crime is committed in a rational way where the perpetrators analyze the costs and benefits of their actions, weigh them against alternative conduct, and make a decision from there. By doing so he proposed the existence of rational criminals, whereas the school of thought on criminal behavior generally regarded it as inherently irrational (Becker, 2010).

Central to Becker's perspective is the idea that the difference between non-criminals and criminals is that, for the latter, crime pays (Becker, 2010 p. 2). This begs the question: why would crime pay for some and not others? In Becker's view, the answer lies in the opportunities afforded to some and not others in terms of education and employment. In other words, the answer lies in the economic construct of *Human Capital*.

Human Capital is an umbrella term for all the attributes in humans that manifest in order to produce economic value.

It refers in particular to the "knowledge, information, ideas, skills and health of individuals" (Becker, 2010 p. 3). Becker contends that investments in Human Capital, such as in job training programs or educational programs, can reduce crime by causing crime to no longer be the best outcome in one's cost-benefit analysis. Evidence for the usefulness of studying crime in light of the effects of Human Capital investments was revealed by one study which showed that in 1993, more than two thirds of incarcerated men did not graduate from high-school (Lochner, 2004 p 2). Going beyond the notion that investments in Human Capital might deter instances of petty crimes by virtue of creating a greater benefit outside the realms of criminal conduct, other authors have produced findings that give rise to something that approximates a circle effect. Specifically, one long term study found that, due to the inherent disruptive and disturbing aspects of being detained, detainment of juveniles resulted in a substantially lower likelihood of completing high school (Aizer & Doyle, 2015).



Although one of the main objectives of the *Criminal Code* involves encoding what constitutes various crimes and the procedures involved, another objective inherent in

the *Criminal Code* is crime prevention. One way the *Code* might prevent crimes is by encoding punitive sanctions severe enough to deter one from committing a crime. However, as Becker's theory points out, an individual's economic situation might be one where a greater opportunity for gain is afforded by criminal activity than non-criminal activity. It is conceivable that, in these situations, any deterring factors that the *Criminal Code* has given rise to becomes effectively obsolete. In this way, Becker's theory would support the contention that preventative objectives inherent in the *Criminal Code* are insufficient. On the other hand, increased investment in Human Capital might collaterally result in effective crime prevention.

For example, investing in Human Capital can be in the form of making more funding available for vocational training programs. More training leads to higher skills and better paying, more secure jobs. When someone has a decent paying job, he or she may find it more lucrative, after having done a cost-benefit analysis, to work than to do some criminal act. If both the criminal act and getting to work can be done, the "rational criminal" may still find it less appealing to commit a criminal act taking into account the possibility that he or she will have to miss a lot of work upon getting caught. In such an instance, perhaps the thought of missing out on decent wages would act as a deterrent to crime because of the way it changes the rational criminal's cost-benefit analysis.

Another, perhaps more obvious and basic, way to invest in Human Capital would be to increase wages. According to Access Alliance's campaign to raise minimum wage, earning the minimum wage puts a family in a precarious position on the edge of poverty. Making such a small amount of money can deteriorate health by making it difficult to afford nutritious food and dental and eye care (See:<http://accessalliance.ca/campaign-to-raise-the-minimum-wage/>). Minimum wage jobs sometimes force people into working more than one job just to make ends meet. Health and wellbeing seriously deteriorate once people have no time to take care of themselves; lives lived in which people earn less money than they need. Taking into account Baker's notion of the rational criminal, it is easy to conceive that, all else being equal, in these situations the cost-benefit analysis is really a no-brainer. A low wage or a wage that is just less than what someone realistically needs to live off supports, in the rational calculus, the beneficial aspect of some criminal behavior.

In summation, Baker proposes that criminal behavior is rational and that those who commit financially advancing crimes are rational and do cost-benefit analyses to assess whether or not committing the criminal act is worth it. The *Criminal Code* sets out the provisions of what makes a crime and the scope of the punishment associated with it. Inherent in these provisions is the collateral purpose of crime prevention, however, Baker's theory raises the possibility that preventative, risk averse foundations of the *Code* are insufficient incentives when one's economic situation means that the crime is almost always beneficial. Thus, one crime prevention method that might be greater in efficacy than the prevention of crime inherent in the *Criminal Code* may be investments in Human Capital. Unfortunately, such investments make for unpopular policy and rarely seem to capture the imagination of our political leaders.