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A Sociological Theory of Criminal Behavior

The preceding discussion has suggested that a scientific explanation consists of a description of the conditions which are always present when a phenomenon occurs and which are never present when the phenomenon does not occur. Although a multitude of conditions may be associated in greater or lesser degree with the phenomenon in question, this information is relatively useless for understanding or for control if the data are left as a hodgepodge of unorganized factors. Scientists strive to organize their knowledge in interrelated general propositions, to which no exceptions can be found.

THE PROBLEM FOR CRIMINOLOGICAL THEORY

If criminology is to be scientific, the heterogeneous collection of multiple factors known to be associated with crime and criminality must be organized and integrated by means of explanatory theory which has the same characteristics as the scientific theory in other fields of study. That is, the conditions which are said to cause crime should be present when crime is present, and they should be absent when crime is absent. Such a theory or body of theory would stimulate, simplify, and give direction to criminological research, and it would provide a framework for understanding the significance of much of the knowledge acquired about crime and criminality in the past. Furthermore, it would be useful in minimizing crime rates, provided it could be "applied" in much the same way that the engineer "applies" the scientific theories of the physicist.

There are two complementary procedures which may be used to put order into criminological knowledge. The first is logical abstraction. Blacks, males, urban dwellers, and young adults all have comparatively high crime rates. What do they have in common that results in these high crime rates? Research studies have shown that criminal behavior is associated, in greater or lesser degree, with such social and personal pathologies as poverty, bad housing, slum-residence, lack of

recreational facilities, inadequate and demoralized families, mental retardation, emotional instability, and other traits and conditions. What do these conditions have in common which apparently produces excessive criminality? Research studies have also demonstrated that many persons with those pathological traits and conditions do not commit crimes and that persons in the upper socio-economic class frequently violate the law, although they are not in poverty, do not lack recreational facilities, and are not mentally retarded or emotionally unstable. Obviously, it is not the conditions or traits themselves which cause crime, for the conditions are sometimes present when criminality does not occur, and they also are sometimes absent when criminality does occur. A generalization about crime and criminal behavior can be reached by logically abstracting the conditions and processes which are common to the rich and the poor, the males and the females, the blacks and the whites, the urban- and the rural-dwellers, the young adults and the old adults, and the emotionally stable and the emotionally unstable who commit crimes.

In developing such generalizations, criminal behavior must be precisely defined and carefully distinguished from noncriminal behavior. Criminal behavior is human behavior, and has much in common with noncriminal behavior. An explanation of criminal behavior should be consistent with a general theory of other human behavior, but the conditions and processes said to produce crime and criminality should be specific. Many things which are necessary for behavior are not important to criminality. Respiration, for instance, is necessary for any behavior, but the respiratory process cannot be used in an explanation of criminal behavior, for it does not differentiate criminal behavior from noncriminal behavior.

The second procedure for putting order into criminological knowledge is differentiation of levels of analysis. The explanation or generalization must be limited, largely in terms of chronology, and in this way held at a particular level. For example, when Renaissance physicists stated the law of falling bodies, they were not concerned with the reasons why a body began to fall except as this might affect the initial momentum. Galileo did not study the "traits" of falling objects themselves, as Aristotle might have done. Instead, he noted the relationship of the body to its environment while it was falling freely or rolling down an inclined plane, and it made no difference to his generalization whether a body began to fall because it was dropped from the hand of an experimenter or because it rolled off the ledge of a bridge due to vibration caused by a passing vehicle. Also, a round object would roll off the bridge more readily than a square object, but this fact was not significant for the law of falling bodies. Such facts were considered as existing on a different level of explanation and were irrelevant to the problem of explaining the behavior of falling bodies.

Much of the confusion regarding crime and criminal behavior stems from a failure to define and hold constant the level at which they are explained. By analogy, many criminologists and others concerned with understanding and

defining crime would attribute some degree of causal power to the "roundness" of the object in the above illustration. However, consideration of time sequences among the conditions associated with crime and criminality may lead to simplicity of statement. In the heterogeneous collection of factors associated with crime and criminal behavior, one factor often occurs prior to another (in much the way that "roundness" occurs prior to "vibration," and "vibration" occurs prior to "rolling off a bridge"), but a theoretical statement can be made without referring to those early factors. By holding the analysis at one level, the early factors are combined with or differentiated from later factors or conditions, thus reducing the number of variables which must be considered in a theory.

A motion picture made several years ago showed two boys engaged in a minor theft; they ran when they were discovered; one boy had longer legs, escaped, and became a priest; the other had shorter legs, was caught, committed to a reformatory, and became a gangster. In this comparison, the boy who became a criminal was differentiated from the one who did not become a criminal by the length of his legs. But "length of legs" need not be considered in a criminological theory because it is obvious that this condition does not determine criminality and has no necessary relation to criminality. In the illustration, the differential in the length of the boys' legs apparently was significant to subsequent criminality or noncriminality only to the degree that it determined the subsequent experiences and associations of the two boys. It is in these experiences and associations, then, that the mechanisms and processes which are important to criminality or noncriminality are to be found.

TWO TYPES OF EXPLANATIONS OF CRIMINAL BEHAVIOR

Scientific explanations of criminal behavior may be stated either in terms of the processes which are operating at the moment of the occurrence of crime or in terms of the processes operating in the earlier history of the criminal. In the first case, the explanation may be called "mechanistic," "situational," or "dynamic"; in the second, "historical" or "developmental." Both types of explanation are desirable. The mechanistic type of explanation has been favored by physical and biological scientists, and it probably could be the more efficient type of explanation of criminal behavior. As Gibbons said:

In many cases, criminality may be a response to nothing more temporal than the provocations and attractions bound up in the immediate circumstances. It may be that, in some kinds of lawbreaking, understanding of the behavior may require detailed attention to the concatenation of events immediately preceding it. Little or nothing may be added to this understanding from a close scrutiny of the early development of the person.¹

However, criminological explanations of the mechanistic type have thus far been notably unsuccessful, perhaps largely because they have been formulated in

¹Don C. Gibbons, "Observations on the Study of Crime Causation," *American Journal of Sociology*, 77: 262-78, 1971.

connection with an attempt to isolate personal and social pathologies among criminals. Work from this point of view has, at least, resulted in the conclusion that the immediate determinants of criminal behavior lie in the person-situation complex.

The objective situation is important to criminality largely to the extent that it provides an opportunity for a criminal act. A thief may steal from a fruit stand when the owner is not in sight but refrain when the owner is in sight; a bank burglar may attack a bank which is poorly protected but refrain from attacking a well-protected bank. A corporation which manufactures automobiles seldom violates the pure food and drug laws, but a meat-packing corporation might violate these laws with great frequency. But in another sense, a psychological or sociological sense, the situation is not exclusive of the person, for the situation which is important is the situation as defined by the person who is involved. That is, some persons define a situation in which a fruit-stand owner is out of sight as a "crime-committing" situation, while others do not so define it. Furthermore, the events in the person-situation complex at the time a crime occurs cannot be separated from the prior life experiences of the criminal. This means that the situation is defined by the person in terms of the inclinations and abilities which he or she has acquired. For example, while a person could define a situation in such a manner that criminal behavior would be the inevitable result, past experiences would, for the most part, determine the way in which he or she defined the situation. An explanation of criminal behavior made in terms of these past experiences is a historical or developmental explanation.

The following paragraphs state such a developmental theory of criminal behavior on the assumption that a criminal act occurs when a situation appropriate for it, as defined by the person, is present. The theory should be regarded as tentative, and it should be tested by the factual information presented in the later chapters and by all other factual information and theories which are applicable.

DEVELOPMENTAL EXPLANATION OF CRIMINAL BEHAVIOR

The following statements refer to the process by which a particular person comes to engage in criminal behavior:

1. *Criminal behavior is learned.* Negatively, this means that criminal behavior is not inherited, as such; also, the person who is not already trained in crime does not invent criminal behavior, just as a person does not make mechanical inventions unless he has had training in mechanics.

2. *Criminal behavior is learned in interaction with other persons in a process of communication.* This communication is verbal in many respects but includes also "the communication of gestures."

3. *The principal part of the learning of criminal behavior occurs within intimate personal groups.* Negatively, this means that the impersonal agencies of

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communication, such as movies and newspapers, play a relatively unimportant part in the genesis of criminal behavior.

4. *When criminal behavior is learned, the learning includes (a) techniques of committing the crime, which are sometimes very complicated, sometimes very simple; (b) the specific direction of motives, drives, rationalizations, and attitudes.*

5. *The specific direction of motives and drives is learned from definitions of the legal codes as favorable or unfavorable.* In some societies an individual is surrounded by persons who invariably define the legal codes as rules to be observed, while in others he is surrounded by persons whose definitions are favorable to the violation of the legal codes. In our American society these definitions are almost always mixed, with the consequence that we have culture conflict in relation to the legal codes.

6. *A person becomes delinquent because of an excess of definitions favorable to violation of law over definitions unfavorable to violation of law.* This is the principle of differential association. It refers to both criminal and anticriminal associations and has to do with counteracting forces. When persons become criminal, they do so because of contacts with criminal patterns and also because of isolation from anticriminal patterns. Any person inevitably assimilates the surrounding culture unless other patterns are in conflict; a southerner does not pronounce *r* because other southerners do not pronounce *r*. Negatively, this proposition of differential association means that associations which are neutral so far as crime is concerned have little or no effect on the genesis of criminal behavior. Much of the experience of a person is neutral in this sense, for instance, learning to brush one's teeth. This behavior has no negative or positive effect on criminal behavior except as it may be related to associations which are concerned with the legal codes. This neutral behavior is important especially as an occupier of the time of a child so that he or she is not in contact with criminal behavior during the time the child is so engaged in the neutral behavior.

7. *Differential associations may vary in frequency, duration, priority, and intensity.* This means that associations with criminal behavior and also associations with anticriminal behavior vary in those respects. Frequency and duration as modalities of associations are obvious and need no explanation. Priority is assumed to be important in the sense that lawful behavior developed in early childhood may persist throughout life, and also that delinquent behavior developed in early childhood may persist throughout life. This tendency, however, has not been adequately demonstrated, and priority seems to be important principally through its selective influence. Intensity is not precisely defined, but it has to do with such things as the prestige of the source of a criminal or anticriminal pattern and with emotional reactions related to the associations. In a precise description of the criminal behavior of a person, these modalities would be rated in quantitative form and a mathematical ratio would be reached. A formula

in this sense has not been developed, and the development of such a formula would be extremely difficult.

8. *The process of learning criminal behavior by association with criminal and anticriminal patterns involves all of the mechanisms that are involved in any other learning.* Negatively, this means that the learning of criminal behavior is not restricted to the process of imitation. A person who is seduced, for instance, learns criminal behavior by association, but this process would not ordinarily be described as imitation.

9. *While criminal behavior is an expression of general needs and values, it is not explained by those general needs and values, since noncriminal behavior is an expression of the same needs and values.* Thieves generally steal in order to secure money, but likewise honest laborers work in order to secure money. The attempts by many scholars to explain criminal behavior by general drives and values, such as the happiness principle, striving for social status, the money motive, or frustration, have been, and must continue to be, futile, since they explain lawful behavior as completely as they explain criminal behavior. They are similar to respiration, which is necessary for any behavior, but which does not differentiate criminal from noncriminal behavior.

It is not necessary, at this level of explanation, to explain why persons have the associations they have; this certainly involves a complex of many things. In an area where the delinquency rate is high, a boy who is sociable, gregarious, active, and athletic is very likely to come in contact with the other boys in the neighborhood, learn delinquent behavior patterns from them, and become a criminal; in the same neighborhood the psychopathic boy who is isolated, introverted, and inert may remain at home, not become acquainted with the other boys in the neighborhood, and not become delinquent. In another situation, the sociable, athletic, aggressive boy may become a member of a scout troop and not become involved in delinquent behavior. The person's associations are determined in a general context of social organization. A child is ordinarily reared in a family; the place of residence of the family is determined largely by family income; and the delinquency rate is in many respects related to the rental value of the houses. Many other aspects of social organization affect the associations of a person.

The preceding explanation of criminal behavior purports to explain the criminal and noncriminal behavior of individual persons. As indicated earlier, it is possible to state sociological theories of criminal behavior which explain the criminality of a community, nation, or other group. The problem, when thus stated, is to account for variations in crime rates, which involves a comparison of the crime rates of various groups or the crime rates of a particular group at different times. The explanation of a crime rate must be consistent with the explanation of the criminal behavior of the person, since the crime rate is a summary statement of the number of persons in the group who commit crimes and the frequency with which they commit crimes. One of the best explanations

of crime rates from this point of view is that a high crime rate is due to social disorganization. The term *social disorganization* is not entirely satisfactory, and it seems preferable to substitute for it the term *differential social organization*. The postulate on which this theory is based, regardless of the name, is that crime is rooted in the social organization and is an expression of that social organization. A group may be organized for criminal behavior or organized against criminal behavior. Most communities are organized for both criminal and anticriminal behavior, and, in that sense the crime rate is an expression of the differential group organization. Differential group organization as an explanation of variations in crime rates is consistent with the differential association theory of the processes by which persons become criminals.

DIFFERENTIAL ASSOCIATION AND INDIVIDUAL CRIMINALITY

Professor Sutherland introduced the theory of differential association in the 1939 edition of *Criminology*. He modified the theory in the 1947 edition, but this version was not changed in subsequent editions. Neither has it been changed in the current edition. The theory is still being tested, analyzed, criticized, and extended. It would be inappropriate to modify the statement in such a way that the research work of a number of persons would be undermined. Accordingly we shall merely elaborate on the basic statement by describing some of the principal interpretive errors apparently made by readers and some of the principal criticisms advanced by criminologists and others.²

Some Literary Errors

The basic statement of the theory of differential association is not clear. In two pages, nine propositions are presented, with little elaboration, purporting to explain both the epidemiology of crime and delinquency and the presence of criminality or delinquency in individual cases. It therefore is not surprising that Sutherland's words do not always convey the meaning he seemed to intend. Most significantly, as we shall see later, the statement gives the impression that there is little concern for explaining variations in crime and delinquency rates. This is a serious error in communication. In reference to the delinquent and criminal behavior of individuals, however, the difficulty in communication seems to arise as much from failure to study the words presented as from the words themselves. Five principal errors, and a number of minor ones, have arisen because readers do not always understand what Sutherland seemed to be trying to say.

First, it is common to believe, or perhaps to assume momentarily, if only for purposes of research and discussion, that the theory is concerned only with contacts or associations with criminal and delinquent behavior patterns. Vold, for

²The remainder of this chapter is a modification of Donald R. Cressey, "Epidemiology and Individual Conduct: A Case from Criminology," *Pacific Sociological Review*, 3: 47-58, 1960. Students interested in documentation of the points made here should refer to this article, which is reprinted in Donald R. Cressey and David A. Ward, eds., *Crime, Delinquency, and Social Process* (New York: Harper and Row, 1969), pp. 557-77.