

# Critical Criminology

The term “critical criminology” has been described as “an umbrella designation for a series of evolving, emerging perspectives” that are “characterized particularly by an argument that it is impossible to separate values from the research agenda, and by a need to advance a progressive agenda favoring disprivileged peoples.”<sup>1</sup> This chapter examines three of these emerging perspectives—Marxist, postmodernist, and feminist criminologies.

These perspectives share the view, along with the conflict theories presented in the last chapter, that inequality of power is causally connected to the problem of crime. But these three approaches go further than conflict theories by making specific arguments about the sources of power in societies. Marxism generally locates power in ownership of the means of production, postmodernism locates it in the control over language systems, and feminism locates it in patriarchy.<sup>2</sup> Each of these approaches therefore implies that the crime problem can only be solved if these power structures are changed. Thus, these approaches are all “radical” in the sense that they are associated with political agendas that involve deep and fundamental social change.

These theories are difficult to summarize for two reasons. First, these areas of theorizing are extremely complex, which leads to profound disagreements among different theorists within the same area. Second, theorists in these areas may frequently change their own positions as their thinking develops. Thus, one theorist may take one position at one time and a different position only a short time later. Consequently one can

1. Martin D. Schwartz and David O. Friedrichs, “Postmodern Thought and Criminological Discontent: New Metaphors for Understanding Violence,” *Criminology* 32:221–46 (May 1994).

2. See Werner Einstadter and Stuart Henry, *Criminological Theory*, Harcourt Brace, Fort Worth, 1995, ch. 10–12.

only summarize some of the major themes, but a great many arguments must be left out.

## MARXISM AND MARXIST CRIMINOLOGY

Karl Marx (1818–1883) wrote in the immediate aftermath of the massive social changes brought about by the Industrial Revolution. In one lifespan (approximately 1760–1840), the world as it had been for a thousand years suddenly changed.<sup>3</sup> Marx attempted to explain why those profound changes had occurred when they did, and to give some sense of what was coming next.<sup>4</sup> His theory linked economic development to social, political, and historical change, but did not deal with the problem of crime in any significant way.

The principal conflict that Marx presented in his theory, and on which the theory is based, was the conflict between the material forces of production and the social relations of production.<sup>5</sup> The term *material forces of production* generally refers to a society’s capacity to produce material goods. This includes technological equipment and the knowledge, skill, and organization to use that equipment. The term *social relations of production* refers to relationships between people. These include property relationships, which determine how the goods produced by the material forces of production are distributed—that is, who gets what.

The development of the material forces of production is relatively continuous throughout history, since it consists in the development of technology, skills, etc. The social relations of production, however, tend to freeze into particular patterns for long periods of time. When first established, the social relations enhance the development of the material forces of production, but as time goes by they become increasingly inconsistent with them and begin to impede their further development. At some point the social relations change abruptly and violently, and new social relations are established that once again enhance the development of the material forces of production.

Marx used this general model to explain the profound changes that had just occurred in European societies. When the social relations of feudalism were first established, they were “progressive” in the sense

3. Michel Foucault, *Discipline and Punish*, Pantheon, New York, 1977.

4. This account of Marx’s theory is taken from Thomas J. Bernard, *The Consensus-Conflict Debate: Form and Content in Social Theories*, Columbia, New York, 1983, pp. 95–98. Other summaries of Marx’s work can be found in David Greenberg, *Crime and Capitalism*, Mayfield, Palo Alto, Calif., 1980, pp. 13–17; and Richard Quinney, *Class, State and Crime*, 2nd ed., Longman, New York, 1980, pp. 41–51.

5. A summary of this argument is found in Karl Marx, *Critique of Political Economy* (1859), English translation, International Library, New York, 1904, pp. 11–13.

that they were necessary for the further development of the material forces of production. After a thousand years, however, the material forces of production had developed extensively, but the social relations had hardly changed at all. At that point the social relations of feudalism were hindering the further development of the material forces of production. The massive changes of the Industrial Revolution reflected a sudden and violent restructuring of the social relations of production. The new social relations—bourgeois capitalism—were “progressive” in the sense that they were necessary for the further development of the material forces of production.

Having analyzed the causes of the violent and abrupt social changes that had just been completed, Marx went on to use his theory to predict what would happen next. The material forces of production would continue to develop under capitalism, but the social relations would remain fixed, just as they had under feudalism. As the development of the material forces proceeded, the social relations of capitalism would increasingly become a hindrance rather than a help to the further development of the material forces. Ultimately, Marx predicted, there would be a sudden and violent restructuring of those social relations in which capitalism would be replaced by socialism.

Marx was fairly specific on why he thought that would happen. The logic of capitalism is “survival of the fittest,” so that the “fittest” gobble up the “less fit.” As part of this process, property is increasingly concentrated into fewer and fewer hands, and more and more people become wage laborers instead of working for themselves. At the same time, increasing mechanization in business and industry means that fewer workers are needed, so that there is an increasing pool of underemployed and unemployed workers. Because so many workers are available who want jobs, those who have jobs can be paid low wages because they can be replaced by others who will work for less.

In the long run, this means that capitalist societies will tend to polarize into two conflicting groups. One of these groups consists of the people who, as they gobble up their competitors, own an increasing portion of the property in the society. As Marx said: “One capitalist always kills many.”<sup>6</sup> Thus the number of people in this group will grow smaller over time as some of them get gobbled up by others. As this group becomes smaller, it grows richer and richer. The other group, consisting of employed and unemployed wage laborers, keeps getting larger over time. But as unemployment increases with increasing mechanization, real wages tend to decrease because the supply of labor exceeds the de-

6. Karl Marx, *Capital*, vol. 1, International, New York, 1967, p. 763.

mand for it. Thus, while this group becomes larger and larger over time, it also grows poorer and poorer.

Thus, Marx argued, capitalist societies would inevitably tend to polarize into two groups, one growing smaller and smaller while getting richer and richer, and the other growing larger and larger while getting poorer and poorer. This tendency toward polarization is what Marx called the “contradiction” in capitalism, and as it became more extreme, it would act as a greater hindrance to the further development of the material forces of production. A revolutionary restructuring of the social relations of production would be inevitable at some point. That restructuring, according to Marx, would consist of establishing collective ownership of the means of production and instituting centralized planning to end the cycles of overproduction and depression that plague capitalism.<sup>7</sup>

Marx did not discuss the problem of crime or its relation to the economic system at length, although he did address the subject in several passages.<sup>8</sup> Hirst argues that Marx’s idea of crime centered on the concept of demoralization.<sup>9</sup> Marx believed that it was essential to human nature that people be productive in life and in work. But in industrialized capitalist societies there are large numbers of unemployed and underemployed people. Because these people are unproductive, they become demoralized and are subject to all forms of crime and vice. Marx called these people the *lumpenproletariat*.

In another passage, Marx argued against the classical philosophy that was dominant in his day,<sup>10</sup> which held that all people freely and equally joined in a social contract for the common good, and that the law represented a consensus of the general will. Marx maintained that this view ignored the fact that unequal distribution of wealth in a society produced an unequal distribution of power. Those with no wealth have no power in the formation of the social contract, whereas those with great wealth can control it to represent their own interests. Thus Marx did not see crime as the willful violation of the common good, but as “the

7. See, in general, Karl Marx, *Critique of the Gotha Programme*, International, New York, 1970. See also D. Ross Gandy, *Marx and History: From Primitive Society to the Communist Future*, University of Texas Press, Austin, 1979, pp. 72–95.

8. For discussions of Marx’s views of crime, see Ian Taylor, Paul Walton, and Jock Young, *The New Criminology*, Harper and Row, New York, 1973, pp. 209–36. Original passages from Marx and Engels can be found in Maureen Cain and Alan Hunt, eds., *Marx and Engels on Law*, Academic Press, New York, 1979; or Paul Phillips, *Marx and Engels on Law and Laws*, Barnes and Noble, Totowa, N.J., 1980.

9. Paul Q. Hirst, “Marx and Engels on Law, Crime, and Morality,” in Ian Taylor, Paul Walton, and Jock Young, eds., *Critical Criminology*, Routledge and Kegan Paul, London, 1975.

10. Karl Marx and Friedrich Engels, *The German Ideology*, Lawrence and Wishart, London, 1965, pp. 365–67.

struggle of the isolated individual against the prevailing conditions."<sup>11</sup> This is sometimes called the *primitive rebellion* thesis, since it implies that crime is a "primitive" form of rebellion against the dominant social order that eventually might develop into conscious revolutionary activity.

An early Marxist criminologist, Willem Bonger, provided an extensive theory of crime in his book *Criminality and Economic Conditions*, published in 1916.<sup>12</sup> Bonger argued that the capitalist economic system encouraged all people to be greedy and selfish and to pursue their own benefits without regard for the welfare of their fellows. Crime is concentrated in the lower classes because the justice system criminalizes the greed of the poor while it allows legal opportunities for the rich to pursue their selfish desires. He argued that a socialist society would ultimately eliminate crime because it would promote a concern for the welfare of the whole society and would remove the legal bias that favors the rich.

After the mid-1920s Marxist criminology virtually disappeared from the English-speaking world,<sup>13</sup> and reappeared in the late 1960s in connection with the radical social climate of the times.<sup>14</sup> These versions of Marxist criminology tended to portray criminals in terms of Marx's "primitive rebellion" thesis—that is, criminals engaged in crime as an unconscious form of rebellion against the capitalist economic system. They also tended to have an "instrumentalist" view of the criminal justice system—i.e., the enactment and enforcement of criminal laws are solely the "instruments" of a unified and monolithic ruling class that conspires to seek its own advantage at the expense of other groups.

These simplistic views of criminals and criminal justice were criticized by other Marxists as misinterpreting Marx's thought.<sup>15</sup> Block and Chambliss, for example, criticized the early theories for their simplistic portrayal of the "ruling class" as a unified and monolithic elite; for the argument that the enactment and enforcement of laws reflects only the interests of this ruling class; and for the argument that criminal acts are

11. *Ibid.*, p. 367.

12. Willem Bonger, *Criminality and Economic Conditions*, Little, Brown, Boston, 1916; reprinted by Agathon, New York, 1967. See also the excellent Introduction by Austin Turk in the abridged edition, Indiana University Press, Bloomington, 1969. See also the brief discussion of Bonger and other early Marxist criminologists in Greenberg, *op. cit.*, pp. 11–12.

13. Greenberg, *op. cit.*, p. 1.

14. See, for example, Richard Quinney, *Critique of Legal Order*, Little, Brown, Boston, 1973; Quinney with John Wildeman, *The Problem of Crime*, 2nd ed., Harper & Row, New York, 1977; Taylor, Walton, and Young, *The New Criminology*, and *Critical Criminology*.

15. Hirst, *op. cit.*; also R. Serge Denisoff and Donald McQuarie, "Crime Control in Capitalist Society: A Reply to Quinney," *Issues in Criminology* 10(1): 109–19 (spring 1975).

a political response to conditions of oppression and exploitation.<sup>16</sup> Greenberg raised some of the same criticisms and also pointed out that these theories ignored studies that showed a widespread consensus on legal definitions of crime; that underprivileged people are most frequently victims of crime by other underprivileged people, so that they have an interest in the enforcement of criminal laws; and that it is unrealistic to expect that crime will be eliminated in socialist societies.<sup>17</sup> Greenberg later described these theories as primarily political statements associated with New Left politics of the 1960s and the early 1970s rather than as genuine academic arguments about the nature of crime.<sup>18</sup> With the collapse of the New Left in the early 1970s, "leftists who retained their political commitments dug in for the long haul." Some turned to community organizing while others turned to Marxist theory to deepen their understanding of the broader social processes. Greenberg concludes: "By the mid 1970s, a specifically Marxian criminology began to take shape."<sup>19</sup> This new and more rigorous Marxist criminology attempts to relate criminal behavior and crime policies to the political economy of the particular societies in which they occur, and relies primarily on historical and cross-cultural studies for support, since only in such studies can societies with different political economies be compared.

In this more rigorous Marxist criminology, the "instrumentalist" view of criminal justice has given way to a more complex "structuralist" view that is more consistent with Marx's theory, as developed by Althusser and others.<sup>20</sup> In this view the primary function of the state is not to directly serve the short-term interests of capitalists, but rather to ensure that the social relations of capitalism will persist in the long run. This requires that many different interests be served at different times, to prevent the rise of conditions that will lead to the collapse of capitalism. Thus, on any particular issue, including the enactment and enforcement of criminal laws, the actions of the state may serve other in-

16. Alan A. Block and William J. Chambliss, *Organizing Crime*, Elsevier, New York, 1981, pp. 4–7. For a much harsher but less substantive criticism of these early theories, see Tony Platt, "Crime and Punishment in the United States: Immediate and Long-Term Reforms from a Marxist Perspective," *Crime and Social Justice*, winter 1982, pp. 38–45.

17. David F. Greenberg, "On One-Dimensional Criminology," *Theory and Society* 3: 610–21 (1976).

18. Greenberg, *Crime and Capitalism*, pp. 6–10.

19. *Ibid.*, p. 10.

20. A useful summary of the instrumentalist vs. structuralist views of the state and the legal order is found in William Chambliss and Robert Seidman, *Law, Order, and Power*, 2nd ed., Addison-Wesley, Reading, Mass., 1982, pp. 306–9. Chambliss and Seidman then propose their own "dialectical, institutionalist" model on pp. 309–16.

terests besides those of the owners of the means of production. Nevertheless, the owners of the means of production can still be described as a ruling class in that the organized state serves their economic interests in the long run, and they have an excessive amount of political power in comparison to other groups, with a disproportionate ability to get the state to serve their interests in the short run.

In addition, the "primitive rebellion" explanation of criminal behavior has given way to a number of explanations within the context of the Marxist theory that are quite similar to explanations found in more traditional criminological theories, except that they link their basic concepts to a broader view of political-economic systems and the historical processes in which those systems change.<sup>21</sup> For example, Greenberg presented a class-based theory of delinquency that has some similarities to so-called strain theories of delinquency.<sup>22</sup> Strain theories describe *class* in terms of the economic or occupational status of the parents, but Greenberg used the traditional Marxist view that class should be defined in terms of the relationship to the means of production. Juveniles occupy a unique position with respect to the means of production in that they are excluded from economically productive activity but are required to engage in extensive training for their future productive role. Thus they can be described as comprising a class of their own. Membership in this class is associated with a number of special strains. Exclusion from the labor market means that they cannot finance the leisure activities that are valued in the peer culture, which leads to stealing to generate desired funds. At the same time, many youths have negative and degrading experiences in schools, which provoke hostile and aggressive responses. Finally, some youths have deep-seated anxieties about achieving the status expected of adult males in our culture, which leads to the establishment of alternate status structures in which status is achieved through criminal acts. Greenberg concluded that programs to reduce delinquency would have little effect unless they were accompanied by broader changes in the capitalist economic system. Later, however, he commented that his conclusion may have been too pessimistic, and pointed to the system of apprenticeships in

21. See Michael J. Lynch and W. Byron Groves, *A Primer in Radical Criminology*, Harrow and Heston, Albany, N.Y., 1989.

22. David F. Greenberg, "Delinquency and the Age Structure of Society," in Greenberg, *Crime and Capitalism*, pp. 118-39. See also M. Colvin and J. Pauly, "A Critique of Criminology: Toward an Integrated Structural-Marxist Theory of Delinquency Production," *American Journal of Sociology* 89(3): 513-51 (1983).

Switzerland, where delinquency is low, and suggested that such a system may have some beneficial effects.<sup>23</sup>

While Greenberg's theory described special strains generating crime and delinquency, other theories have described crime in capitalist societies in terms of the breakdown of social controls. Friedrichs,<sup>24</sup> for example, argued that the effectiveness of a legal order depends largely on the extent to which it is perceived to be "legitimate." He then pointed out that American society is widely described as being in a crisis of legitimacy, indicated by a significant erosion of faith in leaders and in governmental institutions, disillusionment with the basic values on which those institutions are based, and the perception that those institutions are ineffective. In such a situation there is a general rise in various types of illegal behavior, including crime, riots, and revolutionary activity. The state has no choice but to respond to these activities with increasingly coercive and repressive measures, but the long-term effect of these responses is to worsen the crisis. Thus the crisis of legitimacy is a "contradiction" in the sense that it cannot be resolved without changing the basic structural arrangements of capitalism.

While these Marxist views use causal descriptions similar to those found in strain and control theories, the most common Marxist view is similar to those found in the traditional criminology theories that describe criminal behavior as socially learned. These Marxist theories describe criminal behaviors as the rational responses of rational individuals confronted with a situation structured by the social relations of capitalism. This view is consistent with the general view found in Marxist theory that, in general and in the long run, individuals act and think in ways that are consistent with their economic interests.

One such description of criminal behavior was by Gordon, who fo-

23. Greenberg, *Crime and Capitalism*, p. 66. Other Marxist criminologists have suggested that high-crime groups are under special strains in the context of a capitalist economic system. For example, Richard Quinney (*Class, State and Crime*, op. cit., pp. 59-62) described street crimes as crimes of "accommodation" to capitalist social relations in the sense that they are the actions of people who have been brutalized by the conditions of capitalism. These criminals reproduce the exploitative relations of capitalism in their own criminal activities—that is, they treat their victims the way they themselves have been treated. Quinney's description relies on Marx's arguments about the lumpenproletariat, as described above.

24. David O. Friedrichs, "The Law and the Legitimacy Crisis," in R. G. Iacovetta and Dae H. Chang, eds., *Critical Issues in Criminal Justice*, Carolina Press, Durham, N.C., 1979, pp. 290-311. See also Friedrichs, "The Legitimacy Crisis: A Conceptual Analysis," *Social Problems* 27(5): 540-55 (1980). Other radical articles that have a control orientation include John R. Hepburn, "Social Control and the Legal Order," *Contemporary Crises* 1: 77-90 (1977); and Raymond J. Michalowski and Edward W. Bohlander, "Repression and Criminal Justice in Capitalist America," *Sociological Inquiry* 46(2): 99-104 (1976).

cused on the economic precariousness of capitalist societies.<sup>25</sup> Gordon argued that crime is simply a way to make money for poor people, who are faced with situations of chronic unemployment and underemployment in low-paying and demeaning jobs. The violent nature of these crimes is a result of the fact that, unlike more powerful groups, poor people do not have the option to steal in more sophisticated ways, that is, with a pen rather than with a gun.

Gordon argued that organized crime was similarly a rational response to economic conditions in which there was a demand for illegal goods and services. This type of business is available to poorer people as a method of making money, whereas other legitimate forms of business are largely unavailable. Chambliss used a similar view in his extensive analysis of organized crime in Seattle.<sup>26</sup> Chambliss argued that at one time most of these goods and services were legal and that they were declared illegal for various historical reasons, but the demand for them did not disappear. He also pointed out that in our political system politicians have a strong need to generate funds to run for political office, and that, at the same time, they control the conditions under which laws against these illegal goods and services are enforced. This creates a very strong pressure for a coalition between politicians and organized crime figures, and Chambliss claimed that he found such a coalition at the heart of organized crime in Seattle. Chambliss was fairly pessimistic about the possibilities for reform to eliminate such crime, except to argue that decriminalization would be helpful. However, he said that most reforms replaced the people in key positions but did nothing about the basic political-economic forces (demand for illegal goods and services, need for money by politicians) that gave rise to organized crime in the first place. As the new "reform" people responded to those same forces, they tended to do the same kinds of things done by the corrupt politicians they had replaced.

In a later book with Block, Chambliss generalized some of his arguments, relating various types of crime to the political-economic systems of societies in which they occur.<sup>27</sup> They argued that every political-economic system contains contradictions that cannot be resolved without changing the fundamental structure of the society. Crime in a society is essentially a rational response to those contradictions. The problem with crime control policies in general is that they attempt to deal with

25. David M. Gordon, "Class and the Economics of Crime," *Review of Radical Political Economics* 3: 51-75 (summer 1971). See also Gordon, "Capitalism, Class, and Crime in America," *Crime and Delinquency* 19: 163-86 (April 1973).

26. William J. Chambliss, *On the Take: From Petty Crooks to Presidents*, Indiana University Press, Bloomington, 1978.

27. Block and Chambliss, op. cit.

the symptoms without changing the basic political-economic forces that generate those symptoms to begin with.<sup>28</sup>

As Marxist criminologists have rejected the "primitive rebellion" theory of criminal behavior and "instrumentalist" view of criminal justice, they have attempted to take a more realistic approach to the problems of crime and the possible responses of criminal justice. Called "left realism," these criminologists recognize that crime causes serious problems for working class citizens and that criminal justice agencies can respond to those problems even if the capitalist economic system is not overthrown.<sup>29</sup> These criminologists have therefore made a variety of policy recommendations that are not that different from the recommendations of mainstream (if liberal) criminologists, such as better policing<sup>30</sup> the prosecution of white-collar offenders,<sup>31</sup> reforming prisons,<sup>32</sup> regulating (as opposed to criminalizing) street prostitution,<sup>33</sup> and addressing the major health, housing, and educational needs of inner cities as a long-term strategy for dealing with the drug problem.<sup>34</sup>

#### POSTMODERNISM AND POSTMODERNIST CRIMINOLOGY

Modernism is associated with what is described above in the early chapters of this book as the "naturalistic" approach to the world. One part of the "naturalistic" approach is a view of science as an objective process directed toward predicting and controlling the world.<sup>35</sup> As stated above, most criminology is "modernist" or "naturalistic" in this sense.

28. Greenberg, *Crime and Capitalism*, pp. 23-25.

29. Platt (op. cit., p. 40), for example, states: "In general, the New Left either glossed over 'street' crime as an invention of the FBI to divert attention away from corporate crimes or romanticized it as a form of primitive political rebellion. But as we well know from both experience and knowledge, 'street' crime is not a fiction, but rather a very real and serious problem, especially in the superexploited sectors of the working class and its reserve army of labor. . . . This [earlier view] was irresponsible and dangerous, a reflection of the profound alienation of the New Left from the daily conditions of life in working class communities."

30. R. Kinsey, J. Lea, and Jock Young, *Losing the Fight Against Crime*, Blackwell, Oxford, 1986. T. Mattiesen (*The Politics of Abolition*, Martin Robertson, London, 1990) even suggested that realist criminology placed all its faith in better policing as the major means to reduce crime.

31. David O. Friedrichs, *White Collar Crime in Contemporary Society*, Wadsworth, Belmont, Calif., 1995.

32. Roger Matthews, "Developing a Realist Approach to Prison Reform," pp. 71-87 in Lowman and MacLean, op. cit.

33. John Lowman, "Street Prostitution Control," pp. 1-17 and Roger Matthews, "Regulating Street Prostitution and Kerb-Crawling: A Reply to Lowman," pp. 18-22 in *British Journal of Criminology* 32, spring 1992. See also John Lowman, "The 'Left Regulation' of Prostitution," pp. 157-76 in Lowman and MacLean, op. cit.

34. Elliott Currie, "Retreatism, Minimalism, Realism: Three Styles of Reasoning on Crime and Drugs in the United States," pp. 88-97 in Lowman and MacLean, op. cit.

35. Anthony Borgman, *Crossing the Postmodern Divide*, University of Chicago Press, Chicago, 1992.

Postmodernism rejects the modernist or "naturalistic" approach by arguing that all thinking and all knowledge are mediated by language, and that language itself is never a neutral medium. Whether or not people are aware of it, language always privileges some points of view and disparages others. For example, modernism privileges "scientific" thinking, holding that it has special validity and objectivity in comparison to other types of thinking. Postmodernists, in contrast, do not give scientific thinking a special position, and describe it instead as being no more nor less valid than other types of thinking. To a certain extent, postmodernists even attack scientific thinking because they attempt to "deconstruct" privileged points of view—i.e., to identify implicit assumptions and unsupported assertions that underlie the ways in which its point of view are legitimized and other points of view are disparaged. At the same time, postmodernists tend to seek out the disparaged points of view to make them more explicit and legitimate.<sup>36</sup> The goal is not simply to tear down one and replace it with the other, but rather to come to a situation in which different grammars can be simultaneously held as legitimate, so that there is a sense of the diversity of points of view without assuming that one is superior and the others are inferior.

Schwartz and Friedrichs point out that postmodernism itself is difficult to summarize because "there seems to be an almost infinite number of postmodern perspectives."<sup>37</sup> In addition, Schwartz has pointed out the difficulty of the writing style of postmodernist writers, stating that even after reading them several times, "I really do not know what the hell they are talking about."<sup>38</sup> Both these problems are related to postmodernism itself since it holds that linear thought processes, statements about cause and effect, syllogistic reasoning, objective analyses, and other standards of scientific thinking are no more valid than other forms of thinking. Thus, to the extent that one tries to "summarize" postmodern thought in some logical, coherent, systematic fashion, one con-

36. Because of this tendency to attack privileged lines of thinking, postmodernism in general, and deconstruction in particular, has been criticized as being nihilistic and relativistic. See Einstadter and Henry, op. cit., p. 298.

37. Martin D. Schwartz and David O. Friedrichs, "Postmodern Thought and Criminological Discontent," *Criminology* 32(2): 221–46 (May 1994). In addition, Schwartz and Friedrichs mention the possibility that "much of what has been published is only a pretentious intellectual fad." A particularly embarrassing episode related to this was the publication in a leading journal, *Social Text*, of a parody of postmodern thought. The author later explained: "I structured the article around the silliest quotes about mathematics and physics from the most prominent academics, and I invented an argument praising them and linking them together. All of this was very easy to carry off because my argument wasn't obliged to respect any standards of evidence and logic." Quoted in Scott McConnell, "City and Nation," *New York Post*, May 22, 1996.

38. Martin D. Schwartz, "The Future of Criminology," pp. 119–24 in Brian MacLean and Dragan Milovanovic, *New Directions in Criminology*, Collective Press, Vancouver, 1991.

tradicts postmodern thought itself. Nevertheless, at least some postmodern theorists have attempted to make such summaries while acknowledging the self-contradictory nature of the effort.<sup>39</sup>

Central to postmodernism is the view that modernism in general, and science in particular, has led to increased oppression rather than to liberation<sup>40</sup>:

(Postmodernism) contends that modernity is no longer liberating, but rather has become a force for subjugation, oppression, and repression; this contention applies to social science itself, which is a product of modernity. Postmodernists are disillusioned with liberal notions of progress and radical expectations of emancipation. . . . The forces of modernism (e.g., industrialism) have extended and amplified the scope of violence in the world. Even worse, according to the postmodern critique, the major form of response to this violence is through rational organizations (e.g., the court system and the regulatory bureaucracies) with great reliance on specialists and experts. Such a response simply reproduces domination, the critique suggests, in perhaps new but no less pernicious forms.

The postmodernist response is to expose the structures of domination in societies as a means of achieving greater liberation. The principal source of this domination, according to postmodernists, is in control of language systems.<sup>41</sup> This is because language structures thought—i.e., the words and phrases people use to convey meaning are not neutral endeavors but support dominant views of the world, whether the people who use those languages know it or not.<sup>42</sup>

Postmodernists therefore examine the relationship between human agency and language in the creation of meaning, identity, truth, justice, power, and knowledge.<sup>43</sup> This relationship is studied through *discourse*

39. Three of the most readable summaries of postmodernism and of its application to criminology are found in Arrigo, op. cit., Schwartz and Friedrichs, op. cit., and Einstadter and Henry, op. cit., ch. 12. Arrigo (op. cit., pp. 449–50) acknowledges the "delicious irony" involved in attempting to summarize this perspective: "If postmodernism signifies a perspective outside or apart from standard methods of knowing, experiencing, and living, how can one nevertheless invoke that traditional discourse, which itself is anathema to the postmodern enterprise in law and criminology, to explain that enterprise." Similarly, Schwartz and Friedrichs (op. cit., pp. 222–23) state that "it may well be a fundamental contradiction to attempt any coherent definition of postmodernism. . . ." and Einstadter and Henry comment that "classifying postmodernist criminology is contradictory to the postmodernist project" (p. 281).

40. Schwartz and Friedrichs, op. cit., p. 224.

41. The following discussion relies heavily on Bruce A. Arrigo and Thomas J. Bernard, "Postmodern Criminology in Relation to Radical and Conflict Theory," *Critical Criminologist*, forthcoming.

42. Dragan Milovanovic, *A Primer in the Sociology of Law*, Harrow and Heston, Albany, N.Y., 1994, pp. 143–45, 155–84; Bruce Arrigo, *Madness, Language, and the Law*, Harrow and Heston, Albany, N.Y., 1993, pp. 27–75.

43. Stuart Henry and Dragan Milovanovic, *Constitutive Criminology: Beyond Postmodernism*, Sage, London, 1996, pp. 8–11, 26–44.

*analysis*, which is a method of investigating how sense and meaning are constructed. Specific attention is paid to the values and assumptions implied in the language used by the author.<sup>44</sup> Discourse analysis considers the social position of the person who is speaking or writing to understand the meaning of what is said or written. For example, to understand fully what lawyers mean when they speak *as lawyers*, it is necessary to understand quite a bit about “lawyering” as a historically situated and structured position in society.<sup>45</sup> There are many other “discursive subject positions” in crime and criminal justice which come connected with their own language systems—e.g., police, juvenile gang members, drug dealers, corrections officers, organized crime figures, corporate and political offenders, court workers, shoplifters, armed robbers, and even criminologists.

Postmodernist criminologists point out that, once people assume one of these “discursive subject positions,” then the words that they speak no longer fully express their realities, but to some extent express the realities of the larger institutions and organizations. Because people’s language is somewhat removed from their reality, people are described as *decentered*—i.e., people are never quite what their words describe and always are somewhat tending to be what their language systems expect or demand.<sup>46</sup>

For example, women who have been raped must present their stories to prosecutors, who then reconstruct and repackage the stories into the language of the courts—i.e., “legal-ese.”<sup>47</sup> The woman may testify at the trial, but her testimony may not deviate from the accepted language system without jeopardizing the chances that the defendant will be convicted.<sup>48</sup> Even when the defendant is convicted, the woman who has been raped may leave the court with a deep and dissatisfying sense that her story was never fully told, her reality never fully seen, her pain never fully acknowledged. The language of the court system expresses and institutionalizes a form of domination over the victim, and this is one reason that victims so often are dissatisfied with the courts.

44. For applications within criminology, see Peter K. Manning, *Symbolic Communication: Signifying Calls and the Police Response*, MIT Press, Cambridge, Mass., 1988; Dragan Milovanovic, *Postmodern Law and Disorder*, Deborah Charles, Liverpool, U.K., 1992; and Arrigo, op. cit.

45. Peter Goodrich, “Law and Language: An Historical and Critical Introduction,” *Journal of Law and Society* 11: 173–206 (1984).

46. Henry and Milovanovic, op. cit., 1996, p. 27.

47. Milovanovic, op. cit., pp. 145–50.

48. Bruce A. Arrigo, “An Experientially-Informed Feminist Jurisprudence,” *Humanity and Society* 17(1): 28–47 (1993).

A similar situation happens with defendants who are accused of crimes. Criminal defense lawyers routinely repackage and re-construct the defendant’s story into “legal-ese” as part of constructing the defense. The lawyer does this because it is the only way to win the case, but the full meaning of the defendant’s story is normally lost in the process. Less-experienced defendants may object because the story that is told in court has so little resemblance to what actually happened. But more sophisticated defendants know that this is how the game is played. Even if the defendant “wins” the case (i.e., is acquitted), there has still been a ritualistic ceremony in which the reality of the courts has dominated the reality of the defendant. Thus, independent of who “wins” the case, the language of the court expresses and institutionalizes the domination of the individual by social institutions.

Other postmodern analyses have demonstrated the way that official language dominates participants in the criminal justice process, so that the participants themselves experience the system as marginalizing, alienating, and oppressive. These include studies of jailhouse lawyers,<sup>49</sup> police officers responding to 911 calls,<sup>50</sup> and the experience of female lawyers in criminal courts.<sup>51</sup> In each case, one view of reality (i.e., that of the inmates, the police, and the female lawyers) is replaced by another (i.e., the language of the court or correctional system), thereby affirming and legitimizing the status quo.

Postmodernists describe the present situation as one in which discourses are either dominant (e.g., the language of medicine, law, and science) or oppositional (e.g., the language of prison inmates). The goal of postmodernism is to move to a situation where many different discourses are recognized as legitimate. One of the ways of doing that is to establish “replacement discourses” in which the language itself helps people speak with a more authentic voice and to remain continuously aware of the authentic voices of other people.<sup>52</sup> The goal is greater inclusivity, more diverse communication, and a pluralistic culture. To achieve these ends, postmodernists listen carefully to the otherwise excluded views in constituting the definition of criminal acts. They conclude that creating a society in which alternative discourses liberate citizens from prevailing speech patterns will also legitimate the role of all citizens in the project of reducing crime. The result will be greater re-

49. Dragan Milovanovic, “Jailhouse Lawyers and Jailhouse Lawyering,” *International Journal of the Sociology of Law* 16: 455–75 (1988).

50. Manning, op. cit.

51. Arrigo, *Madness, Language, and the Law*, op. cit.

52. Henry and Milovanovic, op. cit., p. 204.

spect for the diversity of people in the entire society. Ultimately, this would include less victimizing of other people by criminals, and less official punishment of criminals by agents of the larger society.<sup>53</sup>

Postmodernism exposes a basis for power and domination in societies that has been ignored in earlier conflict and Marxist theories. However, it has tended toward an "appreciative relativism"<sup>54</sup> and "communal celebration,"<sup>55</sup> which resembles early simplistic Marxist views of crime, especially to the extent that it "appreciates" or "celebrates" the actions of criminals when they victimize other people. This contradicts the later "left realist" approach, which concludes that crime is a real social problem that needs to be addressed by real criminal justice policies. Pepinsky, however, argues that coercive social policies merely perpetuate the problem<sup>56</sup>:

Crime is violence. So is punishment, and so is war. People who go to war believe that violence works. So do criminals and people who want criminals punished. All these believe violence works because they also believe that domination is necessary. Someone who is closer to God, natural wisdom, or scientific truth has to keep wayward subordinates in line, or social order goes to hell.

Similarly, Quinney states<sup>57</sup>:

... the criminal justice system in this country is founded on violence. It is a system that assumes that violence can be overcome by violence, evil by evil. . . This principle sadly dominates much of our criminology. . . When we recognize that the criminal justice system is the moral equivalent of the war machine, we realize that resistance to one goes hand-in-hand with resistance to the other. This resistance must be in compassion and love, not in terms of the violence that is being resisted.

Ultimately, these criminologists have come to the conclusion that the violence of punishment can only perpetuate and increase the violence of crime. Only when criminologists and the public give up their belief in the effectiveness and appropriateness of violence can we reasonably expect criminals to do the same thing.

53. Arrigo and Bernard, op. cit.

54. Einstadter and Henry, op. cit., p. 289.

55. This term is used by Einstadter and Henry (ibid., p. 299, fn. 13) in reference to Borgman, op. cit.

56. Harold E. Pepinsky, "Peacemaking in Criminology and Criminal Justice," in Pepinsky and Richard Quinney, eds., *Criminology as Peacemaking*, Indiana University Press, Bloomington, 1991, p. 301. Einstadter and Schwartz (op. cit., pp. 295-97) describe peacemaking criminology as a "replacement discourse" within the context of postmodernism. It is derived largely from the Marxist tradition, but has a heavy emphasis on appreciative relativism as a conflict-reduction technique.

57. Richard Quinney, "The Way of Peace," in ibid., p. 12

## FEMINISM AND FEMINIST CRIMINOLOGY

Like Marxism and postmodernism, feminism is an extremely broad area of social theorizing that has applications to the field of criminology, although this is by no means its major focus. Like postmodernism, there are numerous branches of feminism and feminist criminology, with numerous disagreements and shadings of meanings within those branches. What follows here is only a brief overview intended to give a sense of the area and to identify its major themes.

The initial feminist writings in criminology were critiques that argued that a number of topics related to women offenders had largely been ignored or heavily distorted within traditional criminology.<sup>58</sup> For example, traditional criminology theories largely failed to explain the criminal behavior of women. A few theories within traditional criminology had addressed the subject, but they were simplistic and relied on stereotypical images of women.<sup>59</sup> Most criminology theories simply did not address the subject in any way.<sup>60</sup> In addition, most traditional criminology theories were effectively gender-neutral—i.e., they applied to women as well as to men and therefore did not explain the differences between women and men in their participation in crime. When the gendered nature of crime was addressed (i.e., men commit the vast majority of crimes), the theories tended to focus on supposed characteristics that implied women's inferiority and tended to reinforce their subordination to men in the larger society.<sup>61</sup> Traditional criminology theories also failed to address the different ways women were treated by the criminal justice system.<sup>62</sup> For example, women accused of sexual crimes

58. Dorie Klein, "The Etiology of the Female Crime: A Review of the Literature," *Issues in Criminology* 8: 3-30 (1973); Carol Smart, *Women, Crime and Criminology: A Feminist Critique*, Routledge and Kegan Paul, Boston, 1976. These are briefly reviewed in Sally S. Simpson, "Feminist Theory, Crime, and Justice," *Criminology* 27(4): 605-31 (1989); and in Kathleen Daly and Meda Chesney-Lind, "Feminism and Criminology," *Justice Quarterly* 5(4): 497-538 (Dec. 1988).

59. Some of these theories are Cesare Lombroso and William Ferrero, *The Female Offender*, Appleton, New York, 1867; Bonger, op. cit.; and Otto Pollock, *The Criminality of Women*, University of Pennsylvania Press, Philadelphia, 1950. See the discussion of these theories in James W. Messerschmidt, *Masculinities and Crime*, Rowman & Littlefield, Lanham, Md., 1993, pp. 4-11.

60. Eileen B. Leonard, *Women, Crime and Society: A Critique of Criminology Theory*, Longman, New York, 1982; Ngaire Naffine, *Female Crime: The Construction of Women in Criminology*, Allen and Unwin, Boston, 1987.

61. Carol Smart, *Women, Crime and Criminology: A Feminist Critique*, Routledge & Kegan Paul, Boston, 1976; Frances Heidensoh, *Women and Crime*, New York University Press, New York, 1985. For a brief discussion with some examples, see Messerschmidt, op. cit., pp. 2-4; or James W. Messerschmidt, *Capitalism, Patriarchy and Crime: Toward a Socialist Feminist Criminology*, Rowman and Littlefield, Totowa, N.J., 1986, pp. 1-24.

62. Jane R. Chapman, *Economic Realities and the Female Offender*, Lexington Books, Lexington, Mass., 1980; Susan Datesman and Frank R. Scarpitti, *Women, Crime and Justice*, Oxford University Press, New York, 1980; Clarice Feinman, *Women in the Criminal Justice System*, Praeger, New York, 1986. Some of the differences are reviewed in Simpson, op. cit., pp. 612-17.



were often treated more harshly than men accused of the same crimes, but women accused of violent crimes were often treated more leniently than men. These differences in treatment led to differences in official crime rates (e.g., higher rates of sexual offenses but lower rates of violent offenses), which then affected the explanations of women's criminality by criminology theories. Finally, none of the existing criminology theories discussed the new roles that women were taking on in the larger society as part of what was then called "women's liberation," and how those new roles might impact women's participation in criminal activity.

The critiques that pointed out these many problems with traditional criminology were followed by two books on the subject of women and crime that appeared in 1975. In *Sisters in Crime: The Rise of the New Female Criminal*,<sup>63</sup> Freda Adler argued that women were becoming more aggressive and competitive as they moved out of the traditional home-bound social roles and into the previously largely male world of the competitive marketplace. Essentially, Adler believed that women were taking on what had been masculine qualities as they fought the same battles that men had always fought. She argued that a similar transformation was occurring among criminals, where "a similar number of determined women are forcing their way into the world of major crimes. . . ." Now, she argued, there were "increasing numbers of women who are using guns, knives, and wits to establish themselves as full human beings, as capable of violence and aggression as any man."

In that same year, Rita James Simon published *Women and Crime*.<sup>64</sup> Simon also described recent changes in the types and volume of crime committed by women, but argued that it was not because they were taking on formerly masculine characteristics. Rather, as they moved out of the traditional home-bound roles, women encountered a much wider variety of opportunities to commit crime. This was particularly true of opportunities to commit economic and white-collar crimes, which required access to other people's money in positions of trust.

Both Adler's and Simon's theories argued that liberation from traditional women's roles would result in increases in crime committed by women. The major difference between the two had to do with the prediction about the type of crime these new female criminals would commit: Adler's theory suggested a larger portion of this crime would be violent, whereas Simon's theory suggested it should be predominantly in the area of property and white-collar crime.<sup>65</sup> Later research suggested

63. McGraw Hill, New York, 1975.

64. *Women and Crime*, Lexington Books, Lexington, Mass., 1975. See also Simon and Jean Landis, *The Crimes Women Commit, the Punishments They Receive*, Lexington Books, Lexington, Mass., 1991.

that Simon's opportunity thesis had more validity, but on the whole there was little evidence that this "new female criminal" existed at all.<sup>66</sup> In addition, Simpson suggested that these theories generated enormous interest among nonfeminist criminologists, and in some ways set back the cause of a feminist criminology because it "diverted attention from the material and structural forces that shape women's lives and experiences," and ignored broader questions of how those forces shaped women's lives.<sup>67</sup> Because of this, other feminist criminologists argue that neither theory should be described as feminist criminology.<sup>68</sup>

After Adler's and Simon's contributions, criminological writings that focused on explaining women's participation in crime expanded dramatically.<sup>69</sup> Many of these writings could be described as a part of traditional criminology itself, filling in gaps and correcting the distortions of the past. As such, they were part of what came to be called *liberal feminism*.<sup>70</sup> This branch of feminism basically operated within the framework of existing social structures where it worked to direct attention to women's issues, promote women's rights, increase women's opportunities, and transform women's roles in society.

Soon, however, several strands of "critical" feminism arose, which directly challenged the social structures within which liberal feminism operated. These strands looked at the much more fundamental questions of how women had come to occupy subservient roles in society and how societies themselves might be transformed. The first such strand is known as *radical feminism*, and its central concept is that of "patriarchy." Originally a concept used by sociologists like Max Weber to describe social relations under feudalism, the term was resurrected by Kate Millett in 1970 to refer to a form of social organization in which men dominate women.<sup>71</sup> Millett argued that patriarchy is the most fundamental

65. Ted Alleman, "Varieties of Feminist Thought and Their Application to Crime and Criminal Justice," pp. 3-42 in Roslyn Muraskin and Ted Alleman, eds., *It's a Crime: Women and Justice*, Prentice Hall, Englewood Cliffs, N.J., 1993.

66. Simpson, op. cit., p. 610.

67. Simpson, op. cit., p. 611. Daly and Chesney-Lind (op. cit., p. 511) also point to the "limitations of the liberal feminist perspective on gender that informed their work."

68. Allison Morris, *Women, Crime and Criminal Justice*, Blackwell, New York, 1987, p. 16. Daly and Chesney-Lind (op. cit., p. 507) agree with her conclusion.

69. For a collection of readings on the subject, see Muraskin and Alleman, op. cit. See also brief summaries in Simpson, op. cit., and Daly and Chesney-Lind, op. cit.

70. Alison Jaggar, *Feminist Politics and Human Nature*, Roman and Allanheld, Totowa, N.J., 1983. For brief discussions of liberal, as well as radical, Marxist, and socialist feminism in criminology, see Simpson, op. cit., p. 607; Daly and Chesney-Lind, op. cit., p. 507, 537; Alleman, op. cit., pp. 9-11; Einstadter and Henry, op. cit., pp. 264, and Franklin P. Williams III and Marilyn D. McShane, *Criminological Theory*, 2nd ed., Prentice Hall, Englewood Cliffs, NJ, 1994.

71. Kate Millett, *Sexual Politics*, Doubleday, New York, 1970.

form of domination in every society. Patriarchy is established and maintained through sex role socialization and the creation of "core gender identities," through which both men and women come to believe that men are superior in a variety of ways. Based on these gender identities, men tend to dominate women in personal interactions, such as within the family. From there, male domination is extended to all the institutions and organizations of the larger society. Because male power is based on personal relationships, these feminists concluded that "the personal is political."

Where Millett had placed the root of the problem in socialization into gendered sex roles, *Marxist feminists* combined radical feminism with traditional Marxism to argue that the root of the problem of male dominance lay in the fact that men own and control the means of economic production. That is, Marxist feminism tied patriarchy to the economic structure of capitalism. This resulted in a "sexual division of labor" in which men control the economy and women serve them and their sexual needs.<sup>72</sup> As with Marxist criminology generally, Marxist feminists argue that the criminal justice system defines as crimes those actions that threaten this capitalist-patriarchal system. Thus, the actions by women that are defined as crimes primarily take the form of property crimes (when women threaten male economic dominance) and sexual offenses (when women threaten male control of women's bodies and sexuality). As with Marxists generally, some Marxist feminists take an "instrumental" view of the criminal law, in which law is described as a direct instrument of men's oppression, while others take a more complex "structural" view that looks to overall patterns through which law maintains the system of patriarchy in the long run.<sup>73</sup> An additional source of women's criminality in this perspective is found in the frustration and anger that women feel in being trapped in these limiting social roles.<sup>74</sup>

Finally, *socialist feminists* retained both the focus on social roles and economic production, but moved away from a more rigid Marxist framework. In particular, they added a strong element about natural reproductive differences between the sexes, which underlies male-female relationships in the larger society. Before birth control, women were much more at the mercy of their biology than men—menstruation, pregnancy,

72. Polly Radosh, "Woman and Crime in the United States: A Marxian Explanation," *Sociological Spectrum* 10:105-31 (1990).

73. Dawn Currie, "Women and the State: A Statement on Feminist Theory," *Critical Criminologist* 1(2): 4-5 (1989); Einstader and Henry, op. cit., pp. 267-68.

74. Radosh, op. cit.; Daly and Chesney-Lond, op. cit.

childbirth and nursing, menopause—all of which made them more dependent on men for physical survival. The biological role of women in being pregnant, giving birth, and nursing babies led to their taking major responsibility for raising children, who require extensive care for long periods of time. Ultimately, this led to a "sexual division of labor" in which men work outside the home and women work inside it, which then forms the basis for male domination and control over women.<sup>75</sup> Therefore, the key to an egalitarian society lay not in women taking ownership of the means of economic production, but in women taking control of their own bodies and their own reproductive functions. Once they have done that, then they can move on to taking their rightful place in the larger societies.

Messerschmidt makes an additional argument that radical and Marxist feminists tended over time to transform Millett's original argument about gendered sex roles into one that attributed the problem to the "essential" characteristics of men and masculinity.<sup>76</sup> That is, radical feminists argued that the problem is not that males are socialized into sex roles with certain characteristics, but that it is in men's nature to be dominating and violent. Thus, what started out as a socialization theory became an "essentialist" theory that pointed to biological differences between men and women as the foundation for patriarchy. This "essentialism" eventually led to a celebration of all characteristics that were said to be "essentially female" and a condemnation of all characteristics that were said to be "essentially male." Messerschmidt argues that the basic problem lies in socialization into sex roles and that biological arguments about male aggressiveness are simply false. He therefore developed a social structural theory, consistent with socialist feminism, of how males are socialized into roles that lead to violence and domination.

Liberal, radical, Marxist, and socialist feminisms are all widely recognized as separate strands of feminism, but several other "strands" also are sometimes mentioned.<sup>77</sup> One of these is "postmodern feminism." Smart, for example, discusses how discourse is used to set certain women

75. Shulamith Firestone, *The Dialectics of Sex: The Case for Feminist Revolution*, William Morrow, New York, 1970. For a brief discussion, see Alleman, op. cit., pp. 29-31.

76. Messerschmidt, op. cit, 1993, pp. 45-50. See also Messerschmidt, "From Patriarchy to Gender: Feminist Theory, Criminology and the Challenge of Diversity," ch. 9 in Nicole Hahn Rafter and Frances Heidensohn, *International Feminist Perspectives in Criminology*, Open University Press, Buckingham, U.K., 1995; and the discussion on "controlling men's violence toward women" in Daly and Chesney-Lind, op. cit., pp. 520-21.

77. See, for example, Daly and Chesney-Lind, op. cit., p. 501; and Simpson, p. 606.

apart as "criminal women."<sup>78</sup> Other feminists reject postmodernism, claiming that feminism should be seen as a modernist project adhering to standards of scientific objectivity.<sup>79</sup>

Whether or not they adhere to postmodernism as a whole, a large number of feminists now take an "appreciative relativism" stance within feminism that is similar to postmodernism. That is, they recognize and appreciate many different feminist voices as legitimate, and refrain from analyzing, classifying, and ultimately picking apart those different voices.<sup>80</sup> On the other hand, many feminists also claim that feminist thinking is superior to "male-dominated" thinking, which they describe as biased, distorted, and lacking objectivity due to its loyalty to male domination.<sup>81</sup> But because it neither privileges nor disparages particular points of view, postmodernism itself would seem to suggest that "male-dominated" thinking is as legitimate as feminist thinking. To that extent, postmodernism seems difficult to reconcile with feminism.<sup>82</sup>

Clearly, feminist criminology has filled in many gaps and corrected many distortions in traditional criminology. But in this role, it fits within the enterprise of traditional criminology itself. The larger question concerns whether there is some definable and separate "feminist thinking" that diverges from and is even incompatible with traditional criminology.<sup>83</sup> It is to this larger and much more complex issue that feminist criminologists are now turning.

Daly and Chesney-Lind make an argument that is related to this point: "The place of men and women in theories of crime cannot be separated from . . . the place of men and of women in constructing theory and conducting research."<sup>84</sup> That is, they argue that there are differences between men and women criminologists, and that these differences are

78. Carol Smart, *Feminism and the Power of Law*, Routledge, London, U.K., 1989; and "Feminist Approaches to Criminology or Postmodern Woman Meets Atavistic Man," pp. 70–84 in Loraine Gelshorpe and Allison Morris, eds., *Feminist Perspectives in Criminology*, Open University Press, Milton Keynes, U.K., 1990. For a different postmodernist feminist view, see Christine Garza, "Postmodern Paradigms and Chicana Feminist Thought: Creating a Space and Language," *Critical Criminologist* 4(3/4): 1–2, 11–13 (1992). These are reviewed in Einstadter and Henry, op. cit., pp. 285–86.

79. Einstadter and Henry, op. cit., p. 299.

80. On the other hand, such broad inclusion of diverse women's experience tends to weaken arguments about women's common experiences of oppression. See Dawn H. Currie, "Challenging Privilege: Feminist Struggles in the Canadian Context," *Critical Criminologist* 3(1): 1–2, 10–12 (1991).

81. Jagger, op. cit., p. 370. For a discussion of this view, see Daly and Chesney-Lind, op. cit., pp. 499–500.

82. Einstadter and Henry, op. cit., pp. 299–300.

83. Smart, 1990, op. cit., p. 261.

84. Daly and Chesney-Lind, op. cit., pp. 518–19.

associated with differences in the types of problems that they address, in the types of theories that they construct, and in the types of research that they conduct.

Daly and Chesney-Lind point out that the problem of gender and crime in criminology has taken one of two forms<sup>85</sup>: the *generalizability* problem, which focuses on whether traditional criminology theories, which explain male criminal behavior, can be generalized to explain female criminal behavior; and the *gender ratio* problem, which focuses on explaining why women are less likely, and men more likely, to engage in criminal behavior. The "generalizability" problem has been addressed primarily by male criminologists.<sup>86</sup> Daly and Chesney-Lind also suggest that this is the "safe" course of action, intellectually and professionally, for female criminologists who are just entering the field since it uses "a domesticated feminism to modify previous theory."<sup>87</sup> The problem with this approach, however, is that the research on generalizability is decidedly mixed, so that the traditional male-oriented criminology theories have limited value for explaining female criminality.<sup>88</sup> This may be because the theoretical concepts on which they are based "are inscribed so deeply by masculinist experience that this approach will prove too restrictive, or at least misleading" when applied to female crime.<sup>89</sup>

Almost all women criminologists who examine gender and crime have addressed the "gender ratio" problem, as opposed to the "generalizability" problem. In doing this, their research has been more likely to involve observations and interviews, and they "have displayed more tentativeness and a discomfort with making global claims" at the theoretical level. In contrast, the men criminologists who address the gender ratio problem have been more bold in making grand theoretical claims, and have tended to do empirical research that involved statistical analysis of quantitative data. Daly and Chesney-Lind state that the women criminologists<sup>90</sup>

are more interested in providing texture, social context, and case histories: in short, in presenting accurate portraits of how adolescent and adult women become involved in crime. This gender difference . . . (is related) to a felt need

85. *Ibid.*, pp. 514–20.

86. See, for example, John Hagan's power-control theory, reviewed in Chapter 18, pp. 246–48.

87. Daly and Chesney-Lind, op. cit., p. 518.

88. *Ibid.*, p. 514.

89. *Ibid.*, p. 519.

90. *Ibid.*, p. 518.

to comprehend women's crime on its own terms, just as criminologists of the past did for men's crime.

The problem for these women criminologists is that "global or grand theoretical arguments and high-tech statistical analyses are valued more highly by the profession."<sup>91</sup> The women criminologists therefore run the risk that their approaches "will be trivialized merely as case studies, or will be written off as not theoretical enough."<sup>92</sup>

### ASSESSMENTS OF CRITICAL THEORIES

Most societies based on Marxism have now collapsed, which clearly suggests that economic systems based on Marxism have fatal flaws. However, the new nations that have emerged from the collapse of Marxist societies have experienced large increases in crime as they re-established capitalism.<sup>93</sup> This suggests that there may be some validity to the claim within Marxist criminology that there is a link between crime and capitalism. At a minimum, criminologists might examine recent developments in the former communist countries to determine whether capitalism is causally related to certain types and levels of crime. If a relationship between political economy and crime rates does exist, it may be because, as was suggested in Chapter 8, that capitalism tends to be associated with higher levels of economic inequality, and the inequality itself, rather than the capitalist economic system, causes crime.

Postmodernist criminology has many similarities to Marxist criminology, but shifts attention from economic production to linguistic production. Postmodernists draw attention to the uses of language in creating dominance relationships, which would seem to have a great deal of merit in general and in the study of crime in particular.<sup>94</sup> In addition, the development of "replacement discourses" that are inclusive and accepting, instead of exclusive and rejecting, could have consid-

91. *Ibid.*, p. 518.

92. *Ibid.*, pp. 519–20.

93. See, for example, Stephen Handelman, "The Russian 'Mafiya,'" *Foreign Affairs* 73(2): 83–92 (1994); Robert M. Lombardo, ed., "Organized Crime IV: The Russian Connection," *Journal of Contemporary Criminal Justice* 11(4): 213–97 (1995).

94. The use of language in creating dominance relationships was a major focus of Bernard, *The Consensus Conflict Debate*, op. cit. The book attempted to show how social theories use certain language systems (the "form" of the theory) to construct ideas about who and what is legitimate in the society (the "content" of the theory). These ideas about legitimacy are then used to privilege certain people and to repress others in the society. The book showed that these patterned ways of constructing legitimacy go back as far as Plato and Aristotle and are the actual point at issue in what is known more recently as "the consensus-conflict debate."

erable benefits for criminology and may well be a method to reduce crime.<sup>95</sup>

However, postmodernists take a position of "appreciative relativism" that privileges all points of view equally and treats scientific discourse as having no more validity than any other language. This may go too far for most criminologists, who hold to the validity of the basic scientific process despite all of its practical difficulties. Indeed, criminologists may look at postmodern criminology from a scientific perspective. One of its fundamental assertions is that violence begets violence, so that the violence of our present criminal justice policies will only increase the violence of criminals in our society. This, in the last analysis, is an empirical assertion that can be tested with scientific research—e.g., the violence of criminal justice policies in different states or nations could be compared to the crime rates of those states or nations. If the postmodernists are correct, there should be a clear relationship between violent criminal justice policies and violent crime.

Even if criminologists do not agree that all types of thinking have equal legitimacy with scientific thinking, they may want to consider that there is at least one alternate way of thinking that merits further exploration: feminine thinking.<sup>96</sup> Scientific thinking is typically masculine—linear, rational, quick, certain, objective. "Feminine" thinking tends to be slower, intuitive, more circular and iterative, more tentative, and in many ways similar to the way Daly and Chesney-Lind report women criminologists have approached the gender-ratio problem in criminology. Perhaps criminology needs to adopt enough "appreciative relativism" to encompass what has previously been a feminine approach to crime.

95. For example, Braithwaite's shaming theory, discussed in Chapter 18, pp. 303–4, makes some similar arguments about inclusive and exclusive uses of language in responding to deviance. However, he does so in the context of a traditional scientific approach, rather than a postmodern approach.

96. See, for example, Marion Woodman, *Leaving My Father's House: A Journey to Conscious Femininity*, Shambhala, Boston, 1993. Woodman argues that "masculine" and "feminine" are principles in every person, and that they are not confined to one gender or the other. Her use of these terms is similar to Thomas Moore's use of the terms "spirit" and "soul" in his books *Care of the Soul* and *Soul Mates* (HarperCollins, New York, 1992 and 1994).

# Developmental Criminology

Most theories in criminology focus on the relationship between crime and various biological, psychological or social factors, and they assume that these factors have the same effect on offenders regardless of their age. In contrast, developmental theories assume that different factors may have different effects on offenders of different ages. These developmental theories therefore explain crime in the context of the life course: i.e., the progression from childhood to adolescence to adulthood and ultimately to old age. For example, developmental theories may assert that some factors explain criminal behavior that starts in childhood or early adolescence, but other factors explain crime that starts in late adolescence or adulthood. Some factors explain the fact that a person begins to commit crime, while other factors explain whether the person continues to commit crime for a long time or quickly stops.

A substantial number of criminologists argue that these developmental theories do not contribute anything new to criminology, and that the standard theories that do not consider age and the life course are adequate to explain crime. A major debate about this issue was fully engaged by the mid-1980s. At its center was an argument about the relationship between age and crime. But the debate also was entangled in complicated arguments about criminal careers, since that concept refers to the development and progression of offending over time. The debate also involved a particularly fierce argument about the type of research needed to test criminology theories. We begin with a review of this debate and of some of the evidence that was marshalled to defend each side. We then discuss other developmental theories that have been recently proposed.

## THE GREAT DEBATE: CRIMINAL CAREERS, LONGITUDINAL RESEARCH, AND THE RELATIONSHIP BETWEEN AGE AND CRIME

In 1986, the National Research Council's Panel on Research on Criminal Careers published a two-volume work entitled *Criminal Careers and "Career Criminals."*<sup>1</sup> The panel's research was based on ideas that had been brewing for some time. In 1958, a study in Philadelphia had concluded that 6 percent of juveniles accounted for 52 percent of all juvenile contacts with the police in the city and 70 percent of all juvenile contacts involving felony offenses.<sup>2</sup> This led to the idea that there was a small group of active "career criminals" who accounted for a very large portion of crime.<sup>3</sup> This in turn led to the idea that crime rates could be reduced dramatically by locking these chronic offenders up.<sup>4</sup> Subsequently, a great deal of money was poured into research that attempted to develop these ideas so they could form the basis for practical crime policies.

Although the distinction was unclear at first, the ideas of "career criminals" and "criminal careers" are very different. A *career criminal* is thought to be a chronic offender who commits frequent crimes over a long period of time. In contrast, the term *criminal career* does not imply anything about the frequency or seriousness of the offending. It simply suggests that involvement in criminal activity begins at some point in a person's life, continues for a certain length of time, and then ends. Many people have short and trivial "criminal careers"—they commit one or two minor offenses and then stop.

The Panel on Research on Criminal Careers introduced a new set of terms with which to describe criminal behavior in the context of a criminal career. *Participation* refers to whether a person has ever committed a crime—it can only be "yes" or "no." *Prevalence* is the fraction of a group of people (such as all those under 18 years of age) that has ever

1. Alfred Blumstein, Jacqueline Cohen, Jeffrey A. Roth, and Christy A. Visher, *Criminal Careers and "Career Criminals"*, National Academy Press, Washington, D.C., 1986.

2. Marvin Wolfgang, Robert Figlio, and Thorsten Sellin, *Delinquency in a Birth Cohort*, University of Chicago Press, Chicago, 1972.

3. The idea of a career offender dates much further back than the Wolfgang et al. study, but it was this study that spurred new enthusiasm in the area. See Michael Gottfredson and Travis Hirschi, "The True Value of Lambda Would Appear to Be Zero: An Essay on Career Criminals, Criminal Careers, Selective Incapacitation, Cohort Studies, and Related Topics," *Criminology* 24(2): 213–33 (1986).

4. In actual fact, the Philadelphia study did not support this conclusion. See Thomas J. Bernard and R. Richard Ritti, "Selective Incapacitation and the Philadelphia Birth Cohort Study," *Journal of Research in Crime and Delinquency* 28(1): 33–54 (1991).

participated in crime. *Frequency* (symbolized by the Greek letter lambda) refers to the rate of criminal activity of those who engage in crime, measured by the number of offenses over time. *Seriousness*, of course, concerns the severity of one's offenses. *Onset* and *desistance* refer to the beginning and end of a criminal career, while *duration* refers to the length of time between onset and desistance.

The first major use of this new language system was to interpret the aggregate relationship between age and crime, which set off the "Great Debate" mentioned above. It has long been known that crime rates rise rapidly throughout the adolescent years, peak in the late teens or early twenties, and steadily decline from then on. The traditional view has been that the decline in this curve after about age 20 is due primarily to changes in frequency—i.e., the number of offenders remains the same but each offender commits fewer offenses. In contrast, career criminal researchers suggest that the decline is caused by a change in participation—i.e., the number of offenders declines but each remaining offender still engages in a high rate of offending. If these researchers are right, then those offenders who continue to commit crimes at high levels after their early 20s are "career criminals" who need to be incapacitated. On the other hand, if all offenders gradually commit fewer crimes, then none of them are "career criminals" in the sense of being a more frequent and chronic offender than the others.

This interpretation of the age-crime relationship also has another implication. Because some offenders always participate whereas others end their careers early, it may be necessary to develop different models for predicting participation and frequency. It may be that one set of factors influences whether someone participates in crime, whereas another set of factors affects the frequency and duration of their criminal acts.

Essentially, this represents the central contentions of the two sides in the "great debate" mentioned above. On the one side were the career criminal researchers, notably Alfred Blumstein, Jacqueline Cohen, and David Farrington, while on the other side most notably were Michael Gottfredson and Travis Hirschi.<sup>5</sup> Gottfredson and Hirschi took

5. This debate can be reviewed in a series of articles: Alfred Blumstein and Jacqueline Cohen, "Estimation of Individual Crime Rates from Arrest Records," *Journal of Criminal Law and Criminology* 70: 561–85 (1979); Travis Hirschi and Michael Gottfredson, "Age and the Explanation of Crime," *American Journal of Sociology* 89: 552–84 (1983); David Greenberg, "Age, Crime, and Social Explanation," *American Journal of Sociology* 91(1): 1–21 (1985); Gottfredson and Hirschi, "The True Value of Lambda Would Appear to Be Zero: An Essay on Career Criminals, Criminal Careers, Selective Incapacitation, Cohort Studies, and Related Topics," *Criminology* 24(2): 213–33 (1986); Blumstein, Cohen, and David Farrington, "Criminal Career Research: Its Value for Criminology," *Criminology* 26(1): 1–35 (1988); Gottfredson and Hirschi, "Science, Public Policy, and the Career Paradigm," *Criminology* 26(1): 37–55 (1988); Blumstein, Cohen, and Farrington, "Longitudinal and Criminal Career Research: Further Clarifications," *Criminology* 26(1): 57–73 (1988).

the position that, independent of other sociological explanations, age simply matures people out of crime. The decline of crime with age therefore is due to the declining frequency of offenses among all active offenders, rather than declines in the number of active offenders. Because of this, Gottfredson and Hirschi argue that there is no reason to attempt to identify and selectively incapacitate "career criminals."

The debate on the relationship between age and crime led to a particularly ferocious dispute about the type of research that is required to test out these theories. Much prior research in criminology looked at aggregate crime rates—for example, burglary rates in a given city. But these aggregate rates say nothing about whether burglaries are committed by a small number of offenders who each commit a large number of burglaries or by a large number of offenders who each commit only a few. To answer this question, career criminal criminologists focused on the patterns of crimes committed by individual criminals over a period of time, rather than on aggregate crime rates within a particular location.<sup>6</sup> In particular, they tended to use "longitudinal research," which follows the same individuals over a long period of time. An early example of longitudinal research, as discussed in Chapter 4, was carried out by the Gluecks, who followed the lives of 500 delinquents and 500 nondelinquents over many years, attempting to assess why some juveniles become delinquent or criminal and others do not.<sup>7</sup>

In contrast, most other criminologists have used "cross sectional" research, which compares different individuals at the same time. For example, criminologists might examine a number of juveniles in a particular city, find out which juveniles commit the most offenses, and assess what types of factors are associated with those juveniles. Cross-sectional research is much cheaper than longitudinal research since it can be done at one time. Gottfredson and Hirschi argue that because the age-crime relationship is invariant, cross-sectional research is sufficient, and it is an unnecessary waste of resources to collect information about the same individuals over a long time period.<sup>8</sup> Other criminologists, however, believe that longitudinal data collection and analysis can be beneficial to

6. This was based on their view "that crime is committed by individuals, even when they organize into groups, and that individuals are the focus of criminal justice decisions" (Blumstein et al., op. cit., p. 12).

7. Sheldon Glueck and Eleanor Glueck, *500 Criminal Careers* (New York: Knopf, 1930); *Juvenile Delinquents Grown Up* (Commonwealth Fund, New York, 1940); *Unraveling Juvenile Delinquency* (Harvard University Press, Cambridge, 1950); and *Delinquents and Nondelinquents in Perspective* (Harvard University Press, Cambridge, 1968).

8. Michael Gottfredson and Travis Hirschi, "The Methodological Adequacy of Longitudinal Research on Crime," *Criminology* 25(3): 581–614 (1987).

the study of criminal behavior.<sup>9</sup> They argue that cross-sectional designs only allow the study of correlates of criminal behavior, whereas longitudinal designs allow for the study of causation because they can establish which factors came first. Longitudinal research also allows one to assess the extent to which prior behavior influences present and future behavior. Additionally, it allows assessment of whether different models are necessary to explain behavior at different points in the life course.

### CRIMINAL PROPENSITY VS. CRIMINAL CAREER

After considerable thrashing about, the age-crime debate described previously boiled down to a debate between the “criminal propensity” and the “criminal career” positions. Gottfredson and Hirschi espouse the *criminal propensity* position. Essentially, they argue that some people are more prone to commit crime and other people are less prone, but everyone’s propensity to commit crime is relatively stable over their life course after the age of about 4 or 5. That propensity might manifest itself in a variety of patterns of behavior, due to chance and circumstances, so that individuals with the same propensity might actually commit somewhat different amounts and types of crime. But because criminal propensity is essentially constant over the life course, it is unnecessary to explain such factors as age of onset of crime, duration of a criminal career, and frequency of offending. Actual variations in the amount of offending by given individuals then are explained primarily by their point on the age-crime curve. Everyone will follow the age-crime curve, in the sense that they all will have their greatest criminal involvement in their late teens and decline thereafter. But over the entire age curve, those with the lowest propensity always will have the lowest actual involvement with crime, while those with the highest propensity always will have the highest actual involvement. Thus, the age-crime curve, combined with variations in the propensity to commit crime, looks like Figure 17-1.

Gottfredson and Hirschi argue that the age-crime curve itself is invariant and does not require any explanation. Therefore, all that is required is to explain why different people have different criminal propensities.<sup>10</sup> And because criminal propensity does not vary over the life

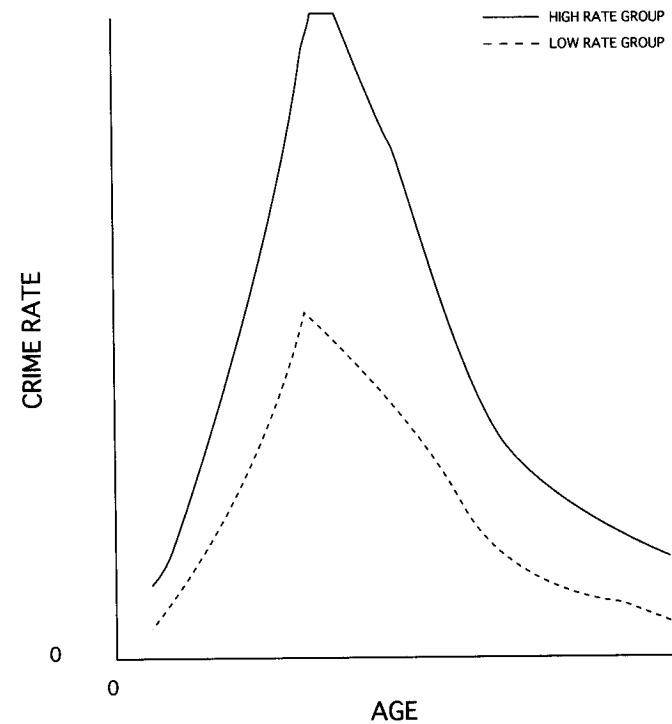


FIGURE 17-1 Hypothesized relation among age, propensity, and crime. (From Travis Hirschi and Michael Gottfredson, “Age and the Explanation of Crime,” *American Journal of Sociology* 89[3]: 565 [1983]. Reprinted by permission.)

course, the explanation can be tested with cross-sectional research, and there is no need for the more expensive longitudinal designs. This is the context for their theory of low self-control, as presented in Chapter 13.

In contrast to the criminal propensity position is the *criminal career* position, which we have previously discussed. According to this position, different sets of variables may explain behavior at different points in the life course. Thus it is necessary to build separate models for age of onset, participation, frequency, duration, and desistance. To some extent, then, the debate focused on whether the entire “criminal career” could be explained with a single causal theory (the “criminal propensity” position) or whether different causal processes were at work at different points in the life span (the “criminal career” position). In particular, the debate took on the focus of whether it was necessary to have separate causal models for participation and frequency, since those were the two crucial factors in the two contrasting explanations of the age-crime curve.

9. See, for example, Scott Menard and Delbert Elliott, “Longitudinal and Cross-Sectional Data Collection and Analysis in the Study of Crime and Delinquency,” *Justice Quarterly* 7(1): 11-55 (1990).

10. In *A General Theory of Crime* (Stanford: Stanford University Press, 1990) Gottfredson and Hirschi argue that the propensity toward crime is a product of low self-control, and allow for variation in the effect propensity has on actual behavior by introducing opportunity into their model. Low self-control only brings about criminal behavior when opportunities for such behavior are present. See Ch. 13, pp. 213-17.

Once the age-crime relationship debate was established as one that posed criminal propensity and criminal career positions against each other, researchers went to work attempting to garner support for one or the other position. Although the issue is not yet resolved,<sup>11</sup> there is some preliminary evidence supporting both positions.

Probably the strongest evidence for the criminal propensity position comes from Rowe, Osgood, and Nicewander, who fit a latent trait model to crime data.<sup>12</sup> A latent trait is a quality that is unobservable, but can be inferred through various measures. If it exists, then the inherent propensity to commit crime would be a latent trait because, for a given person, there is no way to directly observe it. The question, of course, is whether it exists at all. The way Rowe et al. decided to test this was to make certain assumptions about the latent "criminal propensity" trait and then use those assumptions to predict how criminal activity would be distributed among offenders if such a trait actually existed. They then compared those predictions with the actual distribution of offenses that had been found in four different cities. Rowe et al.'s model was basically atheoretical in that it did not discuss where this latent propensity toward criminal behavior comes from. Instead it was just a test to see if such a propensity may exist. According to the propensity position, such a trait should account for differences in both one's likelihood to participate in criminal behavior and one's frequency of participation, since both of these outcomes stem from the same source. Applying their models to four different sets of data on individual behavior, Rowe et al. found solid support for the propensity position.<sup>13</sup>

In contrast, researchers who examined the criminal career position attempted to determine whether the separate components of criminal careers required different causal explanations. Unlike the propensity po-

11. D. Wayne Osgood and David Rowe have recently attempted to lay out a detailed guide of how researchers may begin to competitively test the propensity and criminal career positions, in "Bridging Criminal Careers, Theory, and Policy Through Latent Variable Models of Individual Offending," *Criminology* 32(4): 517-54 (1994).

12. David Rowe, D. Wayne Osgood, and W. Alan Nicewander, "A Latent Trait Approach to Unifying Criminal Careers," *Criminology* 28(2): 237-70 (1990). These researchers define propensity in terms of the relative stability of causal factors (p. 241).

13. In each data set, there is a distribution of how many offenders committed zero, one, two, etc. offenses. For example, in Wolfgang's Philadelphia cohort, 65 percent of the cohort committed zero offenses, whereas 2.3 percent were responsible for nine or more. Rowe et al.'s study assumes that latent propensities are normally distributed, that the relationship between one's propensity to engage in crime and rate of offending ( $\lambda$ ) is exponential, and that the relationship between  $\lambda$  and observed offending can be modeled with a Poisson distribution (a probabilistic distribution of relatively rare events occurring over a continuum of time). Combining these probabilistic relationships, the authors produced frequency distributions that were very similar to actual distributions of offenses in data sets from Philadelphia, London, Richmond (Calif.), and Racine (Wis.). While this represents strong support, it also should be noted that the validity of such modeling depends on the validity of the assumptions described above.

sition, these scholars usually tried to operate within at least some sort of theoretical framework. For example, Smith, Visher, and Jarjoura examined the influence that variables from labeling, control, and differential association theories had on the different components of the criminal career: participation, frequency, and persistence (continuation of offending beyond initiation).<sup>14</sup> According to the criminal career perspective, different causal processes should be responsible for these different components. These authors found that differential association variables applied in the same fashion to each of the indicators, but differences occurred in the other two theoretical arenas. For example, negative peer labeling was associated with persistence but not frequency of delinquent behavior. After demonstrating that ". . . at least three dimensions of delinquency . . . have some common and some unique correlates"<sup>15</sup> the authors were reluctant to make definitive statements about the accuracy of the criminal career position. A more recent empirical examination of initiation and continuation of delinquency resulted in the same conclusion, that there are some similarities and some differences across models of the different types of indicators of delinquency.<sup>16</sup>

Criminal career proponents also hypothesized that criminal careers may consist of variation in offense specialization and seriousness, such that some offenders may tend to progress toward the concentration on one or a few offense types, and may tend to escalate toward more serious offenses. Blumstein, Cohen, Das, and Moitra have demonstrated that adult offenders tend to specialize (especially with drug and fraud offenses) and for some crime types (such as assault) would escalate toward more serious behaviors.<sup>17</sup> These patterns only held for white offenders, however; as a possible explanation for the race difference, they speculated that blacks may specialize as juveniles, and their study only addressed adult offending.<sup>18</sup>

## THE TRANSITION TO DEVELOPMENTAL CRIMINOLOGY

During the height of the debate over the age-crime relationship, Tittle called for an increased reliance on theory:

14. Douglas Smith, Christy Visher, and G. Roger Jarjoura, "Dimensions of Delinquency: Exploring the Correlates of Participation, Frequency, and Persistence of Delinquent Behavior," *Journal of Research in Crime and Delinquency* 28(2): 6-32 (1991).

15. *Ibid.*, p. 29.

16. Douglas Smith and Robert Brame, "On the Initiation and Continuation of Delinquency," *Criminology* 32(4): 607-29 (1994).

17. Alfred Blumstein, Jacqueline Cohen, Somnath Das, and Soumyo Moitra, "Specialization and Seriousness During Adult Criminal Careers", *Journal of Quantitative Criminology* 4(4): 303-45 (1988).

18. *Ibid.*, pp. 342-43.



Gottfredson and Hirschi assert that the criminal careers concept and, by implication, its associated research are without theoretical import. This is astonishing! . . . It is equally curious that Blumstein et al., contend that the criminal careers concept and research are theoretically significant, but without showing how . . . where is the actual theory? . . . We have theorists who refuse to theorize and we have researchers who acknowledge they should theorize but don't. . . . It is clear enough to most of the rest of us that issues of age and crime are amenable to social explanation and that such explanation ought to be the main goal of criminological work bearing on the age/crime phenomenon.<sup>19</sup>

Title suggests that two theories may best be able to support the criminal career position: labeling and control (see Chapters 13 and 14 for a description of these theories). Labeling theory implies that dynamic processes are at work over one's life development, such that the longitudinal study of criminal careers would be necessary to explore it. Actions are met with reactions by one's referential groups (peers, society, etc.). The informal and formal reactions subsequently affect one's future behavior. Such a theory inherently requires a longitudinal perspective. Labeling theory can explain both the drop-off in participation in late adolescence and the existence of a chronic offender. In the first case, those who commit crimes during adolescence but who are not caught and labeled may end up with a noncriminal identity and eventually desist from such behavior. Those who are caught, sanctioned, and labeled, on the other hand, may revert from primary to secondary deviance, as Lemert suggests, and become steady offenders.<sup>20</sup>

Title also argues that social control theory may be able to explain the age-crime relationship from the criminal career perspective. Many people bond to their parents as a child and hence do not engage in criminal behavior, but as they enter adolescence these bonds are reduced. In this period they cannot bond to conventional adult society, and their weakened bonds with their parents allow the possibility for them to engage in delinquent behavior. As they leave adolescence, however, they develop other kinds of bonds and once again become "straight." Those individuals who were not well bonded as children may be unable to "re-bond" after adolescence, and thus may represent chronic offenders.<sup>21</sup> Title is careful to point out that both of these explanations (labeling

and control) are only possibilities, but at least they ground the age-crime relationship in a theoretical context.

More recently, Nagin and Land, in a piece of research that found support for both the criminal career and propensity positions, suggested that "a moratorium should be called on strong either-or theoretical positions on the nature of criminal careers and that theoretical and empirical efforts should be directed instead to new challenges."<sup>22</sup> And indeed, although some scholars are still attempting to compete the two positions against each other, there is clearly a developmental criminology forming, one which has strong roots in developmental psychology, and one which is oriented toward originating new theories that treat crimes as social events in the life course.<sup>23</sup> As new developmental theories are being built and evaluated, the criminal career-criminal propensity polarity is becoming less central to theorists.

This is not to say that the work on criminal careers is irrelevant to modern developmental criminologists. On the contrary, it is this debate that has brought about the new enthusiasm for a developmental criminology. The terminology of the criminal career paradigm has been directly adopted by those pursuing theory development from the developmental perspective. For example, in Rolf Loeber and Marc Le Blanc's comprehensive review of the developmental literature and argument for a developmental criminology, they organize their review around the following terms: activation, aggravation, and desistance.<sup>24</sup> These concepts are closely akin to the core concepts of the criminal career paradigm. Activation refers to the continuity, frequency, and diversity of criminal activities. It consists of acceleration (increased frequency), stabilization (continuity over time), and diversification (of criminal activities). Aggravation is a developmental sequence that escalates in seriousness over time. Desistance refers to a decrease in the frequency of offending, a

22. Daniel Nagin and Kenneth Land, "Age, Criminal Careers, and Population Heterogeneity: Specification and Estimation of a Nonparametric, Mixed Poisson Model," *Criminology* 32(3): 357 (1993).

23. One of the first attempts to direct research away from the criminal career debate was made by John Hagan and Alberto Palloni ("Crimes as Social Events in the Life Course: Reconciling a Criminological Controversy," *Criminology* 26[1]: 87-100, [1988]). These authors suggest that the field of criminology substitute the idea of "social events" for "criminal careers," looking at the causes and consequences of behavior in the life course, either in the short or long run. This calls for the broadening of the foci of criminological theories from behaviors labeled criminal or delinquent to antisocial behaviors in general.

24. Rolf Loeber and Marc Le Blanc, "Toward a Developmental Criminology," in *Crime and Justice: A Review of Research*, eds. Michael Tonry and Norval Morris, vol. 12, University of Chicago Press, Chicago, 1990, pp. 375-473. The division of concepts into activation, aggravation, and desistance is attributed to Marc Le Blanc and M. Fréchette, *Male Criminality Activity from Childhood through Youth: Multilevel and Developmental Perspectives*, Springer-Verlag, New York, 1988.

19. Charles Tittle, "Two Empirical Regularities (Maybe) in Search of an Explanation: Commentary on the Age/Crime Debate," *Criminology* 26(1): 78 (1988).

20. *Ibid.*, pp. 79-80.

21. *Ibid.*, pp. 81-82.

reduction in its diversification (specialization), and a reduction in its seriousness.

In the following sections we review two developmental theories, which each contribute a different twist.<sup>25</sup> Thornberry's interactional theory explores the relationship between past and present criminal behavior, shows how causal processes of delinquent behavior are dynamic and different forces shape each other over time, and shows that causal influences may depend on the period of an individual's life. Sampson and Laub's longitudinal study pays special attention to the tension between stability and change perspectives in developmental psychology and criminology. They argue that although prior behavior is a strong determinant of present and future behavior, turning points in individuals' lives do exist, and change (both positive and negative) can occur at any point in a developmental sequence.

### THORNBERRY'S INTERACTIONAL THEORY

Thornberry's interactional theory combines control and social learning theories (see Chapters 12 and 13), attempting to increase their collective ability to explain delinquent behavior.<sup>26</sup> To Thornberry, these theories are flawed by their reliance on unidirectional causal structures. He attempts to develop a model in which concepts from these theories affect each other over time, reciprocally, and in which actual delinquent behavior also reciprocally affects the theoretical concepts. Also, Thornberry believes that the contributing causes to delinquent behavior will change over an individual's life course.

Interactional theory is based mostly on control theory, viewing social constraints as the primary cause of delinquency. However, reduced social constraints may free up behavior but delinquency still "requires an interactive setting in which (it) is learned, performed, and reinforced."<sup>27</sup> The theory is comprised of six concepts from control and social learning theory: attachment to parents, commitment to school, belief in conventional values, association with delinquent peers, adopting delinquent values, and engagement in delinquent behavior. Three models are of-

25. Two other important developmental theories are by G. R. Patterson, Barbara DeBaryshe, and Elizabeth Ramsey, "A Developmental Perspective on Antisocial Behavior," *American Psychologist* 44(2): pp. 329-35 (1989); and Terrie Moffitt, "Adolescence-Limited and Life-Course-Persistent Antisocial Behavior: A Developmental Taxonomy," *Psychological Review* 100(4): 674-701 (1993). Moffitt's theory is briefly described in Chapter 7.

26. Terrence Thornberry, "Toward an Interactional Theory of Delinquency," *Criminology* 25(4): 863-87 (1987). An earlier version of this section is found in Thomas J. Bernard and Jeffrey Snipes, "Theoretical Integration in Criminology," in Michael Tonry, ed., *Crime and Justice: A Review of Research*, University of Chicago Press, Chicago, 1996, pp. 314-16.

27. Thornberry, op. cit., p. 865.

ferred, for early adolescence (11-13), middle adolescence (15-16), and late adolescence (18-20). The division of a theory into different models for different phases in this manner is one of the distinguishing characteristics of developmental theory.

Thornberry's main goal in interactional theory is to sort out the debate between control and social learning theorists: the former argue that delinquent behavior affects the peers one attaches to; the latter argue that one's peer associations affect delinquent behavior. Thornberry argues that peer associations may affect behavior, but behavior in turn can influence one's selection of peers. In interactional theory concepts from control theory are the most important contributors, because delinquency will probably not occur unless social constraints are reduced. Thus, the greater one's attachment to parents and commitment to school, the less likely one is to engage in delinquent behavior. Belief in conventional values is influenced by both attachment and commitment, and it affects delinquent behavior indirectly, through its reciprocal influence on commitment to school. Delinquent behavior negatively influences attachment and commitment. It also influences belief in conventional values, indirectly through its influence on attachment. As Thornberry says, ". . . while the weakening of the bond to conventional society may be an initial cause of delinquency, delinquency eventually becomes its own indirect cause precisely because of its ability to weaken further the person's bonds to family, school, and conventional beliefs."<sup>28</sup>

Also included in Thornberry's interactional theory are hypotheses about how models of delinquency might vary over the adolescent time period. Generally, the models for early, middle, and late adolescence are not very different; however, he does note a few expected disparities.<sup>29</sup> In middle adolescence, attachment to parents is expected to play a smaller role, since the adolescent is more involved in activities outside the home. Also, delinquent values are expected to exert a more important influence on commitment, delinquent behavior, and association with delinquent peers than they do in early adolescence, since these values have had more time to solidify. In late adolescence, two variables are added to the model: commitment to conventional activities such as employment, college, and military service, and commitment to family, such as marriage and having children. These variables essentially supplant attachment to parents and commitment to school, since they are more relevant during this time period in an individual's life.

28. *Ibid.*, p. 876.

29. *Ibid.*, pp. 877-82.

Interactional theory has been partially tested: Although the full theoretical model has not yet been tested, Thornberry and his colleagues have published longitudinal tests of the relationships between the control theory concepts and delinquency and of the relationships between the learning theory concepts and delinquency.<sup>30</sup> They have reported general support for the reciprocal relationship between both control and learning concepts and delinquent behavior. One interesting finding is that past delinquent behavior influences present behavior in two ways. First, it has a direct effect, independent of any of the social variables in the model. Second, it has an indirect effect through the way it influences the control and learning variables, which in turn change behavior. The exact nature of the relationship between past and present (or present and future) delinquent or criminal behavior is of extreme interest to developmental criminologists.

#### SAMPSON AND LAUB'S AGE-GRADED THEORY OF INFORMAL SOCIAL CONTROL

In their study of 500 delinquents and 500 nondelinquents described previously, Sheldon and Eleanor Glueck gathered and analyzed one of the most comprehensive data sets of individuals available in the area of criminology, publishing findings from this data from the 1930s through the 1970s. Their primary goal was to assess the factors most related to juvenile delinquency. Even though the Gluecks had excellent data with which to work, their analyses have been criticized on methodological grounds. In 1985, John Laub located the original Glueck data, and he and Robert Sampson spent several years reconstructing and reanalyzing it, responding to many of the methodological criticisms. From their secondary analysis of these data came a major developmental study, in which the authors developed a longitudinal theory of delinquency and crime, and used both quantitative and qualitative methods to support their arguments.<sup>31</sup>

The theory has three components, relating to the life phases of the individual. The first component explains juvenile delinquency; the sec-

ond explores behavioral transitions undergone as juveniles become adults; and the final component explains adult criminal behavior.

Juvenile delinquency, argue Sampson and Laub, is best explained by the individual's family context, and by his or her school, peers, and siblings. The most important family context factors influencing delinquency are erratic and harsh discipline by parents, mother's lack of supervision, parental rejection of child, and child's emotional rejection of his or her parents. These family factors may be influenced themselves by structural characteristics, such as a crowded household, low family SES, high residential mobility, parental criminality, family disruption, family size, foreign-born status of the family, and the mother's employment status. The effect of these structural variables on delinquency is indirect, as they are mediated by the process variables (such as harsh discipline).<sup>32</sup>

These structural factors are also expected to influence variables that relate to one's school, peers, and siblings. Disadvantaged structural conditions may result in weak attachment to school, poor performance in school, attachment to delinquent siblings, and attachment to delinquent peers. All these may in turn increase the likelihood of delinquent behavior.<sup>33</sup>

The remainder of Sampson and Laub's theory pertains to stability and change in the life course. They try to make sense of the apparent paradox that the best predictor of adult criminal behavior is childhood antisocial behavior and juvenile delinquency, but yet most delinquents do not become criminals as adults. For example, Robins has stated that "Adult antisocial behaviour virtually *requires* childhood antisocial behaviour [yet] most antisocial youths do *not* become antisocial adults."<sup>34</sup> Sampson and Laub argue that stability between adolescence and adulthood is a result of cumulative and interactional continuity, as delinquency "closes doors," reducing opportunities for positive life changes. They also state that childhood delinquency reduces the likelihood of positive adult social bonding, which in turn increases the potential for adult criminal behavior. This continuity, they argue, is independent of social class, background, family, and school factors.<sup>35</sup>

Despite the evidence of stability, Sampson and Laub also argue that change is common in the life course, that juvenile delinquents often do not turn out to be adult criminals, and that adult behavior can change

30. Terrence Thornberry, Alan Lizotte, Marvin Krohin, and S. J. Jang, "Testing Interactional Theory: An Examination of Reciprocal Causal Relationships among Family, School, and Delinquency," *Journal of Criminal Law and Criminology* 82: 3-35 (1991); and "Delinquent Peers, Beliefs, and Delinquent Behavior: A Longitudinal Test of Interactional Theory," *Criminology* 32(1): 47-83 (1994).

31. Robert Sampson and John Laub, *Crime in the Making: Pathways and Turning Points Through Life*, Cambridge: Harvard University Press, 1993. See also John Laub and Robert Sampson, "Turning Points in the Life Course: Why Change Matters to the Study of Crime," *Criminology* 31(3): 301-26 (1993); and Sampson and Laub, "Crime and Deviance in the Life Course," *Annual Review of Sociology* 18: 63-84 (1992).

32. Sampson and Laub, *Crime in the Making*, pp. 65-71.

33. *Ibid.*, pp. 101-6.

34. Lee Robins, "Sturdy Childhood Predictors of Adult Antisocial Behaviour: Replications from Longitudinal Studies," *Psychological Medicine* 8: 611 (1978). See also Moffitt, *op. cit.*, p. 676.

35. *Ibid.*, pp. 123-25. A similar argument is found in Moffitt, *op. cit.*

as well. As adults, the quality and strength of social ties is the strongest influence on whether one will engage in criminal behavior. Attachments to a spouse, job stability and commitment, dependence on an employer, and other such factors, will reduce the likelihood of criminal behavior. They refer to these social bonds as Coleman does,<sup>36</sup> calling them *social capital*, which pertains to relations among persons, and can be viewed as social investment. Even though juvenile delinquency negatively influences adult social capital, the development of social bonds as an adult can reduce the likelihood of crime, independent of one's childhood experiences. Thus, while one may be disadvantaged by one's past, he or she is not totally constrained by it.

Sampson and Laub's empirical analysis of the Gluecks' data found general support for their developmental theory.<sup>37</sup> The strongest effects on delinquency were family, school, and peer factors, which were influenced somewhat by structural variables. Structural variables did not have much of a direct effect on delinquency, instead influencing delinquency through their effect on these informal social control variables. As expected, childhood delinquency was an important predictor of adult criminal behavior. Independent of one's past, the development of strong social bonds as an adult reduced the likelihood of crime and deviance.

## CONCLUSION

Although developmental psychology has been around for a long time, developmental criminology is fairly new and it will take some time to assess how much support for it is garnered within the criminological community. Despite the tentative status of developmental theories within criminology, these theories are the basis for enormous funding by agencies that sponsor criminology research. In particular, the Project on Human Development in Chicago Neighborhoods, funded jointly by the MacArthur Foundation and the National Institute of Justice,<sup>38</sup> is eventually expected to cost around \$80 million. This project attempts to look not only at community contextual influences on individuals, but also individual change over time, examining multiple pathways that peo-

ple can take into and out of antisocial, delinquent, and criminal behavior. The study is unique in that it will look at how the changing relationship between an individual's development and his or her community's development may affect one's likelihood to engage in delinquency or crime. It is not expected to be completed until 2003.

Developmental theories of crime attempt to demonstrate that a single theory does not work well when explaining crime, because those factors that influence criminal behavior depend on what phase of the life course an individual is in. Thus, either multiple theories are necessary, or at the minimum, developmental characteristics need to be taken into account by any theory that attempts to explain crime at the individual level. The ultimate goal is to increase the power of criminology theories to explain crime. The other way to incorporate multiple theories in an effort to increase explanatory power is simply to integrate them with each other. This is the subject of the next chapter.

36. James Coleman, "Social Capital in the Creation of Human Capital," *American Journal of Sociology* 94: 95-120 (1988). See the discussion in Ch. 10, p. 151.

37. Sampson and Laub, *op. cit.*, pp. 247-49.

38. For a description of this project, see "Massive Study Will Trace Developmental Factors That Cause or Prevent Criminality," *NIJ Reports*, 220 2-4: (May-June 1990); David L. Wheeler, "Looking Beyond the Causes of Violence, Researchers Investigate Ways to Prevent It," *Chronicle of Higher Education*, Nov. 4, 1992, pp. A7-A9; and Ellen K. Coughlin, "Pathways to Crime," *Chronicle of Higher Education*, April 27, 1994, pp. A6-A7. In the Coughlin article, Michael H. Tonry is quoted as saying: "By a factor of 10, maybe by a factor of 20, it's the largest social-science research project ever undertaken in this country concerning crime and delinquency."

# Integrated Theories

As the preceding chapters amply demonstrate, there are a very large number of theories in criminology.<sup>1</sup> Most criminologists believe that the way to reduce the number of theories is by falsifying some of them. According to this view, different theories make contradictory predictions. These contradictory predictions can be tested against each other by research, by determining which predictions are consistent with the data and which are not. Theories whose predictions are inconsistent with the data are falsified and can be discarded, reducing the total number of theories. This is the “falsification” process.

Other criminologists, however, believe that, for a variety of practical reasons, the falsification process has failed to work. These criminologists turn to integration as a way to reduce the number of theories. They argue that the different theories do not contradict each other, but focus on different aspects of the same phenomenon and therefore make different predictions about it. The different theories therefore can be combined through integration into a smaller number of “larger” theories. These criminologists also argue that, by combining theories, the resulting theories will be more “powerful” in the sense that they can explain more of the variation in crime. Integration then is an alternative to falsification as a way to reduce the number of theories in criminology.

Most theories “integrate” at least some previously existing material in their arguments, so there is no firm and fast line between integrated theories and other theories. But we present here several different the-

ories that reasonably can be described as integrated theories, in order to facilitate further discussion of integration in general.

## ELLIOTT ET AL.’S INTEGRATED THEORY

Elliott and his colleagues opened the current round of debate on integration by publishing an article that explicitly attempted to combine strain, control, and social learning perspectives to explain delinquency and drug use with greater power.<sup>2</sup> They accomplish this by first integrating strain with social control theories, then by integrating social learning theories with control theory, and finally by combining all three.

The first step involved integrating strain and control theories. Elliott et al. described strain theories as making the argument “that delinquency is a response to actual or anticipated failure to achieve socially induced needs or goals (status, wealth, power, social acceptance, etc.).” Control theory, in contrast, holds that the strength of an individual’s conventional social bonds is inversely related to the probability that the individual will engage in delinquent behavior. Thus, control theory assumes constant motivation to commit crime and focuses on the strength of bonding to conventional others, while strain theory assumes constant bonding to conventional others and focuses on the strength of the motivation to commit crime.

Elliott et al. integrate these two arguments in several ways. They argue that delinquency should be highest when an individual experiences strong strain *and* weak control. They also assert that strain is one of the sources of weak social controls—i.e., strain weakens a person’s bonds to conventional others. They agree that other sources of weak social controls include inadequate socialization and social disorganization, an argument that is found in control theories. But Elliott et al. add that social disorganization also increases the likelihood of strain.

The second step involved integrating social learning theories and control theories. Where control theory focuses on the strength of conventional bonds, social learning theory is interested in the relative balance between conventional and deviant bonds. It suggests that delinquency is affected by the balance between the rewards and punishments associated with both conforming and deviant patterns of behavior. Adolescents receive rewards and punishments for their behavior primarily from

1. Earlier versions of several of the sections in this chapter are found in Thomas J. Bernard and Jeffrey B. Snipes, “Theoretical Integration in Criminology,” in Michael Tonry, ed., *Crime and Justice: A Review of Research*, University of Chicago Press, Chicago, 1996, pp. 301–48. This article also includes a more extensive history of the integration debate.

2. Delbert S. Elliott, Suzanne S. Ageton, and Rachelle J. Cantor, “An Integrated Theoretical Perspective on Delinquent Behavior,” *Journal of Research in Crime and Delinquency* 16: 3–27 (1979); Elliott, David Huizinga, and Ageton, *Explaining Delinquency and Drug Use*, Sage, Beverly Hills, Calif., 1985; Elliott, “The Assumption That Theories Can Be Combined with Increased Explanatory Power,” pp. 123–49 in Robert F. Meier, ed., *Theoretical Methods in Criminology*, Sage, Beverly Hills, Calif., 1985.

families, schools, and peers. While families and schools generally reinforce conventional behavior, peer groups are more likely to reinforce deviant behavior.

Elliott et al. integrate social control and social learning theories by arguing that an individual can form strong or weak bonds to conventional or deviant groups. Deviant behavior, they argue, is most likely when the individual has strong bonds to deviant groups and weak bonds to conventional groups, while it is least likely when the individual has strong bonds to conventional groups and weak bonds to deviant groups.

The third step in integrating strain, control, and social learning theories is to propose a single line of causation that includes variables from all three theories (see Figure 18–1). Strain, inadequate socialization, and social disorganization are all said to lead to weak conventional bonding. This then leads to strong delinquent bonding, which, in turn, leads to delinquent behavior. Strain can also directly affect strong delinquent bonding, as at least some strain theories argue, but Elliott et al. argued that most of the effect of strain operates through the weak conventional bonding. In addition, weak conventional bonding can directly affect delinquent behavior, as control theories argue, but Elliott et al. argued that most of its effect operates through the strong delinquent bonding.

The authors identify the integrated model with the social control rather than the social learning perspective, reasoning that the control perspective is more general and can explain deviance across levels of explanation, and that it is more sociological in that it places great importance on the role of institutional structures in controlling deviant behavior. They then supported their model with longitudinal data from the National Youth Survey. They found *no* direct effects of strain and social control concepts on delinquent behavior. Instead, most of the variance in delinquent behavior was explained by bonding to delinquent peers.

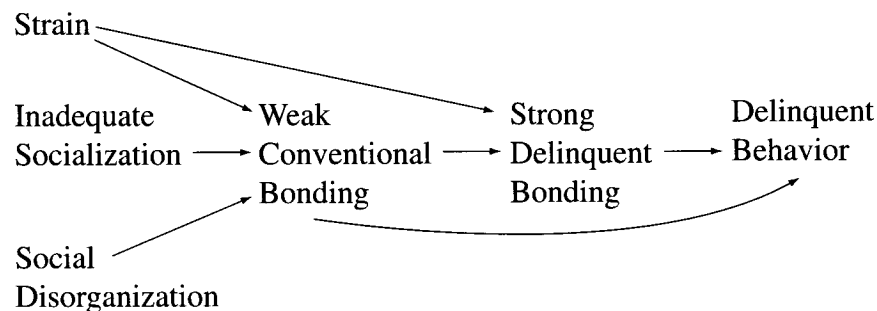


FIGURE 18–1 From Delbert S. Elliott, David Huizinga, and Suzanne S. Ageton, *Explaining Delinquency and Drug Use*, Sage, Beverly Hills, CA, 1985, p. 66.

Much of the debate about the usefulness of integrating criminology theories has swirled around Elliott et al.'s initial effort. The most prominent critic has been Hirschi, who argued that strain, control, and social learning theories fundamentally contradict each other and therefore cannot be integrated without fundamentally distorting one or more of the theories.<sup>3</sup> Hirschi particularly was concerned that Elliott et al. had distorted control theory. This theory includes a fundamental argument that the motivation to crime is rooted in human nature and therefore does not vary from person to person. In Hirschi's view, Elliott et al. could falsify this assertion by demonstrating that the motivation to crime does vary, but they cannot simply "integrate" control theory with strain theories, which explains crime in terms of variations in the motivation to commit it. Similarly, if the motivation to commit crime does not vary, then the bonding to deviant others will have no effect on the likelihood of committing crime. Elliott et al. can falsify control theory by demonstrating that deviant bonding does affect delinquency (a finding that they report), but they cannot simply "integrate" control theories with a theory that makes the opposite assertion. While Elliott et al.'s integration attempt has been the subject of extensive debate, the other integrated theories described below are much more recent and not subject to such analysis.

### BRAITHWAITE'S THEORY OF REINTEGRATIVE SHAMING

A second example of an integrative theory is Braithwaite's theory of reintegrative shaming, which draws on labeling, subcultural, opportunity, control, differential association, and social learning theories. Rather than simply combining concepts from earlier theories, as Elliott and his colleagues did, Braithwaite creates a new theoretical concept—reintegrative shaming—and shows how it fits into a web of other theoretical concepts.

Braithwaite describes shaming as "all social 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."<sup>4</sup> He then divides shaming into two types: stigmatization (when the shaming brings about a feeling of deviancy in the shamed) and reintegration (when the shamers ensure that they maintain bonds with the shamed). Reintegrative shaming occurs when the violator is shamed into knowing what he or she did is wrong but is also

3. Travis Hirschi, "Separate but Unequal is Better," *Journal of Research in Crime and Delinquency* 16: 34–38, 1979.

4. John Braithwaite, *Crime, Shame, and Reintegration*, Cambridge University Press, Cambridge, U.K., 1989, p. 100.

allowed reentry into the conforming group. The core argument of the theory is that reintegrative shaming leads to lower crime rates, whereas stigmatizing shaming leads to higher crime rates. Braithwaite uses this argument to explain many different types of crimes involving the victimization of some individuals by others, but he does not use it to explain "victimless" crimes.

Braithwaite then describes how other criminology theories are related to this core argument. Individuals with more social bonding are more likely to receive reintegrative shaming and thus less likely to commit crime. Labeling theory is drawn on to explain stigmatization, and once an individual is stigmatized, he or she is more likely to participate in a deviant subculture, and thus more likely to commit crime. The theory also acts on a structural level. Greater urbanization and mobility (from social disorganization theory) lessen the chance that "societal communitarianism" will exist. Communitarianism, or interdependency among individuals in a culture, tends to be associated with reintegration, while the lack of it leads to stigmatization. This in turn results in blocked legitimate opportunities, formation of subcultures, presence of illegitimate opportunities, and higher crime rates.

Because Braithwaite's theory is fairly recent, it has not yet received much discussion in the literature, nor has it been subjected to much empirical testing. Several criticisms have been offered, sparking some exploration of potential problems with the theory.<sup>5</sup> The first test of integrative theory finds support for the relationship between reintegrative shaming and criminal behavior (in this case, nursing home compliance with the law).<sup>6</sup> However, this is the only link it examines, and so the relationship between shaming and concepts from other theories remains unexplored.

#### TITTLE'S CONTROL BALANCE THEORY

Charles Tittle proposes a general theory of deviance that integrates essential elements from differential association, Merton's anomie, Marxian conflict, social control, labeling, deterrence, and routine activities theories.<sup>7</sup> He first argues that each of these theories is defensible in its own terms, but each is incomplete in that it does not answer questions

5. See Christopher Uggen, "Reintegrating Braithwaite: Shame and Consensus in Criminological Theory," *Law & Social Inquiry* 18: 481-500 (1993). Braithwaite's comment and a response by Uggen follows.

6. Toni Makkai and John Braithwaite, "The Dialectics of Corporate Deterrence," *Journal of Research in Crime and Delinquency*, 31(4): 347-73, 1994.

7. Charles R. Tittle, *Control Balance: Toward a General Theory of Deviance*, Westview Press, Boulder, Colo., 1995.

the other theories are designed to answer.<sup>8</sup> He then argues that an adequate theory must be able to explain a broad range of deviant behaviors, must fully account for those behaviors, must be precise in its causal arguments (e.g., including statements about when those processes operate with greater or lesser force and the time intervals between causes and effects), and must explain the entire causal chain and not simply start with preexisting causes that themselves are not explained.<sup>9</sup>

Like Braithwaite, Tittle then proposes a new concept around which to integrate the propositions from earlier, simpler theories: control balance. His central assertion is that "the amount of control to which an individual is subject, relative to the amount of control he or she can exercise, determines the probability of deviance occurring as well as the type of deviance likely to occur."<sup>10</sup> This accepts the premise of traditional control theories (like Hirschi's) that controls are the central concept in explaining conformity.<sup>11</sup> However, it contradicts those theories by asserting that control also is a central motivating factor that explains deviance: people who are controlled by others tend to engage in deviance to escape that control, while people who exercise control over others tend to engage in deviance in order to extend that control.<sup>12</sup> In this theory, then, conformity is associated with "control balance" rather than with control itself. That is, people are likely to engage in conforming behavior when the control they exert over others is approximately equal to the control that others exert over them. This results in a U-shaped curve with the most deviance being committed by those who have the greatest control and those who have the least.<sup>13</sup>

Tittle defines deviance as "any behavior that the majority of a given group regards as unacceptable or that typically evokes a collective response of a negative type."<sup>14</sup> But rather than explaining deviance as a single construct, he divides it into six types: predation, exploitation, defiance, plunder, decadence, and submission.<sup>15</sup>

8. *Ibid.*, pp. 1-16.

9. *Ibid.*, pp. 17-53.

10. *Ibid.*, p. 135.

11. *Ibid.*, p. 142.

12. *Ibid.*, p. 143. Tittle defines "being controlled" as "a continuous variable conveying the extent to which expression of one's desires or impulses is potentially *limited* by other people's abilities (whether actually exercised or not) to help, or hinder, or reward, or punish, or by the physical and social arrangements of the world." He defines "exercising control" as "a continuous variable reflecting the degree to which one can limit other people's realization of their goals or can escape limitations on one's own behavioral motivations that stem from the actions of others or from physical or social arrangements."

13. *Ibid.*, p. 183.

14. *Ibid.*, p. 124.

15. *Ibid.*, pp. 137-41.

Predation involves direct physical violence or manipulation to take property, and includes such behaviors as theft, rape, robbery, fraud, and homicide. Exploitation is indirect predation, where the exploiter uses others to do the "dirty work." Examples are contract killings, price-fixing, and political corruption. Defiance occurs when individuals revolt against norms or values, by engaging in such acts as violating curfews, vandalism, political protests, and "sullenness by a marital partner." Acts of plunder are typically undertaken by people without much of a social conscience, are considered to be particularly heinous, and include such behaviors as destroying fields to hunt for foxes, pollution by oil companies, and unrealistic taxes imposed by occupying armies. Decadence refers to behavior that is unpredictable and viewed by most as irrational; examples are group sex with children and sadistic torture. Acts of submission involve "passive, unthinking, slavish obedience to the expectations, commands, or anticipated desires of others."<sup>16</sup> Examples are eating slop on command, or allowing one's self to be sexually degraded. One may question whether several of the acts described in these categories are deviant (such as eating slop on command). According to Tittle, the theory explains more than deviance: It explains submission, decadence, and the other categories. Thus, an act may be submissive and not necessarily deviant but still be explained by the theory.<sup>17</sup>

There are four primary concepts employed in control balance theory: predisposition, provocation, opportunity, and constraint. Predisposition toward deviant motivation includes one's desire for autonomy and his or her control ratio, which is the "amount of control to which the person is subject relative to the amount that he or she can exercise."<sup>18</sup> Tittle deems one's desire for autonomy as relevant to predisposition, but notes it varies very little across individuals. Varying more dramatically across individuals is the control ratio. Within each individual, it may be fairly stable overall, but can also vary from situation to situation, since different contextual circumstances may arise, affecting the balance of control.

Provocations are "contextual features that cause people to become more keenly cognizant of their control ratios and the possibilities of altering them through deviant behavior. . ."<sup>19</sup> Examples include verbal insults or challenges. Constraint refers to the likelihood that potential control will actually be exercised (compared to the control ratio, which

refers to potential control and not actual control). Finally, opportunity is defined in the traditional manner, relating to the circumstances under which it is feasible to commit a given act. For example, it is difficult to rape if there are no people present, or it is difficult to burglarize with no dwellings around.

The causal processes comprising control balance theory are fairly complex, so we shall limit this discussion to the core theoretical mechanisms. Deviant behavior occurs when one attempts to alter his or her control ratio, whether temporarily or permanently. Thus, deviance serves a purpose for the person committing it. When the amount of control exercised is roughly the same as the amount of control one is subjected to, control balance occurs, and the probability of deviance is low. But when the ratio is not balanced (in either direction), the likelihood of deviance increases at a rate proportional to the degree of imbalance. Motivation drives the likelihood of deviant behavior, and motivation is influenced strongly by the control balance ratio. Other variables, such as provocations, constraint, and opportunity also converge in influencing the actual probability of deviance occurring, but one's motivation (and predisposition toward motivation) are the most important contributing factors to deviance.

Control balance theory explains type of deviance in addition to likelihood of deviance. Those with a balanced ratio are likely to conform. Those who have a higher ratio of autonomy to repression (are more likely to exercise control than to be controlled) are likely to engage in exploitation (minimal imbalance), plunder (medium imbalance), or decadence (maximum imbalance). Those who have a lower ratio of autonomy to repression (are more likely to be controlled than to exercise control) are likely to engage in predation (marginal imbalance), defiance (moderate imbalance), and submission (extreme imbalance). A question that immediately comes to mind is why the most serious forms of deviance (such as predation) are coupled with the slightest imbalances. Tittle explains this by saying that when control deficits are small, people will be able to commit more serious acts of deviance without as much fear of controlling response than if they had larger control deficits. People with marginal control deficits will usually be deterred from deviant acts, but when they do commit them, according to Tittle, they will be more serious in nature. People with more extreme control deficits will be "less able to imagine that such behavior will escape controlling responses from others,"<sup>20</sup> and thus their deviance will take less serious forms (such as submission and defiance). Similarly, people with control

20. Ibid., p. 187.

16. Ibid., p. 139.

17. Ibid., p. 140.

18. Ibid., p. 145.

19. Ibid., p. 163.



surplus (more autonomy than repression) will commit acts of deviance with seriousness that is in proportion to how controlled they are. Individuals with only a slight advantage will feel more limited in the extent to which they can exercise control, and will commit less serious acts (exploitation, compared to plunder and decadence).

Tittle's theory is too recent to have been subject to criticism or testing. Our brief summary of it masks its complexity as well as Tittle's exertion in building a neatly structured theory. Much of his book is devoted to detailing the requisites of a good theory and showing how most criminological theories lack some of the features of solid theory. He then builds control balance theory with these features in mind (breadth, comprehensiveness, precision, and depth) and provides an important chapter that discusses the contingencies of control balance theory (under what conditions might certain causal mechanisms not work). Tittle's theory does a nice job of explaining deviance committed by several segments of society, including both skid-row bums and political and corporate criminals.

#### VILA'S GENERAL PARADIGM

One of the broadest and most complex approaches to integration is taken by Brian Vila.<sup>21</sup> According to Vila, if a theory is to be general enough to explain all criminal behavior, it must be ecological, integrative, developmental, and must include both micro-level and macro-level explanations. An ecological theory considers the interconnection of individuals and their physical environment. A developmental theory allows for changes in the causes of crime as well as changes in crime itself over time, particularly as related to the age of the individual. Integrative theories allow for the inclusion of factors from multiple disciplines and from multiple theories. Finally, theories that use concepts at more than one level of explanation recognize that within-person variation, variation in social structure, and variation in the person-structure interaction all can affect individual behavior. Vila reviews a number of theories that meet at least two of these conditions, but shows that no theory to date meets all of them. Therefore, he calls existing criminology theories "partial theories."

21. Brian Vila, "A General Paradigm for Understanding Criminal Behavior: Extending Evolutionary Ecological Theory," *Criminology* 32(3): 311-60 (1994). Vila's theory is an extension of Lawrence E. Cohen and Richard Machalek, "A General Theory of Expropriative Crime," *American Journal of Sociology* 94: 465-501 (1988). Cohen and Machalek only attempted to explain expropriative crimes, such as theft and embezzlement, whereas Vila tries to explain all crime. Vila does not describe his approach as a theory; rather, he describes it as a paradigmatic model from which theory should develop.

Vila argues that biological factors must be included in any theory<sup>22</sup> so he criticizes developmental theories such as Sampson and Laub's<sup>23</sup> for ignoring their role. Not only must individual genetic traits be considered in a general theory, but intergenerational transmission of these traits must be considered as well. For this reason, the effect of biological factors may be lagged over lengthy periods.

Vila also criticizes existing theories for not allowing macro-level correlates of crime (such as social disorganization) to vary over time. Because macro-level contributors are dynamic, an individual's position in society is in flux. Ecological contributors to crime, such as opportunities provided by one's physical environment, also have the potential to change over an individual's lifetime.

Vila stresses the *interaction* of ecological, micro, and macro causal factors. For example, macro and micro factors might interact in the effect of cultural beliefs on parental style; macro and ecological factors might interact in the effect of sociocultural heterogeneity on opportunities for crime; and micro and ecological factors might interact in an individual attempting to modify his or her local environment. When allowing for both causal directions to occur across the three types of factors, the result is six types of two-way interaction terms.

A central assumption of the model is that all crime involves the seeking of resources. Expropriative crimes (such as theft and fraud) are aimed at acquiring material resources. Expressive crimes (such as sexual assault and drug use) are aimed at obtaining hedonistic resources. Economic crimes (such as illegal gambling and narcotics trafficking) are aimed at obtaining monetary resources. Political crimes (such as terrorism) are aimed at obtaining political resources. All crimes are committed with one or more of the following strategic styles: force, stealth, and fraud. The extent to which a person develops these styles depends on the interaction between biological, sociocultural, and developmental factors. All these affect the motivation toward crime, which is determined by how much resources a person has and how much that person desires. But only when an opportunity also exists to commit crime will the motivated individual commit a crime.

An interesting aspect of Vila's paradigm consists of its choice of an empirical method to assess theories that develop from the paradigm. Mathematical chaos theory, rather than traditional linear models, ac-

22. *Ibid.*, pp. 328-30.

23. Robert J. Sampson and John H. Laub, *Crime in the Making: Pathways and Turning Points Through Life*, Harvard University Press, Cambridge, Mass., 1993. See the discussion of this theory in Chapter 17, pp. 296-98.

According to Vila, will best predict the development of criminality over an individual's life. Chaos theory is appropriate because initial conditions (such as early childhood experiences with parental style) set off trajectories of behavior. Thus, initial conditions are more important than most subsequent events in influencing long-term behavior. General linear models cannot appropriately model this pattern.

On one hand, Vila's paradigm is frustratingly general. The sense one gets is that everything affects everything and that these effects are continuously changing over time. On the other hand, it is intuitively appealing, because criminality is so much more complex than any of the major criminological theories allow for. The evolutionary ecological paradigm incorporates the complexity of human behavior, but a question we must answer is: Are social scientists capable of testing theories that are as complex as required by this paradigm?

#### **BERNARD AND SNIPES'S INTEGRATED MODEL**

Bernard and Snipes chart a middle course between Hirschi's stance against integration and integrated theories like Vila's, which seem too complex to test.<sup>24</sup> Their goal is to interpret criminology theories in a way that allows them to be both broadly integrated and readily tested.

Hirschi argued that theories which contradict each other cannot be integrated with each other. He also argued that most criminology theories contradict each other, basing that argument on an interpretation of criminology theories that classifies them into three mutually exclusive categories: strain, control, or cultural deviance.<sup>25</sup> Bernard and Snipes agree that theories that contradict each other cannot be integrated, but they disagree with Hirschi's argument that most criminology theories contradict each other. In their view, the problem lies with Hirschi's interpretation and classification of criminology theories, not with the theories themselves.

According to Hirschi's interpretation, "strain" theories are social psychological theories in which frustration functions as an independent variable at the individual level. But Bernard and Snipes argue that most so-called "strain" theories make a macro-level social structural argument linking rates and distributions of crime to socially structured contexts. In general, these theories argue that social structures shape people's self-interests and that people tend to follow their self-interests, but most of these theories make no causal argument about frustration and crime at the individual level. Hirschi also describes "cultural deviance" theo-

ries as social psychological theories in which culture operates as an independent variable at the individual level. In contrast, Bernard and Snipes describe these theories as using shared cognitions as an intervening variable between social structural conditions and criminal behavior. Based on their interpretation of criminology theories, Bernard and Snipes conclude that these theories make different but not incompatible arguments, and therefore they can be broadly integrated with each other.

Bernard and Snipes also argue that criminologists should shift their focus from theories to variables. Hirschi had criticized criminologists for frequently treating different variables as if they were "owned" by different theories. For example, attachment is often treated as if it were "owned" by Hirschi's control theory. Researchers who find that attachment is related to crime in the way that Hirschi's theory describes often then conclude that Hirschi's theory has been validated. Bernard and Snipes agree with Hirschi's point but go even further. They argue that the only important question is: What variables are related to crime, and in what ways? For example, they would focus solely on whether attachment is related to criminal behavior, and in what way it is related. They therefore view the question of whether Hirschi's theory is valid or not as not particularly important. In fact, they view the question about Hirschi's theory as being counter-productive to the extent that it draws criminologists into endless and meaningless debates that waste everyone's time.

This approach places theory in its proper role in the scientific process. Theory interprets the results of past research by explaining why certain variables are related to other variables. More important, it charts the course of future research by hypothesizing about possible relationships among variables that research has not yet observed. In contrast, criminologists sometimes have treated theories as stable entities, meaningful and important in themselves. Depending on their point of view, they either validate or falsify them, but they do not see them as flexible tools, essential to the scientific process, but subject to revision and reinterpretation with each iteration of that process.

Bernard and Snipes propose a new interpretation of criminological theories to replace the strain/control/cultural deviance interpretation. Their new interpretation is based on the location of independent variation in the theory.<sup>26</sup> Criminology theories may contain independent variables that exist along a continuum from those that focus on indi-

24. Bernard and Snipes, *op. cit.*

25. *Ibid.*, pp. 324-30.

26. They also discuss the direction of causality, since theories that argue different causal directions may be incompatible (p. 330).

vidual differences to those that focus on social structural characteristics. Despite the continuous nature of the variables themselves, the level of data used to test criminology theories is more clearly bifurcated: Most theories are tested using either individual-level data (such as self-report surveys) or aggregate-level data (such as official crime rates). Bernard and Snipes believe that levels of explanation are best interpreted in terms of the level of the data used to test the dependent and independent variables.<sup>27</sup> Most criminology theories require the same level of data for both the independent and dependent variables; thus, there are two main types of criminology theories: those using aggregate-level data and those using individual-level data. Societal-level theories link social structural characteristics to variations in the rates and distributions of crime and thus require aggregate-level data both in dependent and independent variables. Individual-level theories, in contrast, link individual characteristics to the probability that an individual will engage in criminal behaviors, and thus use individual-level data for both the dependent and independent variables.

Based on this argument, Bernard and Snipes argue that there are two categories of criminology theories: structure/process and individual difference theories. Structure/process theories explain variations in criminal behavior by variations in social structural characteristics, as manifested in the structured environment to which the individual responds.<sup>28</sup> Structural arguments link structural conditions to the rates and distributions of criminal behavior within a society, while process arguments explain why normal individuals who experience those structural conditions are more likely to engage in that behavior. This type of theory is based on three implicit assertions. First, crime is a response of individuals who are freely choosing and whose choices are constrained by the immediate environment. Second, the immediate environment is structured, in that its characteristics are causally related to the broader structural features of social organization. And third, criminals are "normal" in that they are similar to noncriminals in the processes by which they interact with the immediate environment and in the motives that direct their responses to the environment. Structure/process theories include those theories classified as "strain" and "cultural deviance," structural level control theories, and classical and rational choice theories, among others. They are theories that are at the aggregate level and use aggregate-level data.

27. *Ibid.*, p. 332.

28. This definition is close to that of Ronald Akers, in *Deviant Behavior: A Social Learning Approach*, Wadsworth, Belmont, Calif. 1985. See Ch. 12, p. 197. See also structure/process arguments in the "Unified conflict theory of crime" (Ch. 15, p. 254) and in Sampson and Laub, *op. cit.* (Ch. 17, p. 297).

Individual difference theories, in contrast, are theories that use variations in characteristics of individuals to predict probabilities that the individual will commit crime. This type of theory is based on three implicit assertions. First, differences in the probability of engaging in crime are explained by differences that are uniquely attributed to the individual. Second, the individual characteristics may be explained by interactions with others within the environment, but the environment itself is not explained by social structural characteristics but by the characteristics of the persons within it. Third, since crime is explained by individual characteristics, criminals themselves are assumed to be different from noncriminals in some measurable ways. Examples of individual difference theories are biological and psychological theories of crime, Gottfredson and Hirschi's theory of low self-control, and to some extent, Hirschi's original control theory.

Structure/process and individual difference theories are not mutually exclusive. Individual difference theories generally do not argue that independent variation cannot be explained by structural characteristics. And structural variation theories generally do not argue that independent variation cannot be explained by individual differences. The appropriate relation between individual difference and structure/process theories is modeled by the relation between the theories of low self-control and routine activities. Routine activities theorists control for individual differences but do not deny their existence or their relation to the likelihood of engaging in crime. Rather, they assume that there is a "constant supply of motivated offenders" and that variations in the rates and distributions of crime can be explained solely by changes in the structured situation. In contrast, self-control theorists control for variations in the structure of the situation, but they do not deny the existence of such variations or their relationship to the rates and distributions of crime. Rather, they maintain that, within any given situation, people with certain characteristics are more likely to engage in crime than people with other characteristics.

Bernard and Snipes emphasize that the level of data analysis must correspond to the level of the theoretical argument in the theories. Individual-level theories cannot be tested with aggregate-level data, and structure/process theories cannot be tested with individual-level data. The first mistake is almost always avoided, but the second mistake is frequently made, in part because the strain/control/cultural deviance interpretation describes structure/process theories as making individual-level arguments.

Based on their interpretation of theories as being either individual difference or structure/process, Bernard and Snipes argue that com-

petitive testing of criminology theories, in which two or more theories are tested against each other with the goal of falsifying one or more of them—is almost always inappropriate.<sup>29</sup> Structure/process theories cannot be tested against individual difference theories, since the level of data analysis must correspond to the level of the theoretical argument. Competitive testing of two or more individual difference theories seems inappropriate, because different theories make different but not necessarily contradictory predictions, since criminal behavior is explained by multiple factors. Competitive testing of two or more structure/process theories may also be inappropriate, for the same reason: There is “multiple-factor causation” for rates and distributions of crime, just as with individual criminal behavior. Because one theory is supported does not mean that other theories cannot be supported.

While competitive testing of theories within and between categories is almost always inappropriate, Bernard and Snipes argue that integration of theories, both within and between categories, is almost always possible.<sup>30</sup> Theories almost always control for variation explained by other types of theories rather than denying it. Structural arguments can be integrated with other structural arguments and individual difference theories with other individual difference theories, since the competition among these is empirical rather than theoretical. The question should be the extent to which each theory contributes to explaining criminal behavior or rates of crime, relative to the other theories. It is possible (and even likely) that many theories are all supported by the data, but some are more powerful than others in explaining the outcomes. The only theories that may contradict each other are processual theories, since it is possible to explain the same relationship with more than one process, or causal explanation. In this instance, competitive testing may be useful.

Although it seems theoretically possible to create a single theory of crime that incorporates structural conditions, processes, and individual characteristics, Bernard and Snipes do not argue that we should construct such a broad integration. Theories such as Vila's, discussed above, seem too broad to be subject to formal testing. Although individual difference and structure/process theories are not inherently contradictory, since they refer to different types of outcomes and different levels of data, integrating across these types raises an enormous set of complex-

29. Bernard and Snipes, pp. 338–41.

30. Ibid., pp. 341–43.

ities, and may be unwise at this point.<sup>31</sup> That is not to say that new theories (rather than integrations of old theories) that incorporate arguments at both levels of explanation should not be developed. In fact, multilevel theories will probably be the most useful explanations of criminal behavior.

## CONCLUSION

Some criminologists may argue that focusing on variables rather than on theories will turn criminology into an atheoretical enterprise. Our view, in contrast, is that this is a practical approach in which theory assumes its proper role in the scientific process. It will allow criminology to increase the explanatory power of its theories and to identify practical policy implications of theories that ultimately might reduce crime.

In the next chapter, we present an overall assessment of criminology theories based on our integration model. That chapter therefore serves two purposes. First, it provides a conclusion to the entire book by presenting an interpretive overview of all the different theories in the book. Second, it provides a concrete illustration of our approach to interpreting and integrating criminology theories.

31. Ibid., pp. 342–43. On the other hand, for an example of scholarly work that includes both individual difference and structure/process theories in the context of a risk factor approach, see Robert J. Sampson and Janet L. Lauritsen, “Violent Victimization and Offending: Individual-, Situational-, and Community-Level Risk Factors,” pp. 1–114 in Albert J. Reiss, Jr., and Jeffrey A. Roth, eds., *Understanding and Preventing Violence*, vol. 3, National Academy Press, Washington, D.C., 1994. For a similar approach, see the “Task Force Reports from the ASC to Attorney General Janet Reno,” *The Criminologist* 20(6): 3–16 (Nov.–Dec. 1995).

# Assessing Criminology Theories

The different chapters in this book presented and discussed many different types of theories in criminology. At the end of each chapter, there was a brief assessment of the extent to which the theories in that chapter contributed to our understanding of crime. In this chapter, we present an overall assessment of the extent to which criminology theory, taken as a whole, contributes to our understanding of crime.

The basis for this assessment is our own model for interpreting and integrating criminology theories, as presented at the end of the last chapter.<sup>1</sup> This model includes a classification system that focuses on the sources of independent variation within the theory, rather than on the theoretical arguments per se. It described two types of theories: individual difference theories assert a relationship between the characteristics of individuals and the probabilities that those individuals will engage in criminal behavior, and structure/process theories assert a relationship between the characteristics of societal units and the rates and distributions of crime within those units. In this conclusion, we add a third type: theories of the behavior of criminal law. These theories seek to explain why some people and behaviors, and not others, are defined and processed as criminal.<sup>2</sup>

1. Thomas J. Bernard and Jeffrey B. Snipes, "Theoretical Integration in Criminology," *Crime and Justice: A Review of Research* 20:301-48 (1996).

2. Theories of the behavior of criminal law were not discussed in the Bernard and Snipes article due to space considerations (ibid., p. 343). However, integrating these theories with the other was discussed in Thomas J. Bernard, "A Theoretical Approach to Integration," pp. 137-59 in Steven F. Messner, Marvin D. Krohn, and Allen E. Liska, eds., *Theoretical Integration in the Study of Deviance and Crime*, State University of New York Press, Albany, N.Y., 1989.

## SCIENCE, THEORY, RESEARCH, AND POLICY

As described in the first chapter of this book, the theories assessed here all take a naturalistic and scientific approach to the problem of crime. This approach describes relations among observable phenomena, so that the resulting theories can be falsified. We therefore do not consider in this chapter those theories which take a spiritualistic approach to the problem of crime, nor do we consider those postmodern and feminist theories that are nonscientific in their approach. This does not necessarily mean we think these theories are invalid. Indeed, criminology and the larger society may benefit from the replacement discourses and the types of feminine thinking that stand in opposition to the scientific approach which we take here. But our overall goal in this chapter, and in this book in general, is to advance criminology as a science.

Our approach is also decidedly policy relevant. By interpreting theories in terms of their sources of independent variation and directions of causation, the policy options that might reduce crime become apparent. This has not always been the case in the past. Criminology theories, particularly of the structure/process type, often describe crime in terms that are intuitively appealing but which are not particularly clear in terms of what they are actually saying from a scientific or policy point of view.<sup>3</sup> The policy implications of the theory draw one's attention directly to the sources of independent variation within the theory. This focus on policy implications also is consistent with good theorizing since, as Lewin pointed out in his famous aphorism, there is nothing as practical as a good theory. In the context of this aphorism, this chapter could be interpreted as assessing the extent to which criminology theories are "good theories" in the sense of being practical.<sup>4</sup>

In this chapter, we do not make the traditional distinction between classical and positivist theories in criminology. In the first three chapters of this book, we initially made that distinction since it is deeply embedded in current views of the field. But we argued in Chapters 2 and 3 that classical theories really are scientific theories, focusing on the effects of punishment policies on crime rates. Therefore, this distinction between classical and positivist theories is artificial.

A more fundamental distinction is found in the two different approaches initially taken by Quetelet and Lombroso, as described in

3. See Jack Gibbs, "The Methodology of Theory Construction in Criminology," pp. 23-50 in Robert F. Meier, ed., *Theoretical Methods in Criminology*, Sage, Beverly Hills, Calif., 1985.

4. For an example of crime policies that are informed by criminology research, see "Critical Criminal Justice Issues: Task Force Reports for the ASC to Attorney General Janet Reno," *The Criminologist* 20(6): 3-16 (Nov./Dec. 1995).

Chapter 3. Quetelet initially looked at different areas of France and tried to determine which social characteristics were associated with higher or lower crime rates in those areas. Lombroso initially looked at criminals and tried to determine which individual characteristics were associated with more or less criminal behavior. By the end of their careers, both theorists had incorporated elements of the other's approach in their explanations of crime, which clearly indicates that these two approaches are not incompatible. Rather, they are entirely separate questions: Why are some people more or less likely to engage in crime than others, and why do some social units have higher or lower crime rates than others? These separate questions are the basis for what we call individual difference theories and structure/process theories.

In examining both types of theories, it is important to distinguish between *correlation* and *causation*. For example, in Lombroso's time, the crime problem in Italy was concentrated in the southern part of the country, where people had somewhat different physical features than the people who lived in the north. Lombroso therefore found a correlation between crime and certain physical features. He then went on to argue, based on Darwin's theory of evolution, that those physical characteristics were causally related to crime. It is now clear that Lombroso was right (at that particular time and place) to assert that there was a correlation between crime and physical features, but he was completely wrong to argue that those physical features were causally related to crime.

Our focus is always on causation rather than correlation. Individual difference theories assume that some people are more likely than others to engage in crime, regardless of the situation they are in. These theories therefore attempt to identify the individual characteristics that cause these differences in behavior. Structure/process theories assume that there are certain types of social situations that have higher crime rates regardless of the characteristics of the people who are in them. These theories therefore attempt to identify the social characteristics that cause these differences in crime rates. There is no contradiction between these two types of theories—they simply are separate scientific problems.<sup>5</sup>

5. This is roughly comparable to the approach taken in Albert J. Reiss and Jeffrey A. Roth, eds. *Understanding and Preventing Violence*, vol. 1, National Academy Press, Washington, D.C., 1993, ch. 3. See also Robert J. Sampson and Janet L. Lauritsen, "Violent Victimization and Offending: Individual-, Situational-, and Community-Level Risk Factors," pp. 1–114 in Reiss and Roth, eds., *Understanding and Preventing Violence*, vol. 3, National Academy Press, Washington, D.C., 1994.

### INDIVIDUAL DIFFERENCE THEORIES

Many of the theories we have reviewed, particularly in the early chapters of this book, focused on characteristics of individuals which are thought to increase or decrease the probabilities that that individual will engage in crime. In reviewing these characteristics, it is important to keep in mind two points. First, none of these characteristics absolutely determines that the person will engage in crime. Most people with these characteristics do not engage in crime at all—it is just that people with these characteristics are somewhat more likely than other people to engage in crimes.<sup>6</sup> Second, while these characteristics may increase the probability a particular individual will engage in crime, they may have no effect on overall crime rates. This is similar to the situation with unemployment.<sup>7</sup> Certain factors may increase the probability an individual will be unemployed—e.g., poor education, motivation, and job skills. Most often, however, increases in unemployment rates are not caused by increases in the number of people with these characteristics. Instead, they are caused by societal characteristics that have nothing to do with the characteristics of individuals—e.g., interest rates, budget deficits, trade deficits, stock market prices. Similarly, increases in crime rates normally are not caused by increases in the number of people who have these characteristics. Factors associated with increases and decreases in crime rates are reviewed in the next section. With these two points in mind, we now review the individual difference theories discussed in the various chapters in this book.

While Lombroso's theories connecting crime to physical appearance are clearly false, the "body type" theories of Sheldon and Cortés are more difficult to assess. There seems to be some correlation between body type and likelihood of engaging in criminal behavior. However, we believe that this correlation probably is mediated by some other variables, such as personality or motivation. We conclude that physical appearance, in itself, is never actually a cause of crime, and therefore we suggest that theories focusing on physical appearance be abandoned.

Similar issues, although in a more complex form, arise with theories about intelligence. There are clear correlations between lower IQ scores and an increased likelihood of committing crime. The question is whether there is some sense in which low intelligence itself causes crime. This question is complicated by several empirical issues, which are re-

6. See, for example, David P. Farrington, "Early Predictors of Adolescent Aggression and Adult Violence," *Violence and Victims* 4: 79–100 (1989). This article gives percentages for a very large number of characteristics of those who engage in adolescent aggression, teenage violence, adult violence, and who have been convicted of a violent crime.

7. This analogy was presented in Chapter 3, pp. 36–37.

viewed in Chapter 6. For example, intelligence itself cannot be directly measured, and the principle measure of intelligence—IQ scores—may instead measure reading ability or the motivation to succeed at academic tasks. It is also complicated because the suggested causal paths between low intelligence and crime imply that low intelligence itself is not the causal factor. For example, one such causal path is through school failure. If this is the case, then school failure rather than low intelligence is the actual cause of crime. Given appropriate teaching techniques, children with low intelligence could succeed in school and would be no more likely to engage in crime than other children. At the same time, children with high intelligence can experience school failure for a variety of reasons, and then would be more likely to commit crime. Similarly, it has been suggested that low intelligence affects crime through the failure to learn higher cognitive skills, such as moral reasoning, empathy, or problem solving. But high intelligence children can fail to learn these cognitive skills for a variety of reasons, in which case they would be more likely to engage in crime. And delinquent children, who on the average score only eight IQ points lower than nondelinquent children, could be taught these cognitive skills with a little extra effort, much as children with learning disabilities are taught reading and math. If this were done, then low intelligence children would be no more likely to commit crime than other children. Again, the source of independent variation does not seem to lie in low intelligence itself, but in other factors. For these empirical and theoretical reasons, at this point we tentatively conclude that intelligence itself has no independent causal impact on crime.

A different situation exists with certain biological variables. In general, twin and adoption studies support the notion of a biological and hereditary impact on human behavior. But aside from these narrowly focused research designs, we are unable to measure the effect of hereditary factors on the probability of engaging in criminal behavior. If genetic research examining specific identifiable risk factors continues to develop at its current rate, it is possible that it may eventually contribute to an overall theory of individual differences.

Other studies of specific biological characteristics suggest some modest causal impacts on the likelihood of committing crime, including neurotransmitter imbalances such as low serotonin, hormone imbalances such as extra testosterone, central nervous system deficiencies such as frontal or temporal lobe dysfunction, and autonomic nervous system variations such as unusual reactions to anxiety. In addition, alcohol intake at least temporarily increases the likelihood of engaging in crime, as do many illegal drugs. Other biological factors seem to have long-

term effects on the likelihood of criminal behavior, including ingesting some toxins such as lead, suffering certain types of head injuries, and pregnancy or birth complications.

All these have been linked—at least tenuously—to antisocial, deviant, or criminal behavior. However, the processes by which these variables are linked to criminal behavior are not well understood. One major problem lies in determining the direction of causation. For example, high testosterone levels may increase the likelihood of participating in crime, but it is also possible that participation in crime increases testosterone. In addition, testosterone may act on some third variable, such as social integration, which then causes crime. Thus, it is unclear whether high testosterone itself has a causal impact on crime.

Despite these many questions, it seems reasonable at this point to conclude that causal relationships exist between these biological characteristics and the probability of engaging in criminal behavior. If this is the case, then there are a variety of policy interventions that could reduce crime—e.g., prescribing lithium carbonate to increase serotonin levels. The major danger with these policy interventions is that they could be applied to offenders who have normal biology. For example, a very small portion of offenders may have low serotonin levels but, given the political nature of public policies, a very large portion of offenders could end up receiving lithium carbonate.

Psychoanalytic theories of criminal behavior may or may not have some validity, but they seem almost impossible to test. In addition, the sources of independent variation that they identify are not susceptible to practical interventions through crime policies. Thus, even if these theories are true, they are not useful. If “nothing is as useful as a good theory,” these cannot be described as good theories, at least as they apply to crime.

In the past, results from personality tests have suggested that certain “personality types” are associated with an increased likelihood of committing criminal and delinquent behavior. But much of the time, these results seem to consist of applying fancy psychological labels to criminals. These fancy labels add nothing to our knowledge about the person or to our ability to do anything to reduce the criminal behavior. There may be some personality characteristics associated with an increased risk of engaging in criminal behavior, but research to date has not clearly determined what those are. At present, the best candidate may be impulsivity, which recent research consistently links to antisocial or criminal behavior. Impulsivity may be linked to other individual characteristics—e.g., Gottfredson and Hirschi argue that people who are impulsive, insensitive, physical (as opposed to mental), risk-taking,

short-sighted, and nonverbal will have higher probabilities of committing crimes, while Moffitt pointed to impulsivity combined with "negative emotionality," in which people experience emotions such as anger and anxiety in a wider range of situations than other people. In addition, Walters described eight specific thinking patterns characterized by "a global sense of irresponsibility, self-indulgent interests, (and) an intrusive approach to interpersonal relationships."

At this point, we conclude that all these characteristics are at least somewhat linked to increased tendencies to commit crime. If this is the case, then various cognitive or cognitive-behavioral therapies might be able to change these patterns of responses, thus reducing the tendency to commit crime. Psychologists have also generally concluded that earlier childhood problem behaviors and poor parental child management techniques, such as harsh and inconsistent discipline, are both associated with increased likelihood of later criminal and delinquent behavior. If this is the case, then policy implications would focus on training parents in effective child-rearing techniques, and early cognitive-behavioral interventions with problem children.<sup>8</sup>

The above individual differences are derived from biological and psychological theories in criminology, but implications about individual differences can also be found in some sociological theories. For example, Akers's and Sutherland's theories suggest that people who associate with others who are engaged in and approve of criminal behavior are more likely to engage in it themselves. Agnew's strain theory suggests that people are more likely to engage in crime when they experience negative emotions, such as disappointment, depression, fear, and anger, because they are unable to escape from relationships and situations in which they are not treated the way they want. Various cultural theories suggest that certain shared cognitions may be associated with increased likelihood of committing crimes—e.g., the lower class "focal concerns" of trouble, toughness, smartness, excitement, fate, and autonomy; the exaggerated sense of "manliness" found in subcultures of violence; or the tendency to see threats everywhere and feel justified in responding to threats with extreme violence, as found in subcultures of angry aggression. Hirschi's control theory suggests that people who are more attached to others, more involved in conventional activities, have more to lose from committing crime, and have stronger beliefs in the moral validity of the law, are less likely to engage in criminal and delinquent behavior. These can be phrased in the reverse to indicate characteristics

8. See, for example, Peter W. Greenwood, Karyn E. Model, C. Peter Rydell, and James Chiesa, "Diverting Children from a Life of Crime," Rand Corporation, Santa Monica, Calif., 1996.

that increase the probability of committing crime. Finally, "lifestyle" theories suggest that certain characteristics increase the likelihood that a person will be a victim of crime: frequently being away from home, especially at night; engaging in public activities while away from home; and associating with people who are likely to commit crime.

To summarize, the following individual differences seem to be associated with increases in the probability of committing criminal behavior:

1. A history of early childhood problem behaviors and of being subjected to poor parental child-rearing techniques, such as harsh and inconsistent discipline; school failure and the failure to learn higher cognitive skills such as moral reasoning, empathy, and problem solving.
2. Certain neurotransmitter imbalances such as low serotonin, certain hormone imbalances such as high testosterone, central nervous system deficiencies such as frontal or temporal lobe dysfunction, and autonomic nervous system variations such as unusual reactions to anxiety.
3. Ingesting alcohol, many illegal drugs, and some toxins such as lead; head injuries, and pregnancy or birth complications.
4. Personality characteristics such as impulsivity, insensitivity, a physical and nonverbal orientation, and a tendency to take risks.
5. Thinking patterns that focus on trouble, toughness, smartness, excitement, fate, and autonomy; an exaggerated sense of "manliness"; a tendency to think in terms of short-term rather than long-term consequences; a tendency to see threats everywhere and to believe that it is appropriate to respond to threats with extreme violence.
6. Chronic physiological arousal and frequent experience of negative emotions, either because of an inability to escape from negative situations or because of a tendency to experience negative emotions in a wider range of situations than other people.
7. Association with others who are engaged in and approve of criminal behavior.
8. Weaker attachments to other people, less involvement in conventional activities, less to lose from committing crime, and weaker beliefs in the moral validity of the law.

Finally, the following individual differences seem to increase the probability that a person will be a victim of crime.

9. Frequently being away from home, especially at night; engaging in public activities while away from home; and associating with people who are likely to commit crime.



The competition among all these different theories is largely empirical, over which factors explain more and which explain less of the variation in crime. The relative contribution of each characteristic can be, and certainly is, often debated. As in some recent integrated theories, it is important to recognize both multiple causes (independent contributions from different theories) as well as interactive causes (synergistic contributions from different theories) in explaining crime. One particularly important area of interaction may be in the area of biosocial theory. This recognizes the independent impact of biological and social variables, as well as the interaction between them. The point is that certain biological characteristics may have a large impact on crime under some social circumstances, but little or no impact under others.

Integrating the various individual difference theories must be done with careful attention to the way in which the theories may fit together, especially with respect to causal order. The point is to clearly identify the sources of independent variation, and to eliminate other variables. The actual sources of independent variation become clear when thinking about policy recommendations derived from these theories. For example, as mentioned above, high testosterone levels may not actually increase criminal behavior, but instead may reduce social integration, which then increases criminal behavior. If this is true, then administering drugs to reduce testosterone will not reduce crime unless steps also are taken to increase social integration. At the same time, increasing social integration may reduce crime whether or not testosterone levels are reduced. In addition, certain subcultural beliefs may be causally related to crime, but those beliefs may themselves be caused by structural conditions. If that is true, then policies directed at changing the beliefs will be ineffective, since the beliefs will be continually regenerated by the structural conditions that generated them in the first place. Policies therefore must be directed instead at changing the structural conditions that generate those beliefs.

### STRUCTURE/PROCESS THEORIES

In contrast to individual difference theories, we have also discussed a wide range of structure/process theories, especially in the later chapters of this book. These theories assume that there are some situations that are associated with higher crime rates, regardless of the characteristics of the individuals who are within them. The theories therefore attempt to identify variables in the situation itself that are associated with higher crime rates.

In discussing these theories, it is important to keep several points in mind. First, these theories tend to be more complex and descriptive,

and it is sometimes hard to determine the location of independent variation. To the extent that is true, the policy recommendations of the theory will be vague. Second, these theories often have been interpreted and tested at the individual level. This necessarily involves some variation of the "ecological fallacy,"<sup>9</sup> and it has led to considerable confusion about the theories themselves. Third, situations with high crime rates often have a large number of variables, all of which are correlated with each other and all of which are correlated with crime—e.g., poverty, inequality, high residential mobility, single parent families, unemployment, poor and dense housing, the presence of gangs and illegal criminal opportunities, inadequate schools, and a lack of social services. It can be extremely difficult to determine which (if any) of these variables is causally related to high crime rates, and which have no causal impact on crime at all.<sup>10</sup> Finally, the number and complexity of these theories means that many are left out or shortchanged in the following discussion. For all these reasons, our summary of structure/process theories may evoke more disagreement and dissatisfaction than the summary of individual difference theories we just presented.

In spite of these daunting problems, we offer the following interpretation and assessment. In each case, we first assert that some structural characteristic is associated with some rate or distribution of crime. This is the "structure" portion of a structure/process theory. We then provide a brief description of the supposed reasons why normal people in this structural situation might have a greater probability of engaging in crime than people in other situations. This is the "process" portion of a structure/process theory.

Economic modernization and development are associated with higher property crime rates. Originally, Durkheim argued that the process by which normal people within this structural situation would engage in higher rates of crime involved normlessness associated with rapid social change, but now that argument appears to be incorrect. Rather, the process probably involves changes in the routine activities in which people engage, and in the wider range of opportunities for crime that exist in a developed society. In particular, as societies develop, people spend more time away from their homes, which exposes both them and their homes to victimization. In addition, people own much more property that is both valuable and portable and therefore can be stolen. Property crimes tend to increase until the society is quite highly developed, and then to hold steady at that very high level. The process involved in

9. W.S. Robinson, "Ecological Correlations and the Behavior of Individuals," *American Sociological Review* 15: 351-57 (June, 1950).

10. See the discussion of multicollinearity in Chapter 8.

stabilizing those crime rates probably involves the increasing effectiveness of counter-measures, such as target hardening, surveillance, alarm systems, and neighborhood watches. Since modernization probably is not a reversible process, these counter-measures are the only policy implications associated with this line of theory.

Economic modernization and development is not strongly associated with higher rates of violence. Many undeveloped societies are extremely violent and at least some developed societies have little violence. However, at least in its initial stages, economic development tends to be associated with a great deal of economic inequality, and economic inequality is associated with higher rates of violence. Thus, usually there is at least an initial burst of violent crime at the beginnings of economic development. Societies that retain a great deal of economic inequality after they are developed also tend to retain high rates of violent crime.

The association between economic inequality and high violent crime is sometimes asserted as a structural argument without any discussion of the process by which people who live in situations with high economic inequality come to commit high levels of violence. Other times, process arguments involving feelings of frustration or relative deprivation are presented. The policy implications of this structural argument involve reducing economic inequality to decrease the levels of violence in the society as a whole. Of course, this policy could also reduce the overall rate of economic growth in the society. If that is the case, it would be necessary to balance the gains associated with violence reduction against the losses associated with slower economic growth before implementing this policy.

In addition, societies whose cultures have a strong emphasis on the goal of material success while only a weak emphasis on adhering to the legitimate means will tend to have higher rates of instrumental crime than other societies. This is particularly true if the noneconomic institutions in the society (families, schools, jobs, and even politics) are all strongly affected by and even subservient to the needs of the economic system. If those societies also have social structures that unequally distribute the legitimate means among social groups, then the rates of instrumental crime will be distributed inversely to the distribution of the legitimate means. Finally, illegitimate means of achieving material success often develop in situations with few legitimate means. This includes delinquent and criminal gangs comprised of youths who aspire to make lots of money but have little expectation of being able to do so by legitimate means. Once illegitimate means develop, then rates of instrumental crime in those situations further increase. However, in areas where there are neither legiti-

mate nor illegitimate means to achieve material success, there may be higher rates of violent crime.

On a separate but comparable matter, people in general and adolescents in particular seek to gain social status among their peers. People who are unable to achieve status according to conventional criteria tend to band together, create new criteria for distributing status, and then distribute status to themselves according to those new criteria. This may take different forms (e.g., computer nerds), but in high-crime neighborhoods with a strong cultural demand for material success but no legitimate opportunities to achieve that success, there may be a tendency to give status on the basis of the commission of criminal acts.

There has been a controversy about the processes by which these structural situations generate higher crime rates. The traditional view has been that people in these situations feel high frustration, and that the frustration itself generates higher crime rates. A more recent view is that people simply have a tendency to act in ways that are consistent with their self-interests, and that they therefore pursue material success or status by whatever means are available. In this second view, it does not matter whether people in these situations feel frustrated or not.

Policy implications of these theoretical arguments include changing the culture by reducing the emphasis on achieving material success and increasing the emphasis on adhering to the legitimate means. One way to do this would involve strengthening noneconomic institutions (families, schools, jobs, and politics), so that they are not so strongly influenced by the needs of the economic system. Another way is to attempt to arrange things so that social status is achieved by following the legitimate means. This, of course, would be quite tricky. In addition, policy implications involve changing social structures by equalizing the distribution of legitimate opportunities to achieve material success. This also can be quite tricky, as illustrated in the failures of the War on Poverty. Attempts to deal directly with illegitimate opportunity structures (e.g., illegal drug networks) will probably fail without first dealing with the larger culture and structure.

At the neighborhood level, particularly under conditions of economic development and economic inequality, with cultures emphasizing economic success and structures limiting access to it, crime is associated with social disorganization. High crime neighborhoods tend to have three structural characteristics: poverty, frequent residential mobility, and high family disruption. The process by which these structural characteristics result in high crime rates involves anonymity, lack of relationships among neighbors, and low participation in community organizations. Ultimately, this means that the neighbors are unable to

achieve their own common values and goals—a condition described as social disorganization. The neighborhood then spirals into decay and crime. Policy implications of this theory include a variety of measures directed at changing the structural conditions giving rise to this situation. It would also be possible to directly address the neighborhood anonymity, but without addressing the structural conditions that generate this anonymity in the first place, such policies are unlikely to reduce crime.

Other shared cultural ideas, besides those involving the value of material success, can also be causally related to crime. In particular, when cultures and subcultures include ideas that justify the use of violence in a wide variety of situations, then one can expect higher rates of violent crime. Some of these cultural or subcultural ideas may be structurally generated. For example, the structural conditions of poverty, inner-city environments, racial discrimination, and social isolation may generate, in a process involving chronic high physiological arousal, the subcultural ideas that it is appropriate to become angry in a very wide variety of situations and that, once angry, it is appropriate to use extreme violence as retribution. If the subcultural ideas are structurally generated, then policy responses that attempt to deal directly with the ideas will fail. Instead, policy must address the structural conditions that generate these ideas in the first place. Other cultural or subcultural ideas may be unrelated to current structural conditions. For example, the exaggerated sense of “manliness” among Southern white males seems unrelated to any current structural conditions. Policy responses may directly address these ideas, for example, through the media.

The media, of course, may also serve to disseminate cultural ideas that are favorable to law violation. Both the techniques and rationalizations to commit crime can be repeatedly presented in a favorable light. This is particularly true for violent crime. In addition, media can create the impression that violence, even when it is legal, is the primary method for resolving interpersonal conflicts. When the media and other cultural institutions engage in these practices, one can expect higher rates of violence and crime in the society. The process by which this takes place involves social learning, which includes direct learning of the techniques and rationalizations, and indirect learning by observing the consequences of these behaviors when others commit them. Policy implications include encouraging or requiring the media to more consistently present images favorable to obeying the law and favorable to nonviolent methods of resolving interpersonal conflicts.

Finally, societies that rely on stigmatizing shaming, in which the bonds to the shamed person are permanently broken, will tend to have higher

crime rates than those that rely on reintegrative shaming, in which the bonds to the shamed person are maintained and they are welcomed back into the societal community. The process involves the limitation of legitimate opportunities and the establishment of subcultures. And societies with a control balance (i.e., where people exert approximately as much control over others as is exerted over themselves) will tend to have less crime than those with a control imbalance (i.e., where some people exert a great deal of control over others while other people have little or no control over anything). The process here involves a natural tendency for people to extend their control over others. Whether societies engage in stigmatizing or reintegrative shaming, and whether or not they have a control balance, may be affected by a variety of other societal characteristics, such as economic inequality.

Marxist criminologists have argued that capitalism itself is a cause of crime. While the explosion of crime in the new nations of the former Soviet Union seem to support this notion, we tentatively conclude that this is not the case. Rather, crime probably is caused by the other above-described conditions, all of which may be associated with capitalism: economic development, economic inequality, a cultural emphasis on material success combined with structural limitations on access to legitimate means of achieving that success, neighborhood social disorganization, the dissemination of cultural values that approve of the use of violence in a wide variety of situations, the use of stigmatizing shaming, and the presence of control imbalances.

To summarize, the following structural arguments describe societal characteristics that seem to be associated with higher crime rates. Each structural argument is followed by a brief description of the processes that are said to operate in those structural situations that result in people in those situations, regardless of their individual characteristics, having an increased tendency to commit crime.

1. Economic modernization and development is associated with higher property crime rates. Property crime tends to increase until the society is quite highly developed, and then to hold steady at a high level. The processes that result in this pattern of crime involve changes in routine activities and in criminal opportunities, which eventually are balanced by the increasing effectiveness of countermeasures.
2. Economic inequality is associated with higher rates of violence. The process may involve feelings of frustration and relative deprivation.
3. Cultures that emphasize the goal of material success at the expense of adhering to legitimate means are associated with high rates of utilitarian crime; an unequal distribution of legitimate means is associated with an inverse dis-

tribution of utilitarian crime; in situations without legitimate means to economic success, the development of illegitimate means is associated with increased utilitarian crime while the lack of such development is associated with increased violent crime; in these structural situations, the inability to achieve status by conventional criteria is associated with status inversion and higher rates of nonutilitarian criminal behavior. The processes involved in these structural patterns either involve frustration or the simple tendency to engage in self-interested behavior.

4. Neighborhoods with poverty, frequent residential mobility, and family disruption have high crime rates. The processes involve neighborhood anonymity resulting in social disorganization.
5. Poverty, urban environments, racial discrimination, and social isolation are associated with high rates of extreme violence associated with trivial conflicts and insults. The process involves chronic physiological arousal, which generates cognitions about when it is appropriate to become angry and the extent of violence that is appropriately used when angry.
6. Media dissemination of techniques and rationalizations that are favorable to law violation are associated with increased rates of law violation. The process involves direct learning of techniques and rationalizations, and indirect learning by observing the consequences criminal behaviors have for others.
7. Societies that stigmatize deviants have higher crime rates than those that reintegrate them. The process involves blocked legitimate opportunities and the formation of subcultures.
8. Societies in which some people control others have higher crime rates than societies in which people control and are controlled by others in approximately equal amounts. The process involves people's natural tendency to expand their control.

Phrased in this way, the various structure/process theories do not seem to be incompatible with each other. It certainly may be true, and it is even quite likely, that some of the above arguments are false. But that is an empirical question about each particular assertion. Empirical support for one of these arguments would not imply a lack of support for any other argument. To that extent, depending on their empirical support, all these structural arguments can be "integrated" into a single theory that describes the characteristics of societies with higher or lower crime rates.

While many of the process arguments are similarly independent of each other, there is at least some tendency for them to actually contradict each other. The major example of such a contradiction is found in the traditional description of strain, control, and cultural deviance theories. These describe three different social psychological processes associated with criminal behavior. All these cannot be true at the same

time, although it is possible that one or another is involved with specific subsets of the criminal population. At any rate, there is at least some role for competitive testing for process arguments, whereas there appears to be none whatsoever for the structural arguments.

Finally, there is no contradiction between these structure/process theories and the individual difference theories reviewed above. Nothing in the structure/process theories contradicts the assertion that there are some people who are more likely to engage in crime regardless of their situation. Similarly, nothing in the individual difference theories contradicts the assertion that there are some situations in which people, regardless of their individual characteristics, are more likely to engage in crime. These are separate assertions, so that both types of theories can be "integrated" in a larger theory of criminal behavior.

### **THEORIES OF THE BEHAVIOR OF CRIMINAL LAW**

A number of arguments are made in various chapters of this book that have implications about how the criminal law itself behaves. These arguments are quite separate from arguments about the types of people who are more likely to commit crime, or the types of situations that are likely to have higher crime rates.

For example, Durkheim and Erikson argued that, in mechanical societies, law defines the moral boundaries of the society by excluding and punishing criminals and other deviants. In normal times, societies need a relatively constant level of punishment to maintain social solidarity. But when social solidarity is threatened, the punishment function can be expected to expand, regardless of the level of crime. This particular theory could be used to explain the fact that, in the last twenty years or so, crime rates in the United States have remained relatively constant but incarceration rates have increased sixfold. Durkheim's theory would suggest that this great expansion of incarceration is motivated by a threatened sense of social solidarity in the larger society, rather than by the perceived threat of crime itself.

Sutherland argued that the state responded to the victimizing behaviors of lower-class people with criminal sanctions, but responded to the victimizing behaviors of white-collar people with regulations and civil violations. The theory focused on the ability of white-collar groups to define the norms about what constitutes crime. Therefore, variation in the enactment and enforcement of criminal laws, rather than variations in victimizing behavior, explained the class distribution of official crime rates.

Non-Marxist conflict theories make a similar argument, but focus on interests rather than values or norms. According to this theory, people

in both legislatures and criminal justice agencies act in ways that are consistent with their interests, where those interests are shaped by social structure. Evaluative ideas (including values and norms) also are shaped by interests, so that ultimately they influence what people think is right and wrong, good and bad, just and unjust, criminal and legal. Because of these interests, legislators and criminal justice agents are more likely to define the behaviors typical of low power groups as criminal, and the behaviors typical of high power groups as legal, independent of the actual harm the behaviors cause to life or property.

Conflict theory argues that the enactment and enforcement of criminal law is shaped by the distribution of political power. This is one element—stratification—in Black's much broader theory of the behavior of law. Black also argues that law is shaped by four other factors: morphology, organization, culture, and social control. Essentially, these characteristics define what is seen as "more serious" or "less serious" crimes. For example, Black would argue that crimes committed by an individual against an organization are seen as "more serious," and thus as deserving greater punishment, than comparable crimes committed by an organization against an individual. Similarly, crimes committed by a person without culture against a person who is highly cultured are generally seen as more serious, and thus deserving greater punishment, than comparable crimes committed by a person with high culture against a person who entirely lacks culture.

Finally, Marxist theories argue that, regardless of what other interests are served by the criminal law, it must serve the economic interests of the owners of the means of economic production. If the criminal law harms their economic interests, then the owners can simply move the means of production to a jurisdiction where their interests will be served. Thus, people who enact or enforce criminal laws that harm the economic interests of the owners of the means of production will find that they have impoverished themselves. This effectively gives the owners of the means of production veto power over the content of criminal law.

In addition to these explicit theories, many theories of criminal behavior contain implicit theories about the behavior of criminal law. For example, Gottfredson and Hirschi<sup>11</sup> describe "the nature of crime" as acts that involve simple and immediate gratification of desires but few long-term benefits, are exciting and risky but require little skill or planning, and generally produce few benefits for the offender while caus-

11. Michael Gottfredson and Travis Hirschi, *A General Theory of Crime*, Stanford University Press, Stanford, Calif., 1990, pp. 15–44, 89–91.

ing pain and suffering to the victim. They derive this "natural definition" from an analysis of the characteristics of ordinary crime. While this argument is phrased in terms of a natural law philosophy, it actually makes an implicit assertion about the behavior of criminal law enactment and enforcement agencies. Specifically, if Gottfredson and Hirschi are right, then legislators and criminal justice agents must generally define and process "low self-control" acts as criminal, but not "high self-control" acts. This is no longer a philosophical statement, but instead an empirical assertion.

From the point of view of a scientific criminology, there are advantages to translating Gottfredson and Hirschi's philosophical statement about the "nature of crime" into an empirical assertion about the behavior of criminal law: Empirical assertions can be tested with research. For example, it is clear that at least some actions that are "high self-control" are defined and processed as criminal. Reversing Gottfredson and Hirschi's statements, "high self-control" actions would be complex and involve delayed gratification of desires and few short-term benefits, are dull and safe while requiring considerable skill and planning, and generally produce large benefits for the offender while causing little pain and suffering to the victim. These are the characteristics of several types of white-collar crimes. If we are making empirical assertions about the behavior of criminal law, then we can examine why some "low self-control" actions are not defined and processed as criminal, while some "high self-control" actions are. It is more difficult to do that in the context of philosophical arguments about "the nature of crime." Like the rest of criminology, theories of the behavior of criminal law must move beyond philosophical statements and become scientific, so that its assertions are subject to empirical testing.

Summing up, the following are some assertions about the behavior of criminal law:

1. When social solidarity of a society is threatened, criminal punishment increases independent of whether crime increases.
2. The enactment and enforcement of criminal laws reflect the values and interests of individuals and groups in proportion to their political and economic power.
3. In addition to stratification, the quantity of law that is applied in particular cases is influenced by morphology, culture, organization, and the extent of other forms of social control.
4. Regardless of what other interests are served by the criminal law, it must serve the economic interests of the owners of the means of economic production.

5. Actions that involve simple and immediate gratification of desires but few long-term benefits, are exciting and risky but require little skill or planning, and generally produce few benefits for the offender while causing pain and suffering to the victim are more likely to be defined and processed as criminal than other actions.

These assertions about the behavior of criminal law are not necessarily incompatible with each other. If some of these assertions are supported by empirical research, it would not necessarily imply lack of support for other assertions. For example, it may be true that "low self-control" behaviors are more likely to be defined and processed as criminal, but it also may be true that people who lack political and economic power are more likely to be defined and processed as criminal. If both were true at the same time, then low self-control people who have very little power would have higher official crime rates than low self-control people who have a lot of power.

Theories of the behavior of criminal law do not contradict theories of criminal behavior. More than anything else, they ask a different question: Why are some behaviors and people, and not others, defined and processed as criminal? However, that separate question has implications for theories that address the causes of the behaviors that are officially defined and processed as criminal. For example, Gottfredson and Hirschi's theory of criminal behavior (criminals have low self-control) implies a theory of the behavior of criminal law (law enactment and enforcement officials define and process low self-control actions as criminal, but not high self-control actions). To the extent that their theory of the behavior of criminal law is wrong, then their theory of criminal behavior is also wrong because low self-control behavior would not be the same as criminal behavior.

Ultimately, criminologists must come up with theories that simultaneously explain the behavior of criminal law and the behavior of individual criminals. This could be described as a "unified theory of crime."<sup>12</sup> If Gottfredson and Hirschi's implicit theory of the behavior of criminal law is made explicit, then theirs is a unified theory of crime, since it includes coordinated explanations of why certain behaviors are defined and processed as criminal and why certain people engage in those behaviors. The relevant question then becomes the empirical adequacy of the theory: both their theory of how criminal law behaves and their theory of why individual criminals behave the way they do must be consistent with the observed data.

12. See Bernard, "A Theoretical Approach to Integration," *op. cit.* See also the "unified conflict theory of crime" in Chapter 15, pp. 253-55.

## CONCLUSION

As the authors of this textbook, we believe that it is time to stop the widespread competitive testing of criminology theories, and to focus instead on integration by looking at theories in terms of their variables and the relations among them. The essential question should be: Which variables are related to crime, and in which ways? Once that question is identified, then theories of criminal behavior break out into two broad categories: individual difference and structure/process. Between categories, criminology theories are complementary and do not compete with each other at all. Within categories, most of the competition among the theories is empirical rather than theoretical. Thus, competitive testing of criminology theories is almost always inappropriate, and integration among theories is almost always possible.

Theories of the behavior of criminal law address an entirely separate question: why some people and behaviors, and not others, are defined and processed as criminal. Some explicit theories of the behavior of criminal law have been offered, but they are few and relatively undeveloped in comparison to theories of criminal behavior. In addition, theories of criminal behavior often contain implications that amount to implicit theories of the behavior of criminal law. All these theories tend to be relatively simplistic conceptions of how the criminal law enactment and enforcement process actually works. In the future, these theories must be based more closely on empirical research on the actual behavior of legislators and criminal justice agents. This will introduce a great deal of complexity into these theories that is not presently there. The theories themselves should then be empirically tested, as part of a scientific criminology.

Ultimately, theories of the behavior of criminal law must be integrated with theories of criminal behavior to produce unified theories of crime. These theories would offer coordinated and consistent explanations of why certain behaviors are defined and processed as criminal and why certain people engage in those behaviors. This would result in a more complex, empirically adequate, and policy-relevant understanding of the phenomenon of crime.