A SOCIO-PSYCHOLOGICAL THEORY OF CRIME AND DELINQUENCY: A CONTRIBUTION TO ETIOLOGY

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This is an expansion of a paper read by the author at the 31st. Annual Meeting of the American Orthopsychiatric Association, New York City, March 11, 1954.— EDITOR.

This paper reports an attempt to formulate a working hypothesis aimed at synthesizing the empirical knowledge of crime causation. As ground work for the theory, the logic of crime causation is first examined and restated. The sociopsychological theory outlined here is designed as a framework, within which to organize and relate the observed data of criminology, and also to indicate the gaps for further investigation. The implications of the theory for criminology and crime control are then briefly set forth.

A. THE LOGIC OF CRIME CAUSATION

The chain of reasoning which constitutes the logic and argument supporting the theory is set forth in four propositions, as follows:

1. Experience has shown that human beings are basically prone to theft and violence. In a pre-civilized society men prey upon each other, individually or as members of a group. All civilized societies, however, sooner or later evolve sanctions which forbid and punish predatory behavior. These mores are calculated to protect the individual in his right to the ownership of property, and to the inviolability of his personality.¹

2. In complex urban cultures, such as those of the West—especially societies like ours which experience periods of rapid social change—the traditional moral sanctions and the social institutions which define and enforce them tend to become ineffective in controlling the anti-social tendencies of their members. Consider, for example, the constitutional guarantees still accorded a gangster in a modern American city, e.g., the late Al Capone of Chicago. These provisions in the organic law of the several states were never intended to protect lawbreakers of this variety. They are, in fact, a historical vestige of the English Bill of Rights of 1689, originally drawn up as a bulwark against the tyranny of the Stuart kings.

3. The perennial failure to cope effectively with the increasing amount and the

¹ The bulk of offenses comprise what in law are called (a) crimes against property, and (b) crimes against the person. There are, of course, other crimes of a qualitatively different nature; but these two categories constitute the two largest groups.

manifold forms of lawlessness in America is due to two things. First, the widening gap between our material culture, i.e, our systems of communication and transportation which accelerate social mobility and increase anonymousness, and our adaptive culture, i.e., our law and government, based, as they are, upon medieval conceptions of conduct and moral responsibility. This disparity between the two main divisions of our total culture tends to produce social disorganization, and its counterpart, disorganization of personality.

A second reason for this failure is the criminological illiteracy, so to speak, of the vast majority of people regarding the nature, causes, and control of crime. Consider briefly just a few of the antiquated beliefs of the typical layman.²

(a) the fallacy that all crime is equally serious, and its corollary, that all prisoners are criminals, *per se.* The fact is that the vast majority of all offenses are minor infractions of the law, legally defined as *mala prohibita*; that is, quasi-crimes, which, for the most part, are the prohibitions embodied in local ordinances, calculated to control vice, regulate traffic, promote safety, sanitation, etc. This large group differs qualitatively from all other offenses, legally classified as *mala in se*; that is, such crimes as larceny, rape, homicide, etc. Even in this latter category, the great bulk of offenses are petty crimes and minor misdemeanors, which together far outweigh in number all other forms of essential crime. In fact, this phenomenon can be expressed as a simple criminological axiom: the seriousness of an offense tends to vary inversely as its frequency.³ Furthermore, it is little known by the public that a very large number of inmates in city and county jails at ony one time are petty offenders, committed to prison for their inability to pay even a small fine.

(b) another fallacy is the belief that crime is a product of an "evil design," the expression of "an abandoned and malignant heart," notwithstanding a mass of scientific evidence to the contrary. This belief is a vestige of the English common law, and the dubious metaphysics of atonement, retribution, and vengeance which were the prevailing beliefs during the formative period of Anglo-American criminal law. This view naively imputes complete "freedom of will" to all offenders, except children, the feebleminded, and the psychotic.

(c) the Lombrosian fallacy of the born criminal is still widely cherished and has been commercially exploited in our time by the mass media of communication, with the result that it has become a rigid stereotype in the minds of the masses, including many public officials who are responsible for the administration of criminal justice. Equally fallacious, although repeatedly disproved by controlled experimentation is the belief that all offenders are mentally defective, psychotic, or psychoneurotic. To add to the confusion, there has appeared in recent years a wide range of uncritical conjectures advanced by preachers, lawyers, judges, and reformers, singling

² See also BEELEY, ARTHUR L., Fact and Fiction in Criminology, THE Sci. Mo., Vol. LXXIV, No-1, Jan., 1952, pp. 45-50.

³ BEELEY, A. L., *Delinquency: Its Forms, Causes, and Prevention*, CHARACTER EDUCATION, U. S. Bureau of Education Bulletin No. 7, 1926, pp. 59–60. From a tabulation of 1,585,560 cases dealt with in the Municipal Court of Chicago during the ten-year period, 1915–24, incl., the following appeared:

Felonies	5.9
Misdemeanors	
Quasi-crimes	70.4

out such isolated factors as impiety, alcoholism, immigration, parental neglect, etc., as the sole cause of crime or delinquency.

(d) a cross-section of American public opinion reveals, therefore, what is perhaps the most widespread of all the fallacies, namely: the popular misconception that there is one single cause of crime, with the naive inference that if each of these malevolent factors could be controlled or stamped out, crime and delinquency could be well-nigh eradicated, or, at least, reduced to a negligible minimum. This is the fallacy most difficult to eradicate; first, because the layman is culturally conditioned to the notion of personal and moral responsibility for human conduct, whereas the relatively new science of criminology⁴ must perforce deal with the entire problem along strictly deterministic lines in an endeavor to isolate and measure the naturalistic rather than the super-naturalistic nexus between cause and effect; secondly, the findings of this new science, unlike those in medicine and engineering, are sometimes negative. Consider, for instance, the painstaking scientific work of Goring, who first laid the ghost of Lombroso's "criminal man." He concluded that there is no such thing as an anthropological criminal type; "... this anthropological monster has no existence, in fact."⁵

Moreover, many conclusions are unspectacular, albeit profound; as for example, the experimental studies of Burt, who compared delinquent and non-delinquent children in London and finally concluded that it is either the number of factors or their combination that renders delinquency a probable result. "On an average," he said, "each delinquent child is the product of nine or ten subversive circumstances, one as a rule preponderating and all conspiring to draw him into crime."⁶

Thirdly, public opinion and public policy in our democracy are largely formed and enforced by laymen, rarely by the criminologist. (The findings of the New Jersey Commission on the habitual sex offender are an exception to this generalization.⁷)

4. As a final proposition or thesis, three axioms of criminology are here formulated as more or less self-evident truths:

- (a) there is clear proof that the causes of crime (or delinquency) are complex rather than simple, plural rather than singular, concurrent and/or contributory rather than exclusive;
- (b) the words "crime" and "delinquency" are generic terms comparable to the word "sickness" in the field of medicine. They are, therefore, analogous to the concept "symptom," and not the concept "disease" (syndrome);
- (c) that crime (or delinquency) is the uniform consequent of many different antecedents; the causative factors are, therefore, interchangeable.

B. A SOCIO-PSYCHOLOGICAL THEORY OF CRIME AND DELINQUENCY

In the light of the foregoing, it is argued that the criminologist has an obligation, not only to his science, but also to the social control of crime and delinquency, to

⁴ There were few, if any, scientific studies of crime, criminals, and the administration of criminal justice prior to about 1900.

⁵ GORING, CHARLES, THE ENGLISH CONVICT, A STATISTICAL STUDY; London: H. M. Stationery Office, 1919, p. 269.

⁶ BURT, CYRIL, THE YOUNG DELINQUENT: New York: Appleton and Co., 1930, p. 577.

⁷ THE HABITUAL SEX OFFENDER, Report and Recommendations as formulated by Dr. PAUL W. TAPPAN, Trenton, N. J., 1950.

formulate an inclusive theory of causation which attempts to synthesize the wide range of empirical findings now available from many lines of independent and unrelated inquiry, and thus to indicate fruitful lines of further research and investigation.

At the outset it would be well to define the terms used throughout this discussion: (a) causation, and (b) crime and delinquency.

As used here, the word "causation" means simply the antecedent(s) of an event. As in the case of most other sciences, we are concerned only with the proximate rather than the ultimate causes of the phenomena considered. One of the common mistakes of everyday thinking about crime and delinquency, as with many other problems, is the uncritical assumption that because one thing follows another, there must somehow be a causal connection between them, thus illustrating the common fallacy, *post hoc, ergo propter hoc.*

The usually accepted definition of a crime is that it is an act, either of omission or commission, specifically forbidden by public law. Definitions of delinquency, on the other hand, are less explicit, for the reason, of course, that in most Western societies the public takes a more charitable view of youthful offenders and their wrong-doings. However, there is general agreement to the effect that a delinquent is a person who, while under age, is nevertheless guilty of an anti-social act which constitutes an infraction of public law.

For purposes of the theory advanced here, however, it would seem more appropriate to define crime and delinquency in socio-psychological terms and say that crime (or delinquency) is, in effect, the violation of a group's legalized taboos (mores) by any person who is presumed by age or status to be a more or less responsible member of that group.

The central question then becomes clear, namely: Why do persons commit offenses? First, we must distinguish clearly between the legal question and the behavioristic one. The primary concern of society, as illustrated by the role and function of the trial court, is to establish a single fact, namely: Is the defendant guilty or not? In sociopsychological terms a criminal court then is an institution whose primary, if not sole function is "to define the situation" in strictly legalistic terms. So that in the common law and also in most statutory law, the question of "why" the accused committed the crime is irrelevant. Only since about 1900, with the establishment of juvenile courts, is the behavioristic question raised as to the offender's motivation and the causative factors responsible for his misconduct. Herein lies the fundamental difference between the approach of the criminologist and that of the jurist.

Pursuing the subject further, it is now necessary to make the following general assumption regarding human behavior: human beings possess many native traits or original tendencies, which, when uncontrolled or allowed free expression, are inimical to the welfare of other human beings in the same society. In order, therefore, to achieve what advanced societies regard as a civilized life for the greatest number, the expression of these anti-social impulses must of necessity be curbed. These taboos, or checks, ultimately take the form of our penal codes.

On this basis, therefore, the social conduct of a person at any one time represents an equilibrium or balance between (1) the *expressive* force of his own impulses, and (2) the *repressive* force of social control. For the majority of law-abiding persons in a given society, these two forces are in a positive equilibrium; but in the case of the offender, a negative imbalance exists between (1) and (2). This division of all persons into two such categories is admittedly hypothetical. On the theory of probability it would, of course, be more exact to assume that the social behavior of human beings ranges on a continuum, i.e., from the extreme of obedience on the one hand, to the opposite extreme of lawlessness on the other. Obviously, there are all degress of conformity and nonconformity to the rules of social living. What is implied in the hypothesis, however, is the notion that there is a theoretical point beyond which a society will not tolerate infractions of its laws.

The final question now becomes: What factors, singly or in combination, produce this negative imbalance, and, therefore, constitute the antecedent causes of crime and delinquency?

Assuming the plausibility of such a theory, the next step is to categorize the range and variety of empirical factors into a simple, orderly scheme. The following plan is proposed:

1. factors which enfeeble self-control.

2. factors which enfeeble social-control,

With this dichotomy as the framework, the etiological literature of criminology was thoroughly re-examined and found to yield itself readily to the proposed classification.

The separate factors are grouped into general categories, each one containing two or more specific examples, as follows:

CLASSIFICATION OF THE CAUSES OF CRIME AND DELINQUENCY, ACCORDING TO THE AUTHOR'S SOCIO-PSYCHOLOGICAL THEORY OF CAUSATION.

(N.B. The numbers in brackets () refer to pertinent, representative titles in the List of References at the end of this article.)

- 1. FACTORS WHICH ENFEEBLE SELF-CONTROL
 - a. Inherited or acquired physical and physiological handicaps (13). e.g., in physique (35), stature, deformities, and defects.
 - b. Physical injury or disease (10). e.g., accidents, occupational (or other), tuberculosis, syphilis.
 - c. Inherited or acquired mental handicaps. e.g., feeble-mindedness (40), psychopathic personality (21), epilepsy.
 - d. Mental and psycho-somatic disorders. e.g., psychoses (11), psycho-neuroses, mental conflicts (16, 25), emotional disturbances (1), (31).
 - e. Personal disorganization from excesses (17), (19). e.g., sex, alcohol (3), narcotics (26), gambling.
 - f. Character structure (12). e.g., ignorance, naivete, inadequate life-organization.
- 2. FACTORS WHICH ENFEEBLE SOCIAL CONTROL
 - a. "Sick" societies. e.g., Great Britain and its mining community (14).
 - b. Inherent defects in the economic order. e.g., poverty, unemployment (42), depression (32), exploitation (37).
 - c. Urbanization (7). e.g., mobility, anonymous life in cities (36).
 - d. Changing mores and group conflict (43). e.g., with regard to sex, use of alcohol, tobacco.
 - e. Family disorganization (20). e.g., death of parent, divorce, non-support, faulty discipline (24), incompatibility, internal conflict (23).
 - f. Community and neighborhood disorganization. e.g., depressed areas, poor housing, unwholesome companionships (34), lawless gangs (39).

- g. Overlapping and conflicting governments (29). e.g., municipal, county, state, federal.
- h. Inherent limitations of the criminal law, substantive and adjective (30). e.g., obsolete, unenforceable, and conflicting laws.
- i. Maladministration of criminal justice. e.g., the breakdown of law enforcement (27), prosecution (4), and the courts (8), incompetent prison administration (2), corruption in parole administration (6), (41), organized crime and racketeering (22).
- j. Inadequate educational activities. e.g., amount, quality, and rigidity of secular (18), religious (9), and vocational instruction.
- k. Inadequate avocational facilities (28). e.g., unwholesome leisure interests, commercialized amusements.
- 1. Opinion-making and control. e.g., press (15), film (5), radio, television.
- m. Interpersonal and intergroup conflict (33). e.g., ethnic (38), religious, economic.

C. Some Implications of the Theory

The implications of this theory are many and far-reaching. A few of the more pertinent inferences are briefly formulated, as follows:

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The validity of a socio-psychological theory of crime causation stems from the currently accepted view as to the nature and scope of social psychology itself. While there is by no means complete agreement on all points as to just what contemporary social psychology encompasses, there is, nevertheless, a general consensus on three important points: (a) that the central problem is the human personality, its structure, genesis, dynamics, patterning, pathology, etc.; (b) that from the viewpoint of etiology, the environmental factors are, theoretically, equal in importance to the biological ones; and (c) that human behavior is a function of interaction, not alone between the organism and its environment, but also between persons, groups, and cultures.

Since all offenders are persons, the analysis of their behavior is, therefore, most effectively approached from the standpoint of social psychology; that is, in terms of the integrated knowledge drawn from all the behavior sciences. Dr: Bernard Glueck, formerly psychiatric consultant at Sing Sing Prison, once observed profoundly: "The criminal act in every instance is the resultant of the interaction between a particularly constituted personality and a particular environment." This generalization by an eminent criminologist is, of course, an etiological principle couched in socio-psychological terms.

Some of the prolific lines of further study and investigation of crime and delinquency will no doubt have occurred to the reader already. Six suggestions, however, are offered here and grouped under (a) studies of offenders, (b) the criminogenic environment, and (c) the machinery of crime control.

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(a) *Studies of Offenders*. The primary and most fruitful scientific approach is, of course, the comparative case-study of the offender. What empirical criminology needs is more personality studies by all the behavioristic disciplines working together, in order to determine the etiological relationship between crime and such specific conditions as the psychosomatic disorders, epilepsy, narcotic addiction, and the compulsion neuroses, e.g., pyromania, kleptomania, dipsomania, etc. Ideally, such studies

could be made while the offender is in custody, although they could be made even while he is on probation.

Likewise, there is need for more intensive studies of hostility and aggression in young and old offenders, especially during the early stages of their incarceration in a prison or a reformatory, in order to reveal in mangification the dynamic interpersonal relationships affecting the human personality.

(b) The Criminogenic Environment. It has been repeatedly proved that the social environment, when in a state of rapid social change, tends to become criminogenic. A recent case in point is the exposure of a new pattern of lawlessness with far-reaching ramifications, namely: syndicated racketeering, as brought out in a nationwide investigation by the Senate Committee to Investigate Organized Crime in Interstate Commerce. Similarly, the new and virulent forms of gangsterism recently manifested on the New York City water-front.

Another illustration of potential criminogenesis in the social environment is the accelerating gravitation of persons to cities and urban environments. In such a *milieu* the person tends to become anonymous, losing his status, and with it, a sense of social responsibility. It is an axiom of social psychology that intimacy in a small group is the most effective system of social control, and that personality thrives best in the matrix of normal family life. To what extent then are law-breakers persons who have never had or may have been prematurely deprived of normal family life? Here is an admirable problem for further controlled experimentation, comparing offenders and non-offenders identically.

(c) The Machinery of Crime Control. It is argued here that if and when the institutions of crime control are ineffective, as they too often are, the decrepit machinery of criminal justice administration is *per se* a contributory cause of crime and delinquency. Especially is this true on the state and local levels, as illustrated by the overlapping and uncoordinated machinery for the apprehesion, trial, imprisonment, and parole of offenders. A specific example of the clumsy machinery of local law enforcement is the case of Los Angeles County, with its 46 separate bodies, most of which function independently. This same anomaly exists in Cook County, Illinois, and in many other metropolitan areas.

Another instance is the obsolescent county jail system and the need for a re-examination of its role in crime control. The county jail is the prototype of all American prisons and exceeds in number and influence all other prisons put together. Its continued use in its present form is self-defeating, to say the least.

The theory here advanced amply attests the scientific soundness of the current trend in penology, namely: the principle of individualization in the diagnosis and treatment of the offender.

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Perhaps the most far-reaching implication of this theory of crime causation is the conclusion that we can no longer hope to find a universal panacea or a palliative. Crime cannot be dealt with intelligently *en bloc* any more than disease can be effec-

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tively treated or wholly prevented *en bloc*. Progress in treatment and prevention will probably be achieved in much the same way it was achieved in the field of medicine and public health, that is, by the isolation and control of specific patterns or symptom-complexes.

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