INTRODUCTION AND OVERVIEW OF CRIME AND CRIMINOLOGY

In 1996, Iraqi refugees Majed Al-Timimy, 28, and Latif Al-Husani, 34, married the daughters, aged 13 and 14, of a fellow Iraqi refugee in Lincoln, Nebraska. The marriages took place according to Muslim custom, and everything seemed to be going well for awhile until one of the girls ran away and the concerned father and her husband reported it to the police. It was at this point that American and Iraqi norms of legality and morality clashed head on. Under Nebraska law, people under 17 years old cannot marry, so both grooms and the father and mother of the girls were arrested and charged with a variety of crimes from child endangerment to rape.

According to an Iraqi woman interviewed by the police (herself married at 12 in Iraq), both girls were excited and happy about the wedding. Suddenly these men faced up to 50 years in prison for their actions, and the Iraqi community was shocked, as would have been earlier generations of Americans who were legally permitted to marry girls of that age. The men were sentenced to 4 to 6 years in prison and paroled in 2000 with conditions that they have no contact with their “wives.” Thus, something that is legally and morally permissible in one culture can be severely punished in another. Were the actions of these men child sex abuse or simply unremarkable marital sex? Which culture is right? Can we really ask such a question? Is Iraqi culture “more right” than American culture, given that marrying girls of that age was permissible here, too, at one time? Most important, how can criminologists hope to study crime scientifically if what constitutes a crime is relative to time and place?
What Is Criminology?

Criminology is an interdisciplinary science that gathers and analyzes data on various aspects of crime and criminal behavior. As with all scientific disciplines, its goal is to understand its subject matter and to determine how that understanding can benefit humankind. In pursuit of this understanding, criminology asks questions such as the following:

- Why do crime rates vary from time to time and from culture to culture?
- Why are some individuals more prone to committing crime than others?
- Why do crime rates vary across different ages, genders, and racial/ethnic groups?
- Why are some harmful acts criminalized and not others?
- What can we do to prevent crime?

By a scientific study of crime and criminal behavior we mean that criminologists use the scientific method to try to answer the questions they ask, rather than simply philosophizing about them. The scientific method is a tool for winnowing truth from error by demanding evidence for one’s conclusions. Evidence is obtained by formulating hypotheses derived from theory that are rigorously tested with data. How this is accomplished will be addressed later in this section, after we discuss the nature of crime.

What Is Crime?

The term criminal can and has been applied to many types of behavior, some of which nearly all of us have been guilty of at some time in our lives. We can all think of acts that we feel ought to be criminal but are not, or acts that should not be criminal but are. The list of acts that someone or another at different times and at different places may consider to be crimes is very large, and only a few are defined as criminal by the United States law at this time. Despite these difficulties, we need a definition of crime in order to proceed. The most often-quoted definition is that of Paul Tappan (1947), who defined crime as “an intentional act in violation of the criminal law committed without defense or excuse, and penalized by the state” (p. 100). A crime is thus an act in violation of a criminal law for which a punishment is prescribed; the person committing it must have intended to do so and must have done so without legally acceptable defense or justification.

Tappan’s definition is strictly a legal one that reminds us that the state, and only the state, has the power to define crime. Hypothetically, a society could eradicate crime tomorrow simply by rescinding all of its criminal statutes. Of course, this would not eliminate the behavior specified by the laws; in fact, the behavior would doubtless increase because the behavior could no longer be officially punished. While it is absurd to think that any society would try to solve its crime problem by eliminating its criminal statutes, legislative bodies are continually revising, adding to, and deleting from their criminal statutes.

Crime as a Moving Target

Every vice is somewhere and at some time a virtue. There are numerous examples, such as the vignette at the beginning of this chapter, of acts defined as crimes in one country being tolerated and even expected in another. Laws also vary within the same culture from time to time as well
as across different cultures. Until the Harrison Narcotics Act of 1914, there were few legal restrictions in the United States on the sale, possession, or use of most drugs, including heroin and cocaine. Following the Harrison Act, many drugs became controlled substances, their possession became a crime, and a brand new class of criminals was created overnight.

Crimes pass out of existence also, even acts that had been considered crimes for centuries. Until the United States Supreme Court invalidated sodomy statutes in Lawrence v. Texas (2003), sodomy was legally punishable in many states. Likewise, burning the American flag had serious legal consequences until 1989, when the Supreme Court in Texas v. Johnson invalidated anti-flag-burning statutes as unconstitutional. What constitutes a crime, then, can be defined in and out of existence by the courts or by legislators. As long as human societies remain diverse and dynamic, there will always be a moving target of activities with the potential for nomination as crimes, as well as illegal activities nominated for decriminalization.

If what constitutes crime differs across time and place, how can criminologists hope to agree upon a scientific explanation for crime and criminal behavior? Science is about making universal statements about stable or homogeneous phenomena. Atoms, the gas laws, the laws of thermodynamics, photosynthesis, and so on are not defined or evaluated differently by scientists around the globe according to local customs or ideological preferences. But the phenomenon we call “crime keeps moving around, and because it does some criminologists have declared it impossible to generalize about what is and is not ‘real’ crime” (Hawkins, 1995, p. 41).

What these criminologists are saying is that crime is a socially constructed phenomenon that lacks any “real” objective essence and is defined into existence rather than discovered. At one level, of course, everything is socially constructed; nature does not reveal herself to us sorted into ready-labeled packages; humans must do it for her. Social construction means nothing more than that humans have perceived a phenomenon, named it, and categorized it according to some classificatory rule that makes note of the similarities and differences among the things being classified. Most classification schemes are not arbitrary; if they were, we would not be able to make sense of anything. Categories have empirically meaningful referents and are used to impose order on the diversity of human experience, although arguments exist about just how coherent that order is.

Crime as a Subcategory of Social Harms

So, what can we say about crime? How can we conceive of it in ways that at least most people would agree are coherent and correspond with their view of reality? When all is said and done, crime is a subcategory of all harmful acts that range from simple acts like smoking to very serious acts like murder. Harmful acts are thus arrayed on a continuum in terms of the seriousness of the harm involved. Some harmful acts, such as smoking tobacco and drinking to excess, are not considered anyone’s business other than the actor’s if they take place in private or even in public if the person creates no annoyance.

Socially (as opposed to private) harmful acts are acts deemed to be in need of regulation (health standards, air pollution, etc.), but not by the criminal law except under exceptional circumstance. Private wrongs (such as someone reneging on a contract) are socially harmful, but not sufficiently so to require the heavy hand of the criminal law. Such wrongs are regulated by the civil law, in which the wronged party (the plaintiff), rather than the state, initiates legal action, and the defendant does not risk deprivation of his or her liberty if the plaintiff prevails.
Further along the continuum we find a category of harmful acts considered so socially harmful that they come under the purview of the coercive power of the criminal justice system. Even here, however, we are still confronted with the problem of human judgment in determining what goes into this subcategory. But this is true all along the line; smoking was once actually considered rather healthy, and air pollution and unhealthy conditions were simply facts of life about which nothing could be done. Categorization always requires a series of human judgments, but that does not render the categorizations arbitrary.

The harm wrought by criminal activity exacts a huge financial and emotional price. The emotional pain and suffering borne by crime victims is obviously impossible to quantify, but many estimates of the financial harm are available. Most estimates focus on the costs of running the criminal justice system, which includes the salaries and benefits of personnel and the maintenance costs of buildings (offices, jails, prisons, stations) and equipment (vehicles, weapons, uniforms, etc.). Added to these costs are the costs associated with each crime (the average cost per incident multiplied by the number of incidents as reported to the police). All these costs combined are estimates of the direct costs of crime.

The indirect costs of crime must also be considered as part of the burden. These costs include all manner of surveillance and security devices, protective devices (guns, alarms, security guards) and insurance costs, medical services, and the lost productivity and taxes of incarcerated individuals. Economist David Anderson (1999) lists a cascade of direct and indirect costs of crime and concludes that the aggregate burden of crime in the United States (in 1997 dollars) is about $1,102 billion, or a per capita burden of $4,118. Crime thus places a huge financial burden on everyone’s shoulders, as well as a deep psychological burden on its specific victims.

Beyond Social Construction: The Stationary Core Crimes

Few people would argue that an act is not arbitrarily categorized or is not seriously harmful if it is universally condemned. That is, there is a core of offenses defined as wrong at almost all times and in almost all cultures. Some of the strongest evidence in support of the stationary core perspective comes from the International Criminal Police Organization (Interpol) (1992), headquartered in Lyon, France. Interpol serves as a repository for crime statistics from each of its 125 member nations. Interpol’s data show that such acts as murder, assault, rape, and theft are considered serious crimes in every country.

Criminologists call these universally condemned crimes mala in se (“inherently bad”). Crimes that are time and culture bound are described as mala prohibita (“bad because they are prohibited”). But how can we be sure that an act is inherently bad? We would say that the litmus test for determining a mala in se crime is that no one, except under the most bizarre of circumstances, would want to be victimized by it. While millions of people seek to be “victimized” by prostitutes, drug dealers, bookies, or any of a number of other providers of illegal goods and services, no one wants to be murdered, raped, robbed, or have his or her property stolen. Being victimized by such actions evokes physiological reactions (anger, helplessness, sadness, depression, a desire for revenge) in all cultures, and would do so even if the acts were not punishable by law or custom. Mala in se crimes engage these emotions not because some legislative body has defined them as wrong, but because they hammer at our
deepest primordial instincts. Evolutionary biologists propose that these built-in emotional mechanisms exist because mala in se crimes threatened the survival and reproductive success of our distant ancestors, and that they function to strongly motivate people to try to prevent such acts from occurring and punish the perpetrators if they do (Daly & Wilson, 1988; O’Manique, 2003; Walsh, 2000).

Figure 1.1 illustrates the relationship of core crimes (mala in se) to acts that have been arbitrarily defined (mala prohibita) as crimes and all harmful acts that may potentially be criminalized. The Figure is inspired by John Hagan’s (1985) effort to distinguish between “real” crimes and “socially constructed” arbitrary crimes by examining the three highly interrelated concepts of consensus (the degree of public agreement on the seriousness of an act), the severity of penalties attached to an act, and the level of harm attached to an act.

Criminality

Perhaps we can avoid altogether the problem of defining crimes by studying individuals who commit predatory harmful acts, regardless of the legal status of the acts. Criminologists do this when they study criminality. Criminality is a clinical or scientific, rather than legal, term, and one that can be defined independently of legal definitions of crimes. Crime is an intentional act of commission or omission contrary to the law; criminality is a property of individuals that signals the willingness to commit those and other harmful acts (Gottfredson & Hirschi, 1990). Criminality is a continuously distributed trait that is a combination of other
continuously distributed traits and that signals the willingness to use force, fraud, or guile to deprive others of their lives, limbs, or property for personal gain. People can use and abuse others for personal gain regardless of whether the means used have been defined as criminal; it is the propensity to do this that defines criminality, independent of the labeling of an act as a crime or of the person being legally defined as a criminal.

Defining criminality as a continuous trait acknowledges that there is no sharp line separating individuals with respect to this trait—it is not a trait that one has or has not. Just about everyone at some point in life has committed an act or two in violation of the law. But that doesn’t make us all criminals; if it did, the term would become virtually synonymous with the word human! The point is, we are all situated somewhere on the criminality continuum, which ranges from saint to sociopath, just as our heights range from the truly short to the truly tall. Some are so extreme in height that any reasonable person would call them “tall.” Likewise, a small number of individuals have violated so many criminal statutes over such a long period of time that few would question the appropriateness of calling them “criminals.” Thus, both height and criminality can be thought of as existing along a continuum, even though the words we use often imply that people’s heights and criminal tendencies come in more or less discrete categories (tall/short, criminal/noncriminal). In other words, just as height varies in fine gradations, so, too, does involvement in crime.

**A Short History of Criminology**

Criminology is a young discipline, although humans have probably been theorizing about crime and its causes ever since they first made rules and observed others breaking them. What and how people thought about crime and criminals (as well as all other things) in the past was
strongly influenced by the social and intellectual currents of their time. This is no less true of what and how modern professional criminologists think about crime and criminals. In pre-scientific days, explanations for bad behavior were often of a religious or spiritual nature, such as demonic possession or the abuse of free will. Because of the legacy of Original Sin, all human beings were considered born sinners. The gift of the grace of God kept men and women on the straight and narrow, and if they deviated from this line it was because God was no longer their guide and compass.

Other more intellectual types believed that the human character and personality are observable in physical appearance. Consider Shakespeare’s Julius Caesar’s distrust of Cassius because he “has a lean and hungry look.” Such folk wisdom was systematized by an Italian physician named Giambattista della Porta, who developed a theory of human personality called *physiognomy* in 1558. Porta claimed that the study of physical appearance, particularly of the face, could reveal much about a person’s personality and character. Thieves, for instance, were said to have large lips and sharp vision.

Porta was writing during a historical period known as the Renaissance, a period between approximately 1450 and 1600, which saw a change in thinking from the pure God-centered supernaturalism and relative barbarism of the Middle Ages to more human-centered naturalism. *Renaissance* means “rebirth” and refers to the rediscovery of the thinking traditions of the ancient Greeks. The sciences (primitive as they were) and arts were becoming important, the printing press was invented, and Christopher Columbus “discovered” America during this period. In short, the Renaissance began to move human thinking away from the absolute authority of received opinion and toward a way that would eventually lead to the modern scientific method.

Another major demarcation in the emergence of the modern world was the Enlightenment, or Age of Reason. The Enlightenment was the period approximately between 1650 and 1800. It might be said that the Renaissance provided a key to the human mind and the Enlightenment opened the door. Whereas the Renaissance is associated with advances in art, literature, music, and philosophy, the Enlightenment is associated with advances in mathematics, science, and the dignity and worth of the individual as exemplified by a concern for human rights. This concern led to reforms in criminal justice systems throughout Europe, a process given a major push by Cesare Beccaria’s work *On Crimes and Punishments*, which ushered in the so-called *classical school*. The classical school emphasized human rationality and free will in its explanations for criminal behavior. Beccaria and other classical thinkers will be discussed at length in Section 3.

Modern criminology really began to take shape with the increasing faith among intellectuals that science could provide answers for everything. These individuals witnessed the harnessing of the forces of nature to build and operate the great machines and mechanisms that drove the Industrial Revolution. They also witnessed the strides made in biology after
Charles Darwin’s works on the evolution of species. Criminology saw the beginning of the so-called positivist school during this period. Theories of character, such as Franz Josef Gall’s system of phrenology—assessing character from physical features of the skull—abounded. The basic idea behind phrenology was that cognitive functions are localized in the brain, and that the parts regulating the most dominant functions were bigger than parts regulating the less dominant ones. Criminals were said to have large protuberances in parts of the brain thought to regulate craftiness, brutishness, moral insensibility, and so on, and small bumps in such “localities” as intelligence, honor, and piety.

The biggest impact during this period, however, was made by Cesare Lombroso’s theory of atavism, or the born criminal. Criminologists from this point on were obsessed with measuring, sorting, and sifting all kinds of data (mostly physical) about criminal behavior. The main stumbling block to criminological advancement during this period was the inadequacy of its research. The intricacies of scientifically valid research design and measurement were not appreciated, and statistical techniques were truly primitive by today’s standards. The early positivist thinkers will be discussed at length in Section 3.

The so-called Progressive Era (about 1890 to 1920) ushered in new social ideologies and new ways of thinking about crime. The era was one of liberal efforts to bring about social reform as unions, women, and other disadvantaged groups struggled for recognition. Criminology largely turned away from what was disparagingly termed “biological determinism,” which implied that nothing could be done to reform criminals, to cultural determinism. If behavior is caused by what people experience in their environments, so the optimistic argument went, then we can change their behavior by changing their environment. It was during this period that sociology became the disciplinary home of criminology. Criminology became less interested in why individuals commit crime from biological or psychological points of view and more concerned with aggregate level (social structures, neighborhoods, subcultures, etc.) data. It was during this period that the so-called structural theories of crime, such as the Chicago school of social ecology, were formulated. Anomie strain theory was another structural/cultural theory that emerged somewhat later (1938). This theory was doubtless influenced strongly by the American experience of the Great Depression and of the exclusion of blacks from many areas of American society.

The period from the 1950s through the early 1970s saw considerable dissatisfaction with the strong structural approach, which many viewed as proceeding as if individuals were almost irrelevant to explaining criminal behavior. Criminological theory moved toward integrating psychology and sociology during this period and strongly emphasized the importance of socialization. Control theories were highly popular at this time, as was labeling theory; these are addressed in Section 5.

Because the latter part of this period was a time of great tumult in the United States (the anti-war, civil rights, women’s, and gay rights movements), it also saw the emergence of several theories, such as conflict theory, that were highly critical of American society. These theories extended to earlier works of Marxist criminologists, who tended to believe that the only real cause of crime was capitalism. These theories provided little new in terms of our understanding of “street” criminal behavior, but they did spark an interest in white-collar crime and how laws were made by the powerful and applied against the powerless. These theories are addressed in Section 6.

Perhaps because of a new conservative mood in the United States, theories with the classical taste for free will and rationality (albeit modified) embedded in them reemerged in the
1980s. These were rational choice, deterrence, and routine activities theories, all of which had strong implications for criminal justice policy. These are discussed in Section 3.

In the late 1990s and early 2000s, we witnessed a resurgence of biosocial theories. These theories view all behavior as the result of various biological factors interacting with each other and with the past and present environments of the actors involved. Biosocial theories have been on the periphery of criminology since its beginning but have been hampered by perceptions of them as driven by an illiberal agenda and by their inability to “get inside” the mysteries of heredity and the workings of the brain. The truly spectacular advances in the observational techniques (brain scan methods, $10 cheek swabs to test DNA, etc.) in the genomic and neurosciences over the past two decades have made these things less of a mystery today, and social scientists are increasingly realizing that there is nothing illiberal about recognizing the biology of human nature.

No science advances without the technology at its disposal to plumb its depths. For instance, the existence of atoms was first proposed by Greek philosophers more than 2,500 years ago. This was dismissed as merely philosophical speculation until the early 19th century, when English chemist John Dalton proposed his atomic theory of chemistry, which asserted that all chemical reactions are the rearrangements of atoms. Dalton was heavily criticized by chemists who wanted a “pure” chemistry uncontaminated by physics. Yet chemists everywhere soon adopted the idea of atoms, but still debated whether they were an actual physical reality or just a useful concept. Using scanning tunneling microscopes, today we can see individual atoms, and the argument has been put to rest.

Criminologists are in a position similar to that of chemists 100 years ago. The concepts, methods, and measuring devices available to geneticists, neuroscientists, endocrinologists, and other biological scientists may do for the progress of criminology what physics did for chemistry, what chemistry did for biology, and what biology is increasingly doing for psychology. Exceptionally ambitious longitudinal studies carried out over decades in concert with medical and biological scientists, such as the Dunedin Multidisciplinary Health and Development Study (Moffitt, 1993), the National Longitudinal Study of Adolescent Health Study (Udry, 2003), and the National Youth Survey (Menard & Mihalic, 2001), are able to gather a wealth of genetic, neurological, and physiological data. Such studies are being conducted with increasing frequency. Integrating these hard science disciplines into criminology will no more rob it of its autonomy than physics robbed chemistry or chemistry robbed biology. On the contrary, physics made possible huge advances in chemistry, and chemistry did the same for biology. These advances would not have happened had scientists maintained their call for the “purity” of their disciplines.

The Role of Theory in Criminology

When an FBI agent asked the depression-era bank robber Willie Sutton why he robbed banks, Sutton replied, “Because that’s where the money is.” In his own way, Sutton was offering a theory explaining the behavior of bank robbers. Behind his witty answer is a model of a kind of person who has learned how to take advantage of opportunities provided by convenient targets flush with a valued commodity. Thus, if we put a certain kind of personality and learning together with opportunity and coveted resources, we get bank robbery. This is what theory making is all about: trying to grasp how all the known correlates of a phenomenon are linked together in noncoincidental ways to produce an effect.
Just as medical scientists want to find out what causes disease, criminologists are interested in finding factors that cause crime and criminality. As is the case with disease, there are a variety of risk factors to be considered when searching for causes of criminal behavior. The first step in detecting causes is to discover correlates, which are factors that are related to the phenomenon of interest. To discover whether two factors are related, we must see whether they vary together; that is, if one variable goes up or down, the other goes up or down as well.

Establishing causality requires much more than simply establishing a correlation. Take gender, the most thoroughly documented correlate of criminal behavior ever identified. Literally thousands of studies throughout the world, including European studies going back five or six centuries, have consistently reported strong gender differences in all sorts of antisocial behavior, including crime, and the more serious the crime the stronger that difference is. All studies are unanimous in indicating that males are more criminal than females. Establishing why gender is such a strong correlate of crime is the real challenge, as it is with any other correlate. Trying to establish causes is the business of theory.

What Is Theory?

A theory is a set of logically interconnected propositions explaining how phenomena are related and from which a number of hypotheses can be derived and tested. Theories should provide coherent explanations of the phenomena they address, they should correspond with the relevant empirical facts, and they should provide practical guidance for researchers looking for further facts. This guidance takes the form of a series of statements that can be logically deduced from the assertions of the theory. We called these statements hypotheses, which are statements about relationships between and among factors we expect to find based on the logic of our theories. Hypotheses and theories support one another in the sense that theories provided the raw material (the ideas) for generating hypotheses, and hypotheses support or fail to support theories by exposing them to empirical testing.

Theories are devised to explain how a number of different correlates may actually be causally related to crime and criminality rather than simply associated with them. We emphasize that when we talk of causes we do not mean that when \( X \) is present \( Y \) will occur in a completely prescribed way. We mean that when \( X \) is present \( Y \) has a certain probability of occurring, and perhaps only then if \( X \) is present along with factors \( A, B, \) and \( C \). In many ways, crime is like illness because there may be as many routes to becoming criminal as there are to becoming ill. In other words, criminologists have never uncovered a necessary cause (a factor that must be present for criminal behavior to occur and in the absence of which criminal behavior has never occurred) or a sufficient cause (a factor that is able to produce criminal behavior without being augmented by some other factor).

There is a lot of confusion among laypersons about the term theory. We often hear statements such as, “That’s just theory” or hear it negatively contrasted with practice: “That’s all right in theory, but it won’t work in the real world.” Such statements imply that a theory is a poor relative of a fact, something impractical we grasp at in the absence of solid, practical evidence. Nothing could be further from the truth. Theories help us to make sense of a diversity of seemingly unrelated facts and propositions, and they even tell us where to look for more facts, which make theories very practical things indeed.

We all use theory every day to fit facts together. A detective confronted with a number of facts about a mysterious murder must fit them together, even though their meaning and
relationship to one another is ambiguous and perhaps even contradictory. Using years of experience, training, and good common sense, the detective constructs a theory linking those facts together so that they begin to make some sense and begin to tell their story. An initial theory derived from the available facts then guides the detective in the search for additional facts in a series of “if this is true, then this should be true” statements. There may be many false starts as our detective misinterprets some facts, fails to uncover others, and considers some to be relevant when they are not. Good detectives, like good scientists, will adjust their theory as new facts warrant; poor detectives and poor scientists will stand by their favored theory by not looking for more facts or by ignoring, downplaying, or hiding contrary facts that come to their attention. When detectives do this, innocent people suffer and guilty people remain undiscovered; when scientists do this, the progress of science suffers.

The physical and natural sciences enjoy a great deal of agreement about what constitutes the core body of knowledge within their disciplines; thus, they have few competing theories. Within criminology there is little agreement about the nature of the phenomena we study, and so we suffer an embarrassment of theoretical riches. Given the number of criminological theories, students may be forgiven for asking which one is true. Scientists never use the term “truth” in scientific discourse; rather, they tend to ask which theory is most useful. Criteria for judging the merits of a theory are summarized below:

1. **Predictive Accuracy:** A theory has merit and is useful to the extent that it accurately predicts what is observed. That is, the theory has generated a large number of research hypotheses that have supported it. This is the most important criterion.

2. **Predictive Scope:** Predictive scope is the scope or range of the theory and thus the scope or range of the hypotheses that can be derived from it. That is, how much of the empirical world falls under the explanatory umbrella of theory A compared to how much falls under theory B.

3. **Simplicity:** If two competing theories are essentially equal in terms of the first two criteria, then the less complicated one is considered more “elegant.”

4. **Falsifiability:** A theory is never proven true, but it must have the quality of being falsifiable or disprovable. If a theory is formulated in such a way that no amount of evidence could possibly falsify it, then the theory is of little use (Ellis, 1994, pp. 202–205).

**How to Think About Theories**

You will be a lot less concerned about the numerous theories in criminology if you realize that different theories deal with different levels of analysis. A level of analysis is that segment of the phenomenon of interest that is measured and analyzed. We can ask about causes of crime at the levels of whole societies, subcultures, neighborhoods, families, or individuals. Answers to the question of crime causation at one level do not generally answer the same question at another level. For instance, suppose that at the individual level there is strong evidence to support the notion that crime is linked to impulsiveness and low IQ. Do you think that this evidence would help us to understand why the crime rate in society A is 2.5 times that of society B, or why the crime rate in society C last year was only 75% as high as it was 20 years ago? It would do so only in the extremely unlikely event that society A has 2.5 times as many...
impulsive low-IQ people as society B, or that society C has lost 25% of its people with those characteristics in the last 20 years. If the question posed asks about crime rates in whole societies, the answers must address sociocultural differences among different societies or in the same society at different times.

Conversely, if crime rates are found to be quite strongly related to the degree of industrialization or racial/ethnic diversity in societies, this tells us nothing about why some people in an industrialized, heterogeneous society commit crimes and others in the same society do not. To answer questions about individuals we need theories about individuals. Generally speaking, questions of cause and effect must be answered at the same level of analysis at which they were posed; thus, different theories are required at different levels.

The second reason we have so many theories is that causal explanations are also offered at different temporal levels: ultimate (distant in time) and proximate (close in time) explanations. If we define a criminal act as the result of a person who is psychologically prepared to commit it meeting a situation conducive to its commission (such as Willie Sutton and banks), the possible levels of explanation range from the ultimate (the evolutionary history of the species) to the most proximate level (the immediate precipitating situation). Between these extreme levels are genetic, temperamental, developmental, personality, familial, experiential, and social environmental explanations. We will be discussing theories offering explanations for crime at all levels, but you should realize that in reality these levels describe an integrated whole as people interact with their environments.

We know that crime rates change in society, sometimes drastically, without any corresponding change in the gene pool or personalities of the people in them. Because causes are sought only among factors that vary, changing sociocultural environments must be the only causes of changing crime rates. What environmental changes do, however, is raise or lower individual thresholds for engaging in crime, and some people have lower thresholds than others. People with weak criminal propensities (or high prosocial propensities) require high levels of environmental instigation to commit crimes, but some individuals would engage in criminal behavior in the most benign of environments. When—or whether—individuals cross the threshold to commit criminal acts depends on the interaction between their personal thresholds and the environmental thresholds.

Interpreting the meaning of research findings is not as simple as documenting correlates of crime. There is little room for error when contrasting rates of crime between and among the various demographic variables such as age, gender, and race/ethnicity. Nor is there much difficulty (unless one wants to split fine hairs) in defining and classifying people into those categories. But theory testing looks for causal explanations rather than simple descriptions, and that’s where our problems begin. For example, when we consistently find positive correlations between criminal behavior and some other factor it is tempting to assume that something causal is going on, but as we have said previously, correlations merely suggest causes, they do not demonstrate them. Resisting the tendency to jump to causal conclusions from correlations is the first lesson of statistics.

Ideology in Criminological Theory

We have seen how criminological theorizing is linked to the social and intellectual climate of the times. It is also essential that we understand the role of ideology in criminology. Ideology is a way of looking at the world, a general emotional picture of “how things should be.”
This implies a selective interpretation and understanding of evidence that comes to our senses rather than an objective and rational evaluation of the evidence. Ideology forms, shapes, and colors our concepts of crime and its causes in ways that lead to a tendency to accept or reject new evidence according to how well or poorly it fits our ideology. We rarely see a discussion of ideology in criminology textbooks, leading students to believe that criminological arguments are settled with data in the same manner as natural science arguments typically are settled. Unfortunately, this is not always the case in criminology.

According to Thomas Sowell (1987), two contrasting visions have shaped thoughts about human nature throughout history, and these visions are in constant conflict with each other. The first of these visions is the constrained vision, so called because believers in this vision view human activities as constrained by an innate human nature that is self-centered and largely unalterable. The unconstrained vision denies an innate human nature, viewing it as formed anew in each different culture. The unconstrained vision also believes that human nature is perfectible, a view scoffed at by those who profess the constrained vision. A major difference between the two visions is that the constrained vision says, “This is how the world is”; the unconstrained vision says, “This is how the world should be.” These visions are what sociologists call ideal types, which are conceptual tools that accentuate differences between competing positions for purposes of guiding the exploration of them. There are many “visions” that are hybrids of the two extremes; Sowell lists Marxism, for instance, as a prominent hybrid of the two visions.

The two contrasting ways of approaching a social problem such as crime are aptly summed up by Sowell (1987): “While believers in the unconstrained vision seek the special causes of war, poverty, and crime, believers in the constrained vision seek the special causes of peace, wealth, or a law-abiding society” (p. 31). Note that this implies that unconstrained visionaries (mostly liberals) believe that war, poverty, and crime are aberrations to be explained, while constrained visionaries (mostly conservatives) see these things as historically normal and inevitable, although regrettable, and believe that what has to be understood are the conditions that prevent them. We will see the tension between visions constantly as we discuss the various theories in this book.

Given this, it should be no surprise to discover that criminological theories differ in how they approach the “crime problem.” A theory of criminal behavior is at least partly shaped by the ideological vision of the person who formulated it, and that, in turn, is partly due to the ideological atmosphere prevailing in society. Sowell (1987) avers that a vision “is what we sense or feel before we have constructed any systematic reasoning that could be called a theory, much less deduced any specific consequences as hypotheses to be tested against evidence” (p. 14). Those who feel drawn to a particular theory likewise owe a great deal of their attraction to it to the fact that they share the same vision as its formulator. In other words, “visions,” more so than hard evidence, all too often lead criminologists to favor one theory over another more strongly than most care to acknowledge (Cullen, 2005, p. 57).

Orlando Patterson (1998) views ideology as a major barrier to advancement in the human sciences. He states that conservatives believe only “the proximate internal cultural and behavioral factors are important (‘So stop whining and pull up your socks, man!’),” and “liberals and mechanistic radicals” believe that “only the proximate and external factors are worth considering (‘Stop blaming the victim, racist!’)” (p. ix). Patterson’s observation reminds us of the ancient Indian parable of the nine blind men feeling different part of an elephant. Each man described the elephant according to the part of its anatomy he had felt, but each failed to
appreciate the descriptions of the others who felt different parts. The men fell into dispute and departed in anger, each convinced of the utter stupidity, and perhaps the malevolence, of the others. The point is that ideology often leads criminologists to “feel” only part of the criminological elephant and then to confuse the parts with the whole. As with the blind men, criminologists sometimes question the intelligence and motives (e.g., having some kind of political agenda) of other criminologists who have examined different parts of the criminological elephant. Needless to say, such criticisms have no place in scientific criminology.

There is abundant evidence that political ideology is linked to favored theories among contemporary criminologists. Walsh and Ellis (2004) asked 137 criminologists which theory they considered to be “most viable with respect to explaining variations in serious and persistent criminal behavior.” Twenty-three different theories were represented in their responses, but obviously they cannot all be the “most viable,” so something other than hard evidence was instrumental in their choices. The researchers found that the best predictor of a favored theory was the criminologists’ stated ideology (conservative, moderate, liberal, or radical), and the second best predictor was the discipline in which criminologists received the bulk of their training. Ideology and the lack of interdisciplinary training will no doubt continue to plague the development of a theory of crime and criminality that is acceptable to all criminologists. When reading this text, try to understand where the originators, supporters, and detractors of any particular theory being discussed are “coming from” ideologically as well as theoretically.

Connecting Criminological Theory and Social Policy

Theories of crime causation imply that changing the conditions the theory holds responsible for causing crime can reduce crime and even prevent it. We say “imply” because few theorists are explicit about the public policy implications of their work. Scientists are primarily concerned with gaining knowledge for its own sake; they are only secondarily concerned with how useful that knowledge may be to practitioners and policymakers. Conversely, policymakers are less concerned with hypothesized “causes” of a problem and more concerned with what strategies are both politically and financially feasible.

Policy is simply a course of action designed to solve some problem that has been selected from among alternative courses of action. Solving a social problem means attempting to reduce the level of the problem currently being experienced or to enact strategies that try to prevent it from occurring in the first place. Social science findings can and have been used to help policymakers determine which course of action to follow to “do something” about the crime problem, but there are many other concerns that policymakers must consider that go beyond maintaining consistency with social science theory and data. The question of “what to do about crime” involves political and financial considerations, the urgency of other problems competing for scarce financial resources (schools, highways, environmental protection, public housing, national defense), and a host of other major and minor considerations.

Policy choices are, at bottom, value choices, and as such only those policy recommendations that are ideologically palatable are likely to be implemented. Given all of these extratheoretical considerations, it would be unfair to base our judgment of a theory’s power solely, or even primarily, on its impact on public policy. Even if some aspects of policy are theory based, unless all recommendations of the theory are fully implemented, the success or failure of the policy cannot be considered evidence of theoretical failure any more than a baker can blame a recipe for a lousy cake if he or she neglects to include all the ingredients it calls for.
Connecting problems with solutions is a tricky business in all areas of government policy making, but nowhere is it more difficult than in the area of criminal justice. No single strategy can be expected to produce significant results, and it may sometimes make matters worse. For example, President Johnson’s “War on Poverty” was supposed to have a significant impact on the crime problem by attacking what informed opinion of the time considered its “root cause.” Programs and policies developed to reduce poverty did so, but reducing poverty had no effect on reducing crime; in fact, crime rose as poverty was falling. Another high-profile example of failed policy is the Volstead Act of 1919 that prohibited the manufacture and sale of alcohol in the United States. Although based on a true premise (alcohol is a major factor in facilitating violent crime), it failed because it ushered in a wild period of crime as gangs fought over control of the illegal alcohol market. Policies often have effects that are unanticipated by policymakers, and these effects can be positive or negative.

Nevertheless, every theory has policy implications deducible from its primary assumptions and propositions. The deep and lasting effects of the classical theories on legal systems around the world has long been noted, but the broad generalities about human nature contained in those theories offer little specific advice on ways to change criminals or to reduce their numbers. Although we caution against using the performance of a theory’s public policy recommendations as a major criterion to evaluate its power, the fact remains that a good theory should offer useful practical recommendations, and we will discuss a theory’s policy implications when appropriate.

A Brief Word About the Section Readings

Because this book is a hybrid text/reader, a few words are warranted about the rationale behind our choice of articles. The readings in each section are meant to provide further depth in the material covered in the text. The theoretical sections (3 through 9) contain a mixture of “classical” readings by the old masters and modern quantitative or qualitative readings. One may wonder why we bother presenting classical pieces; after all, the great philosopher/mathematician Alfred North Whitehead once opined that “A science that hesitates to forget its founders is lost” (in Kuhn, 1970, p. 138). Whitehead’s warning is apt if taken to mean that the reverence and reputation attached to the founders should never stand in the way of evidence of better explanations. However, as Kuhn (1970) notes, a science needs its heroes: “Fortunately, instead of forgetting these heroes, scientists have been able to forget or revise their works” (p. 139). If science forgets its founders completely, it risks repeating some of their overly dogmatic errors. Additionally, we should not be asked to forget them before we get to know them because much of what they wrote still has relevance and has served as foundation material for subsequent researchers.

Lawrence Sherman’s article, “The Use and Usefulness of Criminology 1751–2005: Enlightened Justice and Its Failures,” serves a number of purposes for us. First, it adds a little more to the history of criminology, especially its beginnings in the Enlightenment. Of particular interest is his discussion of English magistrate Henry Fielding, who Sherman believes is more entitled to the mantle of Father of Criminology than Beccaria or Lombroso because, unlike those two, Fielding put his ideas to a real-world test. This is something about a founding figure that we should never forget. Sherman’s article also illustrates our point about tying theory to policy; indeed, the whole piece is a plea to more closely tie criminology to policy.
INTRODUCTION TO CRIMINOLOGY

Sherman argues that criminology has been, and is, overwhelmingly analytical (theory-generating and testing) rather than experimental (“show me evidence from the real world”). Although he maintains that the strength of experimental criminology will rest on the strength of analytic criminology, he believes that the growth and acceptance of criminology will rest more on its experimental results than on advances in its basic science.

Summary

◆ Criminology is the scientific study of crime and criminals. It is an interdisciplinary/multidisciplinary study, although criminology has yet to integrate these disciplines in any comprehensive way.

◆ The definition of crime is problematic because acts that are defined as criminal vary across time and culture. Many criminologists believe that because crimes are defined into existence we cannot determine what real crimes are and criminals are. However, there is a stationary core of crimes that are universally condemned and always have been. These crimes are predatory crimes that cause serious harm and are defined as mala in se, or “inherently bad” crimes, as opposed to mala prohibita—“bad because they are forbidden” crimes.

◆ The history of criminology shows that the cultural and intellectual climate of the time strongly influences how scholars think about and study crime and criminality. The Renaissance brought more secular thinking, the Enlightenment more humane and rational thinking, the Industrial Revolution brought with it more scientific thinking, and the Progressive Era saw a reform-oriented criminology reminiscent of the classical school.

◆ Advances in any science are also constrained by the tools available to test theories. The ever-improving concepts, methods, and techniques available from modern genetics, neuroscience, and other biological sciences should add immeasurably to criminology’s knowledge base in the near future.

◆ Theory is the “bread and butter” of any science, including criminology. There are many contending theories seeking to explain crime and criminality. Although we do not observe such theoretical disagreement in the more established sciences, the social/behavioral sciences are young, and human behavior is extremely difficult to study.

◆ When judging among the various theories, we have to keep certain things in mind, including predictive accuracy, scope, simplicity, and falsifiability. We must also remember that crime and criminality can be discussed at many levels (social, subcultural, family, or individual) and that a theory that may do a good job of predicting crime at one level may do a poor job at another level.

◆ Theories can also be offered at different temporal levels. They may focus on the evolutionary history of the species (the most ultimate level), the individual’s subjective appraisal of a situation (the most proximate level), or any other temporal level in between. A full account of an individual’s behavior may have to take all these levels into consideration because any behavior arises from an individual’s propensities interacting with the current
environmental situation as that individual perceives it. This is why we approach the study of crime and criminality from social, psychosocial, and biosocial perspectives.

- Criminologists have not traditionally done this, preferring instead to examine only aspects of criminal behavior that they find congenial to their ideology and, unfortunately, often maligning those who focus on other aspects. The main dividing line in criminology has separated conservatives (who tend to favor explanations of behavior that focus on the individual) and liberals (who tend to favor structural or cultural explanations). The theories favored by criminologists are strongly correlated with sociopolitical ideology.

- All theories have explicit or implicit recommendations for policy because they posit causes of crime or criminality. Removing those alleged causes should reduce crime, if the theory is correct, but the complex nature of crime and criminality makes policy decisions based on theory very risky indeed. Policymakers must consider many other issues demanding scarce resources, so the policy content of a theory should never be used to pass judgment on the usefulness of theory for criminologists.

## EXERCISES AND DISCUSSION QUESTIONS

1. Which of the following 10 acts do you consider mala in se crimes, mala prohibita crimes, or no crime at all? Defend your choices.
   A. drug possession
   B. vandalism
   C. drunk driving
   D. collaborating with the enemy
   E. sale of alcohol to minors
   F. fraud
   G. spouse abuse
   H. adult male having consensual sex with underaged person
   I. prostitution

2. Why is it important to consider ideology when evaluating criminologists’ work? Is it possible for them to divorce their ideology from their work?

3. The following table presents a list of seven acts that are considered criminal offenses. Add three more offenses that interest you to this list. Then, rate each of the 10 acts on a scale from 1 to 10 in terms of your perception of each one’s seriousness (with 10 being the most serious). Give your list to a member of the opposite gender without letting him or her see your ratings, and ask him or her to rate the offenses on the same 10-point scale. After he or she is finished, compare the two ratings with the other person present, and discuss each inconsistency of 2 or more ranking points. Write a one- to two-page double-spaced report on what you learned from this exercise about how you and the other person differ and resemble one another in your thoughts about the seriousness of crime. Is there a gender difference?
4. Go to http://www.lsus.edu/la/journals/ideology/ for the online journal *Quarterly Journal of Ideology*. Click on Archives and find and read “Ideology: Criminology’s Achilles’ Heel.” What does this article say about the “conflict of visions” in criminology?

### USEFUL WEB SITES


### CHAPTER GLOSSARY

**Constrained vision**: One of the two so-called ideological *visions* of the world. The constrained vision views human activities as constrained by an innate human nature that is self-centered and largely unalterable.

**Correlates**: Factors that are related to the phenomenon of interest.
Crime: An intentional act in violation of the criminal law committed without defense or excuse and penalized by the state.

Criminality: A continuously distributed trait composed of a combination of other continuously distributed traits that signals the willingness to use force, fraud, or guile to deprive others of their lives, limbs, or property for personal gain.

Criminology: An interdisciplinary science that gathers and analyzes data on crime and criminal behavior.

Hypotheses: Statements about relationships between and among factors we expect to find based on the logic of our theories.

Ideology: A way of looking at the world; a general emotional picture of “how things should be” that forms, shapes, and colors our concepts of the phenomena we study.

Level of analysis: That segment of the phenomenon of interest that is measured and analyzed, i.e., individuals, families, neighborhoods, states, etc.

Mala in se: Universally condemned crimes that are “inherently bad.”

Mala prohibita: Crimes that are “bad” simply because they are prohibited.

Policy: A course of action designed to solve some problem that has been selected from among alternative courses of action.

Theory: A set of logically interconnected propositions explaining how phenomena are related and from which a number of hypotheses can be derived and tested.

Unconstrained vision: One of the two so-called ideological visions of the world. The unconstrained vision denies an innate human nature, viewing it as formed anew in each different culture.