3 Theoretical Perspectives on Race and Crime

Considering the historical and contemporary crime and victimization figures presented in Chapter 2, the logical next question is: What explains the crime patterns of each race? Based on this question, we have formulated two goals for this chapter. First, we want to provide readers with a rudimentary overview of theory. And second, we want to provide readers with a summary of the numerous theories that have relevancy for explaining race and crime. In addition to this, where available, we also discuss the results of tests of the theories reviewed. Last, we also document some of the shortcomings of each theory.

Years ago, it was pretty standard to find criminology textbooks with whole chapters devoted to race and crime (Gabbidon & Taylor Greene, 2001). Currently, however, most texts cover the topic but only in a cursory way, with either a few paragraphs or several highlight boxes. A rare exception to this is Knepper (2001), who returned to the practice of having a full chapter devoted to the subject. In general, because of the additional focus on race and crime, scholars have written more specialized books, such as this one, to more comprehensively cover the subject. But even in these cases, many authors devote very little time to reviewing specific theories related to race and crime. In her 1993 tome on race and crime, Unequal Justice: A Question of Color, Coramae Richey Mann provided one of the most comprehensive reviews of theories that have been applied to race and crime. We attempt to provide similar coverage of theories by reviewing many of the major and a few of the lesser-known theories that have been applied to understanding racial patterns in crime and victimization. Before we begin, however, we review the fundamentals of theory, noting what is theory, distinguishing the various types of theories, and discussing the usefulness of having theory.

What Is Theory?

According to Bohm (2001), “A theory is an explanation” (p. 1). Some theory can be found in practically everything we do. And when it comes to
explaining crime, just about everyone has an opinion. All of these insights, however, might not qualify as scientific theory. To qualify as a scientific theory, Curran and Renzetti (2001) noted that “a theory is a set of inter-connected statements or propositions that explain how two or more events or factors are related to one another” (p. 2). Furthermore, theories are usually logically sound and empirically testable (Curran & Renzetti, 2001). Theories can further be categorized by whether they are macrotheories, microtheories, or bridging theories (Williams & McShane, 2004). Macrotheories focus on the social structure and are generally not concerned with individual behavior; conversely, microtheories look to explain crime by looking at groups, but in small numbers, or at the individual (Williams & McShane, 2004, p. 8). Bridging theories “tell us both how social structure comes about and how people become criminal” (Williams & McShane, 2004, p. 8). Many of the theories reviewed in this chapter fit some of these criteria; however, others fall short, but in our view nonetheless provide useful insights into race and crime. Thus, we discuss some nontraditional approaches that have not been folded into the mainstream of scientific criminological theory.

Theories are valuable for a number of reasons. Curran & Renzetti (2001) provided an important summary of the usefulness of theory:

Theories help bring order to our lives because they expand our knowledge of the world around us and suggest systematic solutions to problems we repeatedly confront. Without the generalizable knowledge provided by theories, we would have to solve the same problems over and over again, largely through trial and error. Theory, therefore, rather than being just a set of abstract ideas, is quite practical. It is usable knowledge. (p. 2; emphasis in original)

There are several paradigms within criminological theory that are reviewed here. We review biological approaches that look to genetic inheritance to explain crime. Other theories have their foundations in the American social structure or one's culture. Yet other theories have psychological foundations. In recent years, more theorists have also sought to integrate some of these approaches (Messner, Krohn, & Liska, 1989). As one might expect, many of these theories have been applied to explain race and crime. We begin with a review of biological explanations of crime.

Biology, Race, and Crime

The linking of biology and crime has its roots in Europe. Reid (1957) wrote that “[in] the year 1843 a Spanish physician Soler was [the] first to [mention] the concept of the born criminal” (p. 772). It was also Europe where phrenology, the study of the external shape of the head, was first popularized (Vold,
Bernard, & Snipes, 1998). The publication of Darwin’s *The Origin of the Species* (1859) and the *Descent of Man* (1871) were also influential in this era. Once the ideas became accepted, Cesare Lombroso, a doctor in the Italian Army in the 19th century and the so-called father of criminology, began studying army personnel from the Southern portions of Italy where, in addition to being considered inferior beings, the citizens were thought to be “lazy, incapable, criminal, and barbaric” (Vold et al., 1998, pp. 42–43).

In Lombroso’s first major work, *The Criminal Man* (1876), he made clear the importance of race in explaining crime. He mentioned that some tribes in parts of India and Italy had high crime due to “ethnical causes” (Lombroso, 1876/1911, p. 140). He added that “the frequency of homicide in Calabria, Sicily, and Sardinia is fundamentally due to African and Oriental elements” (p. 140). When Lombroso took on the task of explaining criminality among women, he again saw race as being an important contributor to crime. In his view, “Negro” women and “Red Indian” women were seen as manly looking, which contributed to their criminality (Lombroso, 1876/1911). His works were widely hailed and were soon translated into English. By the time Lombroso’s works were translated into English, the notion of biological determinism had already taken hold on American shores.

As in Lombroso’s work, racial and ethnic groups were the focus of ideas that inferior “stocks” were polluting society. The most virulent attacks were reserved for African Americans. Books such as Charles Carroll’s, *The Negro a Beast* (1900), spoke to the notion that African Americans were not human; they were more akin to apes. Relying heavily on biblical interpretations, Carroll sought to show why the White race was superior to African Americans. Around the same time, there was the thought that because of their genetic inferiority, African Americans would eventually die off (Hoffman, 1896). While these notions were vigorously challenged here and abroad, such ideas predominated the late 19th and early 20th century literature and gave rise to the racist eugenics movement; however, as noted in Chapter 1, with the increasing immigration to the United States, these ideas were also applied to the unwelcome new arrivals.

Early sociologists, such as Charles Henderson of the University of Chicago, picked up on the connection between, biology, race, and crime and wrote,

There can be no doubt that one of the most serious factors in crime statistics is found in the conditions of the freedmen of African descent, both North and South. The causes are complex. The primary factor is racial inheritance, physical and mental inferiority, barbarism and slave ancestry and culture. (Henderson, 1901, p. 247)

Though Henderson also discussed the importance of sociological factors, he clearly prioritized the role of genetic inheritance.

Analyses such as Henderson’s predominated the first several decades of the 20th century. Noting the overrepresentation of African Americans and
some immigrants in the crime statistics, observers continued to look to racial and ethnic diversity to explain these differences. The work of Harvard anthropologist Earnest A. Hooton took the lead in this area. His two 1939 books, *Crime and the Man* and *The American Criminals*, were based on his 12-year study of more than 17,000 subjects (14,000 male prisoners and 3,203 civilians as the control group) from 10 states (Curran & Renzetti, 2001). His study focused on the relationship between physiology and criminality. He listed a variety of general characteristics that were typical of criminals, many of which supported the earlier work of Lombroso. The study was criticized by sociologist Robert Merton and anthropologist M. F. Ashley Montagu for a number of reasons, including the “racism and ethnocentrism that infused Hooton’s work. Hooton’s publications are peppered with assertions about the biological inferiority and ‘retarded’ culture of people living in ‘primitive’ societies. Nowhere, however, does he provide empirical support for these claims” (as quoted in Curran & Renzetti, 2001, p. 34). In addition, they criticized Hooten for not considering “that certain groups—such as racial and ethnic minorities, the poor, those with little education—are disproportionately represented among the incarcerated at least in part because of selective arrests and sentences” (as quoted in Curran & Renzetti, 2001, p. 34).

In a short but influential work, *Race and Crime* (1943), Dutch criminologist Willem Bonger provided a different perspective on the topic:

> Criminality is not a characteristic. It is neither a physical quality such as the possession of blue eyes, nor the spiritual one such as musicality. No one comes into the world with “criminality,” in the way in which one is born with a certain color of eyes, and so forth. Crime is something completely different. (p. 27)

In his view, the notion of criminal and noncriminal races was ridiculous. On this point, he opined, “The truth is naturally, that crime occurs in all races, and, by the nature of things, is only committed by a number (generally very limited) of individuals in each race. In principle the races do not differ” (p. 28).

While the biological perspective lay dormant for a while, in 1985, James Q. Wilson and Richard Herrnstein resurrected it with their publication of *Crime and Human Nature*. The work has been generally seen as taking an approach similar to the work of Lombroso, Hooton, and other early biological theorists (Lilly, Cullen, & Ball, 2001). In their chapter on race and crime, Wilson and Herrnstein (1985) pointed to constitutional factors that may contribute to the overrepresentation of Blacks in crime; such constitutional factors “merely makes a person somewhat more likely to display certain behavior; it does not make it inevitable” (p. 468). Drawing on the foundations of Sheldon’s work, Wilson and Herrnstein suggested that Black males tend to be more mesomorphic (muscular) than White males; in
addition, because they have higher scores on the MMPI (Minnesota Multiphasic Personality Inventory) than Whites, this shows they are “less normal.” Other constitutional factors mentioned include low IQ, inadequate socialization, and subcultural deviance (Wilson & Herrnstein, 1985, pp. 470–484). As with their predecessors, Wilson and Herrnstein have had their critics. Most notably, there were concerns about the clarity of concepts and other measurement issues. Another concern related to their exclusive use of the theory to explain crime in the streets, not “crimes in the suites” (Lilly et al., 2001, pp. 212–213). This obviously speaks to race and crime because it is clear that these conservative thinkers have more interest in explaining crimes associated with racial minorities than those overwhelmingly committed by middle- and upper-class Whites (Lilly et al., 2001).

Intelligence, Race, and Crime

With the development and acceptance of intelligent tests, another linkage was developed: intelligence and crime (Gould, 1996). Much of the early literature suggested that criminals were of low intelligence or “feebleminded.” This line of thinking was based on the early work of Richard Dugdale’s 19th-century Juke study, which chronicled the genealogy of a family that had experienced generations of immorality and criminality. Building on the Jukes study, in the early 1900s, Henry H. Goddard studied the lineage of a family in New Jersey. Goddard found that one side of the family produced primarily descendants of superior intelligence and the other side of the family produced offspring that were “illegitimate, alcoholic, epileptic, criminal, sexually-immoral and feebleminded” (Knepper, 2001, p. 78). Goddard’s study was later found to be faulty because he had his assistant, Elizabeth S. Kite, do the research and she failed to use any IQ test to determine feeblemindedness. Instead, she made her assessments based on physical appearance (Knepper, 2001, p. 79). By this time, however, the notion of intelligence and crime had become accepted. While the notion of intelligence and crime had existed prior to the aforementioned studies, the development of the IQ test gave proponents of the idea a tool to test their beliefs. Fortunately, though, the idea lost its appeal. Curran and Renzetti (2001) noted, however, that the damage had already been done, with various legislation restricting immigration being enacted on the heels of the Goddard study. Several states also enacted forced sterilization of feebleminded individuals (Curran & Renzetti, 2001).

Because of a critical review of numerous studies on IQ and crime by Edwin Sutherland, intelligence-based theories disappeared from the criminological literature until the 1970s (Hirschi & Hindelang, 1977). At this time, two prominent criminologists, Travis Hirschi and Michael J. Hindelang (1977) conducted a review of the literature on intelligence and crime. On the issue of race, they wrote, “There can be no doubt that IQ is related to delinquency
within race categories” (p. 575). From their research, they concluded that students with low intelligence had difficulty in school and as a result, were more likely to engage in delinquency—ergo, given that Blacks have traditionally scored lower on IQ tests, they are likely to commit more crime.

The debate lingered with a few publications here and there, until Richard Herrnstein and Charles Murray published their controversial work *The Bell Curve*, in 1994. The book picked up where the debate left off. They suggested that low IQ contributed to a host of things, including crime, poverty, illegitimacy, unemployment, welfare dependency, and others (Knepper, 2001). Furthermore, they asserted that “Jewish people scored higher on IQ tests, and that those of African and Latin origin scored lower. Because Blacks and Latinos reproduce faster than Whites and Asians, this dysgenic pressure will worsen social problems and crime among them” (as cited in Knepper, 2001, p. 85). Lilly et al. (2001) suggested that with the publication of *The Bell Curve* and related works,

One might say, in oversimplified terms, that the early 1990s saw a restoration of elements of social Darwinism, with suggestions that Blacks, for example, were both cognitively and morally inferior by nature and that this inferiority explained much of the crime problem. (p. 215)

Numerous shortcomings have been noted with the intelligence, race, and crime approach, however. First, there still remain questions as to what IQ tests really measure. Moreover, there have always been questions of cultural and class biases with IQ tests. An additional concern relates to the question that if a lack of intelligence is associated with crime, then what explains the fact that persons with high IQs commit White-collar and political crime? (Lanier & Henry, 1998). Finally, there is also some uncertainty about whether differences in IQ are genetic or related to one’s environment (Onwudiwe & Lynch, 2000; Vold et al., 1998). One final biological approach reviewed is the r/K theory, which has garnered significant attention in recent years.

**r/K Life History Theory**

Possibly one of the most controversial theories of our time related to race in general and crime in particular is the r/K life history theory. Created by Harvard biologist E. O. Wilson to explain population growth and decline in plants and animals, the theory has been adapted to humans by J. Philippe Rushton (see Rushton, 1999), professor of psychology at Western Ontario University. The gene-based evolutionary theory links many of the differences between the races, including crime patterns, to migrations out of Africa. Rushton agrees with the hypothesis that all humans came out of Africa. It is his contention, however, that there was a split of the population before humans left Africa and that this split is responsible for the current position
of Blacks, Whites, and Asians. As he sees it, those who stayed in Africa (now referred to as Black people) were subjected to unpredictable droughts and deadly diseases, which caused them to die young (Rushton, 1999, pp. 84–85). Those who migrated to Eurasia (now referred to as Whites and Asians) had to deal with other concerns, such as “gathering and storing food, providing shelter, making clothes, and raising children during the long winter winters” (Rushton, 1999, p. 85). These tasks were more mentally demanding and, according to Rushton, required greater intelligence. Moreover, “They called for larger brains and slower growth rates. They permitted lower levels of sex hormones, resulting in less sexual potency and aggression and more family stability and longevity” (Rushton, 1999, p. 85).

At the heart of the \( r/K \) theory are reproduction, climate, and intelligence. Since Africans were faced with early death, they often had to bear more children to maintain their population, which left them unable to provide significant care for their offspring. Conversely, those falling under the \( K \)-strategy, Whites and Asians (Rushton acknowledges only three races: Negroid, Caucasoid, Mongoloid), reproduced less and generally spent more time caring for their offspring.

Rushton’s theory relates to race and crime in that aggression, impulsive behavior, low self-control, low intelligence, and lack of rule following are all associated with criminals and, according to Rushton, those who fall under the \( r \)-strategy, namely, Black people. To support his approach, Rushton has conducted cross-national studies that looked at race and crime (see Rushton, 1995; Rushton & Whitney, 2002). Other scholars have also adopted some of Rushton’s ideas in the areas of crime (Ellis, 1997; Ellis & Walsh, 1997, 2000; Walsh, 2004; Walsh & Ellis, 2003) and skin color and intelligence (Lynn, 2002; see Highlight Box 3.1).

As with all theories, there have been several notable criticisms of the \( r/K \) theory. First, Rushton generally ignores sociological factors. Most of his cross-national comparisons point strictly to numbers, without taking into account variables such as socioeconomic status, discrimination, and other important sociological variables. Second, in the 21st century, there are very few “pure” races, especially in the United States, where, as noted in Chapter 1, White sexual aggression against Black females during the slave era produced countless mixed-race offspring. Therefore, the rigorous adherence to the Black, White, Asian split is problematic. Third, if Rushton’s theory were true, what would explain White aggression as colonizers around the globe? In contrast to Rushton’s theory, Bradley (1978) argued that as a result of migration to colder regions, since the beginning of humanity, Whites have been the global aggressors. Finally, there have been concerns that Rushton’s research returns us to the days of the eugenics movement.

In sum, many of the current biologically oriented theories either directly or indirectly point to some race and crime linkage. Nevertheless, for over a century, opponents of such approaches have countered with alternative sociological perspectives, some of which are reviewed in the next section.
Highlight Box 3.1  Skin Color and Crime: Is the Connection Intelligence or Social Distance?

Theorists such as Rushton (1995) have adopted the r/K theory. As a part of the theory, they suggest that certain traits inherent in Black people make them less intelligent and they eventually end up engaging in crime. Drawing on the work of Rushton, Richard Lynn (2002) sought to determine whether skin color was related to intelligence. That is, if intelligence were related to race, then Whites would have higher IQs than light-skinned people, who would have higher IQs than medium-skinned people, and so on. He tested this proposition by using data from the 1982 National Opinion Research Center’s (NORC) opinion poll. One of the few surveys to ask questions regarding skin color, the survey also included a 10-word vocabulary test, which Lynn used as an indicator of intelligence.

Describing the racial identification part of the survey, Lynn (2002) wrote, “First, respondents were asked if they would describe themselves as White, Black or other. Second, if they described themselves as Black they were asked whether they would describe themselves as very dark, dark brown, medium brown, light brown or very light. On the basis of their replies they were placed into one of these categories” (p. 370). Table 3.1 shows the results of the study. Lynn indicated that the results show that there is a strong correlation between light skin color and intelligence among African Americans (p. 371). Considering that theorists such as J. Phillipe Rushton, Richard Herrnstein, and Charles Murray link low IQ to crime, the findings from Lynn’s research likely serves as a bridge to the notion that the darker one is, the more likely one is to engage in crime.

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<th>Group</th>
<th>N</th>
<th>Mean</th>
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<tr>
<td>Whites</td>
<td>1245</td>
<td>6.18</td>
<td>2.06</td>
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<tr>
<td>Blacks</td>
<td>442</td>
<td>4.81</td>
<td>2.08</td>
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<tr>
<td>Very dark</td>
<td>42</td>
<td>4.43</td>
<td>1.98</td>
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<tr>
<td>Dark</td>
<td>104</td>
<td>4.09</td>
<td>1.68</td>
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<tr>
<td>Medium</td>
<td>204</td>
<td>5.01</td>
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<tr>
<td>Light</td>
<td>66</td>
<td>5.33</td>
<td>2.08</td>
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<tr>
<td>Very light</td>
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Recently, Tatum (2000) explored whether skin color is an important criminological concept. Tatum (2000) wrote, “Skin color (or skin tone) can refer to the prejudicial or preferential treatment of in-group members based on the lightness or darkness of their skin. Like race, skin color is also a measure of the similarity or dissimilarity that in-group members share with the dominant group” (p. 32). Incorporating the work of Daniel Georges Abeyie, Tatum (2000) looked at the concept of social distance. She defined social distance as “the degree of closeness or remoteness that the majority group desires in its interactions with members of a particular group” (p. 33). Tatum listed the following six factors that influences social distance:

(Continued)
Sociological Explanations

Sociological explanations for crime in general have existed for nearly two centuries. Beginning with the early work of the cartographic school, led by Adolphe Quetelet, who some have said produced the first scientific work on crime (see Quetelet, 1833/1984), this approach looked to sociological
factors to explain criminality (i.e., age, social class, poverty, education level, etc.). Several decades after the publication of Quetelet’s work, as noted above, biological notions related to crime were being espoused in America. Numerous American scholars, however, criticized the biological approach using sociological analyses of crime problems. With the development of the first sociology department at the University of Chicago in 1892, and other such programs at universities across the United States, scholars saw this new discipline and a sociological approach as a means to solve some of the pressing issues particularly plaguing overcrowded northern cities.

In the late 1890s, Philadelphia was one of those cities looking for answers to their concerns regarding the burgeoning African American population. At the time, they sought out W. E. B. DuBois to conduct a study of Philadelphia’s notorious Seventh Ward. DuBois conducted a comprehensive review of the ward and pointed to several possible explanations for crime among African Americans. He wrote,

Crime is a phenomenon of organized social life, and is the open rebellion of an individual against his social environment. Naturally then, if men are suddenly transported from one environment to another; the result is lack of harmony with the new conditions; lack of harmony with the new physical surroundings leading to disease and death or modification of physique; lack of harmony with social surroundings leading to crime. (DuBois, 1899/1996, p. 235)

He felt that the mass migration from the South to the North produced problems of adjustment for African Americans who were previously familiar only with southern life.

DuBois’s ideas were in line with the concept of social disorganization, which we discuss later. Like Quetelet earlier, to explain criminality in the Seventh Ward, DuBois pointed to issues related to age, unemployment, and poverty. DuBois, however, added the sociological variable of discrimination, noting that Blacks were arrested for less cause than Whites, served longer sentences for similar crimes, and were subject to employment discrimination (Taylor Greene & Gabbidon, 2000). Other early studies would echo similar sentiments on crime in the African American community (Miller, 1908/1969; Wright, 1912/1969), with some scholars going as far as to suggest that because of the deep-seated societal discrimination contributing to crime in the African American communities, Whites were the “Ultimate Criminals” (Grimke, 1915).

Social Disorganization

Northern cities, such as Chicago, were also experiencing the same social problems as Philadelphia because of population booms caused by “waves of immigrants, displaced farm workers, and Blacks fleeing the rural south”
With unparalleled philanthropic support from numerous foundations (Blumer, 1984), by the 1920s, the University of Chicago had put together a formidable cadre of scholars to investigate the social ills plaguing the city. Together, these scholars combined their ideas to formulate what is now known as the “Chicago School.” The scholars of the schools looked at the growth of the city using the biological term ecology. The leaders of the school, Robert Park and Ernest Burgess, believed,

Cities tend to grow radially from their center in concentric circles through a process of invasion, dominance, and succession. That is, a cultural or ethnic group invades a territory occupied by another group and dominates the new territory until it is displaced or succeeded by another group, and the cycle repeats itself. (Bohm, 2001, pp. 67–68)

From this, they formulated their now famous map of Chicago. The map divides the city into several concentric circles or “zones,” as described by Park and Burgess. Of the numerous zones, Zone 2 is of most significance to the theory. This area was referred to as “the zone transition” or “the slums,” which, according to the theory, is where most of the crime should take place. As predicted by the theory, the farther one moves away from this zone, the more crime decreases (Shaw & McKay, 1942/1969, pp. 18–19).

In the tradition of earlier work of Quetelet, two researchers, Clifford Shaw and Henry D. McKay, who worked at the University of Chicago’s Institute for Juvenile Research but were not faculty members, put the theory to test by examining juvenile delinquency. To do so, they created three types of maps (Bohm, 2001). One of the maps charted out the location of the homes of the youth in police and court records. Another map indicated “the percentage of the total juvenile population in 140-square-mile areas that had police and court records” (Bohm, 2001, p. 68). The final map simply showed the rates of male delinquency within each zone.

Their results were striking. As postulated by the theory, over several decades and with several changes in ethnic groups, Zone 2 had the most delinquency. Writing on this dramatic finding, Bohm (2001) provided the following illustration of the phenomenon:

In 1884, approximately 90 percent of the population in zone 2 was Irish, German, Scandinavian, Scottish, or English, and the children of those groups had the highest rates of delinquency in Chicago. By 1930, 85 percent of zone 2 was Italian, Polish, Slavic, or Czech—almost a complete turnover, and the children of those groups had the highest rates of delinquency in Chicago. Furthermore, when the ethnic groups moved out of zone 2, the high delinquency rates did not follow them. In short, something about zone 2 produced high delinquency rates regardless of the ethnic composition of the population that lived there. (p. 68)
In the end, the scholars concluded that the crime in these areas was caused by social disorganization. Social disorganization refers to areas characterized by the following conditions: (a) controls over youth are not present; (b) delinquent behavior is approved by parents, neighbors, and friends; (c) there are opportunities for delinquent behavior; (d) there are few opportunities for legitimate employment opportunities; (e) there is a mixture of different ethnic groups; (f) there are highly mobile residents moving in and out of an area; and (g) there are a considerable number of disrupted families and broken homes (Bohm, 2001; Sampson & Groves, 1989).

During the late 1930s and early 1940s, a 1923 graduate of the “Chicago School,” Norman Hayner, while investigating crime in diverse communities populated by Whites, Asian Americans, African Americans, and Native Americans, utilized social disorganization (Hayner, 1933, 1938, 1942). Under the “Oriental crime” heading, Hayner (1938) compared the situation of the Japanese, Chinese, and Filipinos in the Pacific Northwest. Overall, he noted each of the groups had little criminality in comparison to Whites. However, he decided to look at variations among the three Asian American populations. According to Hayner, the Japanese had low rates of crime and delinquency because of their closely integrated families, the efficiency and organization of the community, and the lack of acquaintance with American ways. The closely integrated families were characteristic of their home countries. The organization of the community reflected the concern of the community for their youth. At that time, they maintained language schools to keep youngsters busy after their regular school days. And community attitude concerning crime was so strong that according to Hayner’s research, those caught engaging in crime would likely commit suicide before facing the community (Hayner, 1938, p. 911). Finally, some Japanese steered their youth away from American traditions because there was the belief that increasing Americanization would lead to increasing levels of crime and delinquency (Hayner, 1938, p. 911). In general, both of the other two groups had more crime than the Japanese, which was explained as a result of them either becoming too Americanized or having a population imbalance, often due to earlier government immigration restrictions, between males and females.

Turning to Native Americans, Hayner examined their condition on three reservations in the Pacific Northwest. He sought to determine why these Native Americans had become engaged in more crime. The first of his explanations points to the increasing mixing between Whites and Native Americans. In his words, “As the Indian becomes more like the White biologically and, as a result, associates more freely with him, his criminal behavior tends to approximate more closely the White patterns” (Hayner, 1942, p. 605). Hayner also pointed to the social disorganization that occurred among Native Americans because of social isolation, concerns about sustenance and, in other situations “Some Indians, pauperized
by too much money [from successful suits against the government] or unwise administered relief; lack the incentive to work; others, including many boarding-school graduates, want to work but lack the opportunity” (p. 613).

Since these early articles, scholars have continued to explore the viability of social disorganization to explain crime, particularly in urban areas. Sampson (1987) found a connection between Black male joblessness and economic deprivation and violent crime. This connection was an indirect one mediated by family disruption (i.e., female-headed households). Another important article by Sampson and Groves (1989) expanded the theory and found considerable support for it. Building on this prior research and the important research of William Julius Wilson (1987), Sampson and Wilson (1995) posited a theory targeted at explaining race and crime with structural and cultural constructs:

[Our] basic thesis is that macro social patterns of residential inequality give rise to the social isolation and ecological concentration of the truly disadvantaged, which in turn leads to structural barriers and cultural adaptations that undermine social organization and hence the control of crime. This thesis is grounded in what is actually an old idea in criminology that has been overlooked in the race and crime debate—the importance of communities. (p. 38)

The theory draws heavily on two of Wilson's concepts from the Truly Disadvantaged (1987). The first, concentration effects, speaks to the fact that Whites and Blacks live in considerably different areas. In his research, Wilson found that many African Americans live in areas where there are significant concentrations of poverty. Once neighborhoods reach this point, working-class and middle-class African Americans abandon these areas. This removes important “social buffers” (role models) who show neighborhood kids that there are successful people who go to work, day in and day out. When all the “social buffers” have abandoned a community, Wilson suggested the remaining individuals are in a state of “social isolation,” which he defined as “the lack of contact or of sustained interaction with individuals and institutions that represent mainstream society” (p. 60). The notion of social isolation adds the cultural component to the theory. By not being exposed to mainstream individuals and institutions, socially isolated people tend to develop their own norms within these isolated areas. In a series of articles, Lauren Krivo and Ruth Peterson, of Ohio State University, have tested some of the ideas of Wilson (1987) and Sampson and Wilson (1995) and found considerable support for them (see Krivo & Peterson, 1996, 2000; Peterson & Krivo, 1993).

In recent years, scholars have also applied the theory to nonurban areas and with populations other than African Americans. Bachman (1991), for example, applied the theories of social disorganization and economic
deprivation to explain Native American homicides. The results from her examination of 114 counties, which were located either all or partially on reservations, showed considerable support revealing, as in urban areas, “Both social disorganization and poverty contribute to high levels of lethal violence in reservation communities” (Bachman, 1991, p. 468).

In the last several years, Sampson, Raudenbush, and Earls (1997) headed back into the field to determine why urban communities differ in their levels of crime. From their research, they concluded that crime was related to the amount of collective efficacy found in a particular community. They defined collective efficacy as “social cohesion among neighbors combined with their willingness to intervene on the behalf of the common good” (p. 918). In short, in the communities where residents do not retreat behind their locked doors, and actively look out for one another, there is a diminished likelihood that they will have many of the ills found in similar urban areas.

Both social disorganization and collective efficacy generally speak to high-crime urban areas. Because not all African Americans live in high-crime urban areas, some have wondered if those in middle-class areas also encounter higher crime rates than those in similarly situated White areas. To investigate this question, Pattillo (1998) conducted participant observation and 28 in-depth interviews in one such area of Chicago. He found that “middle class Black areas tend to be nestled between areas that are less economically stable and have higher crime rates” (p. 751). In addition, many of those Black residents who make it to these middle-class areas are “unstable” middle-class residents and struggle to maintain their status. In some instances, they cross over the line into crime to do so. Therefore, Pattillo also found that such residents were “given a degree of latitude to operate in the neighborhood” (p. 770). Based on the premise of social organization, which, along with being goal oriented, “stresses the importance of kin and neighborly ties for the social control of crime and disorder,” Pattillo showed how these communities maintain order, while allowing “the integration of licit and illicit networks both working toward common goals, with variant strategies” (p. 770).

All in all, there has been considerable support for social disorganization theory. There have been several persistent criticisms of the theory, however. The most often cited weakness of the social disorganization perspective is the so-called ecological fallacy. This refers to the fact that the perspective is usually tested at the aggregate level but researchers still use the data to make assertions about individuals. The theory also does not explain how certain groups, such as Asians and Jewish communities, maintained low levels of crime and delinquency even though they lived in areas that might be categorized as socially disorganized (Bohm, 2001; Lanier & Henry, 1998). Moreover, while there were high levels of delinquency in the study areas, the theory doesn’t explain why, in general, most juveniles in these areas do not become delinquent.
Culture Conflict Theory

Originally formulated by criminologist Thorsten Sellin in the late 1930s, culture conflict theory, according to Williams and McShane (2004), is heavily based on the work on Chicago School products Louis Wirth and Edwin Sutherland (who was to have collaborated with Sellin). The theory has several basic ideas. A central idea of the theory relates to the rules or norms within a culture. Sellin (1938) suggested that over a period of time, certain behavior becomes accepted within a culture. Such behavior becomes so accepted that “the violation of [it] arouses a group reaction. These rules or norms may be called conduct norms” (p. 28; emphasis in original). Sellin’s theory states that all societies have conduct norms, which vary from one culture to the next and could result in violations in one society not being a violation of conduct norms in another (pp. 29–30). Within each society, those in power can control the definitions of conduct norms and hence determine what behaviors become crimes. This leaves the potential for culture conflict. In general, Sellin (1938) pointed to three ways conflicts between various cultural codes arise: (a) when the codes clash on the border of contiguous cultural areas, (b) when, as may be the case with legal norms, the law of one cultural group is extended to cover the territory of another, or (c) when members of one cultural group migrate to another (p. 63).

Summarizing these ideas, Sellin (1938) formulated two types of culture conflicts. Of the first type, called primary conflicts, he noted,

“If the immigrant’s conduct norms are different from those of the American community and if these differences are not due to his economic status, but to his cultural origin, then we speak of a conflict of norms drawn from different cultural systems or areas. Such conflicts may be regarded as primary culture conflicts. (p. 104; emphasis in original)

Sellin described secondary conflicts as “conflicts of norms which grow out of the process of social differentiation which characterize the evolution of our own culture” (p. 105). As an example of the applicability of his perspective, Sellin used Native Americans as an illustrative population. He wrote,

We need only to recall the effect on the American Indian of the culture conflict induced by our policy of acculturation by guile and force. In this instance, it was not merely contact with the White man’s culture, his religion, his business methods, and his liquor, which weakened tribal mores. In addition, the Indian became subject to the White man’s law and this brought conflicts as well, as has always been the case when legal norms have been imposed upon a group previously ignorant of them. (p. 64)
While the theory clearly has relevance for Native Americans and the various ethnic immigrants who were arriving in America during the early part of the 20th century, in recent years, however, it has not received much attention. One exception to this trend was a recent study by Lee (1995), which looked at culture conflict and crime in Alaskan villages.

Based on comparative data on eight Yupiit Nation villages and eight non-Nation villages, Lee (1995) explored the following proposition: “that colonization (invasion, dominance, and succession) results in conflict (disorder/crime) related to the imposition of laws (social control) associated with the dominant group” (p. 181). Essentially, Lee wanted to find out whether crime was less prevalent in villages that maintained their traditional values. Moreover, Lee was interested in finding out whether villages that enforce alcohol laws have higher or lower alcohol-related incidents. On the first point, Lee found that “the rates for felonies and misdemeanors are lower in Nation villages with the exception of liquor violation, drunk in public, minor in possession, and protective custody” (p. 184). One the second point, the results were mixed; however, one thing was clear: The formal laws were “not keep[ing] the villagers from drinking or acting out while drunk” (p. 186). Overall, the study found support for culture conflict theory.

While criminologists have generally neglected the theory, they have, however, borrowed some ideas from the theory and formulated related theories, such as strain theory, subcultural theory, and conflict theory. We look at these theories in the following sections.

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**Strain/Anomie Theory**

In the same year as the publication of Sellin’s work on culture conflict, another important theory was presented. The 1938 publication of Robert K. Merton’s “Social Structure and Anomie” produced what is likely one of the most cited theories in criminology, strain or anomie theory (Lilly et al., 2001). The theory was influenced by the classic work of Emile Durkheim, who first made use of the word *anomie* in a criminological sense. According to Akers (2000), “Durkheim (1951[1897]) used the term anomie to refer to a state of normlessness or lack of social regulation in modern society as one condition that promotes higher rates of suicide” (p. 143). Merton’s (1938) work showed that in every society, there are “culturally defined goals, purposes, and interest” (p. 672). He also suggested that there are generally “acceptable modes of achieving these goals” (p. 673). Turning to American society, Merton recognized that “the extreme emphasis upon the accumulation of wealth as a symbol of success in our own society mitigates against the completely effective control of the institutionally regulated modes of acquiring a fortune” (p. 675). In short, in pursuit of the “American Dream,” some people turn to alternative means to secure this cultural goal. When applying the theory to race and crime, Merton (1938) himself recognized the special case of African Americans, writing,
Certain elements of the Negro population have assimilated the dominant caste’s values of pecuniary success and advancement, but they also recognize that social ascent is at present restricted to their own caste almost exclusively. The pressures upon the Negro which would otherwise derive from the structural inconsistencies we have noticed are hence not identical to those upon lower class Whites. (p. 680)

Merton understood that the strain experienced by African Americans was unlike any other in American society. Basically, no matter how much they sought to achieve the “American Dream,” they could never “legitimately” reach the status of Whites, so they maintained lower aspirations and were resigned to achieving a lower level of success and advancement. Such a situation likely contributed to a strain that resulted in some African Americans becoming innovators and retreatists.

Edgar Epps (1967) tested some of Merton’s ideas regarding race and crime. Using a racially diverse sample (159 White students, 111 African Americans, and 76 Asian Americans) of high school juniors from Seattle, Washington, Epps tested several hypotheses that looked at whether there were differences in delinquency and aspirations by race and class (p. 25). He did find some differences between the occupational expectations and aspirations, and the educational aspirations of the students. In all cases, Whites and Asian Americans had higher aspirations and expectations than did African Americans (p. 24). No support, however, was found for any of the other hypotheses.

More than 30 years after Epps’s research, Cernkovich, Giordano, and Rudolph (2000) tested whether African Americans still subscribe to the American Dream and whether this is related to their involvement in criminal behavior. Making use of longitudinal data involving African Americans and Whites from private households and an institutional sample (both from Toledo, Ohio), the authors found,

That African Americans maintain a very strong commitment to the American dream. Blacks report higher levels of commitment to economic success goals than do their White counterparts and indicate that they are prepared to work harder and sacrifice more to realize them. Even though the young Black adults in our study report low incomes and are more likely to be unemployed than are Whites, they continue to maintain a very strong commitment to the American dream. (Cernkovich et al., 2000, pp. 158–159)

Their study, which also partially tested social control theory, found support for strain theory—but only in the case of Whites. That is, many of the variables used to test strain theory “were significant correlates of crime among . . . Whites in our sample but not among African Americans” (Cernkovich et al., 2000, p. 161), a finding that the authors could not
explain, but curiously implied that the African American participants might not have been forthright with their answers.

In a more recent study of strain theory and race, Jang and Johnson (2003) tested Agnew’s (1992) popular revision of Merton’s theory. Agnew renewed interest in strain by adding that the removal (or loss) of positive or introduction of negative stimuli into an environment can cause a strain such that, as with blocked opportunities, the removal or loss of positive stimuli from an individual can result in criminal behavior. As for the removal of positively valued stimuli, Agnew (1992) specifically pointed to the following: “loss of a boyfriend/girlfriend, the death of or serious illness of a friend, moving to a new school district, the divorce/separation of one’s parents, suspension from school, and the presence of a variety of adverse conditions at work” (p. 184). Turning to the presentation of negative stimuli, Agnew pointed to the following: child abuse and neglect, criminal victimization, physical punishment, negative relations with parents, negative relations with peers, adverse or negative school experience, stressful life events, verbal threats and insults, physical pain, unpleasant odors, disgusting scenes, noise, heat, air, pollution, personal space violations, and high density (p. 185).

Building on these ideas, Jang and Johnson (2003) used the National Survey of Black Americans (comprising a sample of 2,107 adult African Americans) to test whether Agnew’s theory holds true for African Americans. In addition to testing core tenets of Agnew’s work, they sought to determine whether African American religiosity, an area where research has consistently shown more commitment by African Americans than by other ethnic groups, has any impact in helping them cope when strain occurs. In contrast to the earlier research of Cernkovich et al. (2000), these authors found support for Agnew’s modified version of strain theory, noting the following regarding the role of religiosity,

We find that individuals who are religiously committed are less likely than those who are not to engage in deviant coping in reaction to personal problems because their religiosity buffers the effects of negative emotions on deviance as well as directly and indirectly (via outer-directed emotions) affects their coping strategies. (Jang & Johnson, 2003, p. 98)

Several weaknesses have been leveled at strain theory. Bohm (2001) noted that anomie theories have a middle-class bias; they presume that lower-class individuals commit crimes in an effort to reach middle-class status. As was seen by some of the research reviewed, this is not always the case. Another persistent criticism is that the theories don’t explain White-collar and government crimes. Given that people at this level have already achieved middle-class status, why, then, do they engage in crime? Even in its various incarnations, the theory is generally silent on this issue.
Bohm (2001) also suggested that the theory suffers from overprediction. As he put it, “If strain is caused by the inability to achieve the American dream and is as widespread as Merton implies, then there ought to be much more crime than occurs” (p. 80). After the publication of Merton’s strain theory, several subcultural theories emerged that had relevance to race and crime.

**Subcultural Theory**

In the 1950s, several theories were formulated that consider criminality tied to the development of subcultures among White middle-class youth. In *Delinquent Boys* (1955), Albert Cohen argued that gang delinquency was associated with juveniles being unable to achieve status among their peers. When they are unable to meet established White middle-class standards, they establish their own values, which generally involves activities and behaviors that are in conflict with middle-class values. Five years later, Richard Cloward and Lloyd Ohlin’s *Delinquency and Opportunity* (1960) pointed to the opportunity structure as the key to understanding gang activities. They suggested that when there are limited opportunities, youth join gangs with one of three orientations. Those who cannot find legitimate opportunities join criminal gangs whose aim is to make money through a variety of illegitimate avenues. If, however, there remain few illegitimate opportunities, the youth might join a “conflict” gang. Such gangs primarily engage in violent activities, doing whatever is necessary to maintain their status in the streets. Youth who end up in “retreatist” gangs are what Cloward and Ohlin refer to as “double-failures.” Because such youth didn’t make it in either legitimate or illegitimate opportunities, they retreat to drug usage.

While examining lower-class areas in Boston, Walter Miller also created a popular subcultural theory (Williams & McShane, 2004). In his view, delinquent gangs or subcultures were formed within all social groups; however, in the case of lower-class youth, their subculture adhered to lower-class ideals, which he called “focal concerns.” Elaborating on Miller’s six focal concerns, Williams and McShane (2004) wrote,

Trouble represents a commitment to law violating behavior or “being a problem” to other people. Toughness is “machismo” and being fearless, brave, and daring. Characteristics of smartness include being cunning, living for thrills, doing dangerous things, and taking risks. Fortune and luck are part of the focal concern of fate. Finally, autonomy signifies independence—not having to rely on others as well as rejecting authority. (p. 126)
Miller also stressed the important role of the absence of male father figures in males who adopt these focal concerns (Williams & McShane, 2004). The same year Miller published his theory, noted criminologist Marvin Wolfgang published *Patterns in Criminal Homicide* (1958). This was significant because as an outgrowth of this pioneering work, less than a decade later, he along with Franco Ferracuti formulated the subculture of violence theory, which has been used to explain homicide, particularly in the African American community. We review the theory below.

### The Subculture of Violence Theory

As reflected in Chapter 2, African Americans and Latinos are overrepresented in the violent crime categories. And again, as reflected by the historical data, in the case of African Americans, this is nothing new. In the late 1950s, while studying homicides in Philadelphia, Wolfgang found,

> That the homicide rate was highest among lower-class, young, African American males. Many of the homicides he examined involved disputes between friends, relatives, and acquaintances over what seemed like trivial issues. Wolfgang explained these homicides in terms of the attitudes or “definitions” of the participants, claiming that they saw violence as an appropriate, even required response to a wide range of provocations and insults. (as cited in Cullen & Agnew, 2003, p. 155)

From this research and that of his colleague Franco Ferracuti, who had also conducted homicide research in Italy, Wolfgang and Ferracuti (1967) formulated the subculture of violence theory. Their theory, which draws from several other criminological theories, consists of seven propositions. These propositions speak to a range of factors that encapsulate the subculture of violence. Some of these factors include the fact that those invested in the subculture of violence are not violent all the times; while the subculture is found in all age segments of society, it is found most in the those in the late-adolescence to middle-age categories; and since those vested in the subculture do not see violence as an “illicit conduct,” they have no feelings of guilt toward their actions (Wolfgang & Ferracuti, 1967, pp. 158–161).

Several authors have either critiqued or tested the theory as it relates to race and the commission of violent crimes. Darnell Hawkins (1983) provided one of the earliest and most comprehensive critiques of the theory. In doing so, he also provided an alternative perspective. We begin with a summary of his critique; then, we turn to a brief overview of his alternative theory. Hawkins pointed to the following five major weaknesses of the theory:
(1) There is an extreme emphasis on mentalistic value orientations of individuals—orientations which in the aggregate are said to produce a subculture, (2) The theory lacks empirical grounding and indeed is put in question by some empirical findings, (3) Much of the theory has tended to underemphasize a variety of structural, situational, and institutional variables which affect interpersonal violence. For Blacks, these variables range from historical patterns developed during slavery to the immediate social context of an individual homicidal offense to the operation of the criminal justice system, past and present, (4) Subcultural theory underemphasizes the effects of the law on patterns of criminal homicide, and (5) There are other plausible ways apart from the inculcation of values by which the economic, political, and social disadvantages of American Blacks may produce high rates of homicide. (pp. 414-415)

Hawkins’s (1983) alternative theory provided three propositions that were meant to address the holes in the subculture of violence theory. Proposition 1 states, “American Criminal Law: Black life is cheap but White life is valuable” (p. 415). Here, Hawkins’s believes that based on history, Black lives have taken on less value than White lives; as a result, African Americans can kill other African Americans without fear of being punished. In line with this argument, Hawkins expanded the work of Johnson (1941) and presented a hierarchy of homicide seriousness, which punctuates the least serious and most serious types of homicides (see Figures 3.1 and 3.2). Hawkins’s (1983) second proposition states the following: “Past and present racial and social class differences in the administration of justice affect Black criminal violence” (p. 422). This proposition speaks to the lack of attention paid to prehomicide behaviors in the Black communities. Hawkins believes that since various prehomicidal assaults in the African American community don’t receive the attention they deserve, homicides that could be prevented are not. Such inattention is also a product of the poor relationship between African Americans and police agencies. As a product of these poor relations, in some instances, response times are slower, and at some point, African Americans lose faith in the police and refuse to call on them for assistance in certain instances. Relatedly, once a homicide is committed and the police are called in, the lack of serious attention provides no deterrent effect to the community. The final proposition, that “economic deprivation creates a climate of powerlessness in which individual acts of violence are likely to take place” (p. 429), speaks to the association between socioeconomic disadvantage and violence, a connection generally lacking in the subculture of violence theory but which was incorporated into Sampson’s (1985) test of the theory. Sampson tested the theory, looking at disaggregated homicide rates for 55 of the largest American cities. According to Sampson (1985), if the theory were correct, he would find that “Black offending rates should be related positively to percent of Black violent crimes, independent of other
structural characteristics, particularly poverty and inequality” (p. 52). Using a variety of sophisticated methods, no support was found for the theory.

During the 1990s, the theory was also tested to determine its applicability to Black women. Mann (1990a) examined homicide data from six major cities and found Black women to comprise 77% of the female murderers. However, after taking all factors into consideration, she concluded, “These women are not part of a ‘subculture of violence’ but of a ‘subculture of hopelessness.’ Their fierce independence, their tendency to batter or to kill when battered and their almost insurmountable economic obstacles represent a constant struggle” (Mann, 1990a, p. 198). When Melvin Ray and Earl Smith took up the subject the following year, they noted that if there is a “subculture of violence” among African American females, there must also be one among White females who had identical offending patterns, primarily committing homicides against males of the same race with whom they have a close relationship” (Ray & Smith, 1991, p. 150).
More recently, Cao, Adams, and Jensen (2000) tested the theory using General Social Survey (GSS) data from 1983 to 1991 (excluding 1985). Focusing on all core elements of the theory, the authors found that in contrast to the theory, “Whites are found to be significantly more vocal than Blacks in expressing their support for the use of violence in defensive situation, with the effects of other factors held constant” (Cao et al., 2000, p. 54). Finally, the authors concluded with this:

Based on our data and analyses, there is enough evidence to conclude that Blacks in the general U.S. population are no more likely than Whites to embrace values favorable to violence. Our findings thus repudiate the idea that the causes of Black crime are rooted in unique aspects of Black culture. (Cao et al., 2000, p. 58)

They suggested that given the limited support for the theory, for scholars to continue to promote it as an explanation for racial differences in violence implies that all African Americans are violent, something that is “unfair and potentially racist in nature” (Cao et al., 2000, p. 58).

Other criticisms have also been leveled at the theory. Covington (2003) noted that supporters of the theory “fail to explain how [the] Black subculture of violence came to be more combative than the White subculture of violence” (p. 258). Psychologists have also argued that Wolfgang and Ferracuti (1967) “ignore the psychological underpinnings of [the] subculture” (Poussaint, as cited in Covington, 2003, p. 259).

The Code of the Streets

A recent subcultural theory approach that has some connections to several of the approaches previously reviewed is the “code of the streets” (Anderson, 1994, 1999). Based on his research in Philadelphia, Elijah Anderson, an urban ethnographer, published a highly acclaimed article, “The Code of the Streets.” The article focused on interpersonal violence in impoverished inner-city communities (such as Philadelphia) and how residents in these areas adopt “the code of the streets” to survive. Anderson (1994) believes that “at the heart of the code is the issue of respect—loosely defined as being treated ‘right,’ or granted deference one deserves” (p. 82). In such an environment, something that has little meaning to one person might be interpreted as “dissing” by someone else and result in a confrontation that could lead to violence. Being able to defend oneself is also an important part of the code. Within these depressed neighborhoods, Anderson suggested that there are “decent” and “street” families. Decent families “tend to accept mainstream values more fully and attempt to instill them in their children” (pp. 82–83). Such families are also strict and teach their children to respect authority and act in a moral way. In addition, they are not seriously tied to the code.
On the other hand, Anderson (1994) described “street families,” who loosely supervise their children and in many cases are unable to cope with them. Unlike the decent families, “They believe in the code and judge themselves and others according to its values” (Anderson, 1994, p. 83). Subsequently, their lives “are marked by disorganization” (p. 83). In such families, children learn early on they must fend for themselves. This produces a cycle in which they also become vested in the code and take to the streets to prove their “manhood,” which involves securing pretty women, being able to defend themselves, and being able to support themselves “by any means necessary.”

In recent years, there has been some support found for Anderson’s ideas (Baumer, Horney, Felson, & Lauritsen, 2003; Brezina, Agnew, Cullen, & Wright 2004; Chilton, 2004; Stewart, Simons, & Conger, 2002). Baumer et al. (2003), for example, sought to determine whether the code of the streets impacted on the quality of violence in certain neighborhoods. Using the code as its theoretical foundation, the authors investigated whether in certain disadvantaged neighborhoods where the code is in place, individuals who are assaulted are more likely to resist or not. In addition, in robbery situations, the authors tested to see whether those vested in the code would “be less likely to resist and less likely to be injured” (Baumer et al., 2003, p. 44). They also tested to see whether persons who assault or rob persons in these disadvantaged neighborhoods are more inclined to use firearms. Making use of National Crime Victimization Survey (NCVS) data and 1990 census data, Baumer et al. found that in line with the code, victims were less likely to be injured in robbery situations in these areas because they maintain their composure and are compliant. As for assaults, their research found “some support for the idea that neighborhood disadvantage affects what occurs during an assault, controlling for the characteristics of the participants. We find that victims from disadvantaged neighborhoods are significantly more likely to resist forcefully when they are assaulted” (Baumer et al. 2003, p. 61). Finally, they found that persons in these areas were more likely to use guns. While the results from this test of Anderson’s work are generally favorable, replications are needed to whether this code is exclusive to Philadelphia or is a nationwide phenomenon.

Besides the need for nationwide replications, there have been other concerns expressed about the viability of Anderson’s ideas. Commenting on one of the life histories presented in Anderson’s work, Miller (2001) wrote that based on the way Anderson described the person’s prison experience, it could be that the prison, not the streets, is the more powerful contributor to the development of the code of the streets. Elaborating on this point, he wrote,

I do not feel that Professor Anderson gives enough weight to the influences of prison on the code of the streets. It is no accident that most of the known violent gangs in California developed in the institutions of the California Youth Authority or the California prisons. Leadership is confirmed by a stint in prison. The walk, the “pose,” the language, the argot, the dress, the focus of one’s eyes, and the studied indifference all bespeak prison. (Miller, 2001, p. 157)
Wacquant (2002) provided a more expansive critique of Anderson’s work, pointing to the “loose and over expansive definition of the code of the streets” (p. 1491). Another point of concern is that “there is considerable confusion as to the origins and vectors of the code of the streets” (p. 1491). Wacquant further observed,

Because he starts from an overly monolithic vision of the ghetto and conflates folk with analytic concepts, Anderson cannot relate the moral distinctions he discovers in it to the internal social stratification. He thus boxes himself into a culturalist position with deeply disturbing political implications insofar as they render ghetto residents responsible for their own plight through their deviant values or role ineptness (p. 1500).

In general, a common shortcoming of subcultural theories is that they ignore criminality in the middle and upper classes (Hagan, 2002). In addition, as noted in the critiques of Hawkins and Cao and his colleagues, tests of the theory (specifically the popular subculture of violence theory) have found minimal support. A final persistent criticism of subcultural theories is that in most instances, they speak only to male criminality (Lilly et al., 2001).

One of the more popular theories used to explain racial differences in offending is conflict theory. Our discussion of the theory is presented below.

Conflict Theory

Conflict theory likely represents the most popular theoretical frameworks used to explain race and crime. The theory, which has seeds in many of the ones previously discussed, has some of its origins in Germany. Specifically, the works of German scholars Karl Marx, George Simmel, and Max Weber have been credited with providing the impetus for the theory. According to Lilly et al. (2001), “Theories that focus attention on struggles between individuals and/or groups in terms of power differentials fall into the general category of conflict theory” (p. 126; emphasis in the original). In short, when applying conflict theory to race and crime, one would look to whether the enforcement of laws and distribution of punishment are done in a discriminatory manner. While social class and gender would also be important to investigate, the way in which the White power structure administers justice would be of central concern to conflict theorists.

An early observer of race and crime, W. E. B. DuBois, studied under Weber and produced one of the earliest works to incorporate a conflict analysis (Gabidon, 1999; Taylor Greene & Gabidon, 2000). In 1901, he published an article on the convict-lease system (for more discussion on this system, see Chapter 8), which spoke to the conflict perspective. DuBois (1901/2002) traced the history of the system, whereby immediately after the passage of the Thirteenth Amendment, states leased convicts out to private landowners, who no longer had the free labor of African American slaves.
DuBois wrote about how states strategically enacted various laws (referred to as the “Black codes”) to snare Blacks into the criminal justice system so they could be returned to the labor force, which helped maintain the power and privileged status of southern White landowners. In the article, DuBois (1901/2002), also rebutted the biological theorists of his day by declaring,

Above all, we must remember that crime is not normal; that the appearance of crime among Southern Negroes is a symptom of wrong social conditions—of a stress of life greater than a large part of the community can bear. The Negro is not naturally criminal; he is usually patient and law-abiding. If slavery, the convict-lease system, the traffic in criminal labor, the lack of juvenile reformatories, together with the unfortunate discrimination and prejudice in other walks of life, have led to that sort of social protest and revolt we call crime, then we must look for remedy in the sane reform of these wrong social conditions, and not in intimidation, savagery, or legalized slavery of men. (p. 88)

By this time, as reviewed earlier, DuBois had already made significant statements on crime, pointing to discrimination, segregation, lynching, and the attitudes of the courts as explanations for African American criminality (Gabbidon, 2001; Taylor Greene & Gabbidon, 2000). Other prominent scholars would find considerable support for DuBois’s ideas (Myrdal, 1944; Sellin, 1928, 1935; Work, 1900, 1913). In each case, the authors wrote of the discrimination and economic conditions that were contributing to African American involvement in the criminal justice system, matters that directly speak to conflict theory.

It would be some time, however, before the formal articulation of conflict theory (also referred to as “critical criminology”) and a little longer before it incorporated race as a central component. The development of conflict theory over the last 30 years is often credited to the writings of William Chambliss (1964, 1969) and Richard Quinney (1970). Much of these writings were class-based analyses that suggested that capitalism, class structure, and the manipulation of laws were significant contributors to crime, and as such, changing the structure of society would go a long way toward eliminating crime.

In addition to these scholars, in his classic work Crime and Privilege (1975), Barry Krisberg, while articulating a critical perspective (referred to then as “New Criminology”), clearly added the dimension of race to the theory by integrating the history of criminal justice practices used to control oppressed groups and also highlighting the prison writings of George Jackson, Angela Davis, and other high-profile African Americans prisoners of the early 1970s. Notably, building on the work of Blauner (1972), Krisberg (1975) devoted a whole section of the work to race privilege, which in recent years has been translated into the notion of “White privilege” (see McIntosh, 2002). This notion of White privilege within criminal justice translates into more focus on “crimes in the streets,” as opposed to “crimes
in the suites.” Such actions criminalize the actions of other races and poor Whites, while minimizing or looking past the crimes of Whites in power.

Over the years, in several editions of his classic text *The Rich Get Richer, and the Poor Get Prison* (2004), Jeffrey Reiman has spoken of this in terms of White-collar crimes, environmental crimes, and other corporate crimes that kill thousands of people, who are primarily poor and American minorities, but rarely result in anyone being severely punished.

Hawkins (1987) further expanded the conflict model by examining it in terms of race, crime, and punishment. He emphasized the need to consider race discrimination in conflict theory (p. 723). According to Hawkins, at the time, other considerations usually lacking in conflict theory included victim characteristics, region, and accounting for race-appropriate behaviors. While the first two characteristics are self-explanatory, for the latter, Hawkins noted that anomalies found in some studies don’t take into account behaviors that are generally committed by one race, which, when committed by another, result in a punishment that seems out of line. Finally, Hawkins also suggested that too often, conflict theorists don’t consider the power threat approach of Blalock (1967). The approach, which some have called a “power threat version of conflict theory” (Ellis & Walsh, 2000, pp. 384–385), argues that once a majority population sees a minority group encroaching on spheres traditionally reserved for majority group members, they respond in a number of ways, including additional social control (Hawkins, 1987, pp. 735–736). To his credit, Hawkins’s modifications of the theory have been supported and have also served as the theoretical foundation for major publications analyzing race and crime (most notably, see Walker, Spohn, & DeLone, 2004).

Around the same time of Hawkins’s important research, William Wilbanks, a professor of criminal justice at Florida International University, published his controversial work *The Myth of a Racist Criminal Justice System* (1987). In contrast to conflict theorists, who argue that discrimination represents a significant factor when seeking to explain why minorities are overrepresented in the criminal justice system, Wilbanks argued that while he believed there was some discrimination in the criminal justice system (using the analogy of having a few bad apples in a barrel), contrary to what was being espoused in much of the race and crime literature, he opined,

I do not believe that the system is characterized by racial prejudice or discrimination against Blacks; that is, prejudice and discrimination are not “systematic.” Individual cases appear to reflect racial prejudice and discrimination by the offender, the victim, the police, the prosecutor, the judge, or prison or parole officials. But conceding individual cases of bias is far different from conceding pervasive racial discrimination. (pp. 5–6; emphasis in original)

Wilbanks’s perspective became known as the “no discrimination thesis” (NDT).
Wilbanks’s book and its perspective initiated a series of debates between Wilbanks and Coramae Richey Mann. In contrast to Wilbanks’s position, Mann (1990b) felt,

The racism in the criminal justice system has become institutionalized in the same way that it has in other organizational segments of the nation such as education, politics, religion, and the economic structure; and the barrel is rotten. (p. 16; emphasis in the original)

Mann’s perspective became known as the “discrimination thesis” (DT). While the debates became heated, the two had brought to the fore an issue that lay below the surface for many years. In 1993, Mann responded with her contemporary classic Unequal Justice: A Question of Justice (1993). While the debate cooled after the publication of her book, the level of discrimination in the criminal justice system continued to be a central focus of race and crime researchers (Walker et al., 2004; see Highlight Box 3.2/Figure 3.3). Moreover, though Wilbanks never produced the second edition he planned to write (Wilbanks, 1987, p. x), other scholars have recently continued in his tradition (see, for example, Delisi & Regoli, 1999; DiLulio, 1996; MacDonald, 2003).

**Highlight Box 3.2** Walker, Spohn, and Delone’s (2004) Discrimination-Disparity Continuum

|---------------------------|---------------------------------|---------------------------|----------------------------------|-------------|

**Definitions**

**Systematic discrimination:** Discrimination at all stages of the criminal justice system, at all times, and all places.

**Institutionalized discrimination:** Racial and ethnic disparities in outcomes that are the result of the application of racially neutral factors, such as prior criminal record, employment status, and demeanor.

**Contextual discrimination:** Discrimination found in particular contexts or circumstances (for example, certain regions, particular crimes, or special victim–offender relationships).

**Individual acts of discrimination:** Discrimination that results from the acts of particular individuals but is not characteristic of entire agencies or the criminal justice system as a whole.

**Pure justice:** No racial or ethnic discrimination at all.

(Continued)
Along with Hawkins’s concern about the oversimplification of the theory, a few other shortcomings have been noted with conflict theory. Bohm (2001) noted that the perspective does not take into account individual differences. That is, not all people who are oppressed or discriminated against will respond the same way. Finally, some have suggested that in some of its forms, the theory is not testable. A perspective related to conflict theory that has been applied to race and crime is the colonial model.

The Colonial Model

The colonial model has its foundations in the work of psychiatrist and activist Frantz Fanon (Tatum, 1994). While Fanon used the model to examine the
relations between Blacks and Whites in colonial settings, Blauner (1969) and Staples (1975), leaning heavily on intellectuals of the Black power movement, such as Stokely Carmichael and Charles Hamilton, were among the first to substantively apply the theory to crime. Applying the perspective to the conditions of African Americans, Blauner (1969) provided the following definition of colonialism:

Colonialism traditionally refers to the establishment of domination over a geographically external political unit, most of them inhabited by people of a different race and culture, where this domination is political and economic, and the colony exists subordinated and dependent on the mother country. Typically the colonizers exploit the land, the raw materials, the labor, and other resources of the colonized nation; in addition a formal recognition is given to the difference in power, autonomy, and political status, and various agencies are set up to maintain this subordination. (p. 395)

Blauner (1972) also generally applied the model to Native Americans. And in the 1987 work, Gringo Justice, Alfredo Mirande reviewed the historical treatment of Mexican Americans by the criminal justice system and formulated a theory of “gringo justice,” integrating the colonial model and conflict theory (see Mirande, 1987, pp. 216–236). While African Americans were not colonized in a sense that Native Americans or Mexican Americans were, according to Tatum (1994), internal colonialism, which is “when foreign control of a state or territory is eliminated and the control and exploitation of subordinate groups passes to the dominant group within the newly created society” (p. 41), produces many of the same characteristics of the more traditional colonization process. Such characteristics include “a caste system based in racism, cultural imposition, cultural disintegration and recreation and members of the colonized being governed by representatives of the dominant power” (p. 41). Such characteristics within a society leave the colonized with feelings of alienation, which results in either crime and delinquency, or the desire to assimilate or protest (p. 48).

All articulations of the theory note the important role that agents of the criminal justice system (or “internal military agents,” as they are called by Staples, 1975) play in maintaining order in a colonial society. In the words of Blauner (1969),

The police are the most crucial institution maintaining the colonized status of Black Americans. . . . Police are key agents in the power equation as well as the drama of dehumanization. In the final analysis they do the dirty work for the larger system by restricting the striking back of Black rebels to skirmishes inside the ghetto, thus deflecting energies and attacks from the communities and institutions of the larger power structure. (pp. 404–405)
Roy Austin (1983) was one of the first to empirically test the theory. Using violence rates before and after the decolonization of the Caribbean island of St. Vincent, he sought to determine whether crime declined following the removal of British rule. While he did find some support for the model, in the case of murder and manslaughter, no support was found.

A more recent test of the model was conducted by Tatum (2000). In her test of the theory, she formulated several propositions related to the model, including the connections between race, class, and oppression; how race and class are associated with the availability of social support; and issues related to alienation (pp. 27–28). Relying on survey data from African American, Mexican American, and White juniors and seniors at two high schools in a major southwestern urban area, she found limited support for the model.

The colonial model has applicability for racial groups who have been subjected to colonization (most notably, Native Americans, African Americans, and Mexican Americans). There have been mixed results when the theory has been tested, and there need to be more direct tests of it. Tatum (1994) also noted several additional concerns with the theory. First, as reflected in other structural models, she noted that two people can be exposed to the same oppression yet respond differently; in such instances, the model doesn’t account for the different adaptations. Second, as with conflict theory, the model is difficult to test. Another weakness of the model is that it does not adequately address class issues (Tatum, 1994, pp. 48–50).

Criminologist Biko Agozino has also considered colonialism in his groundbreaking work Counter-Colonial Criminology: A Critique of Imperialist Reason (2003). In the work, he argued that “criminology is concentrated in former colonizing countries, and virtually absent in the former colonized countries, because criminology is a social science that served colonialism more directly than many other social sciences” (p. 1). More specifically, Agozino focused on,

How imperialism used criminological knowledge and how it can be seen as a criminological project—imprisonment with or without walls, a widening of the net of incarceration, and how the close kinship between the two fields of knowledge and power, criminology and imperialism, served both. (p. 6)

He also highlighted that the discipline of criminology originated “at the height of European colonialism” (p. 6). As a product of these origins, he noted that “criminology is dominated by scholars in former colonial centres of authority,” which has led to what he considers “theoretical underdevelopment through the concealment of the bloody legacy of colonialist criminology” (p. 6). While on the surface, his ideas might seem “controversial,” it is clear that Agozino’s work provides a critical new direction for race and crime theorists. As he noted, the impact of colonialism on countries around the globe has been neglected too long by criminologists.
Integrated and Nontraditional Theories on Race and Crime

Structural-Cultural Theory

In the 1980s, William Oliver proposed that in order to explain Black male criminality, one needs to use an integrated theory combining structural conditions of African Americans and their cultural adaptations to such conditions. In one of his early articles, he explored Black males and their “tough guy image” or as he called it, the “Black compulsive masculinity alternative” (Oliver, 1984). Because of racial oppression, Oliver believes that Black males exhibit masculine behavior that places an overemphasis on “toughness, sexual conquest, manipulation, and thrill-seeking” (Oliver, 1984, p. 199). Oliver has argued that Black males act this way because of two reasons. First, “lower-class Black males who adopt the compulsive masculinity alternative do so in order to mitigate low self-esteem and negative feelings which emerge as a consequence of their ability to enact the traditional masculine role” (p. 199). The second reason relates to the notion that males who adapt the masculine approach pass it on to other males. In later publications, Oliver applied his theory to sexual conquest and the adaptation of an Afrocentric perspective to ameliorate social problems in the African American community (Oliver, 1989a, 1989b), and he has also examined violence among African Americans in barroom settings (Oliver, 1994). More recently, he has continued to refine his perspective (see Oliver, 2003).

Oliver’s perspective suffers from many of the shortcomings of the previously reviewed structural and cultural theories, and we note a few others. An additional limitation of the perspective relates to the central role of low self-esteem. There has been some debate as to whether low self-esteem is really the central problem contributing to social problems among African Americans generally, and African American males in particular (see Ross, 1992). Covington (2003) has also argued that Oliver’s approach labels activities “race specific” that Whites also engage in. For example, many of the functions bars serve for African Americans also serve the same functions for Whites. Finally, Covington (2003) noted that in one of his studies, Oliver’s “sample of African-American participants in violent transactions report that many of their fights seem to have been precipitated for non-race-specific reasons that apply equally well to violent Whites” (p. 266).

Abortion, Race, and Crime

In a highly controversial paper, John Donohue and Steven Levitt (2001) proposed that more than 50% of the crime drop in the 1990s could be attributable to the 1973 Roe v. Wade Supreme Court decision that legalized abortion. They pointed to three important factors that support this thesis.
First, they noted that the decline in crime coincided with the landmark decision and the period when those who would have been born would have reached their peak years of criminal activity (age 18–24). Second, they suggested that the states that legalized abortion 3 years before the *Roe v. Wade* decision experienced earlier crime drops than the remaining states. Finally, they pointed to the fact that states that have the highest abortion rates have also had the largest declines in crime (Donohue & Levitt, 2001).

At the core of the theory are two premises: first, that abortion reduces the pool of individuals who would later engage in crime. Second, the theory relates to race and crime in that in this view, abortion is not random. The persons most likely to undergo abortions include the following:

Teenagers, unmarried women, and Blacks... They are also more likely to have their children at risk of committing crime later in life. Similarly, women with unwanted pregnancies are less likely to be good parents and may do things during pregnancy, such as take drugs, that make future criminality more likely. ("The Criminal Unborn" 1999, p. 26)

While some observers see their thesis as being reasonable (Barro, 1999), others such as noted criminologist Alfred Blumstein have referred to the research as “simplistic,” and,

[Although] he agrees that abortion may well have contributed to a drop in crime, he also believes the study failed to give adequate attention to other factors, such as the decline in crack cocaine street dealing, the booming economy, and the efforts of police to keep guns away from juveniles. ("Renowned Criminologist Eschews Alarmist Theories," 1999, p. B5)

**Conclusion**

Just as there is little consensus among criminologists about the causes of crime (Ellis & Walsh, 1999), there is even more debate about which theory best explains racial patterns in crime and victimization. In the beginning, scholars turned to the biology of African Americans, Native Americans, and Asian Americans to answer this question; however, over the years, this has changed. The decline in popularity of the biological approach gave rise to the sociological approach. Beginning with scholars such as DuBois, the sociological approach continues to be a mainstay of those interested in studying race and crime. Subcultural approaches seem to have also maintained their place in the race and crime literature. Conflict theory now represents one of the more popular theoretical frameworks when studying race and crime. By adding the revisions suggested by Hawkins, the theory has become more inclusive of race. Other less influential theories point to things such
as colonization, integrated theories combining structural and cultural factors, and abortion as alternative explanations for racial patterns in crime and victimization.

It is interesting to note that with the return of the biological–sociological debate in the form of Rushton’s r/K theory, criminology has come full circle. When one reviews the various theories, it seems safe to say that while the research methodologies have become more sophisticated, the same ideas presented about race and crime 100 years ago remain popular today. And as was the case a century ago, among racial and ethnic groups, African Americans remain the focal attention of theories related to race and crime. Chapter 4 looks at the police and their historical and contemporary roles in handling race and crime.

Internet Activities

**Internet Exercise**

Look at the index offenses presented at www.fbi.gov/ucr/ucr.htm and discuss which of the theories presented in this chapter can provide an explanation for the observed trends by race.

References


