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## *Crime: Phenomenon, Problem, and Subject of Study*

Crime is first a state of mind. Any discussion of crime necessarily begins with this assumption. Apart from a subjective assumption, crime has no meaning as objective phenomenon, social problem, or subject of study. In order for the phenomenon of crime to exist there must be the construct of crime. The construct must then be associated with specific social behaviors. The association of construct and behavior constitutes the social problem. Inquiry into crime and the crime problem presupposes prior social definitions.

### **Creation of Crime: Phenomenon and Problem**

There is no crime without declaration. That is, some person or body of persons through established procedures creates the concept of crime. This means, first, that the concept of crime originates in the formulations of criminal law and, second, that the concept is imposed on persons and their alleged behaviors. The crime phenomenon thus exists because of the creation of the concept of crime by means of the criminal law, its enforcement, and its administration.

Once conduct has been defined as criminal through law and through legal action—that is, once there is the phenomenon of crime—the phenomenon may be defined as a social problem. It is at this point that crime differs in concept from other human behaviors and conditions that may be defined as social problems. According to the traditional definition of social problems (Frank, 1925; Waller,

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1936; Fuller, 1938), a social problem is any behavior or condition that a fairly large number of persons wishes to remove or change. In discussing social problems in general, Fuller and Myers (1941) proposed the following conceptualization:

A social problem is a condition which is defined by a considerable number of persons as a deviation from some social norm which they cherish. Every social problem thus consists of an objective condition and a subjective definition. The objective condition is a verifiable situation which can be checked as to existence and magnitude (proportions) by impartial and trained observers, e.g., the state of our national defense, trends in the birth rate, unemployment, etc. The subjective definition is the awareness of certain individuals that the condition is a threat to certain cherished values (Fuller & Myers, 1941:32).

The Fuller and Myers conceptualization does not satisfactorily extend to crime because of the insistence that an objective condition exists prior to the subjective defining of a social problem. Clearly, crime is a subjective construct which categorizes human behavior. Only after such a construct has been formulated and imposed by select members of society can it be said that the phenomenon of crime exists in any objective sense. Other behaviors, unlike crime, may exist without a formal legal definition. But crime occurs only when constructs are created through the efforts of designated definers.

Furthermore, in the case of crime as a social problem, in comparison to other social problems, there is no need to question who defines the problem or how many persons must be involved in the conduct for it to reach a magnitude that it is defined as a social problem. The identification of crime as a social problem is inherent in the criminal law and accompanying legal action. The social act of creating crime is an indication that the conduct that is being so defined is regarded as a social problem by those who are engaged in the formulation, enforcement, and administration of the criminal law—that is, by the ruling class. Thus, when crime is studied as a social problem, both the phenomenon and the problem are objective only when they have first been defined in the society as crime.

### **Theoretical Perspectives in Criminology: A Chronology of the Study of Crime**

The history of the study of crime as phenomenon and problem could be written as a progression from an absolute conception of

crime to a relativistic one. Early studies and writings tended to rely upon the observer's absolute standard of what constituted crime and the crime problem. Only in very recent years has the society's legal definition been used as the standard for the study of the crime phenomenon. Today the study of crime has been expanded to include the study of (1) the defining of persons and behaviors as criminal, (2) the development of persons and behaviors defined as criminal, and (3) the social reactions to criminally defined phenomena. Until this time, the study of crime (ambiguously referred to as criminology) was narrowly construed as the study of 'criminals' and their behavior.

In the course of reviewing the history of the study of crime, one can find continuities on a general level; however, on a more specific level, one is impressed by the lack of continuity and of accumulated growth. No linearity can readily be found that leads to criminology's present position. The study of crime has been characterized by a number of divergent theoretical orientations, orientations which have existed in relative isolation from one another. Even within particular theoretical orientations, accumulation of knowledge has not occurred according to common expectation. A great deal of material in the history of criminology has not become obsolete but has merely been misplaced, ignored, or forgotten. Much research that appeared when other ideas prevailed has been neglected and thus has failed to become part of the utilized and accumulated knowledge of criminology.

The development of criminology may be reviewed in terms of various time periods and according to the major theoretical perspectives of the periods. Five periods may be delimited in the development of criminology: (1) early criminological thought, (2) nineteenth-century sociological criminology, (3) nineteenth-century biological criminology, (4) twentieth-century eclectic criminology, and (5) twentieth-century sociological criminology.

### *Early Criminological Thought*

While it may be correct to date the beginnings of modern criminology in the first half of the nineteenth century, crime has been a topic of speculative thought for centuries. Most noted social philosophers usually have found it necessary to make observations about crime. The early social philosophers including Plato, Aristotle, Thomas Aquinas, and Thomas More found a discussion of crime necessary for their observations on human beings, society, and the ideal condition of humankind.

While much of the writing of the early social philosophers was focused on the relation of crime to factors in the temporal world, it was common to attribute crime to the influence of powers outside of this world. Supernatural explanations of crime were commonplace in popular thought. These demonological explanations (Vold, 1958:5-6) can be found in various forms. In primitive and preliterate animism, there was the belief that evil spirits cause crime. According to Hebrew and Christian traditions, crime was the will of God. During the Middle Ages, demons and devils were thought to be responsible for crime and other deviant acts. The ideas of 'sin' and 'moral defect' occupied popular thought and much of the writing of the sixteenth, seventeenth, eighteenth, and early nineteenth centuries. The criminal was viewed in some way as having an improper relation to other-worldly principles and powers.

The writers of the eighteenth-century Enlightenment mark the beginning of a naturalistic approach to criminal behavior. In their philosophy, the explanations of human behavior were to be found in human beings themselves, not in supernatural forces. When they devoted their attention to crime, it was primarily in respect to the relation of the offender to the criminal law. Among the French were Montesquieu, who in 1748 in *Esprit des Lois* considered criminal justice at length; Voltaire, who expressed opposition to the arbitrariness of justice; and Marat, who in 1780 criticized legislation in his *Plan de legislation criminelle*. French socialists, especially Fourier and Enfantin, also gave considerable attention to crime. A number of English utopian writers, anarchists, and socialists also observed and criticized the administration of the criminal law in relation to social conditions.

Perhaps the most important ideas in criminological thought prior to the nineteenth century are found in what is commonly referred to as the 'classical school.' The classical school in criminology represents the culmination of eighteenth-century humanitarian rationalism which preceded the application of scientific methods to the study of human behavior. Guided by the assumption of human beings' ability to reason and control their own destinies, the classical writers directed their attention to the relation of citizens to the legal structure of the state. In reaction to contemporary legal practices, these writers protested against the inconsistencies and injustices of the criminal law and its administration, proposing reforms that were more in keeping with their conception of humankind. The publication of *Dei delitti e delle pene* by Beccaria in 1764 (translated in 1767 as *Essay on Crimes and Punishment*) pro-

vided the focus for the adherents of the classical school, which included such writers as Bentham, Blackstone, Romilly, Feuerbach, and Peel. A concern for justice and the reformation of the criminal law characterized the main body of thought of these writers.

### *Nineteenth-Century Sociological Criminology*

Modern criminology has been dated by Bonger (1936:47) as beginning in the 1830s with the study of crime as a social phenomenon. Before individualistic theories came into vogue, explanations of crime were largely in terms of factors in the social environment. The origins of the sociological study of crime were in part the result of the rise of the social sciences. The collection of criminal statistics in a number of European countries provided early criminologists with a great source of material on crime and gave direction to research.

#### EUROPEAN CRIMINOLOGY

During the early and middle nineteenth century, a number of scholars from continental European countries gathered and analyzed crime statistics (de Quirós, 1911; Sorokin, 1928). Alexander Oettingin of Germany, one of the pioneers in the analysis of crime statistics, devoted considerable attention to problems of measuring crime in his *Moralstatistik*. In Belgium, statisticians such as Edouard Ducpétiaux and Adolphe Quételet studied the social nature of crime as reflected in crime statistics. Using ecological maps, A. M. Guerry, in charge of judicial statistics for Paris, analyzed rates of crime against the person and against property for the regions of France. A number of Italian socialists, especially Colajanni, Loria, Turati, Prampolini, and Zoria, were also active in making observations about crime as a social phenomenon.

During this period two journals were instrumental in providing a source of publication for European studies of the social aspects of crime. In 1836, Lacassagne established the *Archives de L'Anthropologie Criminelle*, and in 1896 Durkheim founded *L'Année Sociologique*. Other members of the early sociological school of criminology created the International Criminological Association.

In England, roughly between 1830 and 1860, there was a great deal of interest in the geographical distribution of crime (Levin & Lindesmith, 1937; Lindesmith & Levin, 1937). Influenced by the impact of social change brought about by industrialization

and the growth of cities, several English writers turned their attention to the social problems, especially crime, provoked by these changes. In 1839, Rawson W. Rawson published a paper on "An Inquiry into the Statistics of Crime in England and Wales" in the *Journal of the Statistical Society of London*. In the same journal, Joseph Fletcher, Rawson's successor as Honorary Secretary of the Statistical Society of London, reported on rates of crime in relation to social characteristics of the countries of England and Wales. Fletcher refuted theories of crime based on poverty, ignorance, and density of population. He proposed instead a theory that explained crime as a profession in which persons receive training in prisons, jails, and certain kinds of neighborhoods.

Henry Mayhew, one of the founders of *Punch*, made detailed ecological analyses of crime in London. In a book entitled *Those Who Will Not*, Mayhew noted the location of the offenses and residence of the offenders for various types of crimes. John Glyde, in an examination of the relation between population density and crime, published an article in 1856 on "The Localities of Crime in Suffolk," based on an analysis of the records of persons waiting trial. In his *Irish Facts and Wakefield Figures*, John T. Burt in 1863 suggested that habitual crime is the result of "criminal classes already existing" and that "crime is reproductive."

As one reviewer (Morris, 1958) of these early works concludes, such studies cannot be classed with the ecological studies of the twentieth century because of their lack of a specific body of theory and hypotheses. Yet, these works have been unduly ignored by contemporary criminologists. These early English ecological studies were, unfortunately, to be eclipsed by the individualistic theories of the biological positivists.

In addition to the studies already noted, several monumental works that related in one way or another to social conditions and crime were published during the nineteenth century in England. At the beginning of the century (1806), Patrick Colquhoun, a magistrate for the counties of Middlesex, Surrey, Kent, and Essex, published the seventh edition ("corrected and considerably enlarged") of *Treatise on the Police of the Metropolis*. As indicated by the subtitle of the book—"Containing a Detail of the Various Crimes and Misdemeanors By which Public Property and Security are, at present, Injured and Endangered: and Suggested Remedies for their Prevention"—Colquhoun devoted attention to a discussion of various forms of criminal behavior. The book contained little direct empirical evidence to support bold arguments. The primary pur-

pose of the book was to criticize existing criminal law, punishment, and police procedures.

Toward the end of the century, Luke O. Pike (1873–1876) published in two volumes *A History of Crime in England*, subtitled “Illustrating the Changes in the Laws in the Progress of Civilization; Written From the Public Records and Other Contemporary Evidence.” The book is an impressive work of scholarship, extensively documented and, for the criminologist, a source of descriptive material on crime over a great period of time, including material on the reactions to crime. Crime is discussed by Pike as being relative to changing criminal laws.

Another notable contribution to the study of social conditions and social life, including crime, is the monumental multiple-volume work of Charles Booth, *Life and Labour of the People of London* (1892–1897). Although first published as a two-volume work in 1889 and 1891, Booth’s book was expanded in subsequent editions to include nine volumes in one edition and seventeen volumes in another. Booth was a merchant, ship owner, and manufacturer who, while benefiting from industrialization, was concerned about the changes in social conditions brought about by industrialization. Like others of his station, Booth apparently felt a moral obligation to improve society. As his biographers, the Simeys, observe: “Booth appears to be a true Victorian in so far as he acclaimed the positive values of industrial and commercial enterprise, but sought at the same time to devise methods of combating the evils that had resulted from it” (Simey & Simey, 1960:4). Booth was a practical man who believed that social policy should be guided by facts, and he set out to gather the facts. What resulted was essentially an application of scientific inquiry to the understanding of social problems. As the Simeys (1960:3) have noted, “Objectivity and obligation were fused together by him into a new system of thought and inquiry.” Booth’s potential influence on British sociology was apparently diminished because of continuing confidence in deductive reasoning in academic circles. This delay in the application of scientific methods to the study of social problems influenced the character of sociology in England until recent times.

#### AMERICAN REFORMISM AND THE STUDY OF CRIME

There was the tendency in American popular thought during the nineteenth century to equate crime with sin, pauperism, and immorality. Even when crime was recognized as a distinct phenom-

enon, it was usually regarded as an ill that had no place in social life and therefore certainly had to be eliminated. Crime was one of those conditions that fell within the domain of nineteenth-century reformism.

From the beginning of the century, reformism, shaped by the Enlightenment, Romanticism, humanitarianism, the principle of democracy, and the religious idea of community, created an awareness of social problems. Various behaviors and conditions became defined as problems not fitting the American ideal. Crusades, movements, and organizations flourished in the attempt to attack such evils as intemperance, slavery, poverty, mental illness, idleness, defective education, war, and discrimination against women. Criminal and penal codes were rewritten in an attempt to achieve a more humane and rational justice. Specific agitation for prison reform resulted in new concepts of imprisonment.

Reform efforts by no means went unchallenged. The teachings of classical, laissez-faire, individualistic economics and the eventual popularity of conservative social Darwinism were counter-themes for any attempt at reform and social planning. Yet many persons in positions of responsibility and authority were impressed with the need for more adequate knowledge to guide their endeavors, especially in charitable and philanthropic work, and to supply them with rational grounds for implementation. The social science movement in the second half of the century was stimulated to a great extent by such a need. The conception of social science as a systematic body of knowledge for the purpose of reform became an important part of the American academic community (House, 1936:331-337). In the colleges and universities, newly established social science departments designed courses on the basis of specific social problems, criminology being one of the first sociology courses offered in the curriculum. Thus, the study of crime became at an early time an integral part of academic sociology, providing the groundwork for the developments of the early twentieth century.

Outside of the academic world, crime received study as a social phenomenon by a number of persons engaged in prison and welfare work. In a study of these writers, Guillot (1943) documents that a sociological criminology flourished in the United States during the Civil War and post-Civil War period. In evaluating the work of these writers, Guillot comments:

Their efforts may seem naive to the criminologist of today, but there was a groping toward objectivity. Students obtained their



data at first hand, they recorded and analyzed what they saw with their own eyes, and they put their common sense to work in a quantitative framework (Guillot, 1943:21).

The writers of the period between 1860 and 1885 viewed crime as a product of 'disharmony' in the operation of social forces, 'constituents,' or institutions of society. "When these institutions were not soundly constructed, or when their functions were not realized competently and responsibly, and when the patterns of behavior characteristic of groups of people differed from predominating standards, crime was a natural consequence" (Guillot, 1943:172). In explaining crime in terms of social conditions, most of the writers assumed that the operation of any one factor could only partially explain the phenomenon of crime. While they pointed to associations, they believed that a multiplicity of social causes operated to produce crime. Of the many factors considered, drinking, lack of a trade education, desire for luxuries, poverty, oblivion of religious and moral principles, idleness, abnormal family relations, bad company, and civilization in general, provided the most popular explanations of criminal behavior.

Crime in the growing city became a problem and focus of attention for several writers in the last half of the nineteenth century. Charles Loring Brace, who devoted his life to the organization of charities, believed that the causes of crime lie in the way of life of a significant segment of the urban population. In his fascinating book *The Dangerous Classes of New York* (subtitled "And Twenty Years Among Them"), Brace (1872) described in considerable detail the life conditions of numerous groups in New York with whom he worked as secretary of the Children's Aid Society.

Another commentator on urban crime was the journalist Edward Crapey (1872). In *The Nether Side of New York* (subtitled "Or the Vice, Crime and Poverty of the Great Metropolis"), Crapey, in one of the first empirical studies of crime, utilized police department records, coroners' records, interviews with officials, and the records of courts, public meetings, and various agencies. He then described and analyzed types of crime, modes of operation, and the location of crime in New York. His underlying theory was that crime had developed in the city because of the lack of community integration and because of the corruption that permeated the political structure. He stated his position as follows:

With its middle classes in large part self-exiled, its laboring population being brutalized in tenements, and its citizens of the high-

est class indifferent to the commonweal, New York drifted from bad to worse, and became the prey of professional thieves, ruffians, and political jugglers. The municipal government shared in the vices of the people, and New York became a city paralyzed in the hands of its rulers (Crapsey, 1872:9).

The religious temper of the latter part of the nineteenth century, especially as found in the social gospel movement, was attuned to the crime problem. The social gospel movement was an outgrowth of a reaction within Protestantism to the perils attributed to the new industrial capitalism and to the failure of the church to grapple with social conditions. At the turn of the century a number of religious leaders, such as Washington Gladden in *Applied Christianity* and Walter Rauschenbusch in *Christianity and the Social Order*, argued for a religion that would adjust Christianity to the problems of this world and create a kingdom of God on earth—or so they hoped. The social gospel movement helped to revolutionize attitudes toward social problems and to affirm humanitarianism. One of the outgrowths of the movement was the development of urban neighborhood programs and settlement houses. Religious and humanitarian indignation over social ills was expressed to the public through such popular books as *In His Steps* by Charles M. Sheldon and *If Christ Came to Chicago* by W. T. Stead. Thus, a combination of social, religious, and political movements, including the social gospel, humanitarianism, pre-muckraking thought, reform Darwinism, and emerging progressivism, joined to focus critical public and intellectual attention on crime as a social problem, as a condition that was not appropriate to the American character.

The use of the environmental theory of crime and delinquency provided a rationale for correctional reform which was brought to public attention by the publication in 1884 of Peter Altgeld's *Our Penal Machinery and Its Victims*. Altgeld's passionate argument that poverty lay at the bottom of most crime and delinquency received wide attention. Altgeld, a wealthy reformer and aspiring politician, sent copies of the book to every legislator, judge, warden, minister, teacher, lecturer, and social worker he could find. In Ashtabula, Ohio, the book came to the attention of a young county lawyer, Clarence Darrow. Throughout his illustrious career, Darrow defended clients and pursued justice on the basis of the environmental argument. Speaking to an audience of offenders at the Cook County jail, Darrow (quoted in Goldman, 1952:96) pushed environ-

mentalism to its limits: "There is no such thing as crime as the word is generally understood. If every man, woman and child in the world had a chance to make a decent, fair, honest living, there would be no jails and no lawyers and no courts."

Academic criminology in the United States, however, was to be influenced only minimally, and at most only indirectly, by the ideas on crime which emanated from several sources in America during the nineteenth century. Sociological criminology in twentieth-century America was more affected by the new social science, European positivism, and the criminological writings of European thinkers than by the leads provided by the nineteenth-century reformers, prison administrators, humanitarians, and socially conscious writers in the United States. Nor was nineteenth-century American sociological criminology influenced by the contemporary sociological study of crime in Europe.

#### *Nineteenth-Century Biological and Positivist Criminology*

The beginning of modern study of crime is usually dated (see Barnes, 1931; Kinberg, 1935; Radzinowicz, 1962) from the work of the Italian physician Cesare Lombroso (1876; translated 1911a) and his immediate followers, Raffaele Garofalo (1885; translated 1914) and Enrico Ferri (1881; translated 1917). This determination is based on the assumption that there were no efforts before the Italian criminologists to take the discussion of crime out of the realm of theology and metaphysics and into the objective description and analysis of crime as a natural phenomenon.

A reading of the history of criminology, however, shows that there was a scientific study of crime before the appearance of the Italian school and, furthermore, that the prior writings were more pertinent to the sociological study of crime than the work of the Italian writers. An extensive literature on the social aspects of crime as scientifically valid as the writings of the Italians was in existence before Lombroso began his work. There is, thus, a myth in criminology that Lombroso is the founder of scientific criminology. What Lombroso and his followers actually did, as Lindesmith and Levin have noted, was to change the conception of crime and the focus of attention, not necessarily to make the study of crime more scientific or objective. "For centuries the criminal had been regarded as a human being living in society: Lombroso's contribution seems to have been to have inaugurated the study of the criminal as an animal or as a physical organism" (Lindesmith & Levin,

1937:664). In studying the individual criminal, the criminal apart from the social setting, the Lombrosians turned attention away from the perspective of crime as a social phenomenon.

The Italian criminologists are usually regarded as the founders of the 'positive school' of criminology. Although *positive* is used to identify these criminologists, the distinction must not be confused with the substantive theories of the writers. The theoretical orientation of the Italian criminologists was for the most part substantively biological. Their approach to the study of crime was positivistic in that they utilized, or attempted to utilize, the point of view and methodology of the natural sciences. Methodologically, then, the positive school of criminology is in contrast to the speculative approach of the classical school. The two schools also differ in their general theoretical orientations. While the classical school emphasized the idea of choice between right and wrong, the positive school emphasized the determinism of conduct outside of human will. Apart from these elementary differences, it is not particularly useful to review nineteenth-century developments in criminology according to the concept of positivism. In a sense, all of modern criminology is positivistic in method and basic formulation, and the sociological criminology of the nineteenth century is as positivistic as the biological criminology of the Lombrosians. Most students of crime are in some sense positivistic.

In addition to its biological orientation and positivistic emphasis, the Lombrosian school exerted a significant influence on the study of crime, an influence that is still found in much of European criminology today. Various concurrent factors undoubtedly helped to influence the acceptance of Lombroso's criminology, including (1) the prevailing prestige of the natural sciences, especially biology, which was central to Lombroso's theory; (2) the use of the terms *new* and *positive*, which gave distinction and excitement to the approach, capturing the spirit of the late nineteenth century; (3) the tradition in Europe of the idea of using physical features as indicators of character; (4) the eminence of the European physicians, psychiatrists, lawyers, and magistrates who accepted and perpetuated the ideas and methods of positivistic, biological criminology; and (5) the emphasis on individual inferiority, which supported nationalistic political structures. In other words, Lombrosian or biological criminology was accepted to a great extent for reasons usually regarded as contrary to the ideal image of scientific development.

*Twentieth-Century Eclectic Criminology*

The first decades of the twentieth century, especially in the United States, were marked by explanations of crime based either on a particular factor or a collection of diverse factors. Both kinds of explanation usually focused on characteristics of the individual. During this period the choice of factors was influenced to a great extent by professional controversies and attitudes toward the criminal. Dogmatic adherence to one point of view over others and the cultish pursuit of a particular viewpoint characterized the period. The controversy, however, was misguided because of the failure to recognize that the emphasis on a particular factor or collection of factors was a matter of methodological strategy.

Those criminologists who preferred the strategy of trying to explain criminal behavior in terms of a variety of factors, because of dissatisfaction with particularistic explanations, were faced with a unique problem. For them no theory was possible. Those who followed the multiple-factor approach failed in the formulation of criminological theory because they made no attempt to abstract factors to a common principle, to integrate factors into a theoretical scheme, or theoretically to relate multiple factors.

As in Europe, American writers in the nineteenth century were relating crime to individualistic factors. Propounded in the American writings of the nineteenth century were theories of criminal behavior based on phrenology, insanity, anatomy, physiology, heredity, feeble-mindedness, personality, and mental degeneration (Fink, 1938). An especially noteworthy work was Richard Dugdale's *The Jukes* (1877), a study of a family whose history contained a large number of criminals. Dugdale, an inspector for the New York Prison Association, while supposedly presenting evidence on hereditary degeneracy, stressed the tentative nature of his work and indicated the likely importance of environmental factors.

The writings of the Italian positivists were translated for the American audience in the second decade of the twentieth century: Lombroso's *Crime, Its Causes and Remedies* (1911b), Garofalo's *Criminology* (1914), and Ferri's *Criminal Sociology* (1917). Their work, however, had been known to a number of American writers before the translations. Some had read the summary and interpretation of Lombroso and criminal anthropology which Havelock Ellis (1892) had prepared for English readers.

At the same time, Arthur MacDonald acknowledged the influence of Lombroso in his *Criminology* (1892). MacDonald, who had

trained in theology in the United States and in medicine and psychiatry at various European universities, was employed by the U.S. Bureau of Education as "Specialist in Education as Related to the Abnormal and Weakling Classes." Included in MacDonald's book was a discussion of the physical-type criminal. But, like most other early American writers on crime, MacDonald found it necessary to broaden his scope to include psychological and social factors. Such writers, while acknowledging in some way the biological factors, were most impressed with the positivistic methodology of the Italian criminologists.

Lombroso indicated his approval of another American writer, August Drähms, by writing the introduction to Drähms's *The Criminal, His Personnel and Environment: A Scientific Study* (1900). Drähms, a resident chaplain of San Quentin State Prison, utilized criminal statistics to support a classification of criminals. Yet in spite of his biological orientation, Drähms regarded criminology as basically a social science: "Criminology is that department of social science that relates to the causes, nature, and treatment of crime with special reference to its individual exponents regarded from a psychological, physiological, and socialistic standpoint" (Drähms, 1900:1).

The continuing influence of Lombroso's substantive theory can be seen in a number of fairly recent post-Lombrosian developments in the United States. Notable are E. A. Hooton's *The American Criminal* (1939), in which he revives Lombrosian criminal anthropology in his research on the assumed biological inferiority of criminals; William H. Sheldon's *Varieties of Delinquent Youth* (1949), an investigation of somatotypes and constitutional inferiority; and the Gluecks' *Physique and Delinquency* (1956), a treatise on the physical characteristics of delinquents. Earlier there had been an attempt to explain criminal behavior in terms of the biological functioning of endocrine glands. For example, in *The New Criminology* (1928), Schlapp and Smith, primarily through reasoning by analogy, claimed that individuals suffering from endocrine disturbances were the typical born criminals.

Another post-Lombrosian development can be seen in the research attempting to relate criminal behavior to heredity. As noted by Sutherland and Cressey (1966: 123-128), at least five types of methods have been used to reach the conclusion that criminality is hereditary: (1) by comparing criminals with the "savage," as in the work of Hooton (1939); (2) by tracing family trees, as in A. H. Estabrook's *The Jukes in 1915* (1916); (3) by determining

Mendelian ratios in family trees, as in the study of family histories of German prisoners by Carl Rath (cited in Sutherland, 1947:84); (4) by establishing statistical associations between crimes of parents and of offspring, as found in Charles Goring's *The English Convict* (1913); and (5) by comparing identical and fraternal twins, as found especially in Johannes Lange's *Crime and Destiny* (1930). Post-Lombrosian criminal anthropology also appears in the numerous multiple-factor approaches to criminality which include biological factors among the many other diverse factors.

For the most part, however, the development of criminology in the United States disregarded Lombroso's biological emphasis, although his positivism was accepted as essential to modern criminology. The translation of Gustav Aschaffenburg's *Crime and Its Repression* (1913) presented to American criminologists a severe criticism of Lombroso's biological theory. Using data collected in Germany, Aschaffenburg considered many individual and social factors as causes of crime.

Perhaps the most crucial blow to Lombrosian theory was the evidence presented by Charles Goring in his statistical study of 3,000 male convicts, published as *The English Convict* (1913). From the data collected as medical officer at Parkhurst Prison, Goring sought "to clear from the ground the remains of the old criminology, based upon conjecture, prejudice, and questionable observations," and "to found a new knowledge of the criminal upon facts scientifically acquired, and upon inferences scientifically verified: such facts and inferences yielding, by virtue of their own established accuracy, unimpeachable conclusions" (Goring, 1913:18). Goring did not intend to refute Lombroso's theory but rather, through newly developed statistical techniques, to rigorously test its validity. Goring concluded that there was not a born criminal type, as Lombroso had assumed; however, he maintained that criminals are nevertheless distinguishable from non-criminals. In rejecting inheritance as a cause of crime, Goring turned the attention of criminologists to the study of psychological characteristics, especially defective intelligence, as a cause of criminal behavior.

As intelligence testing came into vogue immediately before and after World War I, an increasing number of scholars began to apply intelligence tests to delinquents and criminals in an attempt to prove a causal relationship between crime and the notion of feeble-mindedness or low intelligence. Henry H. Goddard (1914), an enthusiastic supporter of the notion of feeble-mindedness as a cause of criminality, estimated in his book on feeble-mindedness that over

50 percent of criminals were feeble-minded. In a later work he concluded: "It is no longer to be denied that the greatest single cause of delinquency and crime is low grade mentality, much of it is within limits of feeble-mindedness" (Goddard, 1920:74). With the publication of army data on intelligence testing and with a revision of the tests and their standards, the relationship between crime and intelligence was critically evaluated. A critical review by L. D. Zeleny (1933) and studies by H. M. Adler and M. R. Worthington (1925), Carl Murchison (1926), and Simon H. Tulchin (1939) led to the retraction of low intelligence as a causal explanation of criminal behavior.

Through the use of other tests and measures, however, attempts continued to be made to differentiate criminals from non-criminals. There were numerous efforts to differentiate criminals according to such psychological traits as emotional instability, aggressiveness, character, mechanical aptitude, immaturity, excitability, and so forth. For the sociologically oriented criminologist, the summary and critique by Schuessler and Cressey (1950) of 113 studies in which personality scores of delinquents and criminals were compared to scores of control groups provided the necessary evidence for the conclusion that criminality and personality are not causally related. Nevertheless, a notable recent effort to establish such a relation to delinquency is found in the use of the Minnesota Personality Inventory by S. R. Hathaway and Elio D. Monachesi (1953). But as Cressey has cautioned, whatever relationships may be found in such studies, "establishing statistically significant differences between criminals and noncriminals, even when the statistical techniques are adequate and the sample groups are truly representative, does not in itself lead to conclusions about crime causation" (Cressey, 1966:167).

Emphasis on a multitude of factors in the causation of crime was a reaction by criminologists to the practice of explaining crime in terms of one particular class of phenomena. The search for factors (or variables), their measurement, and their correlation with criminal behavior reflected the growing trend toward empiricism and quantification in the social sciences. The multiple-factor approach to theories of crime causation had, of course, been present in many of the writings before the beginning of this century. However, it was reaction to particularistic theories, especially the biological theories, that led many research scholars in the first half of the present century to insist that criminal behavior was a product of a large variety of factors and that the many factors possibly could



never be organized into general propositions, because each criminal act was caused by a different set of factors.

One of the first empirical studies to employ the multiple-factor approach was William Healy's *The Individual Delinquent* (1915), in which a large variety and combination of factors were considered. The multiple-factor approach was also used in Cyril Burt's *The Young Delinquent* (1925). In this study, the percentage of causative importance attributed to each of the factors was considered. Burt's comment on crime causation was typical of the underlying assumption of the approach: "Crime is assignable to no single universal source, nor yet to two or three: it springs from a wide variety, and usually from a multiplicity, of alternative and converging influences" (Burt, 1925:575). The multiple-factor strategy is found today in the work of Sheldon and Eleanor Glueck. In their *Unraveling Juvenile Delinquency* (1950), the Gluecks report the results from a controlled comparison of 500 delinquent boys and 500 non-delinquent boys on a host of factors.

The most recent individualistic movement in the study of criminal behavior is found in the field of psychiatry. While various branches of psychiatry are concerned with the relation of mental illness to deviant social behavior, psychoanalytic psychiatry has developed the most elaborate explanations of criminal behavior. Following from the work of Freud, psychoanalytic psychiatrists, in their study of criminal cases, have related the criminal act to such concepts as innate impulse, mental conflict, and repression. In most of the psychoanalytic theories, crime represents a form of substitute behavior. However, all the psychoanalytic works (including Karpman, 1935; Lindner, 1944; Friedlander, 1947; Abrahamsen, 1952; Alexander & Staub, 1956) rest on questionable research procedures and upon a theory that is not subject to verification. There is also the problem of circularity in the psychoanalytic approach, psychopathy being suggested as a cause of criminal behavior, and criminal behavior, in turn, being used as an indicator of psychopathy. (For a critique of the psychoanalytic approach, see Hakeem, 1958.) In regard to the radical differences in approach between psychiatry and sociology, the pertinent question remains: Do the two approaches to the explanation of crime refer to different and distinct classes of phenomena?

### *Twentieth-Century Sociological Criminology*

With the turn of the century, the study of crime as a social phenomenon became centered in the United States. The rapid

changes taking place in American society provided the background for a social perspective on crime. As the history of criminology indicates, crime is one of those behaviors that scholars have had difficulty accepting as social. It has always been more convenient to view crime as an individual phenomenon, more convenient for purposes of study as well as for programs of treatment. To conceive of the criminal as a personal failure rather than as an indicator of societal conditions also gave support to—or certainly did not attack—the status quo.

Perhaps because of the dynamics of American society, the relation between social conditions and crime seemed obvious to American scholars. Urbanization, immigration, population growth, and social and geographical mobility were some of the dynamics which faced scholars at the beginning of the twentieth century. Since much of criminal behavior occurred among groups most affected by these changes, it was reasonable to investigate the social sources of crime. In addition, American criminology came to display a strong sociological emphasis because such a view "accords with the fundamentally optimistic American outlook on life in general, into which the thesis that crime is a product of remediable social forces would fit more naturally than insistence on the part played by endogenous factors" (Radzinowicz, 1962:119). Also important to the social conception of crime was the fact that crime was included in the sociological study of social problems. The study of crime has since shared in the general growth of a sociology.

While it is significant that the study of crime became located primarily within the sociological tradition, the social conception of crime was part of a new thought system which was developing at the beginning of the century in the United States. In what Morton White (1949) has documented as "the revolt against formalism," a style of thinking, a liberal social philosophy, developed at the turn of the century compounded of pragmatism, institutionalism, behaviorism, legal realism, economic determinism, and the "new history." Among those instrumental in the new intellectual pattern were John Dewey, who held that ideas are plans of action; Thorstein Veblen, who insisted upon the importance of studying the connections between economic institutions and other aspects of culture; Justice Oliver Wendell Holmes, who rejected the view that law is an abstract entity; Charles A. Beard, who looked for the underlying economic forces that determine the acceleration of social life; and James Harvey Robinson, who represented the view that an understanding of history is essential for explaining the present and controlling the future.

All of these emerging ideas had in common a *relativism* which suggested that ideas and events have meaning only in relation to context. It was this same relativism that made the study of crime in the United States different from previous and other contemporary efforts. Only when crime was viewed as relative, in respect to the criminal law and the behavior of the offender, could crime be truly studied as a social phenomenon. Relativism had implications both for the research approach to the study of crime and for the formulation of criminological theory. Only by freeing themselves from an absolute conception of the world could students of crime perceive crime as being a violation of one of a number of possible codes, with the behavior of the offender seen as a consequence of participation in one of several social worlds. Although the ideas of the social philosophers who reacted against nineteenth-century formalism no longer serve as reference points, relativism increasingly continues to influence the study of crime. Recent developments and current trends in criminology reflect the extreme extension of modern relativism.

#### A STRUGGLING SOCIOLOGICAL CRIMINOLOGY

The sociological study of crime proceeded at a painstaking pace in the United States during the first half of the century. Given the hindsight of today, the study of crime by early sociologists was filled with questionable assumptions and was not specifically concerned with the social. For example, one of the first supposedly sociological works on crime, Frances A. Kellor's *Experimental Sociology* (1901), was actually a study of physical differences (according to length of ears, average width of mouth, height of forehead, weight, nasal index, etc.) between women criminals and women students. In the introduction to the book, C. R. Henderson, one of the first members of the sociology department at the University of Chicago, gave expression to a social moralism that had not yet been tempered by relativism, while also showing the adventure the early sociologists must have felt in the new social science: "The university cannot neglect any phase of social life. As in astronomy the study of perturbations in the movements of known bodies leads to the discovery of new worlds, so in social science the investigation of evil brings us nearer to an understanding of the good and helps us on the path upward" (Kellor, 1901:ix-x).

Henderson himself wrote on crime and the related topics of the time in *An Introduction to the Study of Dependent, Defective,*

*and Delinquent Classes* (1901). Much of the book was devoted to the organization of care for dependents. In the preface Henderson stated: "We seek the ethical basis of charity, the ideals of philanthropy, and the social mechanism for attaining in larger measure what ought to be done." Outside of the programmatic aspect of the book, Henderson suggested an early social psychology of crime which stressed the reaction of the person possessing inherited tendencies: "The causes of crime are factors of personality and of environment, and of the reaction of personality upon environment in the formation of habits and new nature. Personal nature is, at a given moment, the product of inherited tendencies, of acquired habits and character, and of the response to external circumstances" (Henderson, 1901: preface).

At the beginning of the twentieth century in the United States, criminology, like other areas of study, was affected by evolutionary theory, particularly social Darwinism. This theoretical orientation to crime is perhaps best displayed in *Crime and its Relation to Social Progress* (1902), written by Arthur C. Hall, a fellow in sociology at Columbia University. In the introduction to the book, Franklin H. Giddings, first professor of sociology at Columbia, set the tone by arguing that as civilization evolves it is necessary to define, through the criminal law, certain behaviors as criminal, and that "this process of connecting immoralities into positive crimes is one of the most powerful means by which society in the long run eliminates the socially unfit, and gives an advantage in the struggles for existence to the thoughtful, the considerate, the far-seeing, the compassionate; so lifting its members to higher planes of character and conduct" (Hall, 1902:xi). Hall, in viewing crime in relation to social progress, considered the criminal law itself as well as the behavior of the offender. To Hall, crime was "the branding by society of some forms of conduct as criminal." Crime was viewed as inevitable to social progress. Using a "natural law" conception as well as evolutionary theory, Hall wrote:

Out of the teachings of natural law, which, whether we like it or not, whether we aid or oppose it, is driving the world forward to higher and higher planes of life, intelligence and mutual helpfulness, comes the idea of crime, and the necessity for the appearance of the criminal in every human community. Crime is an inevitable social evil, the dark side of the shield of human progress. The shifting processes of natural selection continue within the domain of social life, rejecting, through social pressure, both weaklings and workers of iniquity. Antisocial individuals, or malefactors,