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Causes of Crime

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lawbreakers. And on this point, we frequently use the assistance of social workers of private welfare organizations.

(f) It is not necessary to explain in detail that besides the preservation and fixation of personal values, the *security* of society is the chief point of our work, and that this work must go on in strict political neutrality, and must be guided by scientific and practical reasons, without any false sentimentality.

C. There is not yet a statistical report on the success of this work. And it will be very hard to elaborate such an account, because the social and economic circumstances in Germany are still shifting in a high degree, and because it is difficult to say by what cause a successful resocialization has happened. For our work is only *one* condition (and frequently only a weak one) among many influences and conditions in the whole field of social and personal life. But we have a remarkable number of cases which show the effect of this work rather evidently, and a remarkable number of testimonies, voluntarily given by the clients who continued to stay in connection with us for several years after release. I hope this material too may find an adequate elaboration; for I suspect it will have a specific value for the knowledge of criminological contexts.

THE CAUSES OF CRIME

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Much of the literature on the causes of crime gives the uncritical reader the impression that much

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more is *known* about the roots of crime careers than is actually the case. At different times, different authors have alleged that the basis of crime is to be found in truancy, family background, juvenile delinquency, bad schooling, congestion, broken homes, gangs, the neighborhood, unwise use of leisure time, lack of recreational facilities, feeble-mindedness, inefficiency in the administration of criminal justice, economic factors, fire-arms, the inefficiency of prohibition law enforcement, inefficient probation, parole and penal systems. It is conceivable that all or any or several of these factors may dominate or be of significance in shaping the lives of the offenders. It is *conceivable*, but just *how* such elements *do* enter, how the factors *are* associated has never been satisfactorily demonstrated. By way of illustration, let us select several of the alleged causes of crime and examine the data.

What role does religion play in juvenile delinquency? Mr. E. J. Cooley, one of the outstanding probation administrators in this country states that "the most vital force in the upholding of the character of youth is the influence of religion and the church." Dr. A. B. Sal- kind, a renowned psychiatrist, and the Soviet Union delegate to the first world-wide Congress of the Mental Hygiene Association declares,

"A fundamental point in mental hygiene, we believe, is a *complete* separation of religious activity from education. Religious preoccupation interferes, in our opinion, with other forms of cortical activity; it interferes with the development of the realistic point of view of life; it increases one's introspection, weakening the whole psycho-

stability of the individual by substituting faith for a critical analysis of the environment."

Dr. George Rex Mursell, chief psychologist in the Ohio Department of Welfare concludes as a result of *"A Study of Religious Training as a Psychological Factor in Delinquency,"*

"On the whole, it seems safe to conclude that there is no significant relation between religious training and delinquent or non-delinquent behavior—that whatever causes one to be delinquent or non-delinquent, it is not religious training, knowledge, attitudes or background, as measured by these tests."

In any event, there is no reliable evidence indicating whether religious affiliation, training or conviction does or does not aid in crime deterrence. Indeed, we should first have to define carefully what was meant by the terms religion and crime. We should have to determine much more precisely what factors in religious habits are associated with particular crimes before any valid conclusions could be reached.

It has been asserted time and again that the criminal is not quite normal "mentally," that he differs from the "average" individual. The "scientific" conclusions of the investigators raise doubt, to put it mildly, as to the role of feeble-mindedness in criminal conduct. One group (H. H. Goddard, Helen Hill, B. Glueck, W. T. Root, J. H. Williams and V. V. Anderson) maintains that there is a larger proportion of feeble-mindedness among the criminal than the non criminal population. Another group (H. Adler, William Healy, Augusta Bronner and E. A. Doll) concludes that the proportion of feeble-mindedness is about the same in both classes,

while a third group (C. P. Stone, C. A. Weber, J. P. Guilford and Carl Murchison) asserts that a smaller proportion of feeble-mindedness is found among the criminals than the non-criminals.

Consider the neighborhood as a factor in crime careers. The Institute for Juvenile Research in Chicago has made several studies showing that neighborhood "deterioration" is in some way associated with delinquency. Clifford Shaw has mapped the rate of male juvenile delinquency by square-mile areas along the lines radiating from Chicago's Loop, where it was discovered that a disproportionately large number of delinquents were living in areas immediately surrounding the Loop—the central business district of Chicago. The rate of delinquency "progressively decreases toward the boundary of the city, ranging from 37.0 in areas contiguous to the Loop, to less than 1.0 in the areas near the city limits." Similar results have been ascertained in many large cities in the United States.

Unfortunately *the* neighborhood as a factor in criminal behavior is apparent but unilluminating. The concept of *the* neighborhood must be more carefully analyzed. Many different kinds of specific factors comprise a neighborhood setting, such as congestion, unsupervised recreation, "bad" associations, "poverty," etc. What is significant is the *way* in which the statistical unit factors operate. Until this is shown one cannot be sure how neighborhoods affect the behavior of children. The work of the Institute for Juvenile Research and similar efforts are commendable as pioneer efforts in narrowing somewhat the field of inquiry. Nevertheless, one must not accept these inclusive and

encompassing generalizations for more than they are worth.

The almost overwhelming complexity of the dynamic interrelations between the individual and the socio-economic setting makes it appear quite unlikely that we shall ever reduce such factors to established "laws" of criminal behavior. This need not prevent us, however, from making the attempt. Being or becoming aware of the obstacles and tentative character of the conclusions, we may better evaluate the ascertained results.

It is significant that the several outstanding surveys of the causes of crime have refrained from drawing any positive conclusions. Thus, in a 1930 study, "Crime and the Community" (The Crime Commission of New York State) we read, "We have found no unit causes of crime and recommend no unit cures."

II

Perhaps the most important single factor in the muddled state of knowledge concerning crime causation is the lack of method in stating and studying the problems. A problem clearly stated is partly solved. *The criminal as a type* does not exist and crime *in general* is a fiction. There are many different kinds of crime in various classes of criminals. Embezzlers are not easily compared to forgers nor either group to burglars or prohibition racketeers. If the problem is to discover why *certain* individuals commit *specific* kinds of crime, the backgrounds of the particular individuals must be analyzed in the attempt to relate them to the particular kinds of crime committed. As complete a life history of the individual as is possible must be obtained and critically interpreted.

Anyone who has seriously approached the study of crime and criminals knows how far, far removed we are from discovering and attaching the proper significance to the *specific* antecedents of criminal behavior. In my judgment it is very unlikely that, in the calculable future, we shall come even near to reducing the causes of crime to a system remotely approaching that of physical science. The best we can hope for and anticipate is validating the shrewd guesses by fairly reasonable, if not altogether conclusive data. The behavior of men and women is built up through an overwhelmingly complex system of habits, the products of constantly changing and reciprocally influencing organism and environment. Habit *follows* certain influences and, in turn, *determines* subsequent behavior. The effects of environment become the causes of further behavior. To disentangle these dynamic interrelations is the goal albeit the far distant one of the critical criminologist. Human behavior, while not amenable to calculus, is at least open to critical analysis.

III

Instead of seeking the *specific* determinants for *particular* crimes, we may ask what factors generate the *general* conditions which lead to criminal behavior. The problem is now altered. Interest is not centered on the individual intent to commit particular criminal acts. The motive, it is recognized, is merely a focal point in an interlacing network of habits built up by the individual in his social and economic environment.

It seems to me that one cannot possibly escape the conclusion that the commission of crime rests fundamentally upon the economic

foundations of American civilization. The nature of the crimes committed reflects this obvious fact. Grand larceny, burglary, robbery, forgery and the various crimes arising out of "racketeering" are not perpetuated for the sport to be gotten, but are committed in order to obtain money. Status and success are determined by wealth. Things, objects, possessions determine one's rank. Economic factors extend into and determine most of our values. The right to private property is one of the inviolate principles of American civilization. *Most crimes are violations of these property rights.* A cursory reading of any one of our penal codes will convince one that the criminal law is aimed chiefly at the protection of property rights.

A glance at other civilizations shows that the character and content of their "crimes" are also determined by the fundamental organization of the particular society. For example, among the Indians of the North West Pacific Coast (The Tsimshian, Tlingit, Haida and Kwakiutl tribes) and unwillingness to *destroy* property during a clan or phratry potlatch is considered a most serious offense and invokes obloquy. Individuals, families, clans and phratries "own" certain names, dances, songs and whistles which may be either acquired through inheritance or conferred because of distinction. Arbitrarily to assume any one of these intangible property rights is considered as outrageous effrontery to the individual, family clan or phratry who rightfully use these privileges.

Again, among the Toda of Southern India the major offenses are violations centering around their dairy and milk rituals, which comprise the major interests and activi-

ties of these people. Similarly, violating the "code," i. e., the customary behavior, set up in connection with the exchange of "gifts" at the various and numerous feasts of many Melanesian tribes is reprehensible. The "gift" and "feast" pattern is central in their social life.

Economic institutions are not significant in the cultures cited. The chief offenses are, hence, defined in terms of what is vital. The particular crimes known to Western European culture, where economic activities are of major importance, are of least significance in these non-European civilizations. The penal codes of our several states are for the most part comprised of statutes defining violations of property rights. Crime for profit, is, hence, a function of our economic order.

Many students of crime feel competent to draw up plans for the prevention of crime. The assertion has been made that sterilization laws will prevent the procreation of persons socially inadequate because of defective inheritance, that better parental supervision, improved teaching methods of supervision in the schools, closer cooperation between schools and other legal and social agencies, more effective juvenile courts and more efficient methods of treating juvenile delinquents, specialized treatment for the various age groups among youthful offenders, increased and diversified programs of recreation for youngsters, and religious affiliations will prevent the formation of criminal careers and the commission of crime. In the first place, these measures of crime prevention have not been shown to be unquestionably sound. At best any or all of these programs are based upon insufficient data. Not until the

causes of crime are much more clearly understood will one have the knowledge to correct, with a reasonable chance of success, the factors making for crime careers. But secondly, and of greatest importance, is the fact that knowledge itself will not likely correct the mischief.

It is my *guess* that a more detailed knowledge of the causes of crime will reveal that our economic order is the base from which most of the crime generating factors arise. Unhappy home life, separation, divorce, women employed out of the home, malnutrition, disease, the deteriorated neighborhoods, housing congestion, the dependency and need which follow unemployment, the disregard held for law enforcement agents and agencies are all symptomatic of economic and the consequent social disorder.

The outstanding defect of the accelerated expansion of our industrial and economic life has been the control of industry by Big Business. Extensive and ruthless exploitation has followed. The exploited, in turn, with this pattern before them, seek to become exploiters.

Our fundamental values are determined by dollars. The European peoples, to be sure, are as eager for wealth, but community traditions make their lot more tolerable. Their standard of living being lower, their expectations are fewer. The opportunities of this country, notwithstanding the current depression, being denied to, or unknown by them, they accept their humble role and gain social approval through means other than the ramified forms of monetary display. Most Americans, on the other hand, seek approval through "conspicuous waste." Art, learning, literature.

genuine fellowship, meaningful conversation and emotional sensitivity do not offer means for social approval to most Americans. In theory, the equality of the American citizen or worker which is preached on all sides, but as often denied in practice, supports the unceasing struggle to enter the "higher class." Ambition to succeed financially gnaws at the vitals of the "middle class" and the impoverished. Our educational and social activities fortify this struggle. In fact, alas, with corporate control of industry and commerce and the resultant unemployment of millions and the impoverishment of many more millions, the goal is soon recognized as an elusive *Fata Morgana*. Therefore, what cannot be attained legitimately is often sought through "rackets," "pull" and "protection." The ability to "make good" and "get away with it" offsets the questionable means employed in the business as well as professional world. Disrespect for law and order is the accompanying product of this scheme of success.

The backgrounds of crime are, of course, more complex than is here indicated. I have pointed out what seems to me to be one of the more important factors. I believe that the *fundamental* causes of crimes are to be found in the particular economic organization of our society. Directly, as in the case of unemployment and impoverishment or indirectly as in the case of neighborhood environment and the shady and shabby enforcement of law and the consequent lack of respect on the part of the people for law and order, economic factors play the most significant role.

It is significant that Henry W. Anderson, one of the members of the National Commission on Law

Observance and Enforcement submitted a minority report on the causes of crime, finding himself unable "to concur in the disposition made by the commission of the important branch of our inquiry dealing with the causes of crime." I quote one of the major conclusions and recommendations of Mr. Anderson.

"There should be a thorough and courageous reexamination of the principles and structure of our social, political, legal, and economic systems with a view to their orderly adaptation to the rapidly changing conditions of social, political, and economic life. With this object in view those limitations, constitutional or legal, which are no longer adapted to our social conditions should be removed, and the structure of these organizations should be given the maximum of flexibility consistent with social order. While the difficulties of this task are manifest, yet it is essential to social jus-

tice and must be done if the conditions of unrest, of *which the general prevalence of crime is but a symptom* (italics mine), are to be relieved and the risks of violent social upheavals which have characterized the development of other nations are to be avoided."

Crime prevention programs are flank attacks. At best, if successful, a few boys and girls may be delivered from crime careers. Others will rise to take their place. To prevent the recurrence of the major property crimes and the criminal activities of organized gangs, nothing short of a fundamental change in the economic structure of American society is, I believe, adequate. No assurance is possible that in an altered society where other economic and social arrangements obtain new types of criminal behavior may not arise. Nevertheless, each generation must deal with its contemporary problems. Sufficient unto the culture is the crime thereof.