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CRIME AS A FUNCTION OF ANOMIE

ELWIN H. POWELL*

Crime is by definition a social phenomenon and its extent and character varies with the "metabolism" of the larger society. Individualistic theories of criminal behavior—whether moralistic, biological or psychological—can not explain the known variations of the crime rate. Clinically and juridically it may be desirable to treat each felon as a special case, but "the scientific method", as Sellin observes, "is not applicable to the study of unique phenomena. It can only deal with classes, kinds, types".¹ If crime is attributed to inherited deficiencies, early childhood experience, or family tension, it is still necessary to ask why these "causal" factors fluctuate from time to time and place to place. Inevitably a sociological interpretation is required. "The cause of crime", writes Clarence Jeffery, "is in the legal and social institutions, not the individual offender".²

What then are the institutional determinants of crime? According to Clinard, most American sociologists "view participation in deviant norms, particularly through the tutelage of others . . . as the basic situation out of which crime arises".³ While this formulation pushes the locus of criminality back from the individual to the immediate group, it does not explain the origins of the criminal sub-culture. Similarly, Sutherland's theory of differential association assumes but does not systematically show the sources of the crime-producing sub-group.⁴

Organized criminal activity seems to exist in virtually all societies. Bands of robbers, gangs of

outlaws have flourished throughout recorded history, in both the rural and the urban setting. In the pre-industrial city, criminals were even organized into guilds.⁵ An underworld existed in Elizabethan England, the Mafia in Southern Italy dates back at least two centuries, if not to antiquity, and in the industrial city of the 19th century organized criminal activity thrived as rarely before or since.⁶

Theories which locate the cause of crime in the criminal subculture are accurate enough but inadequate to explain the variation of the crime rate. The crime configuration is a product of the institutional matrix within which the criminal subculture is imbedded.

It appears that all types of crime—against person, property and public order—increase in times of institutional dislocation, or anomie.⁷ As Walter Lunden observes "the real explanation for crime . . . lies in Durkheim's [concept of] anomie".⁸ If anomie is understood to mean normlessness it is easy to see why property crimes would be associated with societal breakdown. Property, after all, is the creation of a culture, of a belief system. When individuals lose respect for the normative order which protects private property an increase in burglary and larceny is to be expected. But what of crimes of violence against persons? Under anomic conditions men feel they can no longer rely on established authority for protection and "take the law into their own hands". The high incidence of violence on the frontier seems to derive from the necessity for "self-defense". The slum area of the city is often a frontier, a kind of no-man's land where violence is a common occurrence. Thomas and Znanieckie analyze murder in the immigrant community in these words:

⁵ SJOBERG, *THE PRE-INDUSTRIAL CITY: PAST AND PRESENT* 246-52 (1960).

⁶ JUDGES, *THE ELIZABETHAN UNDERWORLD* (1930); MAYHEW, *LONDON'S UNDERWORLD* (1950); LYNCH, 'BOSS TWEED': *THE STORY OF A GRIM GENERATION* (1927).

⁷ For a macrocosmic view with exhaustive references see SOROKIN, *SOCIAL AND CULTURAL DYNAMICS* 498 (1937); *CONTEMPORARY SOCIOLOGICAL THEORIES* 559-78 (1928).

⁸ Lunden, *Pioneers in Criminology—Emile Durkheim*, 49 J. CRIM. L. 2 (1958).

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¹ SELLIN, *CULTURE CONFLICT AND CRIME* 27 (1938).

² Jeffery, *Crime, Law and Social Structure*, 41 J. CRIM. L., C. & P. S. 423 (1956).

³ Clinard, *Sociologists and American Criminology*, 41 J. CRIM. L. C. & P. S. 549 (1951).

⁴ SUTHERLAND, *PRINCIPLES OF CRIMINOLOGY* 74-96 (1955).

The murderer does not feel himself backed up in his dealings with the outside world by any strong group of his own . . . [he takes recourse] in the idea of self-redress . . . In short, the immigrant . . . feels as if he is in a human wilderness, with nobody and nothing but his physical strength to rely upon.⁹

Viewing the contemporary scene, Jackson Toby comes to a similar conclusion: "predatory crime occurs when social vigilance is reduced".¹⁰ In a similar vein John Dollard explains the relationship between violence and social disorganization among the Negro population of the South:

The personal security of the Negro [Dollard writes] is by no means so well guaranteed by the law as is that of the white person. [Negro men and women] are frequently armed . . . Apparently we have here a kind of frontier where the law is weak and each person is expected to attend to his own interests by means of direct personal aggression and defense.¹¹

Moreover, Dollard continues, there is a differential application of the law: the dominant white caste "condones Negro violence" because it weakens the solidarity of the Negro group and makes it less resistant to white domination. This "tolerance of violence", Dollard says, "is not a conscious policy . . . but pragmatic, unformalized and intuitive". However, it is "functional" for the maintenance of the caste system. A similar situation could be found in the 19th century industrial slum where working class violence was permitted, if not encouraged, as a means of atomizing labor solidarity. Violence is both a cause and an effect of anomie. From the pioneer work of Thomas and Znaniecki to the recent study of Lewis Yablonsky, anomie can be seen as the substrate out of which the act of violence emerges.¹²

While numerous studies have explored the relationship between anomie and social pathology, the historical dimension of the problem has been largely ignored since Durkheim.¹³ Moreover,

⁹ THOMAS & ZNANIECKI, *THE POLISH PEASANT IN EUROPE AND AMERICA 1773-74* (1958).

¹⁰ Toby, *Social Disorganization and Stake in Conformity: Complementary Factors in the Predatory Behavior of Hoodlums*, 48 J. CRIM. L., C. & P. S. 12 (1957).

¹¹ DOLLARD, *CASTE AND CLASS IN A SOUTHERN TOWN 271-80* (1957).

¹² YABLONSKY, *THE VIOLENT GANG* (1962).

¹³ CLINARD, *ANOMIE AND DEVIANT BEHAVIOR* (1964), includes a bibliography of over 100 studies on anomie, only one of which, DE GRAZIA, *THE POLITICAL COMMUNITY: A STUDY OF ANOMIE* (1949), deals with the subject historically.

standard criminological works give only cursory notice to the pre-20th century context of crime.¹⁴ Durkheim read the great (four and five-fold) increase in suicide during the 19th century as a sign of cultural disintegration, of anomie. However, since 1913 the general drift of the suicide rate has been downward.¹⁵ The crime rate seems to follow a similar pattern in both Europe and America: a substantial increase throughout the 19th century followed by an apparent decline since World War I.¹⁶

If a rising incidence of social pathology indicates anomie, does a declining rate point to a new integration, a process of consolidation of the social system? Goldhamer and Marshall contend that the incidence of psychoses was as high in the 1870s as in the 1940s.¹⁷ And A. H. Hobbs notes that the volume of crime in Philadelphia in 1937 was only slightly higher than in 1790.¹⁸ Hobbs concludes that his data "lend no support to the hypothesis that the total amount of crime has increased with the complexity of modern living". But had Hobbs chosen the year 1877 or 1918 he might have found the arrest rate much higher than in 1790 or 1937. Moreover, life in the past century, if not more complex, was certainly more brutal than in 1937—the depression notwithstanding. Has life grown simpler, less violent, more secure as conflict gives way to consensus as the dominant motif of contemporary society? These questions seem of sufficient weight to justify a closer scrutiny of the "behavior" of the crime rate. Furthermore, a historical analysis might illuminate hidden aspects of the persisting mystery of deviant behavior for, as Mabel Elliot observes, "the mainsprings of anti-social conduct are as

¹⁴ A notable exception is the discussion of socio-historical factors in crime in TANNENBAUM, *CRIME AND THE COMMUNITY 25-51* (1951).

¹⁵ On the decline of suicide in America see the Metropolitan Life data cited in WEINBERG, *SOCIAL PROBLEMS IN OUR TIME: A SOCIOLOGICAL ANALYSIS 418* (1960). For European data see FUELLKRUG, *DER SELBSTMORD UND KRIEGSZEIT* (1927).

¹⁶ MacDonald, *Criminal Statistics in Germany, France and England*, 1 J. CRIM. L., & C. 59-70 (1910) indicates that the British crime rate began to fall by the 1860s, while the German rate was rising and the French rate remained stationary. Studies on the American rate are cited below.

¹⁷ GOLDHAMER & MARSHALL, *PSYCHOSIS AND CIVILIZATION: TWO STUDIES IN THE FREQUENCY OF MENTAL DISEASE 97* (1949), notes "whatever may be the causal agents of the functional psychoses, they will almost certainly have to be sought for among those life conditions that are equally common to American life of a hundred years ago and today."

¹⁸ Hobbs, *Criminality in Philadelphia, 1790-1810 Compared with 1937*, 8 AM. SOC. REV. 198 (1943).

much rooted in the past as they are functions of the present".¹⁹

METHOD: HISTORICAL STATISTICS

While all crime statistics are notoriously inexact, those of the past are *no worse* than those of the present. As late as 1950 Sellin noted that "nowhere in the United States today is it possible to find a well integrated and reasonably adequate system of criminal statistics".²⁰ A decade later the situation was unimproved and Ronald Beattie could write "actually, more accurate information was available in the reports of the early [1920] crime surveys . . . than is available today [1960] for the same places".²¹ It is unnecessary to dwell on the limitations of crime statistics. As Cressey points out, it is impossible to determine the real incidence of crime: "at best rates are but an index of true crime . . . and it is hazardous if not impossible to compare crime rates of different jurisdictions in any two different years".²² However, when statistics are taken over a long span of time in one place some of the difficulties are diminished. The crime rate may not "index" true crime but it still indicates something, if variations are not random and a trend emerges. Willbach argues that the arrest rate serves as a reasonably good approximation of the number of people committing crimes, noting further that "a city is the optimum political unit for making an analysis of such trends".²³ Although there are no reliable national or state statistics on crime for 19th century America, some of the larger cities kept rather good records of police activity.

Data for the present study were gathered from the police reports of the city of Buffalo, New York for the years 1854 through 1956. Although categories of classification change over a century's time, the definitions of major personal crimes (assault, murder, rape) and major property crimes (burglary, larceny) remain reasonably constant. Generally, the Buffalo crime pattern corresponds with that of New York City, Chicago, Boston, Detroit, although for any given year there may be

¹⁹ Elliot, *Crime and Frontier Mores*, 9 AM. SOC. REV. 185 (1944).

²⁰ Sellin, *The Uniform Criminal Statistics Act*, 40 J. CRIM. L., C. & P. S. 679 (1950).

²¹ Beattie, *Criminal Statistics in the United States—1960*, 51 J. CRIM. L., C. & P. S. 49 (1960).

²² Cressey, *Crime*, in MERTON & NISBET, *CONTEMPORARY SOCIAL PROBLEMS* 21-76 (1961).

²³ Willbach, *The Trend of Crime in New York City*, 29 J. CRIM. L., C. & P. S. 62 (1938). "Offenses Known" may be the best index of criminality but such data are not available for the city of Buffalo prior to 1950.

wide discrepancies between cities. There is no reason to assume that Buffalo as a city is atypical: its history and social structure are more or less duplicated by other major centers of population in the industrial heartland of the United States.²⁴ If, then, Buffalo is a typical city, a study of the crime trend should reveal something about the configuration and possibly the "causes" of crime in 19th and 20th century urban America.

DATA: THE CRIME TREND IN BUFFALO, NEW YORK: 1854-1956

Although there is no statistical measure of it, the incidence of crime seems to have increased in American cities in the years 1830-60.²⁵ However, it was around the time of the Civil War that crime rates took their great leap forward. In Buffalo, between 1854 and 1874, the total number of yearly arrests rose from 2258 to 10,758, while the population increased from 74,214 to 134,556. After the 1870s the total arrest rate remains rather stationary. But major property crimes (burglary, larceny) and personal crimes of violence (assault, murder, rape) vary significantly through time. About 95 per cent of the violent crimes are assaults, but the murder rate follows the same order, i.e., it increases as assaults increase. In the two decades between 1854 and 1874 assaults climbed from 66 to 1808; murders from 2 to 13 per year. But by 1893 the frequency of assault dropped to about 988 and only 6 murders are recorded for the year despite the fact that the population of Buffalo had grown to 278,726. Arrests for property crimes reveal a similar pattern; the year 1854 = 150; 1874 = 1196; 1893 = 1107. Since there is an appreciable year to year fluctuation in the number of arrests, the data have been converted into moving averages of 10-year intervals, as presented in Figure 1.

There usually is an inverse relationship between personal and property crimes, as is evident for the period between 1885 and 1918, and to a certain extent in the post-1920 period. But both property and personal crimes rose sharply in the decade 1860-70, especially after 1866. Interestingly, female arrests reached their one hundred year high mark during this period and have since declined—contrary to the common belief that the "emanci-

²⁴ For a sociological picture of Buffalo, see Powell, *The Evolution of the American City and Emergence of Anomie: A Culture Case Study of Buffalo, New York: 1810-1910* 9 *British J. Socio.* (1962), 156-68.

²⁵ Dolan, *The Rise of Crime in the Period 1830-60*, 30 J. CRIM. L., C. & P. S. 156; 854 (1939, 1940).

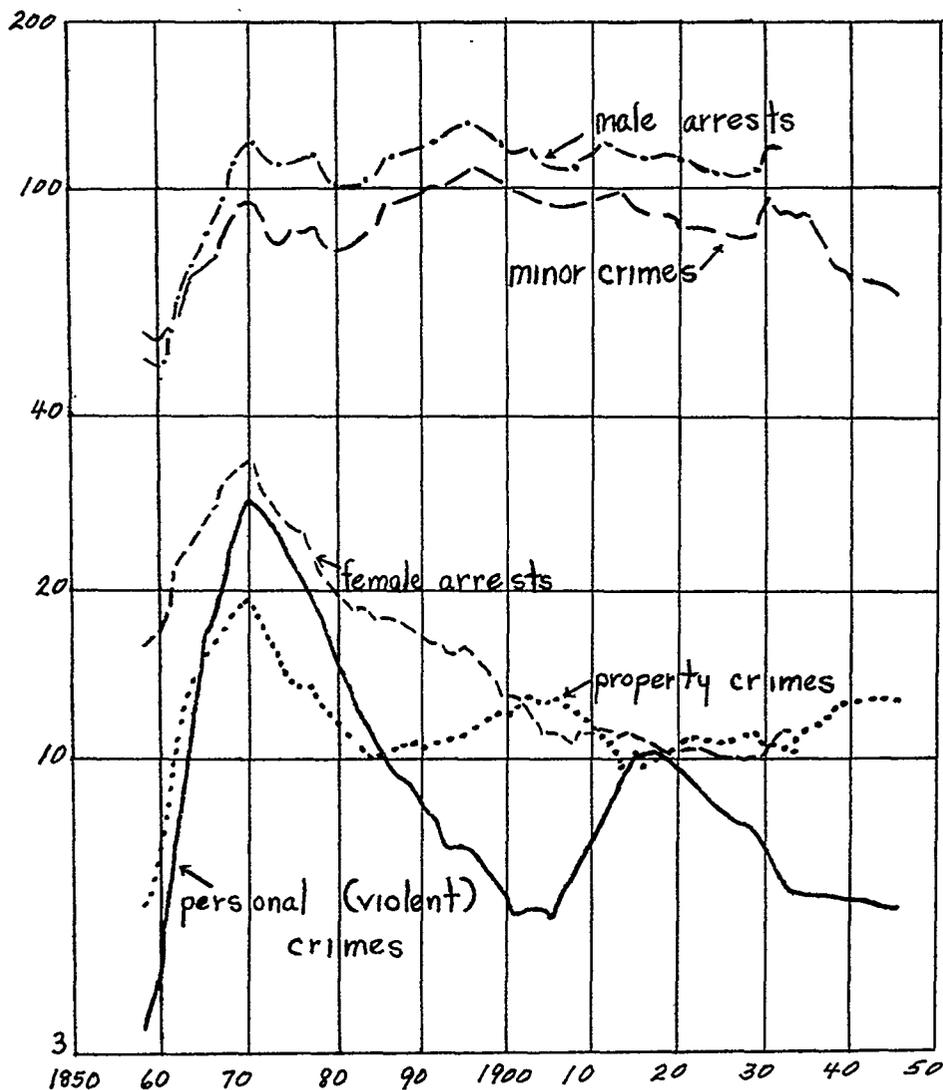


FIGURE 1

Relative Changes in Yearly Crime Rates per 1000 Population Adjusted to 10 year Interval Averages—Buffalo, New York, 1856-1946.*

* The degree of change in arrest rates, i.e., the *proportional* differences in rates from year to year rather than the *absolute* differences in arrest rates, is indicated by the semilogarithmic graph on which equal vertical distances represent equal ratios and not equal amounts (cf., e.g., CROXTON & COWDEN, APPLIED GENERAL STATISTICS 100-118 (1939)).

pation" of women "must" have led to greater criminality.²⁶

Of most interest sociologically is the trend in violent crimes against the person. A clear picture is evident from Figure 1: (a) *violent crimes reach their peak in the early 1870s*, (b) *decline steadily*

²⁶ Cf. POLLAK, *THE CRIMINALITY OF WOMEN* (1950) implies an increase in female arrests.

until the turn of the century (c) *rise again until 1918*, and (d) *recede to the pre-Civil War level by 1940*. The pattern seems to be nation-wide, even world-wide, and warrants further consideration:

(a) The general increase in crimes of violence in the post Civil War period is a generally accepted fact. Rosenbaum shows that the U. S. prison population increased from 60.7 in 1860 to 85.3 per

100,000 by 1870; Clinard cites data indicating that the increase was great even in rural Iowa.²⁷

(b) The decline of violent crimes from the mid-70s to the turn of the century is more difficult to verify. C. A. Ellwood noted that in the North Atlantic states "there was a decrease in proportion to the population of those serving sentence for major offences" by the 1890s although in the Western United States the rate was rising.²⁸ But Ellwood's study begins with 1880; had he gone back to the 1860s he would have noticed an overall decline of violent crimes. Sam Bass Warner's study of Boston indicates that between 1883 and 1900 prosecutions for crimes of violence decreased from 803 to 516 per year and then between 1905 to 1913 rose from 413 to 603.²⁹

(c) The increase in violent crimes between roughly 1905 to 1918 occurs not only in Buffalo but in Chicago, Detroit, Boston and Memphis, Tennessee.³⁰ The European rate appears to have increased from the turn of the century to the onset of World War I and then declined.³¹

(d) The decline of crimes of violence—and of crime in general—in the post World War I period contradicts the popular mythology about the roaring 20s.³² Willbach's meticulous studies of Chicago and New York indicate that in both cities, between 1916 and 1936, there was an actual

²⁷ Rosenbaum, *The Relationship Between War and Crime*, 30 J. CRIM. L., C. & P. S. 722 (1940); Clinard, *The Process of Urbanization and Criminal Behavior* (Chicago: Unpublished Doctoral Dissertation, 1938); GUILLOT, SOCIAL FACTORS IN CRIME AS EXPLAINED BY AMERICAN WRITERS OF THE CIVIL WAR AND POST CIVIL WAR PERIOD (1943).

²⁸ Ellwood, *Has Crime Increased in the United States Since 1880?*, J. CRIM. L., & C. 378 (1910).

²⁹ WARNER, CRIME AND CRIMINAL STATISTICS IN BOSTON 136 (1934).

³⁰ Wood, *A Study of Arrests in Detroit, 1913-19*, 21 J. CRIM. L., & C. 168-200 (1930). Abbott, *Crime and War*, 9 J. CRIM. L., & C. 32-45 (1918); Abbott, *Recent Statistics Relating to Crime in Chicago*, 13 J. CRIM. L., & C. 329 (1922), notes that arrests in Chicago increased from 81,269 in 1910 to 137,910 in 1917 and then dropped to 93,453 in 1920. MILLER, MEMPHIS DURING THE PROGRESSIVE ERA, 1900-17 (1957) notes that murder cases rose from 43 in 1906 to 105 in 1910 to 124 and 134 for 1915 and 1916 respectively; the suicide rate rose from 6.4 per 100,000 in 1902 to 22.8 in 1910. Allegedly Memphis had the highest suicide and homicide rate in the country during the progressive period.

³¹ Eklund, *Criminal Statistics: The Volume of Crime*, 32 J. CRIM. L. & C. 540 (1942).

³² Bell, *The Myth of Crime Waves: The Actual Decline of Crime in the United States*, in END OF IDEOLOGY 151-74 (1961). See also Simpson, *Postward Trends in Employment, Crime, Insanity and Heart Disease*, 6 J. Soc. Psy. 125-29 (1935).

numerical decrease in property and personal crimes, although there was a 40 per cent increase in the cities population. In New York property crimes dropped from 817 to 449, personal crimes from 698 to 279; moreover there was a decrease in both arrests and crimes reported to the police. In Chicago arrests dropped 23 per cent, personal crimes 19.7 per cent, property crimes 23.9 per cent.³³ In the early thirties Vold noted that there was "no increase in crime at all commensurate with the extent and duration of the depression . . . between 1924 and 1933 crimes reported fell from 72 to 54, arrests from 28 to 25, though convictions rose from 10.9 to 15.4."³⁴ Our data do indicate an increase of property crimes during the depression years while the violent crime rate continues downward to 1940. Unfortunately data for the World War II period for Buffalo are missing, but the statistics of the post 1945 years indicates a continuing decline. For personal crimes the frequency per 1000 of the population was 5.7 for the decade of the 1930s and 5.6 for the years 1946-56, although property crimes appear to increase in the post war years from 10.3 to 14.8. For the entire United States the homicide rate has declined from 8.9 per 100,000 in 1930 to 4.5 in 1960.³⁵ As Figure 1 indicates there has been a sharp drop in minor offenses—vagrancy, drunk and disorderly, etc.—since 1930. While it is not recorded in Figure 1, juvenile delinquency (judged by the number of offenders in the age category of 15-20) reached its high point around 1910; in Buffalo juvenile arrests dropped from 225 in 1910 to 120 by 1920 and down to 60 by 1936.

During the past twenty years publicists have sounded alarms over a rising crime rate, but in Buffalo arrests of all forms *decreased* between 1946 and 1964, as shown in Table I. Contrasted with the turbulent aftermath of the Civil War, the post World War II years seem tranquil; for instance, more assaults are booked in the 1870s, when the city was $\frac{1}{5}$ its present size, than today. Between 1940 and 1960 the Negro population trebled while the white population declined. Since this demographic change coincided with a falling crime rate, one might surmise that whites are more criminalis-

³³ Willbach, *Trend of Crime in New York City*, 29 J., CRIM. L. & C. 62 (1938); Willbach, *Trend of Crime in Chicago*, 31 J. CRIM. L. & C. 720 (1941).

³⁴ Vold, *The Amount and Nature of Crime in OGBURN, SOCIAL CHANGES DURING THE DEPRESSION AND RECOVERY* 801-10 (1934).

³⁵ Data in BEDAU, THE DEATH PENALTY IN AMERICA 70-71 (1964).

TABLE I
MALE ARRESTS IN BUFFALO, 1860-1878 AND 1946-1964^a

1860-1878							1946-1964						
Year	Murder ^b	Assault	Burglary	Larceny	Minor ^c	Total Arrests ^e	Year	Murder ^b	Assault	Burglary	Larceny (excl. auto theft)	Minor ^c	Total Arrests ^e
1860	2	93	43	321	2149 ^f	1997	1946	20	1937	839	1748	9,005	14,584
1862	1	163	18	198	2530	2021	1948	20	1901	1265	3688	10,513	16,443
1864	5	296	29	324	2251	2078	1950	44	1806	1050	2309	11,631	16,355
1866	13	1115	99	843	4582	5665	1952	37	1728	1078	2381	9,432	14,181
1868	8	1348	94	721	5508	6522	1954	45	1483	1177	1882	8,168	13,082
1870	22	1868	112	863	4081	5924	1956	46	1431	1117	1790	7,651	12,278
1872	4	1859	164	?	5727	6563	1957 ^d	9	1588	339	723	7,510	13,170
1874	13	1808	158	964	6529	8804	1960	15	2123	539	942	7,021	14,267
1877 ^d	8	1309	137	646	4136	6704	1962	16	1540	543	1115	7,044	13,728
1878	?	1309	85	579	4433	6774	1964	19	1100	246	557	5,171	9,253

^a Data compiled from the Annual Reports of the Buffalo Police Department.

^b Excludes negligent homicide.

^c Includes only arrests for drunkenness, disorderly conduct and vagrancy.

^d Where data for even numbered year not available nearest odd numbered year was used.

^e Total includes arrests not listed in Table I and therefore exceeds the sum for each year in the 1946-64 period. (Major unlisted categories: rape, robbery, gambling, drugs, commercialized vice.) In the 1860-78 period totals are often less than the sum of the arrests shown for a given year because the minor crime category includes both male and female.

^f Includes both male and female, the latter constituting some 15-30 per cent of the arrests.

Male Population of Buffalo: Estimated as $\frac{1}{2}$ Census Total: 1860 = 40,565; 1870 = 58,857; 1880 = 77,567; 1940 = 287,951; 1950 = 290,006; 1960 = 266,379.

tic than Negroes. Although Negroes appear to constitute a growing portion of the total arrests, a preliminary computation (not given in this paper) suggests the Irish of the 1870s were appreciably more violent than the Negroes of today. The changing ethnic composition of the city since 1920—the passing of the European immigrant and the coming of the Negro migrant—is correlated but probably not causally connected with the downward movement of the crime rate. Ethnicity does not appear to be a significant factor in the crime trend: native-born white Americans committed over 90 per cent of the offenses in the 110 years covered by the present study. Dramatic news releases based on year to year variations in the arrest frequency have created the illusion of a great upsurge of criminality. But a close examination of Table I will reveal the impossibility of drawing any meaningful inference from *yearly* fluctuations in crime. To determine the crime trend it is necessary to take a ten-year moving average over a long slice of time. The procedure

used in constructing Figure 1 and the data contained there leave little doubt about the general downward drift of the crime rate since 1920.

Figure 1 is not presented as an "absolute truth", but only as a reasonable approximation of the crime trend in Buffalo over the past century. And a rough estimate of the frequency of crime is better than no data at all, for, as Ronald Beattie observes,³⁶ "It is hardly possible to talk or even think about crime without resorting to statistics. In fact, seldom can a conclusion be stated that

³⁶ Beattie, *Sources of Criminal Statistics*, 217 ANNALS AM. ACAD. POL. SOC. SCI. 19 (1941). Indeed, some of the best work in recent criminological theory tends to be "compromised" by statistical "assumptions" which are dubious. Albert Cohen's *DELINQUENT BOYS: THE CULTURE OF THE GANG* (1955) is built on the supposition that "working class" boys have a higher incidence of delinquency than "middle class" boys, but no statistical data in support of the thesis is presented. CLINARD, *ANOMIE AND DEVIANT BEHAVIOR* (p. 55), "doubts that deviant behavior is disproportionately more common in the lower class as the theory of anomie maintains. More studies of the incidence and prevalence of deviant behavior are needed before what is assumed by theory can be stated as fact".

does not result from premises or assumption which themselves rest on statistical information". How, then, can the rise and the fall of the crime rate be explained?

INTERPRETATION: ANOMIE AS THE SOURCE OF CRIME

Common sense as well as the legal system attributes criminality to criminals, i.e., to some trait resident in the individual. *Biological theories* picture the felon as a constitutional inferior, a deviant who is born not made. But there is no way the biological hypothesis can account for the fluctuation of the crime rate. Was there a sudden influx of "inferiors" between 1860 and 70 which caused the upsurge of the crime rate? If so what happened to them between 1880 and 1905, when the rate was declining—declining incidentally at the very time when the immigration of allegedly inferior stock from eastern and southern Europe was most pronounced? Did the inferiors come upon the scene between 1910–20 and then vanish between 1920 and 40? Actually, the biological thesis was demolished by the beginning of the century.³⁷ But as late as 1949 Sheldon was convinced that the criminal is "made of baser biological stuff . . . the best stock is being outbred by inferior stock . . . inferior in every respect . . . an inadequacy reflected in the structure of the organism".³⁸ Like Hooten, Sheldon believes the race is "not evolving but devolving". And behind this assertion seems to be an idea about the great increase in criminal activity. In fact, however, the incidence of crime is in no way connected with the physiology of the organism. Physiology remains constant, at least for thousands of years, while the nature and frequency of crime varies with social and cultural conditions. Although more congruent with current notions of the dynamics of human conduct, *psychological theories* are permeated with the same bias of individualism and are thus rendered useless as an explanation of the behavior of the crime rate. Abrahamsen, for instance, finds in family tension the roots of criminal behavior.³⁹ But what

then causes such pronounced and irregular fluctuation of family stress? Was there more family discord in the 1860s than the 80s, in 1918 than in 1940? The family is not a self-sufficient unit, and at most is but an *intermediate* link in the chain of causality which leads to criminal conduct. Lying behind the disorganization of family, peer-group, community and individual is the *disruption of the sociocultural matrix*. This condition of anomie has two sources: the existential and the institutional.

Existential Factors in Crime

Basic physical and material changes disturb the established patterns of interaction and thus produce an increase in all forms of deviant behavior. Urbanization, for instance, has long been regarded as a primary cause of crime. The size and density of urban populations creates an anonymous environment which weakens the social controls of the primary group and makes possible the fluorescence of criminal culture.⁴⁰ In the small community, custom and the mores are sufficient to regulate human behavior, but in the metropolis law, backed up by force and formal authority, is necessary to insure the minimum of social order; hence the city is more criminogenic than the rural area.⁴¹ Contrary to the urban thesis, however, the largest cities do not necessarily have the highest crime rates. As of 1950, for instance, New York City had a homicide rate of 3.7, Chicago 7.8 and Dallas 13.7 per 100,000.⁴² And Angell found that "size in cities of more than 100,000 [is] not . . . significantly related to crime".⁴³ Over time, the crime rate cannot be correlated with either urbanism or the process of urbanization. In Buffalo, decades of rapid population growth do not necessarily have high crime rates. When the crime rate reached its zenith—1866–76—population increase was slight.

Criminal Behavior, 40 J. CRIM. L. & C. 330 (1949). Cf. Schmideberg, *Psychological Factors Underlying Criminal Behavior*, 37 J. CRIM. L. & C. 458 (1947).

⁴⁰ Clinard, *The Process of Urbanization and Criminal Behavior*, 47 *Am. J. Sociol.* 202 (1942); ANGELL, *THE INTEGRATION OF AMERICAN SOCIETY* 201 (1941).

⁴¹ For statistical data: SOROKIN & ZIMMERMAN, *PRINCIPLES OF RURAL-URBAN SOCIOLOGY* 370–402 (1929); CLINARD, *SOCIOLOGY OF DEVIANT BEHAVIOR* 54–91 (1958); Shaw, *Relationship Between Crime Rates and Certain Population Characteristics*, 40 J. CRIM. L. & C. *JCLC* 43–49 (1949) ranks the significance of factors in the following order: 1. urbanization, 2. educational attainment, and 3. unemployment.

⁴² Rates from WOLFGANG, *PATTERNS IN CRIMINAL HOMICIDE* 25 (1950).

⁴³ Angell, *The Social Integration of American Cities* in HATT & RIESS, *READER IN URBAN SOCIOLOGY* (1951).

³⁷ FINK, *CAUSES OF CRIME: BIOLOGICAL THEORIES IN THE UNITED STATES, 1800–1915* 240–51 (1938).

³⁸ SHELDON, *VARIETIES OF DELINQUENT YOUTH: AN INTRODUCTION TO CONSTITUTIONAL PSYCHIATRY* 836–7 (1949). Along similar lines see, HOOTEN, *CRIME AND THE MAN* (1939). For a biologist's critique, see Montagu, *The Biologist Looks at Crime*, 217 *THE ANNALS* (1941). See also Goitein, *A Biological Conception of Delinquency*, 4 J. CRIMINAL PSYCHOPATH. 394–407 (1943).

³⁹ Abrahamsen, *Family Tension: Basic Cause of*

In the years between 1830 and 60 the population was increasing by more than 100 per cent per decade and the crime rate seems to have been relatively low. Population was increasing between 1880 and 1900 when the crime rate was falling, and also increasing between 1910-20 when the crime rate was rising.

The relationship between crime and industrialization is equally ambiguous. In the period of most intensive industrialization in Buffalo, 1877-1900, the crime rate was declining; the decade of 1910-20 was also a time of rapid industrial expansion and the crime rate was rising.

Similarly with economic conditions, efforts to correlate crime with the business cycle have generally failed. Dorothy Thomas, for example, writes that "it is impossible to assume either an inverse or direct [relationship] between crime in general and the business cycle".⁴⁴ Our data reveal no clear connection between crime and economic activity. The severe depression of the early 1870s coincided with a high crime rate, but in the equally severe depression of the 1930s the crime rate was falling. The relative prosperity of the 1880s saw a decline of the crime rate, but the prosperous years of 1914-18 brought a great increase in crime.

Since there is no clear relationship between crime and urbanism, industrialization or economic conditions, it is necessary to look beyond objective or existential realities to the subjective "definition of the situation" for an explanation of the variation of the crime rate. And "situations" are defined by institutions.

Institutional Factors in Crime

Legal institutions obviously affect the crime rate, since crime by definition is a violation of the law. Many acts booked as crime in a later period were doubtless ignored prior to 1860, and this especially applies to minor crimes. However, the marked fluctuation in crimes of violence can not be explained as a product of the changing legal system. For instance, in Buffalo a total of 7 murders occurred between 1825 and 1835, when the population was around 40,000, but between 1865-75, 121 murders are recorded in a population of

117,000. From the 1860s onward the city was losing its small town quality and the system came to rely more on formal law as an instrument of social control. The crime rate quite naturally increased: more laws, more crime. But the growth of law cannot account for the decline of crime in the post-1920 period. To explain the crime pattern it is necessary to look beyond legal systems and police techniques to deeper institutional processes—and to the process of institutional breakdown or anomie:

(a) *Anomie as the Collapse of the Institutional Order.* The most striking feature of the crime rate in Buffalo (and in America) is the enormous increase in the post-Civil War period. More than a mere war, the Civil War was a revolution—the Second American Revolution, as Charles Beard calls it.⁴⁵ The war marked the triumph of industrial capitalism over agrarian and commercial forms of organization. The post-revolutionary situation was a virtual chaos not only in the South but the North and West as well. As James Allen observes,

It was a period in which all classes were in a state of constant flux. Released from the restraints of chattel slavery, capitalism was entering the period of its most rapid development. This economic upheaval shifted the position of all classes in relation to the fundamental social phenomenon of the period: the rise of the industrial bourgeoisie. The quick emergence of this sector from the large and shifting middle class mass, necessarily reoriented all strata of the population, creating new class antagonisms or maturing and sharpening those which had already emerged. The industrial bourgeoisie acted like a pole of a magnet, attracting or repelling this or that class force. The position of each class and stratum of a class can be defined and understood only in relation to the emergence of this new power.⁴⁶

The source of the disorganization of the period 1866-77 was not merely the physical change brought by the emergence of urban-industrialism

⁴⁵ BEARD, C. & M., *THE RISE OF AMERICAN CIVILIZATION: THE INDUSTRIAL ERA* 52-122 (1927).

⁴⁴ THOMAS, *SOCIAL ASPECTS OF THE BUSINESS CYCLE* 137 (1925). The more recent study of HENRY & SHORT, *SUICIDE AND HOMICIDE: SOME ECONOMIC, SOCIOLOGICAL AND PSYCHOLOGICAL ASPECTS OF AGGRESSION* (1954), shows some relationship between homicide and the business cycle but contains no data for the years prior to 1906.

⁴⁶ ALLEN, *RECONSTRUCTION: THE BATTLE FOR DEMOCRACY 1865-1876* 79 (1937). While Allen writes from the perspective of a Marxist his analysis does not differ essentially from that of the liberal historian, WOODWARD, *REUNION AND REACTION: THE COMPROMISE OF 1877 AND THE END OF RECONSTRUCTION* (1956).

but the fact that a new class had come into dominance. Revolutions are defined and characterized by a "realignment of class forces", as Allen puts it, and it is a process which seems invariably to effect the crime rate. Thus, prior to the first American Revolution there was, according to Cal Briedenbaugh, "an alarming increase in robbery and violent crimes".⁴⁷ Our data indicate that the frequency of property crimes doubled between 1854 and 1860, although crimes of violence remained stationary. The impact of the Second American Revolution was not really felt until the post-war year, when the power vacuum created by the war generated the extreme political corruption of the Grant years, a corruption which spread from the white house to the court house. New York City in the 1870s, says Herbert Asbury, "entered upon an unparalleled era of wickedness . . . the police were unable to enforce even a semblance of respect for law".⁴⁸ Writing of New York in 1872 Edward Crapey says:

With its middle class in large part self-exiled, its laboring population being brutalized in tenements and its citizens of highest class indifferent to the commonwealth, 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.⁴⁹

Such situations were duplicated in all urban areas; and Buffalo was regarded as one of the most lawless cities in the country, and described as ". . . a 'sink of iniquity' . . . possessing the 'vilest sailors' slum in the United States . . . ruled by a corrupt municipal government waxing fat not only from protection of the underworld but also from direct plunder of the public".⁵⁰

⁴⁷ BRIEDENBAUGH, *CITIES IN REVOLT: URBAN LIFE IN AMERICA 1743-1776* 110 (1955). Hobbs, *Relationship Between Criminality and Economic Conditions*, 34 J. CRIM. L. & C. 5 (1943), notes that between 1791 and 1810 the total number of alleged offenders in Philadelphia Courts rose from 357 per year to 810, with property crimes increasing almost two-fold and personal crimes three-fold".

⁴⁸ ASBURY, *THE GANGS OF NEW YORK: AN INFORMAL HISTORY OF THE UNDERWORLD* 174 (1928). Chicago followed a similar course; see ASBURY, *GEM OF THE PRAIRIE: AN INFORMAL HISTORY OF THE CHICAGO UNDERWORLD* (1940).

⁴⁹ CRAFSEY, *THE NETHER SIDE OF NEW YORK, OR VICE, CRIME AND POVERTY OF A GREAT METROPOLIS* (1872). For other accounts of the time: BRACE, *THE DANGEROUS CLASSES OF NEW YORK* (1872); KEMMER, *MYSTERIES AND MISERIES OF THE GREAT METROPOLIS* (1874).

⁵⁰ HORTON, *HISTORY OF NORTHWESTERN NEW YORK*

This extreme disorganization, or anomie, did not arise out of the local scene; it was a product of the dislocation and virtual collapse of the institutional order of the total society. The abnormally high crime rate is but one symptom of the pervasive chaos of the period. However, as the social system began to stabilize in the mid-70s, the crime rate dropped. Following the stabilization there was a period of rapid capital formation, creating jobs for the working class, business for the middle class, fortunes for the upper class. Between the mid-seventies and the mid-nineties the capitalist system functioned reasonably well and there was sufficient confidence in the legitimacy of established authority to insure the minimum of social order. What, then, accounts for the rise of the crime rate in the "progressive period", the time from roughly 1900 to 1920?

(b) *Anomie as the discrepancy between expectations and fulfillment.* By the mid-nineties the capitalist system was faltering, and its consensual foundation was being called into question. During the populist-progressive years, the authority of capitalism was under attack from all sides. Physically conditions were no worse than in the earlier decades; in fact there was a continuous improvement in both wages and working conditions. But the collective definition of the situation was changing. Expectations were rising faster than opportunities for their fulfillment. The frustration created a resentment which expressed itself, on the one hand in revolutionary political activity, on the other hand in crime.⁵¹ On the eve of World War I the system verged close to a "socialist", or at least an anti-capitalist, revolution, a fate which was averted by waging war. World War I restored the institutional order of corporate capitalism and completed the consolidation of American corporate society. It seems also to have marked the end of any kind of organized mass protest, and the beginning of an age of conformity and compliance.

In the post-1920 period there was a fatalistic acceptance of the status quo, a possible lowering of expectations, an end to the American dream. Even the virtual disintegration of the economic system in the early 1930s produced only a passive desire for relief, not revolution. Apathetic populations—the peasantry in feudal societies, the masses

238 (1947). Cf. NEVINS, *GROVER CLEVELAND: A STUDY IN COURAGE* 57-63 (1934), for a portrait of Buffalo.

⁵¹ For the political picture of the 1910-20 years in Buffalo, see Powell, *Reform, Revolution and Reaction: A Case of Organized Conflict*, in HOROWITZ *THE NEW SOCIOLOGY* (1964).

in developed urban industrial societies—do not have high crime rates, for crime in the last analysis is a form of rebellion. On the positive side, however, is the fact that possibly more opportunities for small advancements have opened up for the lower classes since the 1920s. There is today less brutalization and coercion than in the earlier period, which may account for the declining rate of violent crimes. And the institutional order of state-corporate capitalism, for whatever other its defects, has undoubtedly created a degree of stability scarcely known in the years of intense class conflict between the Civil War and World War I.

The late Howard Becker noted that the trend toward secularization had spent itself by 1920. Since then there has been at work the counterforce of "sacralization"—the re-sanctification of the basic norms of the society, the formation of a new consensus which gave solidity to the social order.⁵² There has been historically speaking, a decrease in anomie, a growing integration of the social system since 1920 which may account for the declining crime rate.

Is there evidence of growing social integration? The past century has seen the passing of a communal, and the emergence of an associational society, with a maximum of anomie in the time of transition between the Civil War and World War I. With the corporation as its nucleus, supported by government, labor union and other associations, the new organism has brought order out of chaos. Although requiring ever larger injections of state capital (mainly in the form of defense spending), the corporate system functions with increasing efficiency, as measured by the declining trend in unemployment. Fully reliable data on unemployment prior to 1930 are not available. However, between 1870–1900, it is estimated that $\frac{1}{5}$ to $\frac{1}{4}$ of the urban working population was continually idle, a condition which obtained in Buffalo.⁵³ In 1901, a prosperous year, the U. S. Census reports Buffalo employment at approximately 20 per cent of the labor force.⁵⁴ During the "roaring twenties" for the nation as a whole "the jobless constituted 13 per cent of the labor force in 1924

and 1925 . . . 10 per cent in 1929 . . . in November 1929 Buffalo showed 10 per cent . . . totally unemployed . . . 6.5 per cent on part time [work]".⁵⁵ By 1932, unemployment rates were around 25 per cent, declining to 17.2 in 1939. With the infusion of war expenditures the rate dropped to 1.2 in 1944 and then rose to 3.6 in 1947, dropped to 2.5 by 1953 and rose to 5.5 by 1959.⁵⁶ In the early 1960s the rate hovered around 6 percent before declining to 4 per cent in 1966. The rising rate of unemployment is both a source and indicator of declining anomie. Simultaneously new institutions have emerged which provide a floor of minimum security. Far from revolutionary, trade unionism has proved to be a conservative and integrating force for the worker. And government welfare programs, initiated in the 1930s and bearing fruit in the 1960s, have alleviated the bitter destitution of an earlier era. Even the bottom people—the welfare recipients—have a stake in the Establishment which probably acts as an antidote to crime. In sum: integration into associational society has provided large numbers with a fixed and secure status, unknown in the pre-1920 world.

Clarence Darrow thought the crime trend in America was probably downward, a notion confirmed by the present inquiry. Other things being equal, Darrow wrote:

All new countries have a higher crime rate than old ones. . . . When we remember that crime means the violation of law, which in turn means getting out of the beaten path, it is easy to see why it is more common in new countries, where the paths are faint and not strongly marked, than in old countries where the paths are deep.⁵⁷

Since 1920 America has grown older, and with the institutionalization of state-corporate-capitalism there has been a deepening and solidification of the paths of life—a decline of anomie—and hence a reduction in the crime rate.

SUMMARY AND CONCLUSIONS

Crime, like suicide, must be seen as the result of social forces rather than individual defect.

⁵² Becker, *Normative Reactions to Normlessness*, 24 *Am. Socio. Rev.* 803 (1960).

⁵³ *Illustrated History of the United Trades and Labor Council of Erie County* (Buffalo: 1897). Cf. BRUCE, 1877: YEAR OF VIOLENCE 19 (1959).

⁵⁴ Bureau of the Census, *Occupations at the Twentieth Census. Special Reports* (Washington: U. S. Government Printing Office, 1904), 432.

⁵⁵ BERNSTEIN, *THE LEAN YEARS: A HISTORY OF THE AMERICAN WORKER, 1920–33* 59 (1960).

⁵⁶ Data from the Economic Report of the President, 1960, as cited by Boulding, *The Domestic Implications of Arms Control*, DAEDALUS 846 (1960).

⁵⁷ DARROW, *Crime and the Alarmists*, in OVERTON, *MIRRORS OF THE YEAR . . . OF 1926–7* 205–27 (1927).

Anomie is the decisive variable in the "behavior" of the crime rate. Existential, or material, factors—urbanism, industrialism—cannot fully account for the development of anomie. Therefore, it is necessary to examine the change in institutions, which define the meaning of existential realities. When there is a near collapse of the institutional order,

as in the 1866-77 decade, or a situation where expectations exceed the possibility of fulfillment, as in the time between 1900 and 1920, a condition of anomie exists and a high crime rate is to be expected. As ends and means are brought into closer harmony, as in the years since 1920, the crime rate subsides.