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## Explaining Crimes and Analogous Acts, or the Unrestrained Will Grab at Pleasure Whenever They Can

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## REVIEW ESSAY

### EXPLAINING CRIMES AND ANALOGOUS ACTS, OR THE UNRESTRAINED WILL GRAB AT PLEASURE WHENEVER THEY CAN

A GENERAL THEORY OF CRIME. By *Michael R. Gottfredson and Travis Hirschi*. Stanford University Press, 1990. Pp. 297.

HUGH D. BARLOW\*

#### I. INTRODUCTION

More than thirty years have passed since Robert Merton argued that social science was not ready for the formulation of a "master conceptual scheme from which it is hoped to derive a very large number of empirically observed uniformities of social behavior."<sup>1</sup> Merton proposed that sociologists construct "less imposing but better grounded theories of the middle range," thus forging a closer connection between theory and research. His idea, simply put, was for sociologists to capitalize on the interaction of theory and research while laying the groundwork for general theories and the derivation of scientific laws.

One is reminded of Merton's observations when contemplating the state of criminological theory in recent years. While many in the field accepted his advice, it seems that most have lost sight of its purpose. Instead of pursuing the theoretical advances Merton envisioned, criminology is still debating the merits of theories that have remained essentially unchanged for decades despite considerable evidence that none is adequate to the task of explaining crime. To make matters worse, the past twenty years have witnessed almost incessant arguments over the proper object of criminology (*e.g.*, is it crime or criminality?). Much heat has been generated, but little new light has been shed.

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<sup>1</sup> R. MERTON, *SOCIAL THEORY AND SOCIAL STRUCTURE* 5-7 (rev. ed. 1957).

The late 1980s may thus go down in history as the time criminology finally took stock of its achievements and rediscovered general theory. Although there is not space to discuss them here, I believe that three things are largely responsible for this turn of events: (1) a gradual breakdown of discipline boundaries; (2) a renewed appreciation of the overtly purposive nature of human behavior (*i.e.*, people behave with some thought to the consequences of their actions); and (3) a growing agreement that "the development of criminological theory over the past twenty years has lagged far behind technical and analytical refinements."<sup>2</sup>

Four important theories of crime appeared during this period, each purporting to explain a broad range of criminological facts that are not restricted to any one historical or social setting. The four theories are Wilson and Herrnstein's sociobiological learning theory of crime,<sup>3</sup> Braithwaite's theory of reintegrative shaming,<sup>4</sup> Cohen and Machalek's evolutionary ecological theory of expropriative crime,<sup>5</sup> and most recently, Gottfredson and Hirschi's theory of crime and criminality.<sup>6</sup> All are different, yet all incorporate one central notion, namely, that behavior is influenced by its consequences. This essay contemplates the general theory of crime proposed by Gottfredson and Hirschi. I shall first summarize their theory and then discuss two areas where it is vulnerable to attack.<sup>7</sup>

## II. A THEORY OF CRIME AND CRIMINALITY

Gottfredson and Hirschi start out with a condemnation: positivists generally look for the causes of crime within their own disciplines. "Thus, sociology looks to social class, culture, and

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<sup>2</sup> Weis, *Introduction to the Special Issue on Theory*, 25 *CRIMINOLOGY* 783 (1987). It is interesting that Weis continued, "The authors were told that I was not interested in the latest restatement of a theory or empirical test of a causal model, but rather on the kind of creative speculation that might produce new theoretical insights and developments." *Id.* at 784.

<sup>3</sup> J. WILSON & R. HERRNSTEIN, *CRIME AND HUMAN NATURE* (1985).

<sup>4</sup> J. BRAITHWAITE, *CRIME, SHAME AND REINTEGRATION* (1989).

<sup>5</sup> Cohen & Machalek, *A General Theory of Expropriative Crime: An Evolutionary Ecological Approach*, 94 *AM. J. SOC.* 465 (1988).

<sup>6</sup> M. GOTTFREDSON & T. HIRSCHI, *A GENERAL THEORY OF CRIME* [hereinafter *GOTTFREDSON & HIRSCHI*] (1990).

Mention should also be made of Jack Gibbs' ambitious effort to unify the science of sociology via the "central notion" of control. Although Gibbs does not offer a general theory of crime in his book, he gives numerous illustrations of how the notion of control facilitates the formulation of theories, including theories pertaining to crime. See J. GIBBS, *CONTROL: SOCIOLOGY'S CENTRAL NOTION* (1989).

<sup>7</sup> Gottfredson and Hirschi have been collaborating for almost a decade. For those readers who have closely followed this collaboration, much of what follows will sound familiar.

organization; psychology looks to personality; biology looks to inheritance; and economics looks to employment or work.”<sup>8</sup> As a result, “much of the research generated by these disciplines is beyond the reach of their own explanations of crime.”<sup>9</sup> And so Gottfredson and Hirschi find no adequate positivistic theory that accounts for a range of well-documented facts about crime (*e.g.*, the age curve, the gender gap, the disproportionate involvement of minorities, the high correlation between crime rates and rates of other “deviancy”<sup>10</sup>), and the characteristics of crime itself. They conclude that the deterministic theories of the disciplines are incompatible with the nature of crime.

Enter classical (rational choice) theory. From Bentham and Beccaria come conceptions of human nature and of crime that escape the fetters of disciplines and appear consistent with the facts about crime. According to the hedonic calculus of classical theory, people behave universally in ways they think will bring them pleasure and avoid actions they think will bring them pain or suffering. Thus, according to Gottfredson and Hirschi, “the existence of any item of behavior is *prima facie* evidence that its benefits exceed its costs . . . .”<sup>11</sup>

Actions, nevertheless, do not always bring pleasure to their perpetrators. This observation is probably more true of crime than many other acts, if only because victims tend to resist, and because a variety of sanctions may be invoked to punish or divert offenders. Gottfredson and Hirschi point out that most crimes are in fact *attempts*, which alone implies something about the nature of crimes—they are unlikely to be carefully thought-out, skillful acts involving special expertise, technology, or organization.

Since crime, as any other behavior, turns on the likelihood that it will bring pleasure, its characteristics must in general be consistent with that result irrespective of the specific motives, interests, or talents of perpetrators. Criminal acts therefore tend to be easy and simple to commit, to involve little skill or planning, and to be exciting, risky or thrilling. What makes crimes distinct from analogous acts is that they entail the use of force and fraud. According to Gottfredson and Hirschi, “[f]orce and fraud are ever-present possibilities in human affairs,”<sup>12</sup> and their use helps make gratification

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<sup>8</sup> M. GOTTFREDSON & T. HIRSCHI, *supra* note 6, at xiv.

<sup>9</sup> *Id.* at 274.

<sup>10</sup> Rates of other “deviancy” may include such variables as accidents, drug use, “victimizations,” family problems, and even disease.

<sup>11</sup> *Id.* at 9.

<sup>12</sup> *Id.* at 8.

*immediate*. On the other hand, force and fraud also threaten the self-interests of victims and are therefore universally resisted if not reacted to in kind. Thus, we have three additional characteristics of crime: it provides immediate gratification for the offender but produces both pain and suffering for the victim and the risk of long-term costs for the offender.

Crimes also have few long-term benefits, especially when compared to other activities (*e.g.*, "stable and honest employment"). Gottfredson and Hirschi use data from police, self-report and victimization sources to show that the characteristics of crime are inconsistent with long-term gains. On the whole, the gains from crime tend to be modest and immediate, and many (perhaps most) crimes produce no benefits at all. Furthermore, they observe that the characteristics of "ordinary" crimes are also inconsistent with the notion of specialization, as research on that issue has shown.<sup>13</sup> Their "versatility construct" thus posits that crimes are interchangeable not only among themselves but also with analogous acts that do not involve force or fraud. Gottfredson and Hirschi therefore reject traditional distinctions among crimes (*e.g.*, petty and serious, personal and property, attempted and completed, street and suite), finding such distinctions "without import" and "a waste of time." Their strategy is to demonstrate what crimes have in common as a basis for inferring what criminals have in common.<sup>14</sup>

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<sup>13</sup> Even the rare study that shows evidence of offense specialization reports it for a small minority of offenders, and little basis exists for predicting in which offense(s) people will specialize. See, *e.g.*, Farrington, Snyder & Finnegan, *Specialization in Juvenile Court Careers*, 26 *CRIMINOLOGY* 461 (1988); see also Kempf, *Specialization and the Criminal Career*, 25 *CRIMINOLOGY* 399 (1987).

In discussing the versatility of offenders, Gottfredson and Hirschi do recognize that criminal opportunities tend to repeat themselves (*e.g.*, the local shopping mall is a convenient place for shoplifting and purse snatching) and that arrest records may therefore show apparent specialization. "But even here the specific 'criminal career' will tend to quickly run its course and be followed by offenses whose content and character [are] likewise determined by convenience and opportunity (which is the reason why some form of theft is always the best bet about what a person is likely to do next)." GOTTFREDSON & HIRSCHI, *supra* note 6, at 92.

<sup>14</sup> Braithwaite also believes that "there is sufficient in common between different types of crime to render a general explanation possible." However, Braithwaite explicitly rejects the idea that crimes are *inherently* similar, arguing instead that they are qualitatively similar by virtue of the stigma attached to them, and by the fact that the offender makes a "defiant choice" in grasping the opportunity to perpetrate a crime. "The homogeneity presumed between disparate behaviors such as rape and embezzlement in [the theory of reintegrative shaming] is that they are choices made by the criminal actor in the knowledge that he is defying a criminal proscription which is mutually intelligible to actors in the society as criminal." BRAITHWAITE, *supra* note 4, at 1-3.

Thus, while Braithwaite clearly embraces the classical doctrine in this conceptualization, Gottfredson and Hirschi presumably would reject this view, since the "cause" of the behaviors in question is not the pleasure(s) inherent in the acts (crime is its own

Beyond the commonalities already noted, crimes will not occur unless an appropriate opportunity exists. Opportunity is defined by the logical structure of the crime itself and therefore will vary from one specific offense (embezzlement) to another (rape). Using a variety of evidence, Gottfredson and Hirschi describe the "typical or standard" characteristics and the logical structures (necessary elements or conditions) of burglary, robbery, homicide, auto theft, rape, embezzlement, and drug use. The characteristics and elements of the offenses are strikingly similar. However, it is also apparent that the likelihood of any particular crime being committed is influenced by both the availability of opportunities *and* a person's access to them. The characteristics of situations and the personal properties of individuals will thus jointly affect the use of force or fraud in pursuit of self-interest.

#### A. CRIMINALITY: LOW SELF-CONTROL

If crimes differ in opportunities for their commission, individuals differ in the extent to which they are vulnerable to the temptations provided by those opportunities. Gottfredson and Hirschi use the notion of *self-control* to represent that vulnerability, and criminality is synonymous with low self-control. Criminality refers to the propensity to use force and fraud in the pursuit of self-interest. Its characteristics are inferred from the characteristics of crime; in this manner, Gottfredson and Hirschi ensure that the conception of criminality is consistent with their conception of crime. Put in other words, people who commit crimes are assumed to possess traits that reflect the nature of those acts.

Consistent with the characteristics of crime, the traits associated with low self control include: short-time perspective; low diligence, persistence, and tenacity; a tendency to be "adventuresome, active, and physical;" a tendency to be "self-centered, indifferent, or insensitive to the suffering and needs and job profiles." In addition, people with a propensity to crime "need not possess or value cognitive or academic skills . . . [or] . . . manual skills that require training or apprenticeship."<sup>15</sup> Since these traits are also implicated in many noncriminal acts (*e.g.*, alcohol use, accidents, smoking, running away, truancy), "crime is not an automatic or necessary consequence of low self-control."<sup>16</sup> In other words, there is no theoretic-

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reward) but rather the willingness of individuals to defy the anticipated negative reactions of others.

<sup>15</sup> M. GOTTFREDSON & T. HIRSCHI, *supra* note 6, at 89-90.

<sup>16</sup> *Id.* at 91.

cal basis for predicting *which* of many possible crimes and analogous acts will be committed by individuals with low self-control.

The propensity to use force and fraud in the pursuit of self-interest varies among individuals, and Gottfredson and Hirschi turn to positivistic explanation for its causes. People do not choose to have self-control, but "self-control is unlikely in the absence of effort, intended or unintended, to create it."<sup>17</sup> Groups tend to promote self-control among members, since low self-control is contrary to group interests. Because the traits associated with low self-control are inconsistent with long-term benefits either to individuals or to their family, community, and society, it follows that low self-control (criminality) is produced by "negative" causes (*i.e.*, the absence of effective control and socialization) rather than by positive influences (*i.e.*, socialization to crime, cultural values in support of violence, special training in criminal techniques). That is, people universally will pursue self-interest in the simplest, easiest, and quickest way *unless* adequately restrained, and that restraint is what effective control and socialization accomplish.

#### B. THE CAUSE OF CRIMINALITY

Gottfredson and Hirschi identify the major cause of low self-control as "ineffective parenting." However, individual differences among children (and parents) may affect the prospects for good parenting. Thus, low intelligence tends to compromise the recognition of low self-control and the willingness or ability to do anything about it. Other factors affecting parental control and the prospects for effective socialization include parental criminality (low self-control is inconsistent with the effort and longtime perspective required of an effective caretaker), and anything that interferes with the monitoring and supervision of children.<sup>18</sup> Gottfredson and Hirschi acknowledge that schools and other socializing institutions (*e.g.*, marriage, work, Boy Scouts, *etc.*) may have positive effects on self-control, but the further one moves from early childhood, the more

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<sup>17</sup> *Id.* at 95.

<sup>18</sup> Single-parent families, unstable marriages, step-parent families, and working mothers are discussed in this context, but Gottfredson and Hirschi also point out that their model does not *require* the presence of any of these factors. Ineffective parenting can occur in stable, two-parent families with the mother at home. Nevertheless, research generally confirms that criminal activity is less likely in such families. See Werner, *Vulnerability and Resiliency in Children at Risk for Delinquency: A Longitudinal Study from Birth to Young Adulthood*, in PREVENTION OF DELINQUENT BEHAVIOR 16 (J. Buchard & S. Buchard eds. 1987); and Loeber & Stouthamer-Loeber, *Family Factors as Correlates and Predictors of Juvenile Conduct Problems and Delinquency*, in 7 CRIME & JUST.: AN ANNUAL REVIEW OF RES. 29 (M. Tonry & N. Morris eds. 1986).

difficult it becomes to make up for early deficiencies. Besides, the traits characteristic of low self-control are inconsistent with success at school, work, and interpersonal relationships. This fact explains, in their view, why delinquent youths end up in the company of each other ("birds of a feather"), and why failure in school, marriage and work correlates strongly with delinquency and crime (they all require diligence, hard work and willingness to defer gratification.)<sup>19</sup>

### C. THE STABILITY POSTULATE

One crucial element in the theory is the proposition that levels of self-control are relatively stable throughout the life course. In other words, early criminality predicts later criminality. Expressed yet another way, "differences between people in the likelihood that they will commit criminal acts persist over time."<sup>20</sup> Gottfredson and Hirschi predicate this "stability postulate" on the belief that the early failure of control and socialization cannot readily be overcome later in life any more than effective control and socialization of a child can be later undone. Both the notion that many noncriminal acts are analogous to crimes<sup>21</sup> and the stability postulate are central to Gottfredson and Hirschi's well-known critique of longitudinal research and the concept of career criminal, as well as to their argument that the age curve of crime is invariant (*i.e.*, crime rates rise sharply to a peak in the late teens and early twenties, and then fall off). It is also used to explain invariance in the gender gap in crime ("[m]en are always and everywhere more likely than women to commit criminal acts"<sup>22</sup>).

To summarize, the central proposition of Gottfredson and Hirschi's general theory of crime is as follows: Crime rate differences among individuals are explained by the independent effects of variations in the characteristics of crime itself (*i.e.*, the opportunity to pursue self-interest through the use of force or fraud) and variations in self-control (specifically, the propensity to use force or fraud in

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<sup>19</sup> M. GOTTFREDSON & T. HIRSCHI, *supra* note 6, at 154-68.

<sup>20</sup> *Id.* at 107.

<sup>21</sup> On this issue, Gottfredson and Hirschi observe:

Many noncriminal acts provide the benefits of crime, such as gambling, having sex, drinking alcohol, smoking cigarettes, and quitting a job. Evidence that these acts and criminal acts are equivalent is provided by the relatively strong positive correlations among them. These positive correlations suggest that 'pleasures' do not substitute for one another but tend to come together in bundles or clusters. We would guess, then, that crime cannot be prevented by supplying potential offenders with crime-equivalent pleasures, nor for that matter by denying them substitute pleasures.

*Id.* at 178.

<sup>22</sup> *Id.* at 145.

the pursuit of self-interest). Holding criminal opportunities constant, low self-control predicts relatively high rates of offending, low self-control earlier in life predicts criminality later in life, and criminality earlier in life predicts low self-control later in life.<sup>23</sup>

Gottfredson and Hirschi apply their theory to a variety of topics: white collar crime, organized crime, cross-cultural criminology, the social (peers, school, work, family) and individual (age, gender, race/ethnicity) correlates of crime, rehabilitation, and incapacitation. They also consider the theory's implications for longitudinal research and for policy. Since these sections of the book incorporate major portions of previously published papers, most readers will get few surprises. This is not a criticism, because criminologists now have the benefit of easy access to a decade's work by two highly respected colleagues. But it removes the inclination and need to rehash issues that by now have taken up considerable space in various books and journals, most notably the concept of career criminal, the invariance of the age effect on crime rates, and the merits of longitudinal research.<sup>24</sup> Instead, I shall focus on the scope of the theory, and on its application to minority crime. Space limitations necessarily call for brevity.

### III. THE SCOPE OF THE THEORY

Despite continued reference to "ordinary" or "common" crimes, Gottfredson and Hirschi call their theory general,<sup>25</sup> going so far as to claim that the theory "is meant to explain all crime, at all times, and, for that matter, many forms of behavior that are not sanctioned by the state."<sup>26</sup> In short, the independent effects of crime opportunities and criminality explain bait and switch in an appliance store, police brutality, bid-rigging, employee theft, fraudulent advertising, insider trading, tax evasion, smuggling, gang crimes, labor racketeering, prison rape, as well as armed robbery, arson, burglary, murder, rape and shoplifting, and even drug use, accidents, smoking and eating between meals. No specialized theo-

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<sup>23</sup> *Id.* at 119.

<sup>24</sup> These are surely the most hotly debated topics in the literature, and there seems no likelihood that the debate will be resolved soon. For a recent contribution to the debate, see Loeber & Snyder, *Rate of Offending in Juvenile Careers: Findings of Constancy and Change in Lambda*, 28 *CRIMINOLOGY* 97 (1990).

<sup>25</sup> For example, "Our theory was constructed with common offenses and offenders in mind. It is meant to explain and predict ordinary crime, juvenile delinquency, drug use, serious crime, 'organized' crime, and status offending, as well as white-collar crime. Since our theory permits no propensity distinctions among types of offenses, it is perfectly general . . ." M. GOTTFREDSON & T. HIRSCHI, *supra* note 6, at 200.

<sup>26</sup> *Id.* at 117.

ries are needed, because all crimes and analogous acts "provide relatively quick and relatively certain benefit with minimal effort."<sup>27</sup>

Similarly, no specialized theories apparently are needed to explain why some individuals commit crimes at a high rate and others at a low rate; holding opportunities constant, the difference reflects differences in level of self-control. Since the age effect is considered invariant,<sup>28</sup> both high and low rate offenders will experience a decline in crime with age, even though their levels of self-control remain relatively stable through the life course.

Unfortunately, Gottfredson and Hirschi do not develop the opportunity (crime) side of their theory sufficiently well to predict which of all these varied acts individuals are likely to commit (at a high or low rate) at any given time,<sup>29</sup> or when they might switch from one crime to another or from crime to a noncriminal but analogous act. Nor do they provide a basis for deducing what kind of social or cultural setting would experience a high (or low) rate of any particular crime or analogous act. Their treatment of these issues as theoretically irrelevant or inconsequential hardly lessens the theory's vulnerability to attack.

Whereas Gottfredson and Hirschi see the versatility construct as one of the theory's strong points, I have my doubts. It should not be forgotten that acts of force and fraud are certain to generate victims, and this includes attempts. A theory that cannot predict when specific acts of force or fraud are more or less likely cannot explain those acts and therefore has little practical use. The criticism extends to comparisons among crimes. Gottfredson and Hirschi find no merit in this criticism, arguing that their theory fits the facts about the nature and correlates of crime, including the essential similarity among crimes and therefore among criminals.

In my view, an effective challenge to the versatility construct essentially disproves the theory. Such an attack will probably come where the theory is most vulnerable, in its application to occupational crime—the use of force and fraud in the context of a job. Gottfredson and Hirschi present FBI arrest data on embezzlement and fraud to show that correlates of "white collar" crime are similar to those of murder (and therefore other common crimes). They also refer to "good research" that shows just how mundane, simple

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<sup>27</sup> *Id.* at 190.

<sup>28</sup> *See id.* at 124-44.

<sup>29</sup> Braithwaite (among others) has cited this as a limitation of Hirschi's original version of control theory: It gives "no account of why some uncontrolled individuals become heroin users, some become hit men, and others price fixing conspirators." J. BRAITHWAITE, *supra* note 4, at 13.

and easy occupational crimes are and that the people who commit them also tend to commit analogous acts (*e.g.*, drug and alcohol use).<sup>30</sup>

I believe that the evidence is inconclusive on these issues. Indeed, much of it clearly challenges another assertion of their theory—that crime is more prevalent among those outside the occupational structure than among those in it.<sup>31</sup> The lack of consistent evidence of an unemployment-crime relation (which Gottfredson and Hirschi discuss<sup>32</sup>) is one challenge, but another comes from the evidence showing that employee fraud and theft, though often mundane, are widespread in all sectors of the United States economy as well as in those of communist countries.<sup>33</sup> Furthermore, evidence of widespread crime in the fields of health, real estate, banking (the current savings and loan disaster comes to mind), insurance, defense contracting, and politics hardly supports the contention that high-end occupations are inconsistent with criminality, however defined.<sup>34</sup>

Gottfredson and Hirschi do not assert that criminality is *absent* among corporate executives or other high-level employees, merely that it is less prevalent the higher one ascends the occupational ladder. Even if this is true, many of the crimes committed at the high end display characteristics opposite those indicative of low self-control. Compared to low-end crime, high-end crime is much more likely to involve planning, special expertise, organization, delayed gratification, and persistence—as well as considerably larger potential gains with arguably less long-term cost.<sup>35</sup> Such distinctions are also apparent when comparing the activities of fences with thieves, “good” burglars with “kick-it-in-men,” pickpockets with purses-natchers, and confidence artists who work the “big con” with those

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<sup>30</sup> M. GOTTFREDSON & T. HIRSCHI, *supra* note 6, at 184-200.

<sup>31</sup> *Id.* at 191.

<sup>32</sup> *Id.* at 163-67.

<sup>33</sup> See, *e.g.*, LOS, *Economic Crimes in Communist Countries*, in *COMPARATIVE CRIMINOLOGY* (I. Barak-Glantz and E. Johnson eds. 1983); see also Hovarth, *Self-Reported Work-Place Theft, Use of Illicit Drugs, and the Personal Characteristics of Job Applicants*, 1 *SECURITY J.* 226, 231-32 (1990); M. BAKER & A. WESTIN, *EMPLOYER PERCEPTIONS OF WORKPLACE CRIME* (1987); T. BAUMER & D. ROSENBAUM, *COMBATting RETAIL THEFT: PROGRAMS AND STRATEGIES* (1984); S. HENRY, *THE HIDDEN ECONOMY* (1978); S. LEININGER, *INTERNAL THEFT: INVESTIGATION AND CONTROL* (1975).

<sup>34</sup> A useful review of the literature is provided in J. COLEMAN, *THE CRIMINAL ELITE: THE SOCIOLOGY OF WHITE COLLAR CRIME* (1989).

<sup>35</sup> Nor should we lose sight of the fact that many victimizing acts at the high-end of the occupational structure are not criminal; hence, they do not carry the risks of crime even if the perpetrators are caught. See *CORRIGIBLE CORPORATIONS AND UNRULY LAW* (B. Fisse and P. French eds. 1985).

who do "short con."<sup>36</sup> If I understand Gottfredson and Hirschi correctly, their theory could accommodate these observations in only one of two ways: either temptations to commit force and fraud in the pursuit of self-interest overwhelm the resistance associated with self-control, or (many) individuals with low self-control manage somehow to become managers, professionals, and entrepreneurs.

Unless their stability postulate is wrong. In that case, it is possible for people with low self-control early in life to develop it later and for individuals with self-control early in life to later lose it. Braithwaite's theory of reintegrative shaming presumes this to be true, while Gottfredson and Hirschi's theory requires that it not be. Recall that low self-control is inconsistent with effective control and socialization, which includes socialization into as well as out of crime. Hence the groups and organizations to which offenders belong are regarded as facilitating crime among people who *already* lack self-control. Gottfredson and Hirschi thus dismiss as misguided (or poor) research suggesting that the social and cultural milieu of an organization generates criminality among its members. Besides, they argue, there is little social support of white collar offenders, because their offenses usually victimize the organizations in which they work and are detrimental to fellow employees.

My reading of wide-ranging research is different. Whether the subject is police corruption,<sup>37</sup> employee pilfering,<sup>38</sup> the ethics of corporate managers,<sup>39</sup> anti-trust violations,<sup>40</sup> "underground" trading,<sup>41</sup> or city politics,<sup>42</sup> one finds social support of criminality through accommodating norms and values and networks of cooperation. Gottfredson and Hirschi's view that such support relates to the nature and context of crime itself rather than to the propensity of individuals to commit it would perhaps constitute a fatal counter-attack if they could also show that self-control cannot be undermined by external (group) influence.

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<sup>36</sup> See Shover, *The Social Organization of Burglary*, 20 SOC. PROBS 499 (1973); D. STEFENSMEIER, *THE FENCE: IN THE SHADOW OF TWO WORLDS* (1986); C. KLOCKARS, *THE PROFESSIONAL FENCE* (1974); D. MAURER, *THE BIG CON* (1940); Roebuck & Johnson, *The "Short Con" Man*, 10 CRIME & DELINQ. 235 (1964).

<sup>37</sup> See Roebuck & Barker, *A Typology of Police and Corruption*, in CRIME PREVENTION AND SOCIAL CONTROL (R. Akers & E. Sagarin eds. 1974); J. RUBINSTEIN, *CITY POLICE* (1973).

<sup>38</sup> See G. MARS, *CHEATS AT WORK: AN ANTHROPOLOGY OF WORKPLACE CRIME* (1983).

<sup>39</sup> See R. JACKALL, *MORAL MAZES* (1988).

<sup>40</sup> See Benson, *Denying the Guilty Mind: Accounting for Involvement in a White-Collar Crime*, 23 CRIMINOLOGY 583 (1985).

<sup>41</sup> See S. HENRY, *THE HIDDEN ECONOMY: THE CONTEXT AND CONTROL OF BORDERLINE CRIME* (1987).

<sup>42</sup> See W. CHAMBLISS, *ON THE TAKE: FROM PETTY CROOKS TO PRESIDENTS* (1978).

## IV. MINORITY CRIME

Among the facts about crime in America are these: African-Americans constitute roughly twelve percent of the population, yet nearly fifty percent of those arrested for violent crime are African-American, as are thirty-three percent of those arrested for property crimes, forty percent of those serving jail time, and forty-seven percent of those in state prisons.<sup>43</sup> A general theory of crime ought to be able to explain these facts.

Gottfredson and Hirschi reject traditional explanations of disproportionate minority involvement in crime (*e.g.*, inequality and subcultural theories) and resort to an emphasis on the self-control component of their theory.<sup>44</sup> Parental management of children is hypothesized to be the key to understanding racial variations in crime, and within the realm of parenting, discipline is hypothesized to be a more important factor than supervision, which affects access to criminal opportunities. However, Gottfredson and Hirschi cite no evidence, saying only that “[p]artitioning race or ethnic differences into their crime and self-control components is not possible with currently available data.”<sup>45</sup>

On Gottfredson and Hirschi’s side, the relationship between parenting and delinquency is one of the strongest in the literature, and evidence is piling up that the impact of structural factors (*e.g.*, family composition, SES) on delinquency is mediated by parental management.<sup>46</sup> Nevertheless, to the extent that poverty, community disorganization, large family size, and family instability impact negatively on parental management, rates of crime and delinquency will be affected. Such structural conditions are prevalent in inner-city black communities,<sup>47</sup> where rates of victimization by force and fraud are also high. Gottfredson and Hirschi do not explore the implications of this for their theory.

In rejecting inequality theories of race differences in crime, Gottfredson and Hirschi point out that “[o]ffenders tend to victimize people who share their unfortunate circumstances.”<sup>48</sup> True, but then this question arises: Are there race differences in the tendency

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<sup>43</sup> BUREAU OF JUSTICE STATISTICS, *CRIME AND JUSTICE IN AMERICA* 41 (2d ed. 1988).

<sup>44</sup> M. GOTTFREDSON & T. HIRSCHI, *supra* note 6, at 153.

<sup>45</sup> *Id.*

<sup>46</sup> See Laub & Sampson, *Unraveling Families and Delinquency: A Reanalysis of the Gluecks' Data*, 26 *CRIMINOLOGY* 355 (1988); Larzelere & Patterson, *Parental Management: Mediator of the Effect of Socioeconomic Status on Early Delinquency*, 28 *CRIMINOLOGY* 301 (1990).

<sup>47</sup> See W. WILSON, *THE TRULY DISADVANTAGED: THE INNER CITY, THE UNDERCLASS, AND PUBLIC POLICY* (1987).

<sup>48</sup> M. GOTTFREDSON & T. HIRSCHI, *supra* note 6, at 152.

for offenders to victimize people who are like themselves? According to their theory, crime is a matter of "proximity, ease, and convenience of rewards;"<sup>49</sup> hence no *a priori* basis exists for predicting such differences (in other words, crimes tend to involve victims and offenders of the same race and circumstances). A good deal of research supports this prediction. Nevertheless, studies of the urban distribution of crime indicate that black offenders have a more restricted image of the city than white offenders, who can move around more freely and need not concentrate their criminal activities in areas close to home thereby foregoing "easy marks."<sup>50</sup> This suggests that while most crime tends to be intraracial, crimes committed by whites are likely to be more dispersed and hence potentially more rewarding but also more costly and risky than crimes committed by blacks. If access to profitable criminal opportunities is skewed in favor of whites, Gottfredson and Hirschi are silent on the issue and its implications for their theory.

#### V. CONCLUSION

The general theory of crime proposed by Gottfredson and Hirschi will be the object of considerable discussion within criminology as well as outside the field. I make no claim to have done it justice in this brief account, and other critics may regard the issues I have raised as less important than some others. In the end, of course, one hopes the theory will rise or fall on its merits, something that can only be established thorough systematic tests of hypotheses derived from it.

In this regard, Gottfredson and Hirschi are not very helpful. They provide no summary statement of linked axioms or postulates, nor do they discuss the rules of logic by which hypotheses might be derived. Since the crime part of the theory applies to differences among acts and the criminality part to differences among individuals, it is actually two distinct theories. Even though Gottfredson and Hirschi define criminality in terms of certain inferred properties of crime, it is not at all clear how differential opportunities for force and fraud link theoretically (or logically) with differential levels of self-control. On the issue of self-control, Gottfredson and Hirschi never do provide an operational definition or specify a basis for distinguishing degrees of self-control. It is hardly helpful to equate

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<sup>49</sup> *Id.* at 152.

<sup>50</sup> See R. CARTER & K. HILL, *THE CRIMINAL'S IMAGE OF THE CITY* (1979); S. BOGGS, *THE ECOLOGY OF CRIME OCCURRENCES IN ST. LOUIS: A RECONCEPTUALIZATION* (1964).

“low self-control” with “criminality,” when criminality itself is defined as a propensity that varies from individual to individual.