
BACKGROUND BOOKS

CRIME

The men and women who first settled North America imported from Europe not only their tools, their books, and their ministers, but also a conception of crime as synonymous with "sin" and (as Hester Prynne could attest) a criminal justice system that emphasized the *public* nature of punishment.

The colonies also imported not a few criminals. As Samuel Walker notes in **Popular Justice** (Oxford, 1980, cloth & paper), after an act of Parliament in 1717, Britain sent 30,000 felons to the American colonies.

Walker's concise, well-written history of crime and criminal justice in the United States runs through the late 1970s. He traces the origins of contemporary concern over rising crime rates—and the emergence of a new type of criminal—back to World War II. The turbulent war years, he writes, "stimulated concern about the problem of juvenile delinquency and generated an anti-delinquency effort that continued into the 1960s."

The juvenile "crime wave" of the 1940s and '50s prompted a great deal of scholarly research.

Albert K. Cohen's **Delinquent Boys** (Free Press, 1955, cloth; 1971, paper) was one of the first of these studies. Cohen advances the notion of a "delinquent subculture" that reinforces antisocial behavior. His views reflect the earlier "differential association" theory of Edwin H. Sutherland and Donald R. Cressey as formulated in their classic **Principles of Criminology** (Harper, 1st ed., 1934; 10th ed., 1978). The authors argue that criminal activity, be it shoplifting or tax evasion, is learned through association with persons who condone such behavior. Cultural deviance rather

than personality traits or basic human drives is to blame for crime.

A related but distinct explanation is the "differential opportunity" or "strain" theory, developed by Richard A. Cloward and Lloyd Ohlin in **Delinquency and Opportunity** (Free Press, 1960, cloth; 1966, paper).

Members of the underclass, they say, turn to crime to secure the rewards denied them by an affluent society, as well as to vent their rage on those who have the money and status (and even moral values) they desire for themselves. The chief objection to strain theory is that crime is not confined to the poor.

Variations of the views cited above are held by most American criminologists. A recent challenge comes from "control theory," espoused by Travis Hirschi in **Causes of Delinquency** (Univ. of Calif., 1969). Why do people commit crime? Hirschi prefers to ask: Why do people *not* commit crime?

Control theorists start off with the idea that the appeal of crime is obvious, that people are not necessarily "moral animals," and that certain tendencies (such as the natural covetousness of children) need to be corrected. They stress the importance of individual personalities and the element of rational calculation ("Can I get away with it?").

In sum, delinquency is something that must be *averted*: by strong attachments to family and friends, by inculcation of moral values and a belief in the "payoff" of good behavior.

Whether delinquency is learned or unlearned, it is something society must deal with when it occurs. Few Americans are well acquainted with any aspect of law enforcement and

criminal justice. William Ker Muir, Jr., provides a partial remedy in **Police: Streetcorner Politicians** (Univ. of Chicago, 1977, cloth & paper), an in-depth, graphic study of the police department of the real but pseudonymous city of Laconia (pop.: 500,000).

Other vivid (and troubling) accounts of the workings of justice in the United States include Peter S. Prescott's portrait of the juvenile courts in New York City, **The Child Savers** (Knopf, 1981, cloth; Simon & Schuster, 1982, paper) and **A Prison and a Prisoner** (Houghton, 1978), Susan Sheehan's profile of 57-year-old George Manilow, a "professional prisoner" at Green Haven Correctional Facility in Beckman, N.Y. Her book is perhaps the best survey of life behind bars: the "economy," the staff, the inmates, the politics, the racial tensions, the sexual violence.

Is learning something about the causes of crime of any use in controlling crime? Attempts to alter the criminal justice system often turn on one's answer to that question.

Both former Attorney General Ramsey Clark (**Crime in America**, Simon & Schuster, 1970, cloth; Pocket Books, 1971, paper) and Charles Silberman (**Criminal Violence, Criminal Justice**, Random, 1978, cloth; 1980, paper) contend that the only effective way to combat crime is to attack what they believe to be its causes: poverty, racism, community disorganization.

James Q. Wilson, in **Thinking About Crime** (Basic, 1975, cloth; Random, 1977, paper), demurs. The

problem, he writes, "lies in confusing causal analysis with policy analysis." He does not argue that social programs are useless but notes that they often have unintended consequences. ("The contacts of upper-middle-class suburban youths with ghetto blacks as a result of the civil-rights programs," he contends, "increased access to the drug culture.") Social ills, moreover, cannot be quickly cured, while crime remains an *immediate* problem as well as a long-term one.

"If we regard any crime prevention or crime reduction program as defective because it does not address the 'root causes' of crime, then we shall commit ourselves to futile acts that frustrate the citizen while they ignore the criminal."

As for the death penalty, the debate is pursued in two books whose titles are self-explanatory: **For Capital Punishment: Crime and the Morality of the Death Penalty** (Basic, 1979, cloth; 1981, paper) by Walter Berns, and **Capital Punishment: The Inevitability of Caprice and Mistake** (Norton, 1981, cloth & paper) by Charles L. Black, Jr.

Criminologists often forget what movie-makers and novelists have always known: Crime can be entertaining. Carl Sifakis's **The Encyclopedia of American Crime** (Facts on File, 1982) boasts 1,500 entries on gangsters, trials, slang, weapons, detectives, con games, and some of the Great Questions of the Day: Can toothmarks, for example, be admitted as evidence in court?