

DELINQUENCY, CRIME
AND
DIFFERENTIAL ASSOCIATION

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by

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PREFACE

This is a book about Edwin H. Sutherland's theory of differential association. I received my Ph.D. from Indiana University, where I worked with Sutherland, and the volume is made up principally of my writings on differential association during the years 1952–1963. However, the volume is neither a festschrift nor a book of reprints. The original materials have in most cases been quite severely edited in order to give the volume coherence and in order to minimize repetition and redundancy. For example, portions of one journal article appear in Chapters I, IV and V; parts of a chapter published in a recent book appear in Chapters I, II and III; and Chapter IX is composed of two inter-related articles, published eight years apart. Chapter I has not appeared elsewhere in its present form, but most of it consists of snippets culled from several of my articles and books and woven together in new form.

The book is intended primarily for non-American readers, who on the whole are not as familiar with Sutherland's theory (or with other sociological and social psychological theories about delinquency, crime and corrections) as are Americans. Yet at least a nodding acquaintance with Sutherland's work is becoming increasingly necessary to an intelligent reading of the American literature in criminology. For instance, American authors are beginning to refer to "the theory of differential association", or just "differential association", without citing Sutherland or anyone else, apparently on the assumption that readers are familiar with the theory and its origins.¹ It was with this idea in mind that Professor Leon Radzinowicz, Director of the Institute of Criminology at the University of Cambridge, encouraged me to as-

¹ See, for example, Albert J. Reiss, Jr. and Albert Lewis Rhodes, "Delinquency and Social Class Structure", *American Sociological Review*, 26 (October, 1961), pp. 720–732.

semble the volume during my 1961–1962 year as Visiting Fellow at the Institute. His recent survey of criminological research and teaching in Europe and the United States revealed an appalling lack of consensus among criminologists regarding even such fundamental problems as definition of subject matter.² A nuclear physicist working in a laboratory in any nation in the world could quite easily (barring political considerations) transfer his work to a laboratory in another nation, quickly integrating his research with that of the men in the new laboratory. This is not true of criminologists. The research being conducted in one centre or institute may be completely unrelated to the research being conducted in another, principally because there are wide variations in the basic definitions of the subject matter of criminology, in conceptions of criminology's objectives, and in the "basic" theory about the etiology of crime and delinquency and the reformation of criminals. To some degree, this lack of consensus is due to lack of familiarity with the work of men in other nations, and to some degree this lack of familiarity, in turn, is due to the fact that criminological works tend to be published, especially by Americans, in a wide range of legal, psychological, sociological and correctional journals, some of them quite obscure.

We do not expect this volume to correct these deficiencies in criminology, but we hope it will increase criminological consensus by bringing together in one place some comments on and criticisms of one of the most important ideas put forth by an American criminologist. Sutherland's theory of differential association anticipated much of the current sociological and social psychological thought in criminology and I believe it is fair to say that he, more than any other single person, was responsible for such theoretical and methodological consensus as now exists among the sociologists and social psychologists who give their professional attention to problems in the field of criminology. This volume will at least make his theory more accessible than it has been. We hope, also, that our comments on the theory and our criticisms of it will lead to a more widespread concern for its implications than has been the case in the past, especially among Europeans.

² Leon Radzinowicz, *In Search of Criminology*, London: Heinemann, 1961.

We wish to express our thanks to the following publishers, for permission to reprint. To the J.B. Lippincott Company for the material from Edwin H. Sutherland, *Principles of Criminology*, Third Edition, 1939, and from Edwin H. Sutherland and Donald R. Cressey, *Principles of Criminology*, Sixth Edition, 1960, appearing here in Chapter I, pp. 4-5, 6-11 and 12-19. To the editors of *Social Problems* for the material from "The Theory of Differential Association: An Introduction", 8 (Summer, 1960), pp. 2-6, appearing here in Chapter I, pp. 3-4, 6 and 11-12. To Harcourt Brace and World for material from Robert K. Merton and Robert A. Nisbet, Editors, *Contemporary Social Problems*, 1961, appearing here in Chapter I, pp. 21-33; Chapter II, pp. 32-34 and 36-41; and Chapter III, pp. 50-66. To the editors of the *Pacific Sociological Review* for the material from "Epidemiology and Individual Conduct: A Case from Criminology", 3 (Fall, 1960), pp. 47-48, appearing here in Chapter I, pp. 24-29; Chapter IV, pp. 67-78; and Chapter V, pp. 81-89. To the editors of *Crime and Delinquency* (formerly *National Probation and Parole Association Journal*) for the material from "The State of Criminal Statistics", *National Probation and Parole Association Journal*, 3 (July, 1957), pp. 230-241, appearing here in Chapter II, pp. 34-36 and 41-49. To the editors of the *Journal of Criminal Law, Criminology and Police Science* for the material from "The Differential Association Theory and Compulsive Crimes", 45 (June, 1954), pp. 29-40, appearing here as Chapter VI, pp. 90-107; and for the material from "Application and Verification of the Differential Association Theory", 43 (May-June, 1952), pp. 43-52, appearing here as Chapter VII, pp. 108-118. These two articles were copyrighted © in 1954 and 1952 by the Northwestern University School of Law. To the editors of *Federal Probation* for the material from "Contradictory Directives in Correctional Group Therapy Programs", 23 (June, 1954), pp. 20-26, appearing here in Chapter VIII, pp. 127-138. To the University of Chicago Press for the material from "Changing Criminals: The Application of the Theory of Differential Association", *American Journal of Sociology*, 61 (September, 1955), pp. 116-120, appearing here in Chapter VIII, pp. 123-126 and in Chapter IX, pp. 139-143; and for the material from "Differential Association and the Rehabilitation of Drug Addicts",

American Journal of Sociology, 69 (September, 1963), pp. 129–142
(with Rita Volkman), appearing here in Chapter IX, pp. 143–164.

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I

AN INTRODUCTION TO THE THEORY
OF DIFFERENTIAL ASSOCIATION

CHAPTER I

A STATEMENT OF THE THEORY

The first formal statement of Edwin H. Sutherland's theory of differential association appeared in the third edition of his *Principles of Criminology*, in 1939. Sutherland later pointed out that the idea of differential association was included in an earlier edition of the text, where it was stated that any person can be trained to adopt and follow any pattern of behaviour which he is able to execute, that failure to follow a prescribed pattern of behaviour is due to inconsistencies in the culture, and that "culture conflict" is therefore the fundamental condition to be considered in any explanation of crime.¹ He confessed that he was unaware that this statement was a general theory of criminal behaviour.² He had written the first edition of the book because the head of his department had asked him to do so, thus launching a distinguished career in criminology. However, his principal theoretical interest at the time was one he shared with other criminologists—the controversy between heredity and environment. In preparing his textbook, he reviewed much of the writing on crime and criminals, especially the research studies, and organized the results topically—economic factors, political factors, physical factors, etc.—rather than according to a theoretical system. At the time, he made no effort to generalize about the various facts that he and other scholars had discovered about crime. Instead, he took pride in his "broadminded" lack of concern for any of the contradictory theories then in vogue. He also took the view that criminology was at most a synthetic science, an organization of the research findings of disciplines

¹ Edwin H. Sutherland, *Principles of Criminology*, Second Edition, Philadelphia: Lippincott, 1934, pp. 51–52.

² Edwin H. Sutherland, "Development of the Theory", in Albert Cohen, Alfred Lindesmith and Karl Schuessler, Editors, *The Sutherland Papers*, Bloomington, Indiana University Press, 1956, p. 16.

such as economics, psychology and biology. It was his efforts to apply sociological concepts to criminal behaviour that led him, unwittingly, to the statement in the second edition of his book. Especially important were Thomas's writings on "attitude-value", "four wishes", "isolation" and "culture-conflict", and Park and Burgess's writings on the processes of assimilation, accommodation, competition and cooperation.

At the insistence of his colleagues, Sutherland drew up a formal set of propositions based on the 1934 statement and appended it to the third edition of his textbook. Michael and Adler had published their critical appraisal of criminological research,³ and this had turned Sutherland's attention toward a concern for making generalizations about the facts regarding crime and criminals. The "culture conflict" concept was coming into vogue, and Sutherland worked with Sellin on the Social Science Research Council Bulletin which organized some of the data of criminology around that concept.⁴ Henry McKay, Hans Riemer, Harvey Locke, Lowell Sweetser and Alfred R. Lindesmith were among the colleagues who prodded Sutherland into stating his sociological ideas about criminal behaviour in a formal manner.

Lindesmith was especially influential, for in his research on drug addiction he had insisted on a methodology aimed at the production of universal generalizations, rather than at the production of statistical summaries.⁵ The method involves case studies, directed by explicit hypotheses, of rigorously defined categories of behaviour. The procedure has essentially the following steps. First, a rough definition of the behaviour to be explained is formulated. Second, a hypothetical explanation of the behaviour is formulated. Third, one case is studied in the light of the hypothesis with the object of determining whether the hypothesis fits the facts in that case. Fourth, if the hypothesis does not fit the facts, either the hypothesis is reformulated or the

³ J. Michael and M. J. Adler, *Crime, Law and Social Science*, New York: Harcourt, Brace, 1933.

⁴ Thorsten Sellin, *Culture Conflict and Crime*, New York: Social Science Research Council, 1938. In the preface to this volume, Mark A. May says "Professor Sellin wishes to record here his appreciation to his colleague on the subcommittee, Professor Sutherland, who during the entire period that this monograph has been in preparation has assisted with his wise counsel".

⁵ Alfred R. Lindesmith, *Opiate Addiction*, Bloomington: Principia Press, 1947. Publication of this book was delayed about ten years by the war.

behaviour to be explained is redefined, so that the case is excluded. This definition must be more precise than the first one, and it may not be formulated *solely* to exclude a negative case. The negative case is viewed as a sign that something is wrong with the hypothesis, and redefinition takes place so that the cases of behaviour being explained will be homogeneous. Fifth, practical certainty may be attained after a small number of cases have been examined in this way, but the location by the investigator, or anyone else, of a negative case disproves the explanation and requires a reformulation. Sixth, this procedure of examining cases, redefining the behaviour and reformulating the hypothesis, is continued until a universal relationship is established, each negative case calling for a redefinition or a reformulation. The negative case—that is, the one which does not fit the hypothesis—is the important point in the procedure for it calls for redefinition or reformulation. Seventh, for purposes of proof, cases outside the area circumscribed by the definition are examined to make certain that the final hypothesis does not apply to them. This step is in keeping with the observation that scientific generalizations consist of descriptions of conditions which are always present when the phenomenon being explained is present but which are never present when the phenomenon is absent.⁶

This notion of proper procedures in social science research insists, when applied to the study of delinquents, that the objective should be to separate the behaviour of delinquents from the behaviour of non-delinquents on the basis of causal process. It was this objective that Sutherland sought when he published the 1939 version of his theory: "It was my conception that a general theory should take account of all the factual information regarding crime causation. It does this either by organizing the multiple factors in relation to each other or by abstracting them from certain common elements. It does not, or should not, neglect or eliminate any factors that are included in the multiple factor theory."⁷

In one sense, the formal statement appearing in the third

⁶ This summary has been taken from Edwin H. Sutherland and Donald R. Cressey, *Principles of Criminology*, Sixth Edition, Philadelphia: Lippincott, 1960, pp. 68–69. See also Donald R. Cressey, *Other People's Money: A Study of the Social Psychology of Embezzlement*, Glencoe: The Free Press, 1953.

⁷ "Development of the Theory", *op. cit.*, p. 18.

edition of *Principles of Criminology* was short lived. For reasons which have never been very clear, the statement of the theory was qualified so that it pertained to only "systematic criminal behaviour", rather than to the more general category, "criminal behaviour". The theory was stated in the form of the following seven propositions.⁸

"First, the processes which result in systematic criminal-behaviour are fundamentally the same in form as the processes which result in systematic lawful behaviour. If criminality were specifically determined by inheritance, the laws and principles of inheritance would be the same for criminal behaviour and for lawful behaviour. The same is true of imitation or any other genetic process in the development of behaviour. Criminal behaviour differs from lawful behaviour in the standards by which it is judged but not in the principles of the genetic processes.

"Second, systematic criminal behaviour is determined in a process of association with those who commit crimes, just as systematic lawful behaviour is determined in a process of association with those who are law-abiding. Any person can learn any pattern of behaviour which he is able to execute. He inevitably assimilates such behaviour from the surrounding culture. The pattern of behaviour may cause him to suffer death, physical injury, loss of friendship, or loss of money, but it may nevertheless be followed with joy provided he has learned that it is the thing to do. Since criminal behaviour is thus developed in association with criminals it means that crime is the cause of crime. In the same manner war is the cause of war, and the Southern practice of dropping the "r" is the cause of the Southern practice of dropping the "r". This proposition, stated negatively, is that a person does not participate in systematic criminal behaviour by inheritance. No individual inherits tendencies which inevitably make him criminal or inevitably make him law abiding. Also, the person who is not already trained in crime does not invent systematic criminal behaviour. While personality certainly includes an element of inventiveness, a person does not invent a system of criminal

⁸ Edwin H. Sutherland, *Principles of Criminology*, Third Edition, Philadelphia: Lippincott, 1939, pp. 4-9.

behaviour unless he has had training in that kind of behaviour, just as a person does not make systematic mechanical inventions unless he has had training in mechanics.

“Third, differential association is the specific causal process in the development of systematic criminal behaviour. The principles of the process of association by which criminal behaviour develops are the same as the principles of the process by which lawful behaviour develops, but the contents of the patterns presented in association differ. For that reason it is called differential association. The association which is of primary importance in criminal behaviour is association with persons who engage in systematic criminal behaviour. A person who has never heard of professional shoplifting may meet a professional shoplifter in his hotel, may become acquainted with and like him, learn from him the techniques, values, and codes of shoplifting, and under this tutelage may become a professional shoplifter. He could not become a professional shoplifter by reading newspapers, magazines or books. The impersonal agencies of communication exert some influence but are important principally in determining receptivity to the patterns of criminal behaviour when they are presented in personal association, and in producing incidental offences. These patterns are presented through the impersonal agencies of communication to everyone in our culture. Every child capable of learning inevitably assimilates knowledge regarding property rights and thefts in the simpler situations. It is probably for this reason that everyone is somewhat criminal. College students, with a few exceptions doubtless due to poor memories, report an average of eight thefts or series of thefts during their lifetimes; a series of thefts in this case may include scores of incidents, such as stealing fruit from neighbours’ trees from the age of seven to twelve. These thefts were reported equally for males and females, and continued in most cases to the age at which the reports were made. In the later years they generally took the form of theft of books from the library, of equipment from the gymnasium or laboratory, or of souvenirs from hotels and restaurants. Students do not regard such thefts as especially reprehensible; they regard them as amusing. Similarly, boys in the delinquent areas of cities do not regard thefts of

automobiles or the burglary of stores as reprehensible, and business or professional men do not regard their frauds and tricky manipulations as reprehensible. A person engages in those criminal acts which are prevalent in his own groups, and he assimilates them in association with the members of the groups.

“Fourth, the chance that a person will participate in systematic criminal behaviour is determined roughly by the frequency and consistency of his contacts with the patterns of criminal behaviour. If a person could come into contact only with lawful behaviour he would inevitably be completely law-abiding. If he could come into contact only with criminal behaviour (which is impossible, since no group could exist if all of its behaviour were criminal) he would inevitably be completely criminal. The actual condition is between these extremes. The ratio of criminal acts to lawful acts by a person is roughly the same as the ratio of the contacts with the criminal and with the lawful behaviour of others. It is true, of course, that a single critical experience may be the turning point in a career. But these critical experiences are generally based on a long series of former experiences and they produce their effects generally because they change the person’s associations. One of these critical experiences that is most important in determining criminal careers is the first public appearance as a criminal. A boy who is arrested and convicted is thereby publicly defined as a criminal. Thereafter his associations with lawful people are restricted and he is thrown into association with other delinquents. On the other hand a person who is consistently criminal is not defined as law-abiding by a single lawful act. Every person is expected to be law-abiding, and lawful behaviour is taken for granted because the lawful culture is dominant, more extensive and more pervasive than the criminal culture.

“Fifth, individual differences among people in respect to personal characteristics or social situations cause crime only as they affect differential association or frequency and consistency of contacts with criminal patterns. Poverty in the home may force a family to reside in a low-rent area where delinquency rates are high and thereby facilitate association with delinquents. Parents who insist that their boy return home immediately after school and who are able to enforce

this regulation may prevent the boy from coming into frequent contact with delinquents even though the family resides in a high delinquency area. A child who is not wanted at home may be emotionally upset, but the significant thing is that this condition may drive him away from the home and he may therefore come into contact with delinquents. A boy who is timid may be kept from association with rough delinquents. It is not necessary to assume a generic difference between persons by reason of which some are generally receptive to criminality and others not receptive. Such an assumption would be far-fetched and unjustified. There may be receptivity at a particular moment to a particular stimulation, but the elements are so complex that no generalization regarding such receptivity is possible. The closest approach to a generalization is to say that this specific receptivity is determined principally by the frequency and consistency of previous contacts with patterns of delinquency and that beyond this the delinquent behaviour is adventitious.

“Sixth, cultural conflict is the underlying cause of differential association and therefore of systematic criminal behaviour. Differential association is possible because society is composed of various groups with varied cultures. These differences in culture are found in respect to many values and are generally regarded as desirable. They exist, also, with reference to the values which the laws are designed to protect, and in that form are generally regarded as undesirable. This criminal culture is as real as lawful culture and is much more prevalent than is usually believed. It is not confined to the hoodlums in slums or to professional criminals. Prisoners frequently state and undoubtedly believe that they are no worse than the majority of people on the outside. The more intricate manipulations of business and professional men may be kept within the letter of the law as interpreted but be identical in logic and effects with the criminal behaviour which results in imprisonment. These practices, even if they do not result in public condemnation as crimes, are a part of the criminal culture. The more the cultural patterns conflict, the more unpredictable is the behaviour of a particular person. It was possible to predict with almost complete certainty how a person reared in a Chinese village fifty years ago would behave because there was only one way for him

to behave. The attempts to explain the behaviour of a particular person in a modern city have been rather unproductive because the influences are in conflict and any particular influence may be very evanescent.

“Seventh, social disorganization is the basic cause of systematic criminal behaviour. The origin and the persistence of culture conflicts relating to the values expressed in the law and of differential association which is based on the cultural conflicts are due to social disorganization. Cultural conflict is a specific aspect of social disorganization and in that sense the two concepts are names for smaller and larger aspects of the same thing. But social disorganizations is important in another sense. Since the law-abiding culture is dominant and more extensive, it could overcome systematic crime if organized for that purpose. But society is organized around individual and small group interests on most points. A law-abiding person is more interested in his own immediate personal projects than in abstract social welfare or justice. In this sense society permits crime to persist in systematic form. Consequently systematic crime persists not only because of differential association but also because of the reaction of the general society toward such crime. When a society or a smaller group develops a unified interest in crimes which touch its fundamental and common values, it generally succeeds in eliminating or at least greatly reducing crime. This occurred, for instance, when baseball players in the world series took bribes for throwing away a game they could have won. This affected so many people in a manner which they regarded as vital, and they reacted in such evident opposition, that the crime, so far as is known, has never been repeated. Also, when many wealthy people were kidnapped and held for ransom at the end of the prohibition period, our society reorganized the legal and administrative system in violation of the slogans and myth of state sovereignty and such kidnappings practically ceased. However, in previous times when poor and helpless people were the victims of kidnappings, as in the slave trade, impressment of sailors, shanghaiing of sailors by crimps, and unjustifiable arrests, it took generations and in some cases centuries for society to become sufficiently aware and interested to stop kidnappings in those

forms. When a gang starts in a disorganized district of a city it keeps growing and other gangs develop. But when a delinquent gang started on a business street adjacent to Hyde Park, a good residential district in Chicago, the residents became concerned, formed an organization, and decided that the best way to protect themselves was by providing a club house and recreational facilities for the delinquents. This practically eliminated the gangs. Therefore, whether systematic delinquency does or does not develop is determined not only by associations that people make with the criminals, but also by the reactions of the rest of society toward systematic criminal behaviour. If the society is organized with reference to the values expressed in the law, the crime is eliminated; if it is not organized, crime persists and develops. The opposition of the society may take the form of punishment, of reformation, or of prevention.

“The general theory which has been presented may be summarized in the following statements: Systematic criminal behaviour is due immediately to differential association in a situation in which cultural conflicts exist, and ultimately to the social disorganization in that situation. A specific or incidental crime of a particular person is due generally to the same process, but it is not possible to include all cases because of the adventitious character of delinquency when regarded as specific or incidental acts.”

It should also be noted that the above statement was somewhat redundant, for it proposed generally that criminal behaviour is learned in a process of differential association with those who commit crime and those who are law-abiding, but it then went on in propositions four and five to use “consistency” of associations as one of the conditions affecting the impact of differential association on individuals. Thus, “consistency” of behaviour patterns presented was used as a general explanation of systematic criminality, but “consistency” also was used to describe the process by which differential association takes place.

Sutherland recognized these errors almost immediately, but not soon enough to omit them from the first published statement of his theory. He deleted the word “systematic” from the second version, and he later explained that it was his belief that all but

“the very trivial criminal acts” were “systematic,” but that he deleted the word because some research workers were unable to identify “systematic criminals,” and other workers considered only an insignificant proportion of prisoners to be “systematic criminals.”⁹ Limitation to “systematic criminality” was made for what seemed to be practical rather than logical reasons, and it was abandoned when it did not seem to have practical utility.

The word “consistency” also was deleted from Sutherland’s second statement, which first appeared in the Fourth Edition of his textbook (1947), was carried in the Fifth Edition, which I brought out in 1955, and was continued in the Sixth Edition, published in 1960. The following 7½ pages constitute a reproduction of Chapter IV, “A Sociological Theory of Criminal Behaviour,” from the Sixth Edition of *Principles of Criminology*. While I am the author of some of the introductory material and some of the closing material, the section entitled “Genetic Explanation of Criminal Behaviour” is carried in the form in which it appeared in the 1947 edition.

The Problem for Criminological Theory. A scientific explanation consists of a description of the conditions which are always present when a phenomenon occurs and which are never present when the phenomenon does not occur. Although a multitude of conditions may be associated in greater or less degree with the phenomenon in question, this information is relatively useless for understanding or for control if the factors are left as a hodgepodge of unorganized factors. Scientists strive to organize their knowledge in interrelated general propositions, to which no exceptions can be found. If criminology is to be scientific, the heterogeneous collection of “multiple factors” known to be associated with crime and criminality should be organized and integrated by means of an explanatory theory which has the same characteristics as the scientific explanations in other fields of study. That is, the conditions which are said to cause crime should always be present when crime is present, and they should always be absent when crime is absent. Such a theory would stimulate, simplify, and give direction to criminological research and it would provide a framework for understanding the

⁹ “Development of the Theory”, *op. cit.*, p. 21.

significance of much of the knowledge acquired about crime and criminality in the past. Furthermore, it would be useful in control of crime, providing it could be "applied" in much the same way that the engineer "applies" the scientific theories of the physicist.

There are two complementary procedures which may be used to put order into criminological knowledge, to develop a causal theory of criminal behavior. The first is logical abstraction. Negroes, urban-dwellers and young adults all have comparatively high crime rates. What do they have in common that results in these high crime rates? Research studies have shown that criminal behaviour is associated in greater or less degree with the social and personal pathologies, such as poverty, bad housing, slum-residence, lack of recreational facilities, inadequate and demoralized families, feeble-mindedness, emotional instability, and other traits and conditions. What do these conditions have in common which apparently produces excessive criminality? Research studies have also demonstrated that many persons with those pathological traits and conditions do not commit crimes and that persons in the upper socio-economic class frequently violate the law, although they are not in poverty, do not lack recreational facilities and are not feeble-minded or emotionally unstable. Obviously, it is not the conditions or traits themselves which cause crime, for the conditions are sometimes present when criminality does not occur, and they also are sometimes absent when criminality does occur. A causal explanation of criminal behaviour can be reached by abstracting, logically, the mechanisms and processes which are common to the rich and the poor, Negroes and whites, urban- and the rural-dwellers, young adults and old adults, and the emotionally stable and the emotionally unstable who commit crimes.

In arriving at these abstract mechanisms and processes, criminal behaviour must be precisely defined and carefully distinguished from non-criminal behaviour. The problem in criminology is to explain the criminality of behaviour, not behaviour as such. The abstract mechanisms and processes common to the classes of criminals indicated above should not also be common to non-criminals. Criminal behaviour is human behaviour, has much in common with non-criminal behaviour and must be explained with the same general framework used to explain other