

DIFFERENTIAL ASSOCIATION

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The scientific explanation of a phenomenon may be stated either in terms of the factors which are operating at the moment of the occurrence of a phenomenon or in terms of the processes operating in the earlier history of that phenomenon. In the first case the explanation is mechanistic, in the second historical or genetic; both are usable. The physical and biological scientists favor the first of these methods, and it would probably be superior as an explanation of criminal behavior. Efforts at explanations of the mechanistic type have been notably unsuccessful, perhaps largely because they have been concentrated on the attempt to isolate personal and social pathologies. Work from this point of view has, at least, resulted in the conclusion that the immediate factors in criminal behavior lie in the person-situation complex. Person and situation are not factors exclusive of each other, for the situation which is important is the situation as defined by the person who is involved. The tendencies and inhibitions at the moment of the criminal behavior are, to be sure, largely a product of the earlier history of the person, but the expression of these tendencies and inhibitions is a reaction to the immediate situation as defined by the person. The situation operates in many ways, of which perhaps the least important is the provision of an opportunity for a criminal act. A thief may steal from a fruit stand when the owner is not in sight but refrain when the owner is in sight; a bank burglar may attack a bank which is poorly protected but refrain from attacking a bank protected by watchmen and burglar alarms. A corporation which manufactures automobiles seldom or never violates the Pure Food and Drug Law, but a meatpacking corporation violates this law with great frequency.

The second type of explanation of criminal behavior is made in terms of the life experience of a person and is a historical or genetic explanation of criminal behavior. This, to be sure, assumes a situation to be defined by the person in terms of the inclinations and abilities which the person has acquired up to that date. The following paragraphs state such a genetic theory [*i.e.*, the theory of differential association] of criminal behavior on the assumption that a criminal act occurs when a situation appropriate for it, as defined by a person, is present.

1. Criminal behavior is learned. Negatively, this means that criminal behavior is not inherited, as such; also, the person who is not already trained in crime does

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not invent criminal behavior, just as a person does not make mechanical inventions unless he has had training in mechanics.

2. *Criminal behavior is learned in interaction with other persons in a process of communication.* This communication is verbal in many respects but includes also "the communication of gestures."

3. *The principal part of the learning of criminal behavior occurs within intimate personal groups.* Negatively, this means that the impersonal agencies of communication, such as picture shows and newspapers, play a relatively unimportant part in the genesis of criminal behavior.

4. *When criminal behavior is learned, the learning includes (a) techniques of committing the crime, which are sometimes very complicated, sometimes very simple; (b) the specific direction of motives, drives, rationalizations, and attitudes.*

5. *The specific direction of motives and drives is learned from definitions of legal codes as favorable and unfavorable.* In some societies an individual is surrounded by persons who invariably define the legal codes as rules to be observed, whereas in others he is surrounded by persons whose definitions are favorable to the violation of the legal codes. In our American society these definitions are almost always mixed, and consequently we have culture conflict in relation to the legal codes.

6. *A person becomes delinquent because of an excess of definitions favorable to violation of law over definitions unfavorable to violation of law.* This is the principle of differential association. It refers to both criminal and anti-criminal associations and has to do with counteracting forces. When persons become criminals, they do so because of contacts with criminal patterns and also because of isolation from anti-criminal patterns. Any person inevitably assimilates the surrounding culture unless other patterns are in conflict; a Southerner does not pronounce "r" because other Southerners do not pronounce "r." Negatively, this proposition of differential association means that associations which are neutral so far as crime is concerned have little or no effect on the genesis of criminal behavior. Much of the experience of a person is neutral in this sense, *e. g.*, learning to brush one's teeth. This behavior has no negative or positive effect on criminal behavior except as it may be related to associations which are concerned with the legal codes. This neutral behavior is important especially as an occupier of the time of a child so that he is not in contact with criminal behavior during the time he is engaged in neutral behavior.

7. *Differential associations may vary in frequency, duration, priority, and intensity.* This means that associations with criminal behavior and also associations with anti-criminal behavior vary in those respects. "Frequency" and "duration" as modalities of associations are obvious and need no explanation. "Priority" is assumed to be important in the sense that lawful behavior developed in early childhood may persist throughout life, and also that delinquent behavior developed in early childhood may persist throughout life. This tendency, however, has not been adequately demonstrated, and priority seems to be important principally through its selective influence. "Intensity" is not precisely defined, but it has to do with such things as the prestige of the source of a criminal or anti-criminal pattern and with emotional reactions related to the associations. In a precise description of the criminal behavior of a person these modalities would be stated in quantitative form and a mathematical ratio be reached. A formula in this sense has not been developed, and the development of such a formula would be extremely difficult.

8. *The process of learning criminal behavior by association with criminal and anti-criminal patterns involves all of the mechanisms that are involved in any other*

learning. Negatively, this means that the learning of criminal behavior is not restricted to the process of imitation. A person who is seduced, for instance, learns criminal behavior by association, but this process would not ordinarily be described as imitation.

9. *Though criminal behavior is an expression of general needs and values, it is not explained by those general needs and values since non-criminal behavior is an expression of the same needs and values.* Thieves generally steal in order to secure money, but likewise honest laborers work in order to secure money. The attempts by many scholars to explain criminal behavior by general drives and values, such as the happiness principle, striving for social status, the money motive, or frustration, have been and must continue to be futile since they explain lawful behavior as completely as they explain criminal behavior. They are similar to respiration, which is necessary for any behavior but which does not differentiate criminal from non-criminal behavior.

It is not necessary, on this level of discussion, to explain why a person has the associations which he has; this certainly involves a complex of many things. In an area where the delinquency rate is high a boy who is sociable, gregarious, active, and athletic is very likely to come in contact with the other boys in the neighborhood, learn delinquent behavior from them, and become a gangster; in the same neighborhood the psychopathic boy who is isolated, introvert, and inert may remain at home, not become acquainted with the other boys in the neighborhood, and not become delinquent. In another situation, the sociable, athletic, aggressive boy may become a member of a scout troop and not become involved in delinquent behavior. The person's associations are determined in a general context of social organization. A child is ordinarily reared in a family; the place of residence of the family is determined largely by family income; and the delinquency rate is in many respects related to the rental value of the houses. Many other factors enter into this social organization, including many personal group relationships.

The preceding explanation of criminal behavior was stated from the point of view of the person who engages in criminal behavior. It is also possible to state theories of criminal behavior from the point of view of the community, nation, or other group. The problem, when thus stated, is generally concerned with crime rates and involves a comparison of the crime rates of various groups or the crime rates of a particular group at different times. One of the best explanations of crime rates from this point of view is that a high crime rate is due to social disorganization. The term "social disorganization" is not entirely satisfactory, and it seems preferable to substitute for it the term "differential social organization." The postulate on which this theory is based, regardless of the name, is that crime is rooted in the social organization and is an expression of that social organization. A group may be organized for criminal behavior or organized against criminal behavior. Most communities are organized both for criminal and anti-criminal behavior, and in that sense the crime rate is an expression of the differential group organization. Differential group organization as an explanation of a crime rate must be consistent with the explanation of the criminal behavior of the person, since the crime rate is a summary statement of the number of persons in the group who commit crimes and the frequency with which they commit crimes.