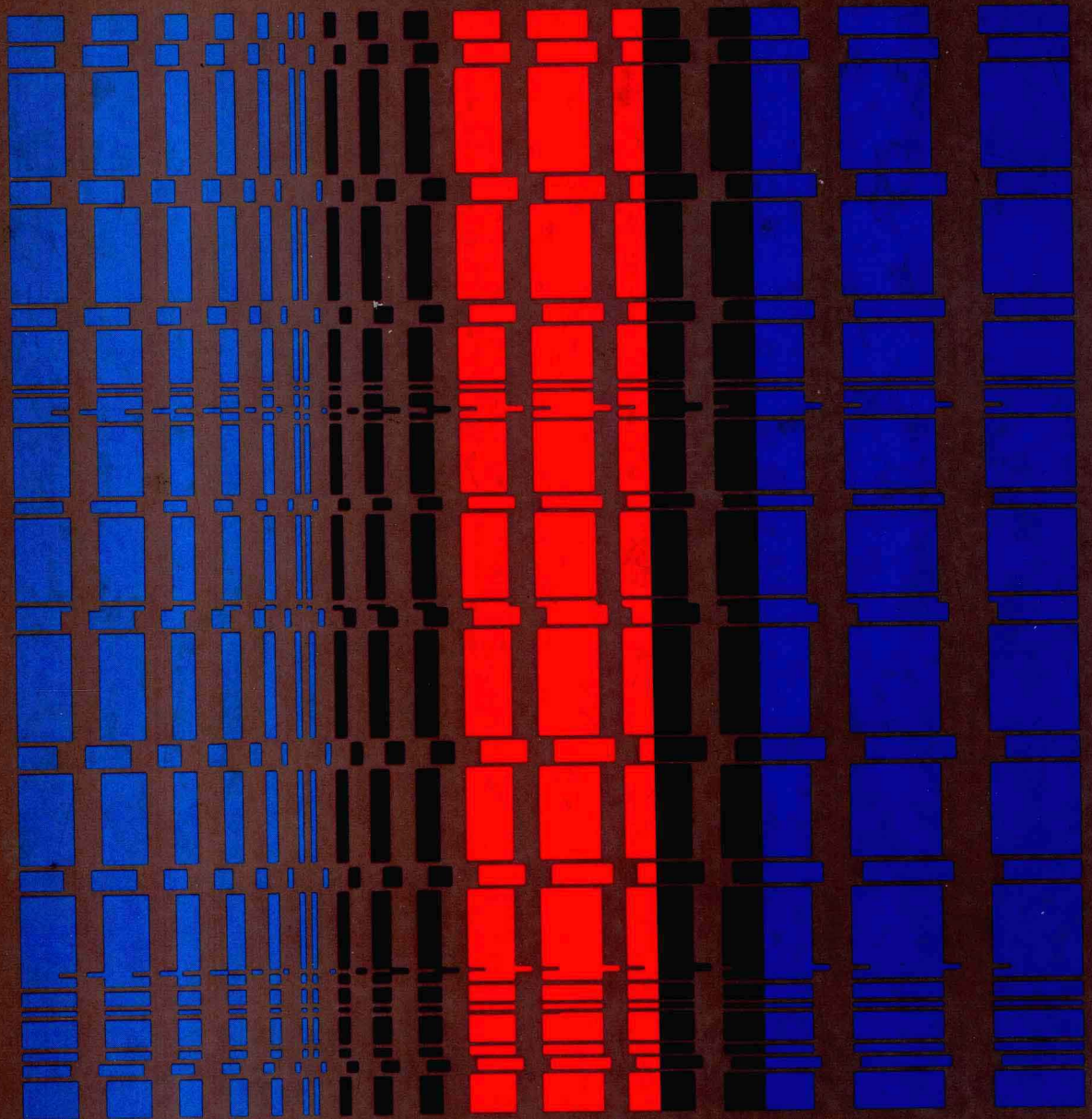


Exploring Criminology

William J. Chambliss



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For Lisa and the terror of tautologies

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Preface

When a sculptor creates a figure or a craftsman working in glass or clay creates a pot, the piece sometimes has a flaw in its materials that is indiscernible yet ultimately fatal. The flaw will grow until the piece eventually cracks or breaks apart. Artworks thus invisibly but irreparably flawed suffer, in the language of artists, from an “inherent vice.” In the same way, the history of scientific, philosophical, and religious thought is punctuated with examples of theories flawed in such a way that they will inevitably—even if slowly—be disproved by scientific study. This process is important to our understanding of criminology, the scientific study of crime.

This text is a description and evaluation of criminology. To understand this science, we must recognize its problems as well as its achievements. We must become sensitive to any inherent vice in the theoretical and methodological works of criminologists. We will see that criminologists, like all scientists, must continually be alert to flawed beliefs—or theoretical assumptions—that might prevent them from achieving reliable knowledge through scientific inquiry. However, we must remember that reliable knowledge is never established once and for all; it is transitory. Current knowledge that seems immutable may possess an inherent vice, and scientific inquiry may reveal the flaw and thus revolutionize, but not necessarily destroy, current thinking.

For example, not all astronomical assumptions or religious beliefs were undermined by the discovery that the earth was not the center of the universe. Much of the work of astronomers, physicists, and religious thinkers to that time was salvaged even in the face of so fundamental a contradiction to previously held beliefs. So it is with criminology. As knowledge is accumulated, criminology shifts and changes to incorporate the new findings. At times

the field even seems to backtrack, as criminologists rediscover ideas or previously established facts that overturn current beliefs.

The search for knowledge involves a series of confrontations and refutations. Science is a series of arguments over how to solve puzzles, and the discovery of facts throws into question previously held beliefs. Arguments then ensue among those who want to salvage the existing beliefs and those who want to replace them with new ones. The day-to-day work of science is an attempt to test established beliefs and to develop new theories that make more sense of the existing knowledge than do previous theories.

People impatient for truth find the ways of science frustrating. Politicians, for example, are rarely satisfied with the gradual accumulation of knowledge; they want a clear-cut, immediate solution to the "crime problem." Reliable knowledge, unfortunately, does not come neatly wrapped in packages. It grows slowly, moving forward by fits and starts. Today we know more than we did 50 or 100 years ago about crime, just as we know more about producing powerful bombs; however, we do not yet know how to solve the problems created by either. In seeking reliable knowledge, criminologists must carefully apply scientific methods of study.

Throughout this text we return to these issues. We analyze contemporary criminological thinking for any tendencies toward the retention of ideas or beliefs that produce inherent vice in the system of thought. We examine commonsense views about crime as well as scientific data and theories to see what needs to be abandoned or retained in our quest for reliable knowledge.

Part I provides the framework for the discussion. Chapter 1 is a collage, a brief consideration of examples of crimes that occur on the streets and in corporate boardrooms, government offices, and homes. By reading this chapter, you can get a feel for the varieties and shapes of criminality. Chapters 2 and 3 go beyond the impressions gleaned from newspaper clippings and sociological descriptions to a systematic evaluation of what data exist about crime; how these facts are gathered; and how politicians, social scientists, the media, and others use this information.

In Part II we explore a variety of theories and empirical facts about crime and the criminal law. Chapter 4 on the criminal law centers on the question, Why do some acts get defined in law as crimes whereas others do not? This chapter contains a discussion of various theories about why and how criminal laws are devised. In Chapter 5 we discuss how to evaluate the soundness, reliability, and usefulness of different theories. Chapters 6 to 10 utilize the principles of the scientific method, as described in Chapter 5, to eval-

uate the major theoretical traditions of criminology: the biological, psychiatric, social psychological, and sociological paradigms.

In Part III we attempt to move beyond the current paradigms to one that builds upon the strengths and reduces the weaknesses of previous efforts. We provide a general framework in Chapter 11, the specifics of the theory in Chapter 12, and in Chapter 13 an illustration of how the theory can be used to explain a particular type of criminality—that which is organized and perpetuated by government officials.

It is often difficult to study crime with an open mind; myths abound. Criminology, like all science, must debunk these myths. This text can help you view crime more clearly. If, as you read, you build on what you already know, change your mind when your preconceptions are wrong, and discover new ways of looking at crime, the writing of this book will have been worth it, and your foray into criminology will be of lasting value.

Acknowledgments

Writing a book is rather like swimming: you put strokes together and somehow stay afloat, but you never really understand exactly how it worked. One facet of writing, however, that every author fully understands is the debt owed to others. The entire manuscript was read and extensively commented on by some of my closest friends and colleagues: Roland Chilton, *University of Massachusetts at Amherst*; Phil Davis, *Georgia State University*; John Galliher, *University of Missouri at Columbia*; Philip Jenkins, *The Pennsylvania State University*; Janet Katz, *Old Dominion University, Norfolk, Virginia*; Raymond J. Michalowski, *University of North Carolina at Charlotte*; and Marjorie Zatz, *Arizona State University*. Their insights, criticisms, and evenhandedness were immensely helpful at every stage of the writing. I cannot possibly thank them enough. Frank Scarpitti read parts of the manuscript, as did Alan Block and Herman Schwendinger. Their observations and suggestions improved the work considerably. I am indebted as well to the students who have taught me so much.

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CHAPTER

1

Prologue to the Study of Crime



Whether in Los Angeles or Little Rock, Harlem or Amsterdam, Berlin or Boston, it is a familiar story—infinately varied but always basically the same. Youths go looking for excitement and finally make the excitement they are unable to find. Living in a world that appears to have no place for them, they create a place for themselves that makes sense only to insiders. Resentful of the slights, rejections, and injustices—real and imaginary—to which they have been subjected, they band together to share their bitterness. Cut off from the mainstream of community life, they plunge into one of the eddies that goes against the current or one of the whirlpools that goes only in circles.¹

Cool and defiant on the outside, they remain scared and uncertain on the inside. Intensely motivated, their purpose is obscure to outsiders. Fiercely independent, they cling to each other. Cursing their insignificance, they talk big. By feel, impulse, and whim, they react to the world as it strikes them. They cannot tell you why they behave as they do; they are as puzzled as anyone else. Pushed by a vague search for escape from desperation, pulled by the longing for something different, they have little comprehension of the forces that shape their own emotions and actions.

They do not revel in delinquency, even when they are getting their kicks. They are not even confident that this is what they want to be doing and sometimes they curse the hurt that it brings. But they go on unless something or someone steps in to stop them. Many wake up as adults with a regular job and a house in the suburbs. Others wake up in prison—wondering whatever happened to the kid who liked popcorn, played baseball, and dreamed about “when I grow up. . . .”

Matthew Washington, Who Had Death in His Eyes _____

A 16-year-old black youth, Matthew Washington, was not looking for excitement, but he found it nonetheless.² He had risen at 5:00 A.M. to deliver his papers. He looked forward to the time when he could stop delivering the papers and just go to school: “One more year of this jive and then its all Little Ricky’s. And he can have it. So damn sleepy all the time.”

Matthew returned home from the paper route at 6:45, gobbled down a breakfast of cold cereal, and left for the school bus that would take him and the other black kids from his neighborhood to a school across town, which was recently integrated in compliance with rulings by the U.S. Supreme Court.

The ride to school was noisy that morning. The driver spoke to no one in particular: "All right, let's knock it off back there or we'll have an accident." There was a moment of relative silence. Then one of the kids spat on a girl sitting across the aisle from his, his saliva "splattering on the side of her neck just under her jaw, sticking there for a moment and slowly draining downward." Matthew Washington was one of several boys who grabbed the assailant, Lester, and pulled him toward the rear of the bus.

Later that day, a crowd gathered in a small courtyard behind the swimming pool on the school's east side. The crowd of young and old, black and white, watched as Lester, "sinewy, defiant, flailing about in a world in which he could find no sense of control or order," attacked Matthew Washington.

[Matthew] was able to call upon that special reservoir of strength only anger can yield . . . avenging the honor of women . . . in a brand of chivalry that only the young, perhaps, would dare preserve. [The onlookers] stood in a circle around the two combatants, both bloodied and with welts appearing on their faces. Their shirts were ripped open and Lester had a tear in the seat of his pants.

"Oh Jesus God, stop them." People all about were crying and begging the boys to stop. School employees and teachers were rushing out of the four doors that led into the grassy courtyard, where row upon row of tulips were about to open.

Three young policemen and an older lieutenant literally blasted their way through the crowd, which now numbered almost a hundred persons. When they broke through the last group of teachers and referees—boys who ringed the fighters—Lester's eyes were almost totally closed. His cheeks were cut and his nose smashed up against the right side of his face, broken. Matthew had blood on his head and his clothes. His lower lip was ripped open and dried blood lined his nostrils. He was crying and appeared utterly crazed, a man gone beserk. 'You're dealing with Roscoe's only son,' he kept yelling at Lester, upon whom he now sat, slapping the beaten boy's face with the back of his hand, which was also dripping with blood: 'You're dealin' with Roscoe Washington's only son.'

The police separated the fighters:

Lester had a cut that ran from behind his ear down the edge of his jaw and stopped somewhere near his chin. Through a hole in his face you could see a white tooth protruding. Matthew walked by

proud and tough. He offered no objections to the two white policemen who held his arms, half supporting him, half imprisoning him.

The audience lingered after the boys were taken away. One teacher commented "who really cares, let the blacks kill each other off," which prompted another teacher to curse and shove him. Matthew and Lester were taken to jail, booked, and released. Another statistic on the police blotter; another record to be called up at a later date if either were ever arrested again. Another fact to be used as evidence by social workers and court officials making a decision as to whether to jail, bail, or release on probation a boy arrested for assault, attempted robbery, or the possession of an illegal substance.

Varieties of Crime

In this chapter, we are going to describe a wide variety of different types of behaviors that share the fact that they are legally prohibited and may be punished by imprisonment. We are not going to put them into categories or analyze them at this point. The goal of this chapter is to give a sense of the types of acts that comprise the subject matter of criminology.

Big-city newspapers and magazines are a source of reports on different types of crime that can give us a picture of criminality in the modern world. On Tuesday, May 13, 1986, the *New York Times* reported that

- A Wall Street broker was charged with using confidential information illegally in several stock-trading schemes that netted him at least \$12.5 million in profits.
- A physician was mortally wounded by a stranger who approached him while he was sunbathing on the grass in a park and stabbed him in the chest with a kitchen knife. The physician managed to write down the license-plate number of the assailant before he died. A 37-year-old man with a history of mental illness was arrested and accused of committing the crime.
- Borough President Stanley Simon of the Bronx was asked to testify before a grand jury investigating corruption and pay-offs to city officials and politicians.
- A federal prosecutor outlined the way racketeering in local moving and storage industries forced companies to give pay-

offs to a teamsters local union to assure labor peace and enable companies to rig bids on contracts. These activities, it was alleged, were controlled by an organized-crime family headed by Joe Bonanno.

- A 19-year-old Brooklyn man was arrested for the murder of a Roman Catholic priest. The priest was found dead from two gunshot wounds to his chest, heart, and lungs. The defendant pleaded not guilty but told the police that the priest had approached him on the street and solicited him for a paid sexual encounter.

A resident of Georgia, Michael Hardwick, was arrested in his home for committing sodomy. A police officer found Mr. Hardwick and another man engaged in oral sex. This case will be discussed further in Chapter 2.

On January 19, 1985, an 83-year-old woman was released from jail in New York City. She was paroled after serving 1 year of a 3-year sentence for selling \$25.00 worth of marijuana to a friend.

In 1983, over 40 birth-control and abortion clinics were bombed in the United States, with property losses of hundreds of thousands of dollars. That same year, Secretary of Labor Raymond J. Donovan took a leave of absence and later resigned from his cabinet post to defend himself against criminal charges filed in federal court alleging that Secretary Donovan committed larceny and fraud when he was an officer of the Chiavone Construction Company of Secaucus, New Jersey—a company allegedly affiliated with organized crime. Secretary Donovan was found not guilty of the charges.

Bernhard Hugo Goetz, a white commuter on the New York subway, was approached by four black youths who asked him if he had 5 dollars. Mr. Goetz pulled a revolver from his pocket and shot each of the youths, three of them in the back, as they tried to run away. Mr. Goetz was arrested and charged with attempted murder. A jury of his peers found Mr. Goetz not guilty of attempted murder. Earlier he was found guilty of illegally possessing a weapon.

When the news of the Goetz shooting appeared in newspapers, New York State Senator Alphonse D'Amato said that he was afraid to get into the subway system even with a body guard. Another subway rider, John Coleman, suggested that Senator D'Amato may have over-reacted:

In the month of January 1986 there were 38 felonies in the New York Transit System. There were millions of passengers carried every



Vigilantism. (Jeffrey D. Smith/Woodfin Camp & Assoc.)

day of the week. I ride that subway nearly every day of the year. I have yet to see a single bit of what he [D'Amato] is talking about.³

High schools in the United States are the scene of a great deal of crime. Youths hanging around together take drugs, buy and consume alcohol, steal, fight, vandalize property, avoid school, drive while under the influence of alcohol, and generally “raise hell.” Observations conducted over a 2-year period in one high school provided a detailed description of two delinquent gangs in a middle-sized town. The boys in these gangs ranged in age from 15–19 years old. They engaged in a wide variety of delinquent acts ranging from petty theft to aggravated assault. The sociologist-observer named the gangs the Roughnecks and the Saints to underscore the way the gangs were viewed by teachers and members of the community. The Roughnecks were a lower-class gang who frequently engaged in petty theft, fighting, public intoxication, and verbal abuse. They were seen by school officials, police, and other members of the community as “boys heading for trouble” and “up to no good.” The Saints were a middle-class gang engaged in delinquency and crime that was equally serious, but they were perceived as “good boys” who were only “sowing their wild oats.” The Saints sowed their wild oats by being constantly truant from school,