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# RESPONSIBILITY OF THE SOCIETY

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## The Criminal as a Product of His Society

The sociologically oriented approaches to the problem of crime assume that the criminal is not an isolated individual; he is a product of his society. Rather than seeking the causes of crime in the individual himself, as hypothesized by biological and psychological theorists, the sociologist comprehends the criminal as a member of his social group, viewing him as a phenomenon whose criminal conduct originates in the abnormalities of his social existence or in society's behavior toward him. Therefore the criminal, socially different from those whose social behavior is "proved" normal by their conformity to the law, is a variation of the socialized human group. His criminality is a form of antisociality. Because the criminal is by definition socially distinct from the conventional members of the society, he is unaffected by threat of the traditional retributive punishment. Any solution to the crime problem, it is argued, can be found only in an analysis of the criminal's relationship to his social environment.

Although the sociological explanations have often been criticized, they are far and away the most influential at the present time. Even the most extreme adherents of the somatic or psychic approaches are unable to ignore the impact of social factors in the etiology of crime and delinquency. The sociological orientation, however, is not monolithic, but seen with numerous and distinct emphases. As phrenology led to the concept of moral insanity, which then became the constitutional inferior, and recently appeared as the psychopath or sociopath, so the modern sociological understanding of crime is the product of development.

Simple references to poverty, food prices, immigration, class stratification, slums, prostitution, alcoholism, and other economic and social problems developed into thinking in terms of culture conflict, subcultures, opportunity structure, anomie, differential association, and other sophisticated theoretical constructions. Several of them show only testing or broadening of old theories. For example, Leon Radzinowicz suggested that recent studies of delinquent gangs, by social scientists, were made "in a comparatively restricted field."[1] Pitirim A. Sorokin contended, "The main body of current research represents mainly a reiteration, variation, refinement and verification of the methods and theories developed by sociologists of the preceding period, "and" few of these improvements represent anything revolutionary or basically new.[2]

Many of the sociological theories of crime and delinquency overlap. They draw from one another, from different sectors of the social sciences, and even reach for assistance from other disciplines. Since they use a multifactor theoretical construction, it is extremely difficult, if not impossible, to catalogue these theories according to orientation. Some may be considered "offensive" in nature. They "attack" the criminal, whose "free will" reacts to social injustice and provokes him to attack the society in the form of crime. Or they are offensive against the wrongs of the society and "attack" the society as a whole. Other theories seem to be "defensive"; they view crime and delinquency as products of a disorganized society or social pressures. They emphasize the need for social defense against criminality because criminal conduct is learned or acquired by the criminal in his social context. Some lean in the direction of social psychology, focusing on crime as a product of socialization processes; others refer to cultural differences or to value and norm conflicts; and still others explain crime in terms of the imperfect or divided structure of society.

## The Offensive Understanding of Crime

This approach assumes that man freely decides whether or not to engage in crime. The criminal, who made a negative choice, is ultimately responsible for his own criminal conduct. His inadequately socialized will, free of the restrictions an adequate socialization would have imposed on him, is responsible for leading him against the criminal law.

Since the criminal believes that his aspirations cannot be satisfactorily realized, he eventually comes to see his society as either unnecessarily constraining or as partially or wholly unjust. In order to attain his aspirations, he attacks society by violating those legal norms that stand in his path. If he is hungry, he steals bread; if he wishes to live luxuriously, he robs a bank; if he dislikes his work, he forges a check so to live at another's expense. If he hates someone, he kills him. The decision is his alone.

Cesare Beccaria is the classic representative of this understanding of crime. His formalistic, retributive approach has dominated criminal practice for 150 years. Most legalists, courts, and penal systems continue to operate on this principle, although they often deny it, and, actually, occasional reforms have broken the rigidity of this approach.

The wrongs of society, and the pressure they exert on the law violator (another dimension of the offensive understanding of crime), alleviates the responsibility of the criminal for his crime since he cannot escape the criminogenic strains and tensions of society. Society is charged with the responsibility of socializing the individual will, and its failure leads to man's criminal decision. Criminal conduct is therefore merely a personal response to pressure and stress. Society and not the criminal, proponents of this theoretical position assume, is the guilty party.

Léonce Manouvrier, an anthropologist and a prominent member of the French environmental school, whose work was praised by Bonger as one of the best on crime,[3] suggested that the criminal is merely an expression of the social milieu, and only perfection of social laws can diminish the volume of crime.[4] "Everybody is guilty in crime," Adolphe Quete-

let accused, "except the criminal"; it is the society that prepares the crime, he said, and the criminal is only an instrument on which the society plays.[5] Another member of the French school, J. A. E. Lacassagne, author of the famous dictum "Societies have the criminals they deserve," also blamed society as a whole for the emergence of the criminal man. "The social environment," he proposed, "is the bouillon for culturing criminals, and the microbe, that is, the criminal, is an element of importance only if the medium was found where it can grow."[6] Lacassagne, who preceded Walter Miller's "generating milieu,"[7] Albert Cohen's "delinquent subculture,"[8] and other modern environmentalist hypotheses by some eighty years, impressed even the formidable Franz von Liszt, whose memorable efforts attempted to bring together the diversified theoretical trends. Liszt too suggested that crime is a "necessary, unavoidable result of the given conditions."[9]

Leon Radzinowicz suggested that those "criminologists who were not Marxists began to speak their language."[10] However, while the "offensive theory of pressured criminality" postulated a strong environmental influence in crime causation, it was not the language of the socialist theory of crime. The Marxist theory holds the economic structure solely responsible for criminal conduct, and the "offensive" theorists relate crime to inappropriate social values and demand a change in the value system without proposing economic structural changes. While this school of thought gained great popularity among those who believed in social determinism, perhaps it achieved its greatest triumph when its adherents, led by Manouvrier, pressed Lombroso to recognize the role of sociological factors.

## Crime as Socially Acquired Behavior

In the "defensive" approaches to the crime problem the criminal's personal responsibility is not denied, but the interrelation between criminal and his environment remains the essential theoretical element. One defensive theory admits some aspects of social psychology. Crime is explained as a socially acquired conduct; it is learned through interpersonal relationships, or it may be the product of imperfect, misdirected, or undirected socialization. This hypothesis suggests that "persons acquire patterns of criminal behavior in the same way that they acquire patterns of lawful behavior."[11]

It may be argued that Benoit Augustin Morel was first to propose that crime was learned, and called attention to the "moral contagion" that results from publication of crimes in news- paper.[12] Paul Aubry, in his study on "the contagion of murder," held that contagion is a symptom of Morel's "morbid psychology," the main factors of which are "suggestion" and "imitation."[13] Maladjustment, or the lack of adaptation by the individual to his society, is the keynote in the works of M. A. Vaccaro, who saw crime as a rebellion by the criminal against the lawmaker's command.[14] These early "imitation" and "socialization" theories foreshadowed the contemporary biological and anthropological approaches to crime. They did not deny the role of factors such as heredity, disturbed nervous system, or anatomical peculiarities; however, they viewed biological or physical factors as only a force preparing the ground for more decisive social causes.

Although he was not the first to propose a learning theory, Gabriel Tarde (1843-1904) is generally credited with formulating criminal patterns as a product of interaction with others.[15] He was a philosopher, a sociologist, a psychologist, a practical lawyer, and a statistician – but always and in all capacities keenly interested in the crime problem.[16] His emphasis on the social origins of crime had a lasting impact on criminological thought in both Europe and America. A formidable critic of Lombroso, he denied the significance of physical anomalies but did not reject the role of all biological factors in human behavior. In his comparative survey of several criminological studies (Benedikt, Ferri, Lacassagne, Marro, Virgilio, and others) he refuted the existence of the born criminal[17] but did make allowance for Lombroso's epileptic character of prisoners. Nevertheless, both towering issues of his philosophy, the moral responsibility and the laws of imitation, clearly indicate that in Tarde's thinking crime is a social product and represents a socially acquired conduct.

The individual's personal identity or self-concept and the common core of customs, interests, and education are the basic pillars in Tarde's moral-responsibility concept. It complements his basic theory of the "laws of imitation," which proposed three types of imitation or repetitive behavior patterns. First, men imitate the fashions and customs of others, and the more contact among people the more imitation takes place. Second, a superior is often imitated by his inferior; Tarde listed a few crimes that were originally known only to the higher classes but in course of history spread to lower social levels. And third, if two mutually exclusive fashions or customs conflict, the newer one will be more imitated.

Tarde's emphasis on the social texture of crime is considered "a cornerstone of present American criminological theories."[18] He never makes clear why the first crime, which set the imitative patterns in motion, was committed or why the majority of a society remains law-abiding and only a minority imitates the criminal. Nevertheless, Tarde's original and independent thinking has stimulated several contemporary theorists to offer similar or refined propositions. "It is a tribute to Tarde's originality and foresight that seventy years ago he expounded the ideas on crime causation that are the working hypotheses of American criminologists today."[19]

Perhaps the most outstanding adherent of Tarde's theories was Edwin H. Sutherland, who not only developed his theory of "differential association," but heavily leaned on Tarde in his penetrating analysis of "the professional thief."[20] The first formal statement of his theory of differential association appeared in the third edition of his Principles of Criminology in 1939.[21] Sutherland pointed out that his theory was already stated in the previous editions of his book, but only "in scattered passages and was not developed."[22] He made it clear that even in its formal presentation" obviously this theory is not the last work on the subject; in fact, it is stated thus openly in the expectation that it will be criticized and will thus lead to the development of a more satisfactory theory of criminal behavior."[23]

Sutherland offered his tentative theory in the form of seven propositions.[24] First, the processes of systematic criminal behavior are fundamentally the same as the processes of lawful behavior; they differ only in the standards by which they are judged. Second, criminal behavior is determined in a process of association with criminals, just as lawful behavior is determined in a process of association with law-abiding people. Third, differential associa-

tion is the causal process in the development of crime. Fourth, frequency and consistency of contacts with criminal patterns determine the chance of criminal behavior. Fifth, individual differences in personal characteristics or in social situations cause crime only as they affect the "differential association." Sixth, cultural conflict is the underlying cause of differential association. Seventh, social disorganization is the basic cause of systematic criminal behavior.

Sutherland soon recognized some weak points in his theory and corrected them in the fourth edition of his book, published in 1947. The content of what is learned from criminal behavior patterns differs from what is learned from anticriminal behavior patterns; this is why Sutherland called this process "differential association." People become criminal not only because of contacts with criminal behavior patterns but also because of their isolation from anticriminal patterns. Resembling Tarde's first law of imitation, Sutherland's differential association refers to a ratio of associations with both criminal and anticriminal behavior patterns. Moreover, explained Cressey, the association need not be with criminals, since a noncriminal may present criminal patterns and a criminal can show noncriminal behavior.

Sutherland's theory has been frequently criticized on several grounds. Leon Radzinowicz does not hold the hypothesis in high regard: "It was only because of Sutherland's high standing and solid reputation that this thesis evoked as much interest as it did."[25] Nigel Walker similarly commented that the differential association theory simply illustrates the fate of so many criminological hypotheses, "which begin with the observation of the obvious, generalize it into a principle, and are eventually reduced again to a statement of the limited truths from which they originated."[26]

Crime as socially acquired behavior may be seen also in the theories of Edmund Mezger's Lebensführungsschuld, idea of "responsibility for the life conduct," which refers in part to the expected socialization of the criminal[27] and Ernst Seelig's Lebensformen, which implies "forms of life" amenable to socialization processes. In these two examples the socialization or learning of anticriminal behavior is proposed on a social base, but it should come from "within" the criminal. It could be argued that Sutherland's "white collar criminal" belongs to this category.

Donald R. Cressey's concept of "rationalization"[28] contends that the verbalizations applied by the criminal to his own conduct are rationalizations that are learned through his contact with criminal behavior patterns. Another theory, which recognizes "justifications for deviance that are seen as valid by the delinquent but not by the legal system or society at large" is that of Gresham M. Sykes and David Matza,[29] who discussed the "techniques of neutralization" exercised by the smaller social groups to which the delinquent belongs. An example of another focus among the theories that explain crime as an acquired conduct is Eric Wolf's[30] and George Dahm's[31] assumption of the existence of normative personalities." These hypotheses are based on the idea of "phenomenological personalism"; the criminal is viewed as an "existential being" whose attachment to a normative crime type is the result of his social circumstances. The possibility of biological causes, however, is not discarded in these theories, and social factors are vaguely indicated.

## Responsibility of the Culture and Its Norms

Another trend of the defensive-type sociological theories of crime holds the culture, its values and norms, and their conflict responsible for leading man against the criminal law. While the offensive approaches seem to propose cultural change, the defensive theories seem to aim at cultural correction. In this vein Adolphe Prins, before he joined Liszt and van Hamel, recognized "a sort of degeneration of the social organism."[32] Donald R. Taft's "theory of crime in American culture"[33] suggests that crime must be prevalent in a society characterized by "dynamic quality, complexity, materialism, growing impersonality, individualism, insistence upon the importance of status, restricted group loyalties, survivals of frontier traditions, race discrimination, lack of scientific orientation in the social field, tolerance of political corruption, general faith in law, disrespect for some law, and acceptance of quasi-criminal exploitation," and, he adds, the list could be extended. Taft proposed that in such a culture there will be many conflicts, of ten taking the form of crime. His theory is clearly an accusation: crime is a product of the culture. This orientation encompasses the whole culture of the society, rather than the interaction of the individual with other individuals or with his social group.

Emile Durkheim contended that the existence of criminality in culture is normal.[34] More than that, he proposed that crime is necessary; it is a fundamental condition of social life, and it is useful because without it the norm al evolution of morality and law would be aborted. For progress to take place, Durkheim argued, individual originality should be able to express itself, including the originality of the criminal. In this light, the role of crime in a culture thus acquires a quite different interpretation from those that identify crime with evil, want to diminish or abolish it, and to this end propose massive programs of social change.

Culture is viewed through its conduct norms by Thorsten Sellin, who understands crime in terms of their conflict.[35] Culture conflicts are inevitable, Sellin suggests, when "the norms of one cultural or subcultural area migrate to or come in contact with those of another." This occurs when cultural codes clash on the border of contiguous culture areas, when the law of one group is extended over the territory of another, or when members of one culture migrate to another. The culture conflict (to which Tarde's concept of moral responsibility might be one possible answer) in Sellin's assumption is apt to result in violation of norms "merely because persons who have absorbed the norms of one cultural group or area migrate to another" and "such conflict will continue so long as the acculturation process has not been completed."

In this branch of the "defensive" sociological theories of crime some social-psychological aspects appear, but crime is viewed in the context of the whole culture or subculture.

## Crime as a Product of Structural Disturbances

American criminology after World War II is perhaps best characterized by rejection of the "piece by piece" analysis of the causes of crime, focusing instead on the structural distur-

bances of inbalances of the society as the comprehensive cause of all the causes. Indeed, it would be arrogant nonsense to say that any of the other orientations – biological, psychological, or sociological – provided us with a final answer. In the last quarter-century hypotheses citing the imperfect social structure attempted to fathom the problem of crime through the smokescreen created by a legion of explanations that claim the solution but do not solve the problem. Not the anomalies of the physical organism or heredity, not degeneration or unconscious experiences, and not slums, poverty, broken homes, or other individual factors are emphasized in these theories. The assumptions about the processes of learning criminal behavior or about culture conflicts and maybe some others are sometimes called on to support the structure-centered theories, but all social or social-psychological factors are at best only ancillary to the focal issue of structural disturbances. Inadequate socialization is not emphasized as a major factor of crime, although even a perfectly structured society would have crime, unless its members were perfectly socialized to the conditions of this perfect social structure. In this respect structure-centered theories, in the end analysis, seem to be close to proposing natural laws.

While these theories generally contending inconsistencies in the social structure and uneven distribution of values, means, goals, and rewards, they do not typically recommend any radical change in the basic value system and in the economic or social construction of the society. Ideologically, this is one of the critical points where they differ from the change-demanding and of ten socialist-type theories: they do not spell out desired structural reforms and the ways of achieving them; they suggest structural corrections rather than changes.

The responsibility of disturbances in the social structure for generating crime is an idea that has been propagated for a long time, in fact centuries before our modern structure-centered theories emerged. Cesare Beccaria in his Essay on Crimes and Punishments in 1762 reported differential treatment of social classes; even executions were different: disgracing hanging for members of the lower classes and honoring beheading for the higher classes. Friedrich Engels in his Condition of the Working- Class in England in 1845 wrote that the social order made the workers' family life almost impossible, and thus children could be nothing but unhappy and tend to ward crime. Enrico Ferri in his Criminal Sociology in 1884 recalled "a fact too often forgotten by legislators, criminalists, and superficial observers", that is, the "three sociological strata of delinquents." Ferri here called attention to the lower class, the members of which "are deprived of education and always held by material and moral wretchedness in the primitive condition of a savage light for existence"-and from where the greater part of criminals is recruited.[36]

The central thrust to these theories has come from Emile Durkheim (1858-1917), the great French student of social organization who introduced the concept of anomie. He touched upon this concept in his Division of Labor[37] and later elaborated on it in Suicide.[38] As used by Durkheim, anomie means a lack of rules, absence of norms, lawlessness, or weakened norms that may lead to deviant behavior; anomic situations develop in societies that cannot or do not provide clear norms to guide aspirations and behavior. Norms provide security for the members of the society while they necessarily limit the success of aspirations. If the social constraints on the individual break down, individual security is not only

shaken, but the limits of individuality become less certain. When the balance between cultural aspirations and social opportunities is lost, antisocial or deviant behavior may develop.

Durkheim's theory does not offer a convincing explanation for all crimes, delinquencies, and deviant behaviors, among others failing to explain why some individuals in anomic situations do not become criminals while others do. Robert K. Merton, using basically Durkheim's idea of anomie, relates crime and deviance to the unequal achievement of success by all men.[39] In his thinking, some social structures exert pressure on certain people to engage in nonconformist rather than conforming conduct. Merton differentiates two elements important for the purpose of analyzing "social structure and anomie": man's cultural aspirations and the institutional norms or acceptable modes of achieving these goals. An effective equilibrium, Merton argues, is maintained "as long as satisfactions accrue to individuals who conform to both constraints," that is, satisfaction from achieving goals and satisfaction with the institutionally set modes of striving toward these ends.

Merton believes that American society places great emphasis on individual success, while at the same time it excludes part of the society from achieving this success. Deviant behavior is not generated simply by the lack of opportunities. As Merton put it:

A comparatively rigidified class structure, a feudalistic or caste order, may limit such opportunities far beyond the point which obtains in our society today. It is only when a system of cultural values extols, virtually above all else, certain common symbols of success for the population at large while its social structure rigorously restricts or completely eliminates access to approved modes of acquiring these symbols for a considerable part of the same population, that antisocial behavior ensues on a considerable scale.

Members of the society who find themselves in this anomic trap are pressured to reach for deviant or criminal modes of action.

Donald Cressey pointed out that this theory explains the over-representation of lower-class members (Cressey used the term "working class") in the American criminal population, and also the overrepresentation of young males, Negroes, native white Americans, and urban dwellers.[40]

Albert K. Cohen found Merton's anomie highly plausible as regards adult professional crime and property delinquency of older and semiprofessional juveniles, but it fails to account for the existence and nature of the delinquent subculture as he described it.[41] Nevertheless, Cohen too places the deviants of his sub culture in the lower class, stating that statistical studies tend to confirm the popular impression that "gang delinquency is primarily a working-class phenomenon." His "nonutilitarian," "malicious," and "negativistic" juvenile crimes occur only in one segment of the general culture (the "delinquent subculture"), the lower-class area. Cohen assumes that the lower-class boy (he often calls him "working-class boy") with low status as measured by middle-class terms has a major problem of adjustment to his status frustration. One possible response to this frustration is "the creation and maintenance" of the delinquent subculture, which offers status value and an outlet for aggression (this throws some light on delinquency against property).

Richard A. Cloward and Lloyd E. Ohlin have drawn from Emile Durkheim's rich intellectual inventory, but they also used Robert K. Merton's assumption of a disorganized

American society, Clifford R. Shaw and Henry D. McKay's ecological findings, and Edwin H. Sutherland's hypo thesis of differential association to build their own theory on features of the social structure that regulate the selection and evolution of deviant solutions.[42] They called their hypo thesis "the theory of differential opportunity systems." Cloward and Ohlin claim the "lower-class areas of large urban centers" are the locale of adolescent male delinquent subcultures. They postulate three delinquent subcultures: the "criminal subculture," where the delinquent is "devoted to theft, extortion, and other illegal means of securing income"; the conflicts structure," where violence predominates as a way of winning status; and the "retreatist subculture", where the consumption of drugs is stressed.

In Cloward and Ohlin's thinking, the social structure is responsible not only for the status frustration of the lower-class adolescent male, but also for available alternative solutions – opportunities. The opportunities available determine which of the three delinquent subcultures will prevail in a given social setting. Cloward and Ohlin too assume that the lower-class adolescent male is in an anomic situation that pressures him, depending on the opportunities, into one or another available subculture. And they too assume that this is an important feature of American life.

Walter C. Reckless' concept of the "categoric risk" belongs to the structure-centered school.[43] By "the analysis of the population characteristics of the arrested doers of criminal deeds," he found varying chances or risks that particular groups or categories of individuals have of being arrested or being admitted to a penal institution. Although Reckless submitted to his analysis the risk of sex, the risk of age, and the risk of nativity, he also called attention to the risk of race and to the risk of social class affiliation.

As mentioned, the term "anomie" first appeared in Durkheim's work in 1893, but almost half a century was needed before it was revived and applied to the understanding of crime in terms of social structural disturbances and another two decades before it became one of the most popular explanations in criminology. Although the pattern and quality of crime, and the patterns of the social structure, have changed since Durkheim observed anomic situations, and are likely to become increasingly divergent in our rapidly changing society and power structures, there is continuing interest in the anomie concept as a medium of understanding the criminal and the delinquent.

It is frequently maintained that the greater the discrepancy between culturally prescribed aspirations and available opportunities, the greater the crime probability. Although in recent times the anomie concept, and its social structural aspects, has been the most provocative contribution to the never-ending search for the answer to crime and delinquency, it offers little systematic or operational methods for solution. Thus, the anomie explanation of crime is deficient, and in the future criminology will inevitably face some difficulties if it remains a devoted believer in the anomie concept in the face of swift social changes.

Most analyses of anomic situations restrict themselves to the allegedly disorganized American culture, as if anomie were the only explanation of the American crime rate or delinquent subcultures, and thereby may lead to misinterpretations and hinder the analysis of criminal and delinquent behavior. Some studies avoid overt expression of the Mertonian variation of Durkheim's idea of suicide as their point of departure, but nevertheless contin-

ue their hypotheses in terms of striving for goals, blocked aspirations, lower-class deviance, and choices of illegitimate means for achieving goals. They seem to feel that American delinquency and crime can be explained simply by the fact that not all our success values and aspirations are attainable, being blocked in large part by such handicaps as class barriers. This understanding has been advanced as if success goals, aspirations, and barriers to their achievement for a considerable part of the population were exclusively American phenomena. It is as though in one form or another these theorists were looking for some. "American" symptoms of the universal crime problem. In these studies the "dissociation between culturally defined aspirations and socially structured means"[44] is an exclusive feature of the American society and necessarily characteristic of its disorganized structure.

Opportunities or lack of same for achieving goals are present in all societies, regardless of how they are structured. Wealth, income, job, status, prestige, and the like are goals sought not only by America's affluent if disorganized society, but also by other peoples, both now and in other ages. If this were not true, the picture of crime as a world problem would appear quite differently and we would see radical differences in the nature of crime throughout the variety of cultures. If, for example, the major fact in the explanation of gang behavior is that a significant number of lower-class members "aspire beyond their means,"[45] it could be demonstrated that the same situation exists in other societies but does not result in gang delinquency.

Contrasted with the allegedly disorganized American social structure, the Soviet Union may be regarded as an overorganized society. Yet aspirations, goals, barriers, and illegitimate alternatives are not unknown there. Achievement, upward striving, encouragement of competition, and equal rights for all are not only part of the Soviet culture, as they are of American society, but are officially stressed. The "Stakhanovite" movement[46] encouraged individuals to produce more than their quotas so to reap both financial rewards and greater status. In addition, various "socialist competitions," both in physical and intellectual work, emphasize achievement and make substantial awards of money and decorations. Even the entire range of Party positions, from top to bottom, are sought amid fierce competition, partly because of the higher status and better living conditions that come with them. As W. W. Rostow noted, the Soviet regime has developed the incentive for competition by a "rising scale of real income for those who work harder or who are prepared to accept more responsible tasks" as well as an "elaborate graduation of awards and prizes to supplement material incentives with the almost universal desire of men for communal approval. In general the regime does not frustrate those ambitious to acquire prestige."[47] The status symbols in Soviet society might be different from those in American society, but the people do not aspire any less for them than Americans do for theirs.

This is not to say that opportunities are not limited in Soviet society. Although propaganda and highly organized, pervasive social control try to develop restraints so that the people will accept the available rewards, dissatisfaction cannot be avoided in those cases where individuals or social groups cannot achieve desired goals. "It appears to be the case that important conflicts exist between the aspirations and expectations which are generated by life in Soviet Russia and the realities which are confronted."[48] If in America the encouragement

to compete is not balanced with unlimited opportunities for success, this is no less so in Soviet territories, where the goals are apparently equally uncoordinated with opportunities. The basic distinctions between the two societies seem to consist of a greater amount of state compulsion under the Soviet system, different definitions of aspirations, and in the composition of the privileged and unprivileged groups. But problems arising from social stratification seem inevitable once societies have evolved beyond the simplest level.

*Notes*

9. *Die notwendige, unvermeidliche Wirkung der gegebenen Bedingungen.* Franz von Liszt,"Die deterministischen Gegner der Zweckstrafe," a paper of 1893 reprinted in his *Strafrechtliche Aufsätze und Verträge* (Berlin, 1905).
10. Radzinowicz, *op. cit.,* p. 45.
11. Donald R. Cressey, "Crime," in Robert K. Merton and Robert A. Nisbet (eds.), *Contemporary Social Problems* (2nd ed., New York, 1966), p. 173.
12. Benoit Augustin Morel, *De la contagion morale; du danger que présente pour la moralité et securité publique la relation des crimes donnée par les journaux* (Marseille, 1870), cited by de Quirós, *Modern Theories of Criminality* (New York, 1967), pp. 59-60.
13. P. Aubry, *La contagion du meurtre* (Paris, 1894).
14. M.A.Vaccaro, *Genesi e funzioni delle leggi penali* (Rome, 1889) .
15. Gabriel Tarde, *La Philosophie Pénale* (Paris, 1890).
16. For more about Tarde see Margaret S. Wilson Vine, "Gabriel Tarde," in Hermann Mannheim (ed.), *Pioneers in Criminology* (London, 1960), pp. 228-240.
17. Gabriel Tarde, *La criminalité comparée* (Paris, 1890).
18. Wilson Vine, *op. cit.,* p. 228.
19. *Ibid.,* p. 230.
20. Edwin H. Sutherland, *Principles of Criminology* (4th ed., New York,1947).
21. Donald R. Cressey, "The Theory of Differential Association: An Introduction," *Social Problems,* 8 (Summer 1960), 3.
22. Edwin H. Sutherland, *op. cit.,* p. v.
23. *Ibid.,* p. v.
24. *Ibid.,* pp. 4-9.
25. Radzinowicz, *op. cit.,* p. 82.
26. Nigel Walker, *Crime and Punishment in Britain* (London, 1965), p. 95.
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31. Georg Dahm, *Der Tätertyp im Strafrecht* (Leipzig, 1940).
32. Adolphe Prins, *Criminalité et répressiori* (Brussels, 1886), p. 13.
33. Donald R. Taft and Ralph W. England, Je., *Criminology* (4th ed., New York, 1964), pp.275-279.
34. Emile Durkheim, *Rules of Sociological Method* (Glencoe, 1950), pp. 65-73.
35. Thorsten Sellin, *Culture Conflict and* Crime, Social Science Research Council, Bulletin 41 (New York, 1938).
36. Enrico Ferri, *Criminal Sociology,* Joseph 1. Kelly and John Lisle (trs.) (New York,1967), pp. 226-228.
37. Emile Durkheim, *De la division du travail social* (Paris, 1863).

38. Emile Durkheim, *Le suicide* (Paris, 1897).
39. Robert K. Merton, "Social Structure and Anomie," *American Sociological Re-view,* 3 (1938), 672-682; also "Social Problems and Sociological Theory," in Merton and Nisbet, *op. cit.,* pp. 775-823; and *Social Theory and Social Structure* (New York, 1957).
40. Cressey, "Crime," *op. cit.,* p. 180.
41. Cohen, *op. cit.*
42. Richard A. Cloward and Lloyd E. Ohlin, *Delinquency and Opportunity: A Theory of Delinquent Gangs* (Glencoe, 1960).
43. Walter C. Reckless, *The Crime Problem* (4th ed., New York, 1967), pp.97-98.
44. Merton, "Social Structure and Anomie," *op. cit.*
45. Cloward and Ohlin, *op. cit.,* p. 88.
46. In 1935 Alexei Stakhanov cut a record amount of coal and in a few hours earned more than the coal miners' average monthly wage.
47. W. W. Rostow, *The Dynamics of Soviet Society* (New York, 1960), pp. 164-165.
48. *Ibid.,* p. 189.