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## OF LITERATURE, POLITICS, AND CRIME

*Francis A. Allen\**

**SEDUCTIONS OF CRIME: MORAL AND SENSUAL ATTRACTIONS IN DOING EVIL.** By *Jack Katz*. New York: Basic Books, Inc. 1988. Pp. viii, 367. \$19.95.

*Seductions of Crime* is a serious work, but not a solemn one. Of the areas of social theory, thought concerned with criminal behavior — particularly that expressed in political discourse — most frequently tends to be solemn rather than serious. Solemn thought about crime encourages the drawing of sharp distinctions between the criminal and the good citizen. It leads to dichotomies like Richard Nixon's between the "criminal forces" and the "peace forces," between "we" and "they." Yet criminal behavior is human behavior, and because of this the motivations and symbolic strategies of deviants are perhaps more readily accessible and understandable to the rest of us than has sometimes been supposed. *Seductions of Crime* suggests that thought about crime and delinquency may be less solemn, more serious, and perhaps more effective if we trouble to study the mainsprings of motivation discernible in criminal activity.

Professor Jack Katz<sup>1</sup> may thus be seen as contributing to the literature of "crime causation." In this respect, at least, he is in the grand tradition of criminological writing. Since the waning of classical criminology (as represented by the works of eighteenth-century writers like Beccaria and Voltaire), etiological theories have held a central place in criminological thought. Inspection of criminology textbooks in wide use in mid-century classrooms reveals that the issues of dominant concern centered on theories of crime causation and strategies of correctional treatment of convicted offenders.<sup>2</sup> But if Katz's etiological interests may be viewed as traditional, he emphatically separates himself from the methodology of positivist criminology. Being only an unsystematic and (especially in recent years) sporadic reader of contemporary criminological literature, I am unable to perform the useful task of accurately locating Professor Katz's book among the various schools and currents of contemporary criminology. His work ex-

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1. Associate Professor of Sociology, U.C.L.A.

2. *E.g.*, R. CALDWELL, *CRIMINOLOGY* (1956); E. SUTHERLAND, *PRINCIPLES OF CRIMINOLOGY* (4th ed. 1947); D. TAFT, *CRIMINOLOGY* (3d ed. 1950).

presses the phenomenological tradition, in that the "meaning" of deviant behavior is sought not, or not entirely, in generalized social forces, but rather in the definitions and understandings of the activity drawn by the participants themselves. There appears to be affinity between this work and those of such writers as David Matza, Erving Goffman, and Howard Becker, names that appear prominently in Katz's footnote citations.<sup>3</sup>

Katz does not delay in expressing his dissatisfactions with positivist etiological theory. The traditional positivist approach seeks to explain the phenomena of criminal deviance by references to broad background causes, "forces" like economic deprivation, repressive social structure, deviant subcultural influences, constitutional or genetic factors, psychological pathologies, and the like.<sup>4</sup> Not only has there not been wide consensus among the positivists on what the causative factors are or what relative weight should be assigned to each, but also, according to the author, positivist etiological theory has revealed its insufficiency as an explanatory device. Early in the volume Katz crisply itemizes some of its major deficiencies: (1) many persons in the causal categories do not commit crimes; (2) many who commit crimes do not fit into the categories; and (3) many persons within the categories do commit crimes, but may go for long periods without doing so (pp. 3-4).

The author would mend, or at least minimize, the failings of positivist theory through an approach that divides the phenomenon of deviance into what he calls the "foreground" and "background."<sup>5</sup> The foreground consists of the experience of deviant behavior as perceived by the individual actor, his motives and symbolic purposes, and the sensual satisfactions that he or she may derive from the deviant role. The motives of the offender, Katz believes, are in many cases ignored or unaccounted for in positivist theory. Next, the author considers background, the social, cultural, and economic context in which the various forms of deviant behavior occur. Here the analysis encompasses factors that figure more prominently in traditional positivist theory. Exclusive explanatory power, however, is not attributed to the background factors. If I understand him correctly, Katz believes that inquiry into both foreground and background provides mutual benefits for the understanding of each.

But how is the foreground of deviant behavior to be penetrated?

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3. *E.g.*, E. GOFFMAN, *FRAME ANALYSIS: AN ESSAY ON THE ORGANIZATION OF EXPERIENCE* (1974); D. MATZA, *DELINQUENCY AND DRIFT* (1964); Becker, *Becoming a Marihuana User*, 59 *AM. J. SOC.* 235 (1953).

4. For a brief general discussion, see Drapkin, *Criminology: Intellectual History*, 2 *ENCY. CRIME AND JUSTICE* 547, 550-55 (1983).

5. "I propose that empirical research turn the direction of inquiry to focus initially on the foreground, rather than the background of crime. Let us for once make it our first priority to understand the qualities of experience that distinguish different forms of criminality." P. 4.

How is an investigator to gain understanding of the perceptions and purposes of individuals engaged in such behavior? Interest in the perceptions of individual deviants, of course, does not begin with Katz's study. As early as the 1920s, Frederic Thrasher had noted the "play" element in much delinquent behavior of adolescent groups in Chicago.<sup>6</sup> Indeed, there is a substantial literature of interviews, biographies, and autobiographies of offenders in which individual deviants narrate their life histories, and speak to the techniques, motivations, and satisfactions of deviant careers.<sup>7</sup> Katz's analysis rests largely on this existing literature. But, however indispensable the literature to Katz's purposes, it is clear that individual accounts cannot simply be taken at face value. In some instances the assertions of the deviants are flatly rejected, as those of professional armed robbers who assert a rational utilitarian professionalism about their enterprises that Katz believes is refuted by their actual conduct and styles of life (pp. 166-67). Certainly, statistics, graphs, and the like (the processes recently described to me by a young scholar as "fact crunching") make only peripheral contributions to one who would uncover the individual sensual satisfactions and symbolic significances of deviant careers. I am not sure that a wholly satisfactory label can be attached to Katz's diverse methodology. For present purposes, I shall describe it as a process of imaginative reconstruction.

Someone has said (I have lost the source) that sympathy is a kind of knowledge, an insight seemingly lacking in much of the gender and racial controversy in modern American society. The cultivation of empathy, rather than sympathy, is perhaps the better way to describe Katz's effort. In seeking to display the subjective seductions of crime in a wide range of deviant behaviors, he concerns himself with symbols, the nuances of social interaction, the etymology of the language employed, cultural artifacts, graffiti, and much more.<sup>8</sup> Readers of psychoanalytical literature will be familiar with its wide-ranging searches

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6. F. THRASHER, *THE GANG* (1927).

7. *E.g.*, C. CONWELL, *THE PROFESSIONAL THIEF* (E. Sutherland ed. 1937); C. SHAW, *THE JACK-ROLLER: A DELINQUENT BOY'S OWN STORY* (1930).

8. Early in the volume Katz appends a footnote, the meaning and purpose of which are not entirely clear to me: "Note that there is no question here of 'getting into the offender's mind.' The key evidentiary facts are what was said and done, in what order, and what was not said and done. Neither the evidence nor the theoretical focus is on what is 'in the mind' of the subject." P. 326 n.2. A statement of the situation, which may be substantially consistent with Katz's views, follows: It is a truism that human beings are incapable of direct sensory perceptions of the events occurring in the minds of other persons. It is this incapacity that contributes so largely to the isolation of the human condition, and which was given expression in the old common law aphorism: "Even the Devil knoweth not the mind of man." What we know of the subjective states of others is that inferred from observations of what others say or do not say, how they say it, their deeds and omissions, body language, and the like. Thus our knowledge of the events in the subjective lives of others rests on foundations that are invincibly objective. That fact, however, does not make such knowledge, although indirect, "unreal." Indeed, we repeatedly stake our lives on it.

for meaning, but I suspect that persons coming to this book from outside the precincts of social science may be surprised and even startled by what they encounter; for Katz's methods resemble those of poetry and the arts. Perhaps from this study one may derive support for the assertions, long advanced by humanists, that there are levels of meaning and reality that can be reached *only* through the devices of empathetic understanding.

An illustration of Katz's technique of imaginative reconstruction may serve a useful purpose. In a chapter entitled "Sneaky Thrills" (ch. 2), the writer delineates the motivations for and the sensual satisfactions derived from shoplifting by a number of adolescent girls. The material advantages of theft are seen by the author as of low, almost incidental, significance. The narrative of one of the young shoplifters contains the sentence: "It would be so easy for me to get the chapstick without attracting attention and simply place it in my pocket" (p. 55). The ordinary reader is unlikely to find anything particularly arresting about the reference to the girl's pocket. A pocket, after all, would seem to be the natural and ordinary place in which to hide an object the size of a chapstick. But hear Katz:

On the far side of "It would be so easy" is an appreciation of the object already in her pocket. Now she has imagined not just the thing and a secret, collusive relationship with it; she perceives the thing as having transcended her personal boundaries and as residing in her pocket. The thing has demonstrated its power to act in her world by bringing her pocket into experiential existence.<sup>9</sup>

The writer's techniques of imaginative reconstruction may well prove unsettling to some readers. For however disciplined these inferences of the deviants' motivations and subjective satisfactions may be, are they capable of producing a body of knowledge and insight at once communicable and useful to other persons? The novelist, presumably, believes in the feasibility of such communication, but what about those who turn to social science for enlightenment when pondering mundane issues of social policy? While questions about the book's methodology inevitably arise, my own conclusion is not adverse to its legitimacy and usefulness. Katz's constructions, after all, are not made "at large." He must work within empirically established parameters; conduct must be explained and questions answered. This is not

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9. P. 55. The passage continues:

The ordinary customer, even one being seduced to a purchase by the charm of an object, would not be aware of the pocket in which she would place her purchase until, through inserting the object, she would sense herself creating her sensual awareness of the pocket. But a flirtation with the project of theft can make the pocket exist for the person before the object has entered it, and through the powers of the object itself. Through nothing more than the sheer power of a slight bit of deviant intention, a pocket can magically come alive. In more detailed accounts, we would find descriptions of just how the pocket is sensually alive: perhaps hot or perhaps begging to be filled.

Pp. 55-56.

to deny that alternative reconstructions of the subjective reality of deviants may often be possible. One of the varieties of deviant behavior described by Katz, for example, consists of killings in heats of passion, which he describes as "righteous slaughter" (p. 12). These are killings that follow the deadly sequence of emotional states in the killer that lead from humiliation, to rage, to lethal violence. It occurs to me that some domestic killings might better be understood as the outcome of power struggles in the home, killings that perhaps fancifully can be seen as a species of political crime. In any event, complete consensus on the interpretation of the phenomena the author is dealing with seems hardly a realistic objective. One wonders, moreover, whether Katz's methodology produces any greater opportunities for divergent understandings than those that have characterized criminological thought for a century or more. Ultimately theory of the sort advanced in this book must meet a pragmatic test: Does it, in the long run, enlarge the understanding and proficiency of those who seek to use it? Experience may prove that it does. At the least, *Seductions of Crime* demonstrates that the reality of criminal deviance is denser than many of us may have understood, and makes more difficult the retention of easy assumptions about conformity and deviance in our society that have often undergirded thought and policy in the past.

Among the prime attractions of the book is the mass of fascinating detail about deviant careers it collects, but especially the wide range of insights it expresses. Katz believes, rightly I think, that the insights have relevance to general social theory, not simply to criminological thought (e.g. pp. 313-17). One of the prominent themes of the book is the notion of "rationality" and its role in the lives of those pursuing deviant careers (e.g. pp. 154-55). The writer is especially critical of the view that deviant behavior, especially that of adolescent gangs and other urban dwellers, can be described simply as an accommodation to the fact of economic deprivation. "Opportunity theory" advances the thesis that young urban dwellers, denied entrée into legitimate channels of material advancement, will seek such advantages in criminal activities. Some disadvantaged youth may not qualify even for rewarding careers in crime, and may react in perverse withdrawal sometimes involving narcotic addiction.<sup>10</sup> Katz believes that such theories lack adequate explanatory power. Along the whole range of deviant activity he canvasses are to be found behaviors inexplicable in rational utilitarian terms. The adolescent shoplifter is often able to purchase

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10. "Opportunity theory" has its origins in the writings of Robert K. Merton, and received its most influential modified statement in R. CLOWARD & L. OHLIN, *DELINQUENCY AND OPPORTUNITY: A THEORY OF DELINQUENT GANGS* (1960). There seems to be something like a popularized version of opportunity theory emerging in the popular press in connection with the apparent escalation of adolescent involvement in drug dealing in the ghetto. Most of the data relied on by Professor Katz antedates the current levels of drug dealing by adolescents, and it would be interesting to have Professor Katz's views on these developments. *But see* p. 339 n.98.

the object she steals, and may throw it away after the game of theft is ended. Much gang activity is clearly counter-productive of material gain. The "bad ass" armed robber will not abandon a robbery attempt even when it becomes clear that the economic rewards will be disappointing and when persistence in the attempt places him at risk, perhaps forfeiting opportunities for future gain.

Yet deviant activity must express a logic of its own if attempts to encompass it in comprehensible theory are to succeed. This, of course, is the point of discovering the motives of those participating in deviant behavior. The armed robber, for example, may sacrifice material gain and even personal safety on occasion in the interest of playing a role involving violence and hedonism, one that demands the individual feel always "in control." One of the more fascinating insights is that which posits the rational pursuit of irrationality. The rationality of the larger society, the "others," may be seen as threatening to the adolescent ghetto dweller. Hence he seeks to construct an alien culture accessible and comprehensible only to himself and members of his group, a culture involving arcane rules and expectations wholly at odds with those in the larger world. What Katz describes here may be reflective of cultural changes implicating more than ghetto or barrio society. The rebellion against rationality, after all, was a phenomenon familiar to those on university campuses during the Vietnam era. The rebellion was founded, in part, on the conviction that dedication to rationality snuffs out human capacity for emotion and aesthetic appreciation, and is the basis of inhumane public policies leading to war, environmental destruction, and other social pathologies. Many of the offspring of the suburban bourgeoisie saw in systems of logic and syllogistic thought fetters to bind them to their parents' culture and to frustrate efforts at self-fulfillment.<sup>11</sup>

Another prominent (and poignant) thread in the fabric that Katz has woven is the concept of humiliation. Many of the varieties of deviant behavior discussed in the book may be seen as reactions to assaults on the sense of selfhood and self-worth, humiliations experienced or anticipated. The killer in rage reasserts selfhood, and in destroying the victim who has challenged his human worth, acts to defend what is good. The ghetto youth who creates a largely fictitious alien culture thus seeks refuge from humiliations by "others." The violent armed robber avoids humiliation by striving through violence and potential violence to gain firm and total control of his life. Even the adolescent shoplifter gains pleasure by adroit maneuvers that render her nature and motives opaque to the inquiring eyes and evaluations of others. What appears to emerge from the amassing of these illustrations are social and cultural "backgrounds" to deviant behavior that persistently and insidiously attack the self-regard and sense of autonomy of

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11. F. ALLEN, *LAW, INTELLECT, AND EDUCATION* 5-6 (1979).

large segments of our population, and which lead to adaptations of conduct that appear bizarre when tested by the ordinary assumptions of utilitarian rationality.

Keeping these comments within reasonable bounds necessitates my largely ignoring what Katz has written about the "background" of deviant behavior. I shall refer to only one topic. Katz concludes his text with the following comment: "Perhaps in the end, what we find so repulsive about studying the reality of crime — the reason we so insistently refuse to look closely at how street criminals destroy others and bungle their way into confinement to save their sense of purposive control over their lives — is the piercing reflection we catch when we steady our glance at those evil men" (p. 324). Clearly Katz believes that the modes of thought and subjective manipulations he observes in those who resort to criminal lifestyles can be replicated in the larger society, even in the current conduct of American foreign policy. The history of efforts to extrapolate theory derived from limited areas of observation to wider social application has often been an unhappy one. Accordingly, caution seems indicated. Yet surely Katz has a point. In the decade just past, American public policy, both domestic and foreign, seems characterized by an increasing tendency toward reliance on the launching of deadly force as the acceptable mode of problem-solving. One wonders what rational calculation of costs and benefits underlay President Bush's complacent announcement that the Panama invasion was "worth it" — worth, that is, the lives of several hundred persons, substantial physical destruction, and the reigniting of well-founded Latin American suspicions of American purposes. One suspects that many of those who agreed with Bush's evaluation (and that appears to be most of us) pursued a sequence of thought not dissimilar to that described by Katz in cases of "righteous slaughter" — a movement through frustration, humiliation, anger, and ultimately to violence in defense of the Good.

Truth, like beauty, has its own excuse for being, and if (as I believe) Katz has contributed to a deeper understanding of the phenomena of deviance, then no further justification for his work is required. Nevertheless, especially when considering the reader who comes to the work from outside social science, it may be permissible to inquire about its possible applications to the concerns of those who create and administer public policy. I have not found it easy to offer concrete responses to this inquiry. The chapters on the subjective world of gang members provide insights that appear relevant to public school teachers and administrators, but the knowledge gained may prove more discouraging than invigorating. Persons vested with discretionary sentencing powers in criminal cases may, by reading the book, gain greater understanding and compassion. I have found that some of the writer's insights on domestic violence enlivened discussion in my criminal law class. (I suspect, however, that contributions to law

school instruction occupy a rather low position on Katz's list of priorities.) I believe the serious response to the inquiry concerning the relevance of the work to those whose professional concerns do not encompass social science research is that the book challenges widely held assumptions about the reality of deviance, and may in some instances make readers less confident of mind-sets heretofore firmly established. These are no small contributions, more than sufficient to justify a wide general readership. Given the obstacles to communication across disciplinary boundaries, however, I am not optimistic that this wider readership will be secured.

In the preface to his book, Katz asserts that his study of criminal deviance is not founded on the proposition "To understand is to forgive." "A trip to 'the other side,' " he writes, "does not have to be a permanent change in spiritual address" (p. vii). Does the author succeed in bringing us back from the other side, content to reside at our former spiritual address? If the book modifies our views on the reality of deviance, it may at the same time and in some measure affect our moral evaluations of deviant behavior. Should we, then, be alarmed by the possible modest subversions of our moral postures toward crime? Given the force and the ubiquity of the propaganda emanating from official sources, the dangers posed by Katz's discourse seem small. One can rely, I believe, on George Bush and William Bennett to keep most of us appropriately solemn.