AN APPRAISAL OF DIFFERENTIAL ASSOCIATION THEORY

Introduction

Differential association theory is perhaps the best known social learning perspective of criminality and reflects an interpersonal approach. Edwin Sutherland was a sociologist of the Chicago School and symbolic interactionist thought, credited with bringing the field of criminology under the sociological umbrella. Sutherland developed differential association theory to explain how criminals learn the techniques and means of particular criminal activities, and how to rationalize such behaviour as normal and enjoyable. Sutherland proposed that an excess of definitions conducive to criminality could be learned by individuals and his theory has been seen as particularly useful in explaining juvenile gang crime and white collar crime, though it is not without its critics. The beginnings and an explanation of differential association theory and its applications will be presented, followed by a critique and the policy implications associated with this seminal learning theory.

Foundations of Differential Association Theory

Learning theory has a rich philosophical and theoretical background. Aristotle, Hobbes, Locke and Hume all developed the concept of associationism, which suggests that the mind

1 Lainer & Henry (2003a)
2 Lainer & Henry (2003b)
3 Vold & Bernard (1981)
organizes sensory experiences; this has been replaced by cognitive psychology today. Pavlov and Skinner's 'behaviourism' suggests the mind requires physical body responses in order to store information. By combining the storage and organization of sensory experience, early perspectives of the learning process set the stage for sociological and criminological exploration.

The early work of the Chicago School in the importance of social ecology and urban mapping led to some theorists focusing on cultural transmission, with respect to delinquent subcultures. Following from the work of Mead's symbolic interactionism and the importance of meanings in social interactions, the Chicago School's cultural transmission and Sellin's culture conflict, Sutherland developed differential association theory. In particular the work of the German philosopher Georg Simmel informed Sutherland's concept of how 'normative conflict' appears as differential social organization, to society, and as differential association to the individual. Social process theories hold that "criminality is a function of individual socialization". Sutherland's theory of differential association with criminal and anticriminal behaviour patterns is comparable with Gabriel Tarde's concept of imitation; the proposition that behaviours are imitated in proportion and intensity to the relationships between people. The influence of these works led Sutherland to revise his idea that the causes of crime were infinite and begin his ambitious search for a general theory of crime.

4 Garnham & Oakhill (1994)
5 Garnham & Oakhill (1994)
8 Melossi (2004)
9 Siegel (1998, p. 196)
10 Lainer & Henry (2004)
Sutherland was not the first to examine the dynamics of learning within groups of thieves. An article entitled ‘Professional Thieves’ was published in 1862\textsuperscript{11}. The unknown author used participant observation methodology to obtain a positivist perspective on the criminal class\textsuperscript{12}. The author’s conclusions regarding learning dynamics amongst criminals are incredibly similar to those expressed by Sutherland in his work “The Professional Thief”, though Sutherland did not cite this paper\textsuperscript{13}.

**Differential Association Theory**

Differential association theory was first presented by Sutherland in 1939, though it was revised several times\textsuperscript{14}. Two basic elements of Sutherland’s theory are that the learning process itself and the content of what is learnt are important to understanding criminal behaviour\textsuperscript{15}. Learning is defined as “habits and knowledge that develop as a result of the experiences of the individual in entering and adjusting to the environment”\textsuperscript{16}. Sutherland saw ‘crime’ as politically defined\textsuperscript{17}. Nine postulates, which identify the process by which a person engages in criminal behaviour, form the basis of differential association theory\textsuperscript{18}.

Sutherland postulated that criminal behaviour is learned in intimate social groups, though these groups may not be delinquent themselves, and that criminal behaviour is acquired
through such contact\textsuperscript{19}. Criminal behaviour is primarily learnt from close associates such as family and peers; through associations with people approve of illegal behaviour, individuals may learn to become criminal themselves\textsuperscript{20}. This learnt behaviour includes both the technical skills necessary to commit criminal acts and attitudes which are non-conformist and thus conducive to criminal activity\textsuperscript{21}. It is important to note that Sutherland did not assume that all individuals who come into contact with criminals will become criminal themselves, though critics such as Vold suggested this\textsuperscript{22}. The core proposition of differential association theory is that an excess of criminogenic ‘definitions’, as opposed to conformist ‘definitions’, are conducive to criminality; exposure to criminal behaviours alone is not enough to incite criminal behaviour\textsuperscript{23}. As Sutherland states, “Though criminal behaviour is an expression of general needs and values, it is not explained by those general needs and values since non-criminal behaviour is an expression of the same needs and values”\textsuperscript{24}.

Another aspect of Sutherland’s theory is the shift from notions of social disorganization to differential social organization: an attempt to combine differential association, differential social organization and Merton’s anomie\textsuperscript{25}. This is a move from perceiving criminals as those isolated from mainstream culture and immersed within their own disadvantaged neighborhoods, to recognizing that society is more complex and contains a plethora of

\textsuperscript{19} Sutherland (1949)
\textsuperscript{20} Sutherland (1947)
\textsuperscript{21} During this time American psychology was preparing for a shift to behaviourism, in which the effect of the environment would be central to shaping individual behaviour. It is interesting that Sutherland’s work, which parallels this approach, attracted little attention from psychologists, and psychology remained primarily interested in the study of the individual (Hollin 2002).
\textsuperscript{22} Vold (1958)
\textsuperscript{23} Sutherland (1949)
\textsuperscript{24} Sutherland (1947)
\textsuperscript{25} Sutherland (1949)
conflicting groups, with differing sets of norms and values, irrespective of class boundaries\textsuperscript{26}. Differential social organization was highlighted in Sutherland’s \textit{White Collar Crime}\textsuperscript{27}.

Sutherland and his associate Cressey rejected the psychological assumption that criminals were somehow different to law abiding citizens; instead they suggested learning how to commit crimes is the same as learning any other behaviour\textsuperscript{28}. Therefore, a major underlying assumption of differential association theory is that crime is ‘normal’, rather than ‘pathological’, as it is learned the same way as all other behaviours. Differential association theory may be reduced to the notion that individuals engage in criminal activity because they have associated with and absorbed pro-criminal definitions with greater frequency, duration, priority and intensity than with anti-criminal definitions\textsuperscript{29}.

\textbf{White Collar Crime}

Interest in the crimes of the powerful first began with Tarde and Bonger, though Sutherland is credited with making the breakthrough in criminological theory as part of his differential association theory\textsuperscript{30}. Sutherland first used the term ‘white collar crime’ during his Presidential address to the American Sociological Association in 1939 and suggested criminal behaviour existed amongst all social classes\textsuperscript{31}. He defined white collar crime as “a

\begin{thebibliography}{1}
\bibitem{26} Lainer & Henry (2004)
\bibitem{27} Sutherland (1949)
\bibitem{28} Sutherland & Cressey (1966)
\bibitem{29} Sutherland (1949)
\bibitem{30} Cottino (2004)
\bibitem{31} Sutherland (1949)
\end{thebibliography}
crime committed by a person of respectability and high social status in the course of his occupation." This definition of white collar crime has been criticized for being ambiguous and Sutherland was criticized for applying the term to offences whose definition as criminal were legally or sociologically controversial. However, the important issue for Sutherland, namely that white collar crimes are a violation of trust, is imperative. Sutherland argued that at the societal level anomie and norm-conflicts create social disorganization, which lead to criminogenic economic environments. He intended to further refute psychological focus on the individual, and reform criminological theory by showing that his differential association theory could be applied to all types of criminal behaviour.

Cressey tested differential association theory in his study of embezzlement, showing the specific techniques which embezzlers learn and use to engage in and justify illegal behaviour. At first it appears that Cressey validated Sutherland’s theory; however, Cressey himself noted that the differential association process was not precise enough to lend itself to empirical testing and was not proved or disproved by his work. While reviews of Sutherland’s thoughts on white collar crime have been mixed, the importance of the number of associations favorable to crime and Cressey’s emphasis on the motives and justifications used by criminals are both valuable insights.

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32 Sutherland (1949, p. 9)
33 As noted by Nelken (2002, p. 848), “If Sutherland merited a Nobel prize, as Mannheim thought, for pioneering this field of study, he certainly did not deserve it for the clarity or serviceability of his definition”.
34 Sutherland (1949)
35 Sutherland (1949)
36 Cressey (1971)
37 Cressey (1960)
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**Juvenile Crime**

Differential association theory has also been used to explain youth delinquency and gang culture. The importance of the ‘definitions’ expressed by peers is clear when examining youth gang culture, particularly when one considers that one of the strongest correlates of juvenile delinquency is criminal peers\(^38\). Unfortunately, it is often difficult to determine whether it is the delinquency or the delinquent friends which occurs first; it may be that juvenile criminals prefer to associate with each other, rather than gangs being the primary causal factor\(^39\). It is also extremely difficult to precisely determine all of the definitions, both criminal and anti-criminal, at play\(^40\). Sutherland does not specify how these definitions should be determined or empirically assessed\(^41\). Research regarding the learned nature of juvenile delinquency has been mixed, though there is little doubt that the influence of family and peers is monumental.

**Critique of Differential Association Theory**

Differential association theory explains white collar, corporate and gang crimes very well, as these are all crimes which are distinctive to particular subcultural groups. The appeal of differential association theory rests with its simplicity; it offers a simple explanation as to why some persons commit crimes and others do not. Unfortunately, this simplicity is also the source of many criticisms of Sutherland’s work.

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\(^{38}\) Haynie & Osgood (2005)
\(^{39}\) Haynie & Osgood (2005)
\(^{40}\) Haynie & Osgood (2005)
\(^{41}\) Sutherland (1949)
Many have criticized Sutherland’s differential association theory on a number of grounds. Most importantly is the inability to empirically verify the theory, as noted by Cressey and others. The vagueness of many of Sutherland’s definitions also caused concern from some sociologists, who argued that most of the crimes discussed were civil, rather than criminal, matters. Sutherland did not precisely define which crimes were white collar crimes, as any person in a position of respectability could be guilty by his definition. For example, a car mechanic is a person in a position of trust according to Sutherland’s definition, and many disagree that a car mechanic could be guilty of white collar crime. Sutherland, in response to these criticisms, argued that some technically legal acts by corporations could still be classed as crimes because they violated the social consensus. Given the governmental lobbying and protests which accompany changes to criminal law, it is difficult to accept that any such social consensus regarding the state of criminal law exists. While Sutherland called major companies in the US ‘recidivists’, guilty of repeated criminal activities which were, in his opinion, more costly than general street crime, he ignored the issue of defining recidivism in his introduction of white-collar crime.

More generally, Sutherland did not concern himself with where the first criminal definition came from, nor did he adequately explain crimes of passion and individual crimes where the offender had not been in a position to absorb ‘criminal’ definitions and values. However, some have questioned whether learned social concepts such as racism and sexism could be crime causal; these causes would indeed fit within the differential

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42 Sutherland (1949) & Vold & Bernard (1986)
43 Sutherland (1966)
44 Sutherland (1949)
45 Vold & Bernard (1986)
association process. Sutherland has also been criticized for providing a theory which is far too broad to be of any use in explaining crime, though it may be argued that his intention was to create a general theory of crime and any general theory must be broad in nature.

Theories Derived From Differential Association Concepts

In response to the above criticisms many theorists have extended or modified Sutherland’s differential association theory in order to explain criminal behaviour. Burgess and Akers extended Sutherland’s theory to specify the components of the learning process, and created links to psychology. Akers’ differential reinforcement theory suggests the application of rewards and punishments to the learning process establishes our definitions of behaviour: essentially, we learn to repeat behaviour for which we are rewarded, and desist behaviour for which we are punished. Thus, Ackers expanded Sutherland’s theory to include operant and respondent conditioning. Gresham Sykes and David Matza argued the social learning theory was too simplistic and too deterministic, and offered a theory of neutralization and drift in their discussion of juvenile delinquency. Albert Bandura demonstrated the powerful nature of social learning experiences, particularly with regard to children who are exposed to violent adult role models. Glaser’s differential identification theory suggests not all learning takes place in a face-to-face context. This highlights the effect contemporary technological advances and communication techniques may have on

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46 Burgess & Akers (1966)
47 Akers (1997)
48 Akers (1997)
49 Sykes & Matza (1957)
50 Bandura (1977)
the process of creating definitions favorable to crime\textsuperscript{51}. Aspects of differential association have been incorporated into cultural arguments underlying the NASA space shuttle disaster\textsuperscript{52}, and into studies of punishment and reinforcement in multiple age groups\textsuperscript{53}. The importance of Sutherland's contributions remains strong in multiple contemporary works of criminology and sociology.

**Policy implications of Differential Association Theory**

The criminal justice policy implications of differential association theory are extremely valuable. To say that criminal behaviour is learned suggests legal behaviours can be taught to the offender. Rehabilitation through re-education and re-socialization are important therapies to consider, particularly for juvenile offenders. Re-education could replace the excuses and justifications for crime with reasons for following the law. Re-socialization could be achieved with parental skills and peer evaluation training. Perhaps most importantly, the need to re-educate society at large becomes apparent in order to remove the need for the 'first criminal definition' missing from Sutherland's work. Many proponents of social learning theory have used arguments regarding the transmission of unacceptable behaviours to call for greater censorship in the media, particularly in violence on television and in video games\textsuperscript{54}. Arguably, these approaches may work to produce behavioural change, but not cognitive change.

\textsuperscript{51} Glaser (1956) .
\textsuperscript{52} Vaughan (1996) .
\textsuperscript{53} Akers (2004) .
\textsuperscript{54} Ainsworth (2002) .
Conclusion

Differential association theory attempts to be a general theory of crime, capable of explaining all types of crimes and stressing that criminals are no different to law abiding citizens. The valuable contribution that Sutherland makes to criminology is in seeking to explain both criminal and non-criminal activity simultaneously, as the learning of all behaviours occurs the same way. As Sutherland explains, “the attempts by many scholars to explain criminal behaviour by general drives and values... have been and must continue to be futile since they explain lawful behaviour as completely as they explain criminal behaviour”\(^{55}\). However, the tautological nature of Sutherland’s argument is glaring: to simply say that criminals engage in criminal behaviour because they have learned to be criminals is not particularly inspired. One of the most valuable insights left by Sutherland is not actually included in his own work. The missing link in the chain of differential association is the origin of the original criminal definition; this points to a need to examine the structural causes which lead to the initial need and/or desire to commit criminal acts. Sutherland’s differential association theory remains an important criminological work which influences sociological, criminological and psychological thought today.

\(^{55}\) Sutherland (1947, p. 8)
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Sutherland, EH 1939, *Principles of Criminology*, J. B. Lippincott, Philadelphia.


NOTE: Marks are gained by meeting the criteria in Section A and lost for not meeting criteria in Section B.

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