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ACCESSIBILITY TO MEANS OF
ACHIEVEMENT, INSTITUTIONAL REMINDERS,
AND ATTITUDES TOWARD THE
LEGAL SYSTEM

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ABSTRACT

ACCESSIBILITY TO MEANS OF ACHIEVEMENT, INSTITUTIONAL REMINDERS, AND ATTITUDES TOWARD THE LEGAL SYSTEM

by Kathryn F. McKinney

Access to legitimate roads for the attainment of universally valued success goals in America is structurally denied to certain large groups of our population. The paper hypothesizes that the more frequently members of such groups are reminded (through contact with police, and welfare and legal aid agencies) of their disadvantageous position, the more hostile they will become toward the symbols (police, lawyers, judges, laws) of middle class authority--that authority which closes doors to them at the same time that it claims these doors to be open to anyone with ability and fortitude.

Data collected in Lansing, Michigan, supply some support for this hypothesis among the white sample. The hypothesis does not hold for nonwhites.

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ATTITUDES TOWARD THE LEGAL SYSTEM

By

Kathryn F. McKinney

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CHAPTER I

INTRODUCTION: THE STRUCTURAL APPROACH

Official rates of crime in the United States, especially juvenile crime rates, have been rising alarmingly for several decades. The popular perception is that of a country whose citizens are becoming increasingly criminal and disrespectful of our system of law enforcement and criminal justice. It is probably true that many Americans, if not prone to criminal acts, hold negative or ambivalent attitudes toward our system of legal justice. In fact, Wendell Bell found the popular characterization of Americans as "suspicious of authority in general and political authority in particular" to be largely accurate.¹ It is probable that such attitudes have always been prevalent in American society; distrust of instituted authority is part of our American heritage, especially among the low income, underprivileged sector of the population. Such hostility and distrust of our legal system (For the purposes of this paper, "legal system" will be defined as the legal norms and the process and personnel which enforce them, i.e., judges, lawyers, and police.) has become of greater importance recently, however, as lower status people have become

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concentrated in metropolitan areas. Though hostility most likely existed within these groups prior to the existence of urban ghettos, it was not generally recognized because, among other reasons, low-status people were geographically diffused, thus a realization of common grievances, a consciousness of kind, and development of an organization were not likely to occur.² As our urban population began to swell with discontented people, gradually Americans were forced to recognize the existence of an "underclass." In investigating immediate causes of urban disorders during the 1960's, the National Advisory Commission on Civil Disorders found that

. . . the poor man sees the law as something which garnishes his salary, which repossesses his refrigerator, which evicts him from his house, which cancels his welfare, which binds him to usury, or which deprives him of his freedom because he cannot afford bail, . . .³

and that, not surprisingly, the police in these areas have become the focus of this hostility toward the legal system.

The policeman in the ghetto is a symbol, not only of law, but of the entire system of law enforcement and criminal justice.

As such he becomes the tangible target for grievances against shortcomings throughout the system: against assembly-line justice in teeming lower courts; against wide disparities in sentences; against antiquated corrections facilities; against the basic inequities imposed by the system on the poor--to whom, for example, the option of bail means only jail.

The Commission cited this "deep hostility between police and ghetto communities as a primary cause of the disorders surveyed. . . ."⁴

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But is it in fact true that Americans are becoming more criminal? There are several reasons for believing that the degree of criminality of individual Americans along with their hostility toward the legal system have not met with an appreciable increase as crime rates would indicate, but that the rise in crime rates is a function of (1) highly unreliable statistics, and (2) structural changes in related sectors of the total society.

According to the Uniform Crime Reports collected and published by the Federal Bureau of Investigation, crime increased six percent between 1964 and 1965, and continues to climb at about the same rate.⁵ Well publicized, such figures generate widespread alarm. J. Edgar Hoover has become the spokesman for many such alarmists, making statements such as the following:

Despite the continuing efforts of some self-professed experts to minimize the crime problem, the undeniable fact remains that crime is increasing--in both numbers and intensity--at an alarming rate. It is growing six times as fast as our expanding population.⁶

Hoover attributes rising crime rates to a breakdown of the moral character of Americans.

Spokesmen for the opposing view argue that, first, the UCR--the primary source of such data in the nation--are almost completely worthless as an indicator of the total number of criminal acts committed in this country. They depend upon voluntary cooperation from local law enforcement agencies (who have a vested interest in

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increasing public awareness of crime), they do not distinguish between reported and completed criminal acts, they compute rates by a comparison between the volume of crime for a particular year and the size of the population at the last census (so that crime rates are increasingly distorted as the length of time since the last census increases), they do not take into account changing definitions of "serious" crimes, and the definition of "serious" or "index" crimes is somewhat arbitrary.⁷ Since reporting of crimes is left to local departments and has always been done on a voluntary basis, the total number of crimes reported has increased with increased funds and interest.

A second argument against Hoover's interpretation accounts for apparent increases in criminality as the result largely of changes in the composition and size of the population. As our population has increased and society has become more complex, "the tendency to depend upon law rather than noninstitutionalized control mechanisms has led to the increased formalization of legal codes, which in turn has led to increased 'crime.'"⁸

The composition of the population in the United States has undergone radical changes, especially in the last decade. Because of the unusually high birthrate in the years following World War II, the proportion of young people in the population has increased much faster than other groups. Since by far the overwhelming majority of

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crimes in this country are committed by people in their teens or early twenties,⁹ the volume of crime and the overall crime rate would be expected to grow during recent years though the rate for any given age group may not have increased.

Thirdly, attitudes toward law have followed a general pattern of attitudes toward all social institutions--increasing rationalization, decreasing moralization, and increasing focus on prevention rather than cure. Since the movement to rationalize judicial organization has begun only in the last thirty years, the legal system has lost esteem because it has fallen far behind public opinion.¹⁰

In spite of its probable inaccuracy, the popular point of view-- alarm over what is perceived to be a sharp rise in lawlessness and disrespect for the legal system-- has inspired a proliferation of publications attempting to explain the etiology of criminal behavior. Most such explanations locate the cause of deviant behavior within individuals. August Aichhorn, for instance, treats delinquency as the result of faulty childhood training,¹¹ Sheldon and Eleanor Glueck find causes in individual physique and temperament;¹² Richard L. Jenkins,¹³ Fritz Redl and David Wineman,¹⁴ John Dollard,¹⁵ and other followers of Freud, see criminality as arising from individual psychological malfunctions--that is "one commits

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the deviant act because he wants to; because it satisfies an urge, a drive, a wish."¹⁶

Other popular theories explain deviance as a reaction to supra-individual factors, usually culture, yet they still utilize a concept of deviants as being somehow different sorts of people from nondeviants. Albert K. Cohen's explanation of delinquency as a reaction-formation against middle class values,¹⁷ Shaw and McKay's ecological, culture-transmission explanation,¹⁸ Sutherland's differential association theory,¹⁹ and Walter B. Miller's theory of lower class culture²⁰ are examples.

We intend to argue here, not that characteristics of individuals, of their culture, or of their neighborhood are irrelevant to understanding and dealing with social deviance, but that perhaps it can be better understood and dealt with as an inevitable effect of the total structure of a society. Widespread belief in the increasing criminality of Americans has tended to narrow the focus of social theorists, blinding them to the fact that the important changes occurring in American society cannot be adequately explained by studying individuals.

Recently a few sociological theories have been developed which significantly add to our understanding of societal conditions which foster lawless behavior and hostility toward the legal system among particular social groups. These theories follow what has been called the

"anomie tradition"--the tradition of Emile Durkheim which seeks to explain deviant behavior in terms of a discrepancy between culturally defined goals and structurally defined means for attaining these goals, leaving certain categories of people in a state of "anomie"--usually used in the sense of normlessness or alienation.

Durkheim,²¹ in attempting to understand the rise and fall in rates of suicide (which he took to be an indication of the rise and fall of anomie), reasons that individuals are in a relatively stable situation when the life goals for which they strive are in fact attainable--that is, a situation in which the social order controls the goals toward which its members strive according to the necessarily inequitable distribution of resources within that society. When goals are allowed to rise unchecked, the distance between expectation and reality will increase infinitely, and thus by definition the goals may never be fulfilled--an unstable situation resulting in individual dissatisfaction, anomie, and a sharp rise in the rate of suicide.

Robert Merton²² carries this line of reasoning further, applying it to the specific situation of the United States. He recognizes that, from its inception, American ideology has stressed universally unlimited goals (mainly monetary); there are said to be no requisites to the attainment of the culture's highest goals other than

dedication, faith, and hard work. Further, not attempting to attain valued goals is itself negatively valued and labelled as deviant. In fact, however, entire sectors of our population are structurally barred from effective participation in the competition for goals. These people then must deal with their situation, in many cases by choosing deviant adaptations.

Richard Cloward and Lloyd Ohlin²³ pick up the reasoning at this point, bringing to bear on their argument the thinking of many other social scientists (Herbert H. Hyman, William Foote Whyte, Edwin H. Sutherland, Herbert Bloch, Albert K. Cohen, Walter B. Miller, and W. Lloyd Warner, among others) as well as recent data. They argue that American society provides for its members two opportunity structures, one legitimate (from the point of view of the dominant culture), and one illegitimate. In other words, one's opportunity to succeed legitimately as well as illegitimately is structurally limited according, mainly, to the social class into which he is born.

With respect, first, to the legitimate opportunity structure, there are several important ways in which this limitation is effected. In our society education is the main vehicle by means of which one may become upwardly mobile. In many lower class families, however, the children are expected to leave school as soon as they are allowed and go to work in order to lessen the burden on

other family members. In addition, it has been shown that the social classes differentially value education, the lower class according it the least value. Under such circumstances, it is hardly surprising that lower class children do not strive to succeed within the educational system. Moreover, inherent in the organization of a democratic society is what Cloward and Ohlin call the "discrepancy between formal and operative criteria of evaluation." In a situation of competition for limited rewards among equally qualified individuals, criteria other than those formally accepted must be utilized (such as personal contacts, possession of valued symbols, etc.). It is for this reason that even high educational attainment does not necessarily enable the lower class person to achieve.

It is at this point in the argument that Cloward and Ohlin make their most important contribution to our understanding of deviant behavior patterns. They reason that, once an individual has failed, or anticipates failure, in achieving legitimately (the authors treat these two situations as functionally equivalent), several options are open to him depending upon (1) the nature of the illegitimate opportunity structure in his neighborhood, (2) his position within that opportunity structure, and most important (3) his success in withdrawing sentiments of legitimacy from official norms. An individual's position within the illegitimate opportunity structure will

depend, in the case of the conflict subculture, on his physical strength, his ability to withstand pain, to wield weapons effectively, and to command respect from his peers. The criminal subculture requires persons with many of the same attributes required for success in the legitimate world--intelligence, "contacts," agility, persistence, and self-discipline.

Whether or not an individual (who has failed legitimately) attempts to succeed within an illegitimate opportunity structure, depends upon his success in attributing his failure in the legitimate world to inequities in the system rather than to personal inadequacies. If he is able to justify the former explanation to himself, he can then withdraw sentiments of legitimacy from dominant norms, thus allowing himself to engage in deviant forms of behavior without the pain of guilt feelings. Cloward and Ohlin suggest three situational variables which affect the facility with which personal withdrawal of legitimacy may be effected: (a) the size of the discrepancy between institutionally induced expectations and the actual possibilities of achievement, (b) the visibility of the barriers to achievement, and (c) the availability of social support for attribution of blame to the system. They also acknowledge the importance of psychological variables in this context, postulating interaction between these and the structural and situational variables mentioned.

Support for Cloward's and Ohlin's theory may be found in the work of many other social scientists. Lee Rainwater discusses the economic realities of the American underclass:

By now the myth that the increasing affluence in the nation will give those at the bottom larger and larger slices of the pie has been exploded. From 1947 to the present, 20 percent of American families have each been earning less than half of the median family income. . . . Domestically, there has been no contradiction so stark--and perhaps so fateful--as that between the dramatic success of the American economy in increasing the prosperity of the "poor but honest" stable working class, and the failure of the American economy to raise those at the very bottom relative to all other Americans. Even in constant dollars, the urban working class has nearly doubled its income in the last 20 years.²⁴

Cloward's and Ohlin's contention that structural barriers exist to maintain the underclass is supported by several studies. Albert J. Reiss, and A. L. Rhodes²⁵ found that in Nashville, Tennessee, most of the adolescents who left school before graduating did so for economic reasons. From his study of lower class Negro "corner gangs," Elliot Liebow²⁶ concluded that these men do recognize their inability, because of structural barriers, to achieve middle class goals, thus their chosen mode of living and orientation toward life is not culturally determined, but is a realistic adaptation to a hopeless situation from which there is no escape.

Irving Spergel tested aspects of Cloward's and Ohlin's theory among delinquent gangs in a large eastern

city by means both of participant-observation and formal interviews. He found, among other things, that delinquents tended to have higher monetary aspirations than did nondelinquents, thus strengthening the contention that a strong desire for achievement in the face of structural barriers leads to deviant adaptations.²⁷

Herbert Hyman, also interested in class differentials in aspirations and expectations, reports finding that lower class people, as compared to people of the other classes, (1) regard success goals considerably less accessible,²⁸ (2) value education as a means for achieving success goals considerably lower,²⁹ and (3) aspire to fewer absolute monetary rewards, but to far more rewards relative to what they now have.³⁰

After reviewing this and other studies of class membership and aspiration levels, Suzanne Keller and Marisa Zavalloni conclude, "although their evidence varies, they agree in their conclusions: lower class individuals, in giving relatively low priority to a college education and to professional, or at least white collar work, are less ambitious than middle class individuals."³¹ This result would seem to contradict Cloward's and Ohlin's thesis (specifically, that middle class goals are universally valued) until one realizes that

. . . the lower class is in a peculiar position, caught between its knowledge of what forms of success are generally impressive and important, and what

forms are possible within its class-bounded horizons. . . . Even when [lower class members] do pursue lower ranking goals, moreover, it does not follow that they are content with their lot.

On the contrary, lower class people have been found to be chronically unhappy and frustrated.³²

Further, data collected by James Short and Fred Strodbeck show that the lower class accepts middle class prescriptive norms and goals but, at least in principle, rejects middle class proscriptive norms--in other words, lower class individuals are more tolerant of deviance than are middle class individuals,³³ but both classes share similar ideals.

We may conclude that considerable evidence exists for the acceptance of Cloward's and Ohlin's premises.

Paul Jacobs summarizes the major points of this chapter:

In America, the poor and especially the minority poor live inside a pen without an exit gate. And government, rather than helping weaken or break it down, has reinforced the fence that keeps them inside it. It is true that more of those caught inside escape now than before, but the undiminished masses within are all the angrier at not getting their chance to get out too.³⁴

CHAPTER II

THE VARIABLES

Within this tradition of structural analysis we shall attempt to clarify several relationships relevant to the development on the part of low status groups of negative attitudes toward the legal apparatus and its representatives. If Merton's and Cloward's theses are correct, it follows that low status persons denied access to either legitimate or illegitimate means, or both, will become increasingly hostile toward those believed responsible as the former are reminded of their disadvantageous position. American institutions provide numerous means by which people may be so reminded.

The American public generally holds a highly moralistic view of poverty.

America has always had a tradition of contempt and dislike for the poor. That tradition is a strong strain in our puritan heritage. . . . Americans as a people are convinced that only those who don't want to work are poor, since otherwise they would not be in that condition.¹

America finds itself unable to deal just with poverty; it has always had to "save" the poor as well--exhorting them to abandon the immoral ways which cause their condition, or diagnosing and treating them, or launching into the next economic stratum those who could respond to the countdown.²

As a consequence of this attitude, public officials and professionals, largely middle class, are unlikely to do a very good job in their relations with the lower class.³ They are likely to be "authoritarian, condescending, paternalistic, and arbitrary in dealing with the poor."⁴ We can see, then, that the middle class-run institutions with which the poor come into most frequent contact, namely the legal and welfare institutions, probably serve very efficiently to degrade their clients, reminding them of their inferior positions, thereby reinforcing hostile attitudes towards those in positions of authority. Such is in fact the thesis of this paper. (Of course such attitudes are relevant and significant only insofar as they can be assumed to have consequences in behavior. At this point in the discussion we will make a somewhat unjustified logical leap by so assuming, since discussion of this controversy at this point would lead us astray and is beyond the scope of this paper.)

We shall first discuss the consequences of contact between the lower class and the legal institution. Clearly, the criminal adjudicatory process is the degradation ceremony par excellence; it meets perfectly Harold Garfinkel's classic conditions of successful degradation ceremonies.⁵ Court officials and other legal personnel are by training "professional degraders,"⁶ upholders of middle class morality. In somewhat of an understatement, Abraham Blumberg admits,

The client, then, is a secondary figure in the court system as in other bureaucratic settings. He becomes a means to other ends of the organization's incumbents.⁷

Moreover the lower class client is a tertiary figure. "It is commonplace in the United States that there are separate systems of justice for the rich and the poor."⁸ Though the right to competent counsel is officially considered universal (Gideon v. Wainwright, 1962), attorneys assigned to represent indigent clients often "consider that they are dispensing charity to the undeserving rather than serving clients with a right of representation."⁹

Discriminatory behavior and attitudes on the part of police is well documented.¹⁰ Paul Jacobs' study of the Los Angeles Police Department revealed that part of the reason for this deplorable phenomenon lies in the low relative status of the patrol force--that force most frequently in contact with the public. He reports that only the least qualified police are assigned to patrol, thus such an assignment is degrading and frustrating.¹¹

William Chambliss, in a popular textbook in the sociology of deviant behavior, reminds us of the structural character of these legal inequities:

The legal process must be understood as taking the form that it does because of characteristics of the social system which are independent of, and which render relatively inconsequential, the motives, character, or personality of the particular people who occupy positions in the system. . . . So long as law enforcement agencies are subject to the will and desires of middle- and upper-class members of the community but are free to behave as they wish without

fear of reprisal toward lower class members of the community, then the legal system will continue to function in the highly discriminatory way that it now does. . . . To suppose that [change in the legal system] will transpire without some very fundamental and deep changes in the structure of American society is exceedingly naive.¹²

Second only to the legal institution, welfare in this country is a highly efficient degradation mechanism for the lower class. Mitchell Ginsberg, head of New York City's Welfare Department, laments, "The welfare system is designed to save money instead of people and tragically ends up doing neither."¹³ The National Advisory Commission on Civil Disorders criticizes the welfare system for its "gaps in coverage and low levels of payments," and concludes that "The day-to-day administration of the system creates even sharper bitterness and dissatisfaction, because it serves to remind recipients that they are considered untrustworthy, ungrateful, promiscuous, and lazy"¹⁴ (emphasis added).

In addition to being inefficient and cruel, the administration of the country's welfare laws is blatantly unconstitutional.¹⁵ Supreme Court Justice Abe Fortas reasons,

. . . it does not follow that, because of [the necessity of providing standards of eligibility and protection against fraud], the state is entitled to treat the recipients of its bounty as nonpersons in a constitutional sense; as persons who have, in return for welfare payments, surrendered to the state's social workers their constitutional rights to privacy and personal security.¹⁶

Richard Cloward has published a series of powerfully written articles in The Nation criticizing welfare abuses. He bemoans such abusive discretionary measures as after midnight raids on ADC mothers (with the purpose of discovering a man on the premises in order to justify discontinuation of payments), relative responsibility statutes (defining as ineligible for public support those who can be proven to have a relative capable of supporting them),¹⁷ arbitrary statutes and policies (i.e., overly strict residency laws), grant levels way below official subsistence,¹⁸ nonsupport of women physically able to work regardless of number of children, food stamp programs which increase administrative red tape, and many others.¹⁹ Cloward maintains, further, that our social welfare system must be complex and unjust in order to be consistent with American public attitudes toward the poor.²⁰

The poor do not need the individual therapeutic help supposedly offered them by welfare agencies; they need only money. "The poor need allies against the welfare apparatus a good deal more than they require the therapeutic and other skilled services which are the stuff of professional legitimacy."²¹ Social work as a profession has progressed from religious to "scientific" methods of helping the poor.²² During the depression the mental hygiene movement began changing the focus of social work from concern with environmental factors to concern with

Freudian psychology, an approach from which lower class clients oriented toward basic survival dynamics, could not easily benefit since it emphasizes individual responsibility.²³ Cloward concludes that welfare programs and others such as slum youth training programs, fail in reducing crime and helping poor people because "they are programs for individuals, not programs for institutional change."²⁴ They do, however, succeed in their basic latent purpose--that of reinforcing American belief in the immorality of poverty, while at the same time alienating the poor and perpetuating their status.

Studies carried out by several social scientists are relevant in this context. First, Sherman Barr, Assistant Chief of Services to Individual and Families at Mobilization for Youth, taped a series of interviews with welfare clients. Analysis of these interviews revealed that people on welfare "believe they are victims of an affluent society that can never understand their problems. . . . The welfare system itself becomes to them the symbol of all that is cruel, unjust, illogical in society."²⁵ The second study, a survey of clients of welfare and other government agencies in Chicago, yielded the following figures: (1) the majority of respondents reported that they went to the agencies only as a last resort, (2) 74% said they were treated as inferiors when they visited the agencies, (3) 58% felt they had received insufficient funds, (4)

81% expressed unfavorable attitudes toward caseworkers, and (5) 69% said they were kept waiting too long at the agencies.²⁶

Gabriel Almond and Harold Lasswell conducted a study in a principal Chicago relief agency in which they examined behavior exhibited by clients at the complaint desk. The observed behavior was analyzed for content, and a scheme was developed by which a complaining client was placed into one of two categories, "aggressive" or "submissive," on the basis of at least five rated contacts. Upon completion of the study, the researchers found that aggressive clients had been in contact with the agency longer than submissive clients; that more aggressives than submissives had been employed by the government, had police records, and had had contact with correctional institutions; and that aggressives tended to come from high income and education groups. Almond and Lasswell interpret their findings as indicating that contact with government agencies in general leads to resentment against such agencies, which may be manifested in aggressive behavior toward their representatives. Such resentment and aggressive behavior become more likely as frequency of contact and social status increase.²⁷

The results of a more recent study conducted in a prison setting may be similarly interpreted. Anastassios Mylonas analyzed attitudes of prisoners toward law, and

found negative attitudes to be related to the extent of a man's criminal record, and the amount of time he had spent in penal institutions. Newcomers with small records were more favorable toward the law than any other group, those in the middle range of experience were most negative, and those who had been incarcerated the longest were somewhat more positive.²⁸ This last finding is perplexing; perhaps it is the result of resignation finally replacing hostility. In any case, this and the other studies lend support to the major contention of this paper--the contention that contact, in the role of a client or petitioner, with government agencies or representatives, by underlining and reinforcing the fact of unavailable means and the futility of effort, leads to increased hostility toward government institutions in general and toward the legal system (as defined on page 1) in particular.

Since at the present time data are unavailable to test it, the first part of this contention, that contact leads to hostility toward government institutions in general, will be taken as an assumption on the basis of previously cited evidence. The second part shall then be developed into our principal hypotheses:

HYPOTHESIS 1: Persons reporting frequent contact with welfare agencies will demonstrate attitudes toward the legal system which are more negative than those demonstrated by persons reporting infrequent contact.

HYPOTHESIS 2: Persons reporting frequent contact with legal aid service will demonstrate attitudes toward the legal system which are more negative than those demonstrated by persons reporting infrequent contact.

HYPOTHESIS 3: Persons reporting frequent contact with police (in a service context) will demonstrate attitudes toward the legal system which are more negative than those demonstrated by persons reporting infrequent contact.

In addition to these variables, our data allow us to examine one other. Following the logic of Merton's and Cloward's and Ohlin's theories, we should expect that persons denied access to the means of achieving society's valued goals will demonstrate a relatively low level of expectation relative to their aspiration--they will not anticipate forthcoming improvement in their financial status though they may desire such improvement. For reasons discussed above, we should also expect these people to hold negative attitudes toward the legal system. Thus the last variable we shall examine relative to attitude toward the legal system is that of level of expectation.

HYPOTHESIS 4: Persons reporting a low level of financial expectation will demonstrate attitudes toward the legal system which are more negative than those demonstrated by persons reporting a high level of expectation.

CHAPTER III

THE RESULTS

The Survey

The data allowing us to test these four hypotheses were obtained as part of a larger survey directed by Philip M. Marcus and Daniel H. Kruger at Michigan State University in the Spring of 1967. Three census tracts in the city of Lansing, Michigan, were selected on the basis of their low relative income and education ranking as well as the high proportion of welfare caseloads, police and fire problems, poor health conditions, and unsafe housing. From these tracts were drawn a random sample of households from the city directory. Trained graduate students interviewed one member--in most cases the head--of each household. Respondents were guaranteed anonymity.¹ The survey yielded 221 completed interviews, the information from which was coded and punched into Hollerith cards.

The questions from this survey relevant to the present study, other than the usual demographic information, were worded as follows:

Dependent Variables

1. In general, do you think lawyers are doing as much as they can do for people like you and your neighbors?

2. In general, do you think judges are doing as much as they can for people like you and your neighbors?
3. In general, do you think police are doing as much as they can for people like you and your neighbors?
4. Do you think that the laws are fair?

Independent Variables

1. I have here a list of places and services that you can often find in different neighborhoods. Could you please tell me how important each one of them is and how often you or your family use them?
 - a. Welfare Department
 - b. Legal Aid Service
 - c. Police Department
2. The future is uncertain, but how much would you like to be making per month five years from now? Do you think you will be able to make that much?

The four attitudinal questions (yielding our dependent variables) were answered either "yes" or "no." The contact questions (yielding the first three independent variables) were answered on a five-point scale running from "never" to "very often," which was recoded for our purposes into two categories: (1) those reporting contact with the agency seldom or never, and (2) those reporting more frequent contact. With respect to the last question, the answer only to the second part of the question is used in this study. It was answered simply "yes," or "no."

The necessary recoding, tabulation, and percentage and statistical calculation were run on the Control Data Corporation 3600 computer at Michigan State University. Relationships were tested for significance by Pearson's χ^2 and for strength of association by the phi-coefficient,

φ. First, the independent variables--those mentioned above as well as relevant demographic variables--were run against all four dependent variables, and the dependent variables were run against each other.

Development of the Attitude Index

The six possible relationships between the four dependent variables were all found to be significant at the .005 level with very strong relationships (see Table 1). On the basis of this knowledge, we then developed an attitudinal index based upon the total number of positive responses out of a possible four. Thus each respondent received a score running from zero to four, the latter indicating a highly positive attitude toward the legal system and its representatives. In order to salvage some of the data, respondents answering "don't know" or "uncertain" on one or two of the questions were examined. Assuming their general attitude to follow the pattern established in the two or three questions they did answer, each of these respondents was given an index score as follows:

Two Responses

Both positive:	index = 4
Both negative	index = 0
One positive, one negative:	index = 2

Three Responses

All positive:	index = 4
All negative:	index = 0
One positive, two negative:	index = 1
One negative, two positive:	index = 3

Table 1.--Chi-Square Values for Relationships Between
Dependent Variables

Relationship	Chi-Square Value and Level of Significance
Attitudes toward police/ attitudes toward lawyers	10.793 ($p \approx .001$)
Attitudes toward police/ attitudes toward judges	11.780 ($p < .001$)
Attitudes toward police/ attitudes toward laws	10.086 ($p = .005$)
Attitudes toward lawyers/ attitudes toward judges	11.456 ($p < .001$)
Attitudes toward lawyers/ attitudes toward laws	7.894 ($p = .005$)
Attitudes toward laws/ attitudes toward judges	15.214 ($p < .001$)

Those ten respondents failing to answer three or four of the attitudinal questions were not used in the major part of the analysis. In the tables, categories 0-2, and 3-4 of the attitude index were combined to form two categories, the first indicating a generally negative attitude, the second a generally positive attitude.

Description of the Sample --Control Variables

Excluding the ten respondents who were not included in construction of the dependent variable, sex within the sample is almost evenly divided: 48% male,

52% female. There are about two times as many white respondents (66%) as nonwhite (34%). The sample is fairly evenly divided between the three income categories (\$375 or less per month--35%; \$376 to \$525--27%; \$526 or more--38%), but there are far more blue collar workers (66%) than white collar workers (34%), and far more persons with only a high school education or less (20% have eight or fewer years of formal education, 55% have from nine to twelve years, and 25% have thirteen or more years).

On the basis of other attitudinal studies, we should expect nonwhites to have attitudes more negative than those of whites,² men to be more negative than women,³ lower income people to be more negative than high income people,⁴ blue collar workers to be more negative than white collar workers,⁵ and persons with less education to be more negative than those with more education.⁶ Our sample exhibits the expected relationships with respect to race and occupation, but opposite of the expected relationships with respect to sex and education (see Tables 2-5). These last two relationships, however, are weak; they do not necessarily indicate that our sample is not representative. The relationship with respect to income is in the expected direction except that the middle income group is more positive than the high income group (Table 6).

The relationship between income and attitude, and between race and attitude, are both rather strong,⁷ so

Table 2.--Race of Respondent and Attitude Toward the Legal System*

Attitude	Race		Totals
	White	Nonwhite	
Positive	57.6 (80)	45.1 (32)	(112)
Negative	42.4 (59)	54.9 (39)	(98)
Totals	100.0 (139)	100.0 (71)	100.0 (210)

$$\chi^2 = 2.943 \quad (p = .100) \quad \phi = 0.12$$

*The numbers in parentheses represent number of respondents in that cell; the decimals are percentages in these and all of the following tables.

Table 3.--Occupation of Respondent and Attitude Toward the Legal System

Attitude	Occupation		Totals
	Blue Collar	White Collar	
Positive	53.1 (50)	57.1 (28)	(112)
Negative	46.8 (44)	42.8 (21)	(65)
Totals	100.0 (94)	100.0 (49)	100.0 (143)

$$\chi^2 = 0.203 \quad (\text{not significant}) \quad \phi = 0.04$$

Table 4.--Sex of Respondent and Attitude Toward the Legal System

Attitude	Sex				Totals
	Male		Female		
Positive	56.9	(58)	50.5	(55)	(113)
Negative	43.1	(44)	49.5	(54)	(98)
Totals	100.0	(102)	100.0	(109)	100.0 (211)

$$\chi^2 = 0.869 \text{ (not significant)} \quad \phi = 0.06$$

Table 5.--Years of Formal Education and Attitude Toward the Legal System

Attitude	Years of Education			Totals
	0-8	9-12	13+	
Positive	52.4 (22)	57.4 (66)	46.3 (25)	(113)
Negative	47.6 (20)	42.6 (49)	53.7 (29)	(98)
Totals	100.0 (42)	100.0 (115)	100.0 (54)	(211)

$$\chi^2 = 1.848 \text{ (p = .100)} \quad \phi = 0.09$$

Table 6.--Monthly Family Income and Attitude Toward the Legal System

Attitude	Monthly Income			Totals
	Under \$375.00	\$376.00- \$525.00	Over \$526.00	
Positive	45.9 (34)	68.4 (39)	50.0 (40)	(113)
Negative	50.1 (40)	31.6 (18)	50.0 (40)	(98)
Totals	100.0 (74)	100.0 (57)	100.0 (80)	(211)

$$\chi^2 = 7.193 \text{ (p = .010)}$$

$$\phi = 0.18$$

income and race must be used as control variables in tests of our hypotheses.

Tests of Hypotheses

Without controls, the relationship between contact with welfare service and attitude is in the direction predicted by Hypothesis 1, but it is weak (see Table 7). Controlled for race, the relationship completely disappears in the nonwhite sample, but in the white sample it becomes stronger (Table 8). Controlled for income, the original weak relationship holds. Hypothesis 1 may, therefore, be considered tentatively confirmed, but only for the white population.

An examination of Table 9 leads us immediately to reject Hypothesis 2 (with controls, the relationship does

Table 7.--Frequency of Contact with Welfare and Attitude Toward the Legal System

Attitude	Frequency of Contact		Totals
	Seldom or Never	Frequent	
Positive	58.9 (83)	49.1 (26)	(109)
Negative	41.1 (58)	50.9 (27)	(85)
Totals	100.0 (141)	100.0 (53)	(194)

$$\chi^2 = 1.505 \quad (p = .250)$$

$$\phi = 0.09$$

Table 8.--Frequency of Contact with Welfare and Attitude Toward the Legal System (White Sample Only)

Attitude	Frequency of Contact		Totals
	Seldom or Never	Frequent	
Positive	64.6 (62)	48.1 (13)	(75)
Negative	35.4 (34)	51.9 (14)	(48)
Totals	100.0 (96)	100.0 (27)	(123)

$$\chi^2 = 2.392 \quad (p < .250)$$

$$\phi = 0.14$$

Table 9.--Frequency of Contact with Legal Aid and Attitude Toward the Legal System

Attitude	Frequency of Contact		Totals
	Seldom or Never	Frequent	
Positive	54.2 (90)	57.1 (16)	(106)
Negative	45.8 (76)	42.9 (12)	(88)
Totals	100.0 (166)	100.0 (28)	(194)

$$\chi^2 = 8.083 \text{ (p < .005)} \quad \phi = 0.02$$

not change appreciably). However, upon scrutiny of the relationships that existed before development of the attitude index, we see that the predicted relationship exists with respect to attitude toward police, laws, and judges, but attitude toward lawyers becomes considerably more positive with more frequent contact (see Tables 10-13). As it is phrased, then, Hypothesis 2 must be rejected, but these data provide evidence for the belief that contact with legal aid leads to more negative attitudes toward aspects of the legal system other than lawyers.

The relationship predicted by Hypothesis 3 exists (Table 14), but it is very weak (the same relationship holds for all income groups, and for whites, but not for nonwhites). Again, though, the relationship appears

Table 10.--Frequency of Contact with Legal Aid and Attitude Toward the Police

Attitude	Frequency of Contact		Totals
	Seldom or Never	Frequent	
Positive	66.7 (110)	61.3 (19)	(129)
Negative	33.3 (55)	38.7 (12)	(67)
Totals	100.0 (165)	100.0 (31)	(196)

$$\chi^2 = 0.335 \text{ (not significant)} \quad \phi = 0.04$$

Table 11.--Frequency of Contact with Legal Aid and Attitude Toward the Laws

Attitude	Frequency of Contact		Totals
	Seldom or Never	Frequent	
Positive	81.7 (138)	75.0 (24)	(162)
Negative	18.3 (31)	25.0 (8)	(39)
Totals	100.0 (169)	100.0 (32)	(201)

$$\chi^2 = 0.762 \text{ (not significant)} \quad \phi = 0.06$$

Table 12.

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Table 12.--Frequency of Contact with Legal Aid and Attitude Toward Judges

Attitude	Frequency of Contact		Totals
	Seldom or Never	Frequent	
Positive	74.8 (101)	70.4 (19)	(120)
Negative	25.2 (34)	29.6 (8)	(42)
Totals	100.0 (135)	100.0 (27)	(162)

$$\chi^2 = 0.231 \text{ (not significant)} \quad \phi = 0.04$$

Table 13.--Frequency of Contact with Legal Aid and Attitude Toward Lawyers

Attitude	Frequency of Contact		Totals
	Seldom or Never	Frequent	
Positive	77.3 (109)	82.8 (24)	(133)
Negative	22.7 (32)	17.2 (5)	(37)
Totals	100.0 (141)	100.0 (29)	(170)

$$\chi^2 = 0.420 \text{ (not significant)} \quad \phi = 0.05$$

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Table 14.--Frequency of Contact with Police and Attitude
Toward the Legal System

Attitude	Frequency of Contact		Totals
	Seldom or Never	Frequent	
Positive	55.8 (92)	51.7 (15)	(107)
Negative	44.2 (73)	48.3 (14)	(87)
Totals	100.0 (165)	100.0 (29)	(194)

$$\chi^2 = 0.162 \text{ (not significant)} \quad \phi = 0.03$$

stronger if we examine it previous to development of the attitude index (see Tables 15-18). Contact with police is related to negative attitudes in all cases except that of judges (the difference in this deviant case is small, however). Hypothesis 3 may be tentatively accepted only for the white population.

Hypothesis 4 may be tentatively confirmed (Table 19--though the test is not significant, the direction of the percentages is revealing here); low level of expectation in our sample appears to lead to more negative attitudes. The relationship remains the same at all income levels, and becomes somewhat stronger for the nonwhite sample.

Table 15.

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Table 15.--Frequency of Contact with Police and Attitude Toward Lawyers

Attitude	Frequency of Contact		Totals
	Seldom or Never	Frequent	
Positive	79.4 (112)	75.9 (22)	(134)
Negative	20.6 (29)	24.1 (7)	(36)
Totals	100.0 (141)	100.0 (29)	(170)

$$\chi^2 = 0.184 \text{ (not significant)} \quad \phi = 0.03$$

Table 16.--Frequency of Contact with Police and Attitude Toward Laws

Attitude	Frequency of Contact		Totals
	Seldom or Never	Frequent	
Positive	80.7 (138)	77.4 (24)	(162)
Negative	19.3 (33)	22.6 (7)	(40)
Totals	100.0 (171)	100.0 (31)	(202)

$$\chi^2 = 1.318 \text{ (not significant)} \quad \phi = 0.08$$

Table 17.--Frequency of Contact with Police and Attitude Toward Police

Attitude	Frequency of Contact		Totals
	Seldom or Never	Frequent	
Positive	67.5 (112)	56.7 (17)	(129)
Negative	32.5 (54)	43.3 (13)	(64)
Totals	100.0 (166)	100.0 (30)	(196)

$$\chi^2 = 1.318 \text{ (not significant)} \quad \phi = 0.08$$

Table 18.--Frequency of Contact with Police and Attitude Toward Judges

Attitude	Frequency of Contact		Totals
	Seldom or Never	Frequent	
Positive	75.0 (102)	76.9 (20)	(122)
Negative	25.0 (34)	23.1 (6)	(40)
Totals	100.0 (136)	100.0 (26)	(162)

$$\chi^2 = 0.043 \text{ (not significant)} \quad \phi = 0.02$$

Table 19.--Level of Expectation and Attitude Toward the Legal System

Attitude	Expectation		Totals
	High	Low	
Positive	58.6 (51)	51.9 (27)	(78)
Negative	41.4 (36)	48.1 (25)	(61)
Totals	100.0 (87)	100.0 (52)	(139)

$$\chi^2 = 0.593 \text{ (not significant)} \quad \phi = 0.07$$

Discussion

The racial split found in Tables 7 and 8 (contact with welfare) may perhaps be understood as a consequence of differential degrees of stigma attached to accepting welfare--that is, for whites the fact of being on welfare may be more stigmatizing, thus more generative of hostility, than for nonwhites in this country.

The relationship found between a high level of education and more negative attitudes is interesting. Though it is not strong, it provides some evidence against our extension of Merton's and Cloward's theories--the contention that low status people hold more negative attitudes toward the legal system as a result of their hostility toward the social system which denies them the

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legitimate roads to success. In the case of other social status variables (occupation, income, race), though, this contention is supported. It is additionally supported with respect to level of expectation, which may be considered an indicator for an individual of the degree to which legitimate or illegitimate means (or both) are unavailable to him.

The further extension of the theory, concerning the relationship between contact with government agencies and attitudes toward the legal system, though not strongly supported by these data, may be said to receive some support. (Though most of the Chi-Square tests are not significant and the differences between percentages are small, the differences that do exist show a consistent pattern. Perhaps lower class people in Lansing, Michigan, find fewer barriers to opportunity than members of other American communities. It is a fact that Lansing has suffered less from racial and other types of violence than have other similar communities.) It appears, however, that this portion of the theory does not hold for nonwhites. The nonwhite in American society is severely alienated from his country's legal system regardless of the frequency of his contact with other government agencies--regardless of the frequency with which he is reminded of his disadvantaged position (or, perhaps he is reminded of it so often under other circumstances that this circumstance is of negligible

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importance). The one thing that does make a difference in attitudes within the nonwhite population, as indicated by these data, is level of expectation.

Most important, the results may clearly be interpreted as demonstrating that the specific deviant attitudes explored in this study may be explained without reference to individuals and without any implication that the deviating individuals are somehow qualitatively different (whatever the cause of their difference) from nondeviating individuals. Among white people in Lansing, Michigan, contact in a service context with specific representatives of middle class authority appears to increase hostility toward such representatives and toward other symbols of authority. Though this result in no way "proves" Cloward's and Ohlin's theory, the theory may be said to receive limited support from these data. The respondents' attitudes are shown to be explicable solely in terms of structural attributes--the degree to which they are denied access to legitimate means of achievement, and the frequency with which they are reminded of such structural denial of access.

Perhaps, then, we may be justified in postulating that if America desires to solve her poverty and crime problems, she can do so most efficiently by effecting basic social structural reforms; social problems are created and maintained by our social structure because their existence is necessary for the maintenance of the structure

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as it stands. To borrow a phrase from Edwin Schur, 'the realization that societies do not solve their social problems because it would necessitate change in the organizational mores from which the problems arise' "should strengthen the conviction that problems of deviance are rooted in a great deal more than the characteristics of deviating individuals."⁸

Realizing the wisdom of this position, a few contemporary thinkers, notably Robert Theobald, the well-known economist, have proposed programs for basic structural change in American society⁹ which would rectify the inequities demonstrated in this paper. Theobald emphasizes the necessity for a redefinition of the value given to work. He argues that our increasingly cybernated economy is moving toward the ideal state of full unemployment and that makework projects which simply give us a rationale for paying people are a vestige of the outworn Protestant work ethic. We need a new ethic--one emphasizing the value of self-realization and self-actualization through the productive use of leisure time; such a redefinition of mores would allow us to guarantee all members of our population a comfortable income without requiring them to perform useless tasks in order to "deserve" the income. Were we able to effect such a change, Theobald predicts, ours would be a far more humanistically productive nation with a far healthier population. This writer concurs.

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LITERATURE CITED

Chapter I

¹Wendell Bell, Richard J. Hill, and Charles R. Wright, Public Leadership (San Francisco, California: Chandler Publishing Company, 1961).

²For an explanation of the development of class interests and class conflict situations, see Ralf Dahrendorf, Class and Class Conflict in Industrial Society (Stanford, California: Stanford University Press, 1957).

³Charles F. Cortese, "A Study in Knowledge and Attitudes Toward the Law: The Legal Knowledge Inventory," Rocky Mountain Social Science Journal, Vol. 3, pp. 192-204, quoting Attorney General Nicholas Katzenbach at the 1965 American Bar Association Convention.

⁴National Advisory Commission on Civil Disorders, Report of the National Advisory Commission on Civil Disorders (New York: Bantam Books, 1968), p. 299.

⁵Richard D. Knudten, Criminological Controversies (New York: Appleton-Century-Crofts, 1968), pp. 3-4.

⁶J. Edgar Hoover, "The Faith of Free Men," p. 9 in Ibid.

⁷Knudten, op. cit., pp. 21-23; James V. Bennett, "A Cool Look at 'The Crime Crisis,'" p. 14 in Knudten, Ibid.; E. Paul du Pont, Lectures on Crime, Delinquency, and Corrections: The Threat of Crime in America (Delaware: University of Delaware Press, 1969), p. 5.

⁸Knudten, Ibid.

⁹President's Commission on Law Enforcement and the Administration of Justice, The Challenge of Crime in a Free Society (Washington, D.C.: United States Government Printing Office, 1967), p. 28.

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¹⁰William Hurst, "Changing Popular Views About Law and Lawyers," Annals of the American Academy of Political and Social Science, Vol. 287, pp. 1-7.

¹¹August Aichhorn, Wayward Youth (Cleveland: The World Publishing Company, 1935).

¹²Physique and Delinquency (New York: Harper, 1956).

¹³"Psychiatric Interpretations and Considerations of Treatment," pp. 81-83 in Lester F. Hewitt and Richard L. Jenkins (eds.), Fundamental Patterns of Maladjustment (Springfield, Illinois: Thomas, 1947).

¹⁴The Aggressive Child (Glencoe, Illinois: The Free Press, 1957).

¹⁵John Dollard, Leonard W. Doob, Neal E. Miller, O. H. Mowrer, and Robert R. Sears, Frustration and Aggression (New Haven: Yale University Press, 1939).

¹⁶Albert K. Cohen, Deviance and Control (Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1966).

¹⁷Delinquent Boys: The Culture of the Gang (Glencoe, Illinois: The Free Press, 1955).

¹⁸See C. R. Shaw and H. McKay, Juvenile Delinquency and Urban Areas (Chicago: University of Chicago Press, 1939).

¹⁹Edwin H. Sutherland, Principles of Criminology, fourth edition (Philadelphia: J. B. Lippincott Company, 1947), pp. 5-9.

²⁰Walter B. Miller, "Lower Class Culture as a Generating Milieu of Gang Delinquency," Journal of Social Issues, Vol. 14, No. 3, 1958, pp. 5-19.

²¹Emile Durkheim, Suicide: A Study in Sociology (New York: The Free Press, 1951), pp. 241-276.

²²Robert K. Merton, "Social Structure and Anomie," in Social Theory and Social Structure, revised (Glencoe, Illinois: The Free Press of Glencoe, 1957), pp. 131-194.

²³Richard A. Cloward and Lloyd E. Ohlin, Delinquency and Opportunity, A Theory of Delinquent Gangs (New York: The Free Press, 1960).

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²⁴Lee Rainwater, "Comment: Looking Back and Looking Up," Trans-action, Vol. 6, No. 4, Feb., 1969, p. 9.

²⁵Albert J. Reiss and A. L. Rhodes, "Are Educational Norms and Goals of Conforming and Delinquent Adolescents Influenced by Group Position in American Society?" Journal of Negro Education, Summer, 1959, pp. 262-266.

²⁶Elliot Liebow, Tally's Corner (Boston: Little, Brown, 1967).

²⁷Irving Spergel, Racketville, Slumtown, Haulberg (Chicago: University of Chicago Press, 1964).

²⁸Herbert H. Hyman, "The Value Systems of Different Classes: A Social-Psychological Contribution to the Analysis of Stratification," p. 437 in Reinhard Bendix and S. M. Lipset, editors, Class, Status, and Power (Glencoe, Illinois: The Free Press of Glencoe, 1953).

²⁹Ibid., p. 43.

³⁰Ibid., pp. 435-36.

³¹Suzanne Keller and Marisa Zavalloni, "Ambition and Social Class: A Respecification," Social Forces, Vol. 43, No. 1, Oct. 1964, p. 53.

³²Ibid., p. 66; Lawrence Rhoades ("The Relationship Between Social Strata and Occupational Aspiration and Occupational Expectation Measured Relatively and Absolutely," Unpublished M.A. thesis, Department of Sociology, Michigan State University, East Lansing, Michigan, 1969) reports a survey of high school seniors in Michigan's Upper Peninsula which contradicts the conclusion that lower class persons perceive the structural barriers they face, and therefore adapt by scaling down their aspirations to a more realistic level. Rhoades' lower class respondents demonstrated highly unrealistic occupational expectations. This contradiction may be explained by the young age of the respondents, and perhaps by the fact that these people came from a relatively isolated rural area.

³³James F. Short, Jr., and Fred L. Strodbeck, Group Process and Gang Delinquency (Chicago: University of Chicago Press, 1965), pp. 72-73.

³⁴Paul Jacobs, Prelude To Riot: A View of Urban America From the Bottom (New York: Random House, 1966), p. 285.

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LITERATURE CITED

Chapter II

¹Paul Jacobs, Prelude to Riot: A View of Urban America From the Bottom (New York: Random House, 1966,) p. 286.

²Richard Cloward and Richard M. Elman, "Poverty, Injustice, and the Welfare State: Part II. An Ombudsman for the Poor?" The Nation, Vol. 202, No. 10, Mar. 7, 1966, p. 266.

³Hyman Rodman, "Middle Class Misconceptions About Lower Class Families," in Arthur B. Shostak and William Gomberg, editors, Blue Collar World (Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1964), p. 69.

⁴Alan Haber, "The American Underclass," a Trend Article in Poverty and Human Relations Abstracts, Vol. 2, No. 3, 1967, p. 8.

⁵Harold Garfinkel, "Conditions of Successful Degradation Ceremonies," American Journal of Sociology, Vol. 61, Mar., 1956, pp. 420-24.

⁶Ibid., p. 424.

⁷Abraham Blumberg, "The Practice of Law as Confidence Game: Organizational Cooptation of a Profession," Law and Society Review, Vol. 1, June, 1967, p. 16.

⁸Jacobs, op. cit., p. 32.

⁹Sar A. Levitan and Burt Jeffrey, "The Poor and the Law: OEO's Legal Service Program," Washington Notes, a publication of Poverty and Human Relations Abstracts, Vol. 3, No. 3, May-June, 1968, p. 10.

¹⁰See William A. Westley, "Violence and the Police," American Journal of Sociology, Vol. 59, July, 1953, pp. 34-41; Irving Pilivian and Scott Briar, "Police Encounters with Juveniles," American Journal of Sociology, Vol. 70, Sept., 1964, pp. 206-214; and Jacobs, op. cit., pp. 13-60.

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¹¹Jacobs, Ibid., p. 56.

¹²William Jones Chambliss, Crime and the Legal Process (New York: McGraw-Hill, 1969), pp. 421-422.

¹³National Advisory Commission on Civil Disorders, Report of the National Advisory Commission on Civil Disorders (New York: Bantam Books, 1968), p. 457.

¹⁴Ibid., p. 459.

¹⁵Richard Cloward and Richard M. Elman, "Poverty, Injustice, and the Welfare State: Part I. An Ombudsman for the Poor?" The Nation, Vol. 202, No. 9, Feb. 28, 1966, p. 232.

¹⁶Abe Fortas, "Equal Rights--For Whom?" New York University Law Review, Vol. 42, No. 3, May, 1967, p. 413.

¹⁷Cloward, "Poverty, Injustice . . . for the Poor?" (Part I), op. cit.

¹⁸Cloward, "Poverty, Injustice . . . for the Poor?" (Part II), op. cit., p. 264.

¹⁹Richard Cloward and Frances Fox Piven, "Starving by the Rule Book," The Nation, Vol. 204, No. 14, April 3, 1967, pp. 429-31. For further description of welfare abuses in California see Jacobs, op. cit., pp. 61-96.

²⁰Cloward, "Poverty, Injustice . . . for the Poor?" (Part I), op. cit., p. 230; and (Part II), op. cit., p. 265.

²¹Ibid., p. 267.

²²See Roy Lubove, The Professional Altruist (Cambridge, Massachusetts: Harvard University Press, 1965).

²³Cloward, "Poverty, Injustice . . . for the Poor?" (Part II), op. cit., p. 266; Rodman, op. cit., p. 63; Cloward, "Poverty, Injustice . . . for the Poor?" (Part I), op. cit., p. 235; and Ralph Segalman, "Cultural Isolation: Cultural Lag and Social Case Work," Mimeographed paper presented to the National Association of Social Workers' state meeting (Texas Western College of the University of Texas, El Paso, Nov. 14, 1965).

²⁴Richard Cloward, and Robert Ontell, "Our Illusions About Training," American Child, Vol. 47, No. 1, Jan., 1965, p. 10.

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²⁵Sherman Barr, "Voices of the Poor," Public Welfare, Oct., 1965.

²⁶Saul Borash, et al., "Conceptions of Social Agencies, Community Resources and the Problems of a Depressed Community," Unpublished M.A. thesis, Department of Sociology, University of Chicago, 1952, as discussed in Peter Blau and Richard W. Scott, Formal Organizations: A Comparative Approach (San Francisco: Chandler Publishing Company, 1962), pp. 76-77.

²⁷Gabriel Almond and Harold D. Lasswell, "Aggressive Behavior by Clients Toward Public Relief Administrators," American Political Science Review, 1934, Vol. 28, pp. 643-655.

²⁸Anastassios Mylonas, and Walter C. Reckless, "Prisoners' Attitudes Toward Law and Legal Institutions," Journal of Criminal Law Criminology, and Police Science, Vol. 54, pp. 479-483.

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LITERATURE CITED

Chapter III

¹Earle L. Snider, "Community Needs Study: Preliminary Analysis of Marginals," (unpublished paper, Department of Sociology, Michigan State University, 1968), pp. 1-2.

²Anastassios Mylonas, and Walter C. Reckless, "Prisoners' Attitudes Toward Law and Legal Institutions," Journal of Criminal Law, Criminology, and Police Science, Vol. 54, pp. 479-483; Morris Janowitz, et al., Public Administration and the Public (Ann Arbor: Institute of Public Administration, University of Michigan, 1958), p. 98; Philip H. Ennis, "Crime, Victims, and the Police," Trans-action, 1967, Vol. 4, pp. 36-44.

³Ennis, Ibid.; Irvin J. Lehman, "Some Socio-Cultural Differences in Attitudes and Values," Journal of Educational Sociology, Vol. 36, 1962, pp. 1-9.

⁴Ennis, Ibid.; Janowitz, Ibid.; Adam Podgorecki, "The Prestige of the Law," Polish Sociological Bulletin, Vol. 2, 1965, pp. 34-42; Lehman, Ibid.

⁵Janowitz, Ibid.; Podgorecki, Ibid.; Lehman, Ibid.

⁶Podgorecki, Ibid.; Lehman, Ibid.

⁷Few Chi-Square tests were found to be significant at the .05 level, but the Phi coefficient and the direction of the percentages are revealing in most cases.

⁸Edwin M. Schur, Crimes Without Victims (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1965), p. 8, commenting on a statement by Willard Waller.

⁹Robert Theobald (ed.), The Guaranteed Income (Garden City, New York: 1966).

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