

DYNAMIC STRATEGIES TO LEGITIMIZE DEVIANT BEHAVIOUR OF STREET CULTURE YOUTH

By Steffen Zdun¹

ABSTRACT

This article focuses upon street-level violence, particularly upon issues of guilt neutralization and offending legitimization. Primarily, the paper is a synthesis of findings from the author's empirical research in the field of youth violence and his in-depth critical examination of the published literature in this area. The paper asks some telling questions about what is currently known about offender guilt-neutralization and legitimization at various points before, during and after violent crimes. Ultimately, the author argues for the need to develop criminological theory and undertake more research to better understand the dynamic strategies that offenders employ to legitimize their violent offending.

¹ Dr Steffen Zdun is an academic member of staff at the University of Bielefeld in Germany .
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Introduction

This article addresses the legitimization of deviance by juveniles engaged in ‘street culture’. Street crime and gangs from this milieu have drawn increasing attention from social scientists in various fields during the past decades, resulting in a variety of approaches to the analysis of these phenomena. Unfortunately, both general and middle range theories can be criticized for their omissions and misconceptions and, amongst these approaches, there is no single theoretical construct that allows us, firstly, to examine why people of this milieu break social norms or the law and, secondly, to find solutions and strategies for prevention.

Recent socio-scientific advances mainly revise established theories of deviant behaviour. For instance, traditional social learning theories (Burgess and Akers, 1966; Cloward and Ohlin, 1961; Glaser, 1956; Sutherland, 1939) emphasize the relevance of positive and negative sanctions for social interaction, yet fail to clarify the nature of such a linkage and widely neglect the processes and dynamics that arise from these interactions. Traditional subcultural theories (Cohen, 1955, Whyte, 1943) indicate that every society has different milieus with specific sets of values and norms, but ignore, amongst other parameters, weak ties and conflicts within subcultures. Gottfredson and Hirschi (1990) try to explain all kinds of deviant behaviour in terms of low self-control but are accused of underestimating the relevance of rational choice. Although these established theories provide us with basic concepts to explain deviance, which have been tested by empirical study and amended through socio-scientific debate, criminologists happily accept that it can be fruitful to mix the old with the new, combining approaches and topics to tackle criticisms aimed at existing theory and to develop more precise explanations of specific modes of behaviour in specific milieus.

In the above debates, Sykes and Matza’s (1957) concept of *neutralization* has received less consideration than other traditional theories and is less used to examine deviance in specific milieus. Their theory deserves greater attention as it addresses the justification of deviance as a typical pattern of human behaviour; this pattern is so important because social norms and the law alone do not prevent violent and criminal acts. People use justifications that enable them to present or maintain ‘good’ public and self images – if they are not able to follow the rules, they will at least tend to justify their behaviour. Using justification, people can stretch the rules but avoid outright rejection of mainstream values and norms (Miller, 1958). In specific milieus this can even cover aggressive behaviour as, for instance, may be witnessed in ‘street culture’. We suggest that, to gain greater insights into the deviant behaviour of young people associated with ‘street culture’, legitimizations must be taken into account. This approach helps to broaden the scope of deviance studies by accepting that people of different milieus are socialized in specific ways and by asking how they justify deviant behaviour towards themselves and others. Many theoretical approaches neglect these aspects and concentrate on why people act criminally. We have extended and revised Sykes and Matza’s approach, to produce a *Theory of Dynamic Strategies of Legitimization* (Zdun, 2007a). Our theory is not a rejection of the insights of others but, rather, offers a perspective on deviance that is seldom considered and which could help to explain how people deal with crime and deviance in everyday life.

This article will use the example of youth ‘street culture’ to explain our concept, for the following reasons: a) recent studies examined suggest that legitimizations are especially

relevant for people who regularly commit deviant acts (Topalli, 2005)²; b) violence and crime are prominent features of the 'street culture' milieu and some archetypal and seemingly acceptable justifications have already been observed and well-documented (Foglia, 1997); c) these juveniles can neutralize many offences, to themselves at least, by arguing that they have little to lose (Foglia, 1997); d) young people involved in 'street culture' must also interact on an everyday basis with mainstream society and must, therefore, regularly mediate between the norm expectations of these milieus regarding behaviour that is seen by each as conventional (Topalli, 2005). To examine the main strategies of behaviour legitimization, we conducted an extensive literature review of recent studies regarding youth 'street culture', paying particular attention to justifications such as the lack of potential to achieve social recognition, experiences of discrimination and the lack of future prospects, and strategies connected to the usage of specific norms and values, for instance, hyper-masculinity (Stewart et al., 2006).

² In our model of dynamic legitimization we suggest that people of every class and milieu act in deviant ways and use strategies of legitimization. While these strategies may also be relevant for low crime milieus, they can more easily be examined in violent milieus where they belong to everyday life.

Theory of dynamic strategies to legitimize deviant behaviour

The theory of dynamic legitimization is an extension of Sykes and Matza's (1957) concept of neutralization and it tries to explain the reasons for the choice of different strategies of legitimization. We also refer to the insights of Agnew's (2006) *Storylines* and Goffman's (1959) *Presentation of Self in Everyday Life*. However, the theory of dynamic legitimization is especially grounded upon Sykes and Matza's main insight that the distinction between conventional and unconventional behaviour depends, in many cases, on the point of view,³ in that different individuals can define the same acts as legitimate or illegitimate with just the contents and strategies of justification seeming to differ. The dynamic aspects are threefold, with legitimizations changing: a) during the process of a conflict, b) in different settings, and c) according to cultural and sub-cultural norms.

Sykes and Matza's (1957) concept of neutralization provides the background to our theory because it explains how people can act deliberately against specific norms. They argue that even offenders internalize common values and norms of a society and often act according to them but also learn techniques to neutralize them at times. Delinquents might drift between legitimate and illegitimate behaviour because neither state nor social control is working constantly on them. The techniques consist of various ways to reject responsibility, including the transference of blame to victims, the rejection of the moralistic attitudes of prosecutors, and the interpretation of behaviour as acts that help others. Thurman (1984: 294) adds two more strategies: a) the 'metaphor of the ledger' that 'serves as a technique of neutralization to excuse deviance for the actor who perceives his or her behaviour as insignificant relative to generally conventional past conduct', and b) the 'defense of necessity'.

Sykes and Matza are especially critical of subcultural theories that postulate an inverted or oppositional set of values and norms for offenders, where they act unconventionally according to mainstream values and norms but conventionally according to the attitudes of their milieu (Cloward and Ohlin, 1960; Cohen, 1955; Miller, 1958). Their main argument against this approach is that offenders would have no need to use techniques of neutralization because they would see themselves in consensus with their family and friends, at least. However, Sykes and Matza's interviewees used such techniques even within their own milieu. Criticisms of the neutralization concept arose, in turn however, not only from subcultural theorists but also because Sykes and Matza concentrated their overall research predominantly upon white working class offenders. In addition, it is unclear whether people use specific sets of values and norms within different social groups or have different ways to neutralize specific kinds of behaviour in every social group. Sykes and Matza's theory is lacking in its consideration of whether offenders invoke neutralizations after they have done wrong or whether the content of justifications paves the way for offences. Lastly, their concept provides little information about why some people drift into illegitimate behaviour while others with similar experiences do not. These criticisms have been considered in our revision of the concept of neutralization, as we believe that they are crucial for the theory of dynamic legitimization.

First, we have to differentiate between neutralization (as described by Sykes and Matza) and legitimization, which is our preferred term. There are two main distinctions: a) neutralization is usually applied to criminal behaviour and tends not to refer to the justification of "low-level" violations of norms, such as insults - such everyday-life

³ The relevance of this distinction had already been emphasized by the early ecological approaches of the Chicago School (Shaw/McKay, 1942).

behaviour is included in our concept of legitimization because neutralizations are just one aspect of legitimization and, if we want to fully understand the phenomenon of legitimization, it is not enough to concentrate solely on criminal offences, and b) Sykes and Matza highlight the value of techniques of neutralization for protecting the self image and for guilt reduction as individuals drift between legitimate and illegitimate behaviour. However, they neglect the relevance of preserving an external or public image. Both aspects – the self and the public image – are addressed by our approach of legitimization. Furthermore, it is important for our concept to consider that legitimizations are not a peculiarity of specific milieus but a typical human behaviour. People from different milieus within a society may internalize the dominant values and norms of that society but, because they are subject to different modes of socialization, according to their social and cultural backgrounds, they may develop a variety of attitudes concerning norms and conventional behaviour. Hence, Topalli (2005) explains that, in specific milieus, different kinds of behaviour need legitimizations. For instance, most people within mainstream society would feel the need to justify criminal offences whereas, in contrast, criminals might find it necessary to legitimize acts that would be seen by mainstream society as conventional but which are unconventional within their own milieu. Such people might need to justify situations where the help of the police is sought, where information is given to the police, or where mercy is shown towards those who betray, rob or attack them. On the one hand, Topalli emphasizes that different milieus can have different expectations concerning the kind of behaviour considered to be conventional and he reveals that even criminals may be concerned about acts that can be judged as unconventional within their milieu. On the other hand, he only considers aspects that are contrary to an image of strength and toughness and neglects to say that it might be important for offenders, too, to legitimize criminal acts because, even though such offences might be legitimate for their crime partners, the same cannot be said for their family and friends. Moreover, everyone at some time has to justify certain types of their own behaviour to themselves. Even serious offenders may experience internal conflict after committing serious crimes, for instance, if they kill someone.

In this context, it helps to consider Higgins' (1989) notes on *Self-concept Discrepancies*. He argues that the self image of a person is threefold and consists of: a) the postulated qualities of a person; b) what a person thinks about how he or she should be, and c) the aspects of how a person would like to be. This triad causes stress for the individual as it is almost impossible to fulfill such different expectations at the same time. These considerations are closely linked to Goffman's (1959) *Presentation of Self in Everyday Life*, and feed into another important issue for the theory of dynamic legitimization. Goffman reveals that, in public, people tend to act in socially accepted ways in order to achieve social recognition. Most people adjust their behaviour according to the expectations of their milieu, however, individuals may have to adapt to different *settings* in specific ways. For example, juveniles act in different ways amongst peers and within their families. Beside these exterior expectations, people must also mediate between the layers of the self-concept, as detailed by Higgins. Thus, it is reasonable to suppose that people not only behave differently in specific settings but also use different legitimizations in order to adjust themselves to the expectations of these settings. In general, it is necessary to mediate between different settings because behaviour that is appropriate for one set of people can be inappropriate for another. Furthermore, certain acts may be judged as unconventional by all the people that one knows but, even when these acts have to be legitimized to everyone, it might be necessary to use different strategies of justification depending on the setting.

A further aspect of the theory of dynamic legitimization refers to one of the above criticisms aimed at Sykes and Matza, that they give no clues about the point at which an individual neutralizes his or her behaviour in a conflict process. Critics argue that this might only happen at the end of a conflict process and that a conflict might not be originally linked to the motive given afterwards. As highlighted by Goffman, while justifications can occur in different ways grounded on actual situations, it is wrong to believe that offenders do not always have reasons for their offences beforehand, even if those motives may be fictive.⁴ Moreover, motives may change during a conflict process. That does not mean that legitimizations given after a conflict have to be lies but it does pose empirical challenges for the researcher.⁵ Firstly, new motives can arise that give further reasons for an aggressive reaction – the trading of insults, for example. Secondly, in long-term conflicts the motives can change; a quarrel that started between two young men about a woman, perhaps, escalates into a group conflict in which the original cause is exchanged for new rivalries between the two cliques (Zdun, 2005). Thus, it is argued that, because justifications are grounded on settings as well as on situations, the strategies of legitimization can change to accommodate different situational backgrounds.

Agnew's (2006) concept of *Storylines* gives deeper insights into this issue. He explains the necessity to characterize offences not only by social indicators and the living conditions of an individual but also by the experiences that trigger off deviant behaviour and increase its intensity. Based on an extensive analysis of various studies, Agnew concludes that there are five typical storylines.⁶ Their content is less important for the theory of dynamic legitimization as they only help to organize typical reasons for conflicts. More interesting is his argument that it is necessary to pay attention to the processes of conflicts because they are seldom analyzed and their content bears a lot of information on deviance that has been widely neglected until now. For instance, the missing data on this topic prevents us from understanding more about how and when justifications change during a conflict. Last but not least, different cultural attitudes towards norms and deviant behaviour can influence whether an act is defined as conventional or unconventional and whether there is a need to legitimize it. For instance, there are different traditions where violence or theft may be defined as legitimate: examples might include the 'educational' beating of a child or theft for food. Often, such differences can be observed between ethnic groups, even though most countries have similar laws. The reason is that people are seldom socialized with totally different laws but rather with regionally specific attitudes about what is wrong or with different experiences of sanctioning by the law. In the context of 'street culture', we have to understand that such cultural discrepancies not only exist between different countries but also between different milieus within a country.

⁴ A distinction must be made between real and fictive motives, with the latter only being used to adjust to conventions. In other words, perpetrators refuse to confess the real reasons for offences to others or themselves, because of the danger to the self or public-image, they might try to hide behind fictive motives.

⁵ The theory of dynamic legitimization even emphasizes changing justifications during conflict processes and in different settings.

⁶ 1. People face a temporary desperate desire for money and they see no chance to solve it by legitimate means. 2. Unsolved quarrels lead to bad moods and psychological stress, which may be discharged at other people, groups, or institutions - violence is often the reaction of choice when a counterpart does not back down or apologize. 3. Relations with criminals might encourage people to get involved in their offences and to copy them. 4. Seductions originate from situations in which people believe that they face little danger of being caught or where the possible costs of being caught are seen as definitely lower than the estimated profit. 5. Social and emotional exceptional circumstances increase the likelihood that individuals will act in unconventional ways if they temporarily lose self-control.

The code of the streets

To explain codes of 'street culture', we refer to Anderson's (1990) seminal work about disadvantaged neighbourhoods where people have their own set of values and norms (Baumer et al., 2003): 'Anderson argued that the high rates of poverty, joblessness, violence, racial discrimination, alienation, mistrust of police, and hopelessness instill in residents a culture that rejects mainstream values' (Stewart et al., 2006: 431). Servile attitudes are unconventional in this hyper-masculine milieu. People who want to be treated with respect should not show weakness in everyday life and run away from problems or pass them to the police. Every severe action demands an aggressive reaction to defend one's reputation: 'In this sense, those following the street code are likely to use violence or the threat of violence as a form of social control or "self-help"' (Stewart et al., 2006: 433). If they cannot or do not want to do so, they will be degraded to the lowest level of the social hierarchy. Thus, an important peculiarity of 'street culture' is connected to its methods for dealing with conflicts.

These norms are not only relevant for men but also for women. Both grow up with such norms and learn to reject insults and servile attitudes, even if they deal with them in different ways. For men it is crucial to establish an image of masculinity by defending their honor and the honor of others; in particular, of girl-friends, wives, family (especially mothers) and friends. By showing their physical strength and demonstrating their reputation and power they try to improve their image and hide individual weaknesses. But the concurrence on reputation may lead to conflicts amongst juveniles as they try to dominate others in order to gain social recognition (Rebellion, 2006). Some youths with limited resources show a tendency to use physical aggression against others or provoke fights to achieve respect and self-esteem. Alternative ways of showing their position involve status-symbols (expensive and fashionable clothes, cars, jewelry, and watches), the amount of drugs that they can stand, weapons and girl-friends. The female members of cliques generally have little to say.⁷ The girlfriend's purpose is to prove the masculinity of her boy-friend by acting as he wishes, accepting him as her defender and being loyal to him. She may also be seen as a status-symbol for her physical beauty or for her display of fashionable brands of clothing and jewelry.⁸

From the male point of view (and in many cultures from the female, too), men are the defenders and women should normally not use violence. Connell (1995) argues that 'street culture' requires men to act in this way to prevent women from taking part in the 'serious game' of gaining societal power. This kind of gender logic is, according to Connell, typical within milieus where groups of young men regularly use violence against each other. From a social-constructive point of view, this kind of distinction refers to a patriarchal socialization that claims men are superior. The right to fight becomes a question of power – the power to deal with conflicts and to control the womenfolk. Protection is not only important for women but also for male juveniles, in so far as they take it for granted as a benefit of belonging to their cliques. Many young men calculate that it is better to be associated with a strong clique than to risk being bullied as an outsider

⁷ The United States are an exception as women from disadvantaged neighbourhoods try more and more to gain respect by behaving in similar ways to men (Chesney-Lind and Hagedorn, 1999; Jones, 2004). Comparable developments can be observed in other developed regions such as Western Europe, but the process is just beginning there.

⁸ Another problem concerning the intimate relations of these juveniles is that they are especially concerned about how male peers judge their behaviour. Hence, they reject criticism from girl-friends and prefer to act, at least in public, as if the girl-friend is quite unimportant to them.

by youths from their own or other neighbourhoods. Authors like Anderson (1999) and Silverman (2004) consider this calculation to be valid and explain that a strong reputation may prevent or reduce attacks upon the owner. In contrast, critics, such as MacYoung (1992) and Stewart et al (2006) argue that strong groups usually have a lot of enemies and that aggressive cliques face more rivalries and acts of vengeance than other groups. In other words, the protection afforded by membership of a strong clique is an illusion because its members are more frequently involved in fights than other juveniles.

Although we give more weight to the latter argument (Zdun, 2007b), we acknowledge the need to differentiate between youth groups and criminal gangs.⁹ Gangs use violence to control their businesses and to achieve power, but too much violence might disturb business (Dowdney, 2002). They care much less about the social recognition and thrill-seeking that are so important to aggressive youth groups who abuse the street code for their own purpose by, for example, attacking rivals to gain reputation or robbing, blackmailing, and beating up weak persons for money and fun. These offences may be treated as games by members of youth groups and as a way to improve position in their groups' hierarchies.¹⁰ In this context it is useful to take into account MacYoung's (1992) differentiation between 'veterans' and 'wannabes'. He reminds us that it is young, hot-blooded men, especially, who feel the need to achieve reputation, whereas veterans already possess it and do not have to challenge others anymore. The wannabes are also more likely to accept the risk of injury and arrest because 'legal sanctions are less threatening when there is less disgrace involved with getting arrested, and little to lose' (Foglia, 1997: 420).¹¹ Anderson (1999) states, further, that injuries and sentences because of fights may increase an individual's reputation within the milieu if they are interpreted as indicators of real manhood.

There are not only differences of gender but also of age and maturity concerning the use of violence, nevertheless, a general acceptance of aggressive attitudes and behaviour is typical for this milieu. Without this, the street code could not exist throughout different generations – even male superiority needs female acceptance (Goffman, 2001). Women may not like to observe how their partners are beaten up and may reject reputation as a reason for fighting, but many women will approve of their partners acting as their defenders when threatened. Women also take part in the socialization of their daughters and sons according to the street code, as a mechanism of self-protection. Thus, it is wrong to believe that only the male peers and fathers are responsible when children from disadvantaged neighbourhoods grow up according to the rules of 'street culture' (Shaw and McKay, 1942; Zdun, 2007a).

⁹ This article addresses the strategies of 'street culture' youths for legitimizing deviant behaviour, hence, the strategies of criminal gangs are neglected here and will be examined in our future work.

¹⁰ Aggressive youth groups are often only seen as a nuisance for a neighbourhood but there is a difference in the case of criminal gangs. In Western European countries criminal gangs are also considered disruptive to the neighbourhood, have weak ties to local inhabitants and are consequently driven underground. But in more elaborated violent cultures, such as Brazil and the Russian Federation, such gangs can be seen as informal institutions that compensate for a weak state and brutal and arbitrary police (Zdun, 2007b). Thus, it is relatively easy for them to control the violence and illegal markets within their territories but the 'peace' that they offer bears problems. They can be arbitrary and act like dictators and they can also have rivals who might start serious turf wars with them, affecting the safety of the whole neighbourhood: 'Thus, the weakening of neighborhood ties coupled with a lack of faith in the police individualizes social life and violence so that residents in the most disadvantaged and violent neighborhoods are forced to protect themselves' (Stewart et al., 2006: 434).

¹¹ Foglia (1997) adds that, because of mistrust in the police and criminal justice system, arrests often do not lead to stigmatisation within one's milieu because they are neutralized as being discrimination by the state.

‘Street culture’ legitimizations in everyday life

There are numerous factors, besides socio-economic disadvantages and experiences of discrimination, that can trigger off violent behaviour from youths who identify with ‘street culture’. As we have seen above, two major causes of violence are, firstly, a lack of potential to achieve social recognition which may be compensated for by hyper-masculine behaviour and, secondly, a weak self-management of frustration which is intensified by the street code (Agnew, 1995). Seeing that the behaviour of ‘street culture’ youths needs legitimization at times, it is interesting to examine how they react and justify their offences in common everyday situations involving group processes, retaliation, betrayal and retreat from conflicts.¹² We have to consider that the general benefit of legitimizations is a twofold reduction of complexity: firstly, in terms of the outside image, they help to avoid criticism of unconventional behaviour; secondly, in terms of the self image, they help in the self-justification of offences. Typical strategies are to increase the moralistic value of acts and call them effective, functional, or better than the alternatives. Another strategy is to declare unconventional behaviour as the exception from the rule (Thurman, 1984). All such strategies can be misused, for example, by addicts who may use the last mentioned strategy repeatedly until the exception becomes the rule. This strategic use of legitimizations can also be observed among youths aligned with ‘street culture’, who get ‘addicted’ to the fun and adrenaline kick of fights as well as to the social recognition that violent acts offer (Buford, 1992; Canetti, 1972).

Group processes

One major strategy for legitimizing violence in youth groups is based on *solidarity*. Even though many fights are unnecessary and are started for fictive reasons, juveniles of aggressive cliques are under the pressure of social control and feel a responsibility – an unquestionable duty – to stand by their friends in conflicts and to fight together. Thus, they only have to worry about criticism from their friends if they refuse to support them, partly because their friends’ safety would be endangered in fights. Lack of such solidarity can also endanger the cohesion of the group in the long run, as common battles have the potential to weld people together. In other words, it is not only interpreted as conventional but also as necessary to fight for the group and failure to do so carries the threat of social sanctions, for instance, being kicked out of a clique for not caring enough about the group’s solidarity (Brendgen et al, 2000; Zdun, 2005). On the other hand, by getting into fights, juveniles risk conflict with the norms of respected others, such as their families (Foglia, 1997), so that it becomes necessary to mediate between different milieus or to conceal their behaviour. In addition, fights to defend a group’s solidarity are not measured in terms of *fairness* and images of fairness in ‘street culture’ can be regarded as ‘legends’ – it is not important to fight with equal chances. If one group outnumbers another or meets single members of a rival group, it will attack with its whole strength (MacYoung, 1992).¹³ Hence, it is not wise to walk alone in rival territories. In general, *territoriality* is a source of legitimacy because a territory is the place where the clique comes from, where its members live and feel safe. The oral history of a group is based on events that have happened there. So, the appearance of rivals may be interpreted as an affront and a threat to the integrity of a territory, which has to be answered. If the territory is lost, it might be

¹² From the extensive analysis of recent studies about ‘street culture’ that was conducted for this article we can conclude that these four kinds of situations regularly need legitimization. For ease of reading, not all studies are cited.

¹³ This is an act of reciprocity in two ways. Firstly, the outnumbered know that they would do the same. Secondly, youths may interpret it as ‘glorious’ not to back down when they are outnumbered but to ‘stand their ground’. Such events become part of the oral history of a group – even if they lose.

the end of the group (Dowdney, 2002). Such rivalries between specific groups or over territories can originate with former generations. Fathers who were also socialized by the street code tend to legitimize such fights as initial rituals of maturity for their sons (Dubet and Lapeyronnie, 1992).¹⁴

It is a common pattern, when legitimizing violence, to *confer the responsibility onto someone else*: a) single fighters can put the responsibility onto friends and other bystanders, who are supposed to intervene before things go too far¹⁵ and b) single fighters and whole cliques can put the responsibility onto institutions, such as the police or security agencies, whose job it is to intervene when violence erupts (Buford, 1992; Sutterluety, 2002; Zdun, 2005). So, aggressors tend to play down their guilt, share their responsibility with others and call their behaviour legitimate as long as no authority proves it to be wrong (Sykes/Matza, 1957). Foglia (1997: 419) concludes: ‘These personal and vicarious experiences with punishment avoidance combine to reduce the fear of arrest and its relevance to the decision of whether or not to break the law’. Overall then, this process helps to maintain a positive self and external image, with reference to the clique, because of the attitude that an offence was conventional or meant to help others.¹⁶ Accusers can be blamed, too, for not intervening before particular situations or aggressive behaviour become worse over time (Jaeger, 1989).¹⁷

The street code contains another strategy for legitimizing violence, in its demand that honorable men show self-reliance, for example, by solving problems on their own without recourse to the police. It is seen as legitimate, within aggressive cliques, to a) react violently to any putative insult or enemy attack and to b) torture, blackmail, and rob weak persons who seem unworthy to be called men according to the street code (Zdun, 2007b). There are some who have grown up within the same milieu, who have rejected the street code, but are seen as neither victim nor enemy (Miller, 1958). Their calm and deescalating behaviour may be interpreted as weakness but also as proof that they are not suited for this kind of interaction and might call the police – which would disturb the functionality of conflicts.¹⁸ It seems, therefore, that enemies and victims are often selected with a degree of rational choice, as explained by Tedeschi and Felson (1994) in their *Theory of coercive actions*, to prevent interventions and arrests by the police. This pattern of justification involves failing to take personal responsibility for illegal actions in order to avoid feelings of guilt. Firstly, victims are considered responsible (and disgraced) for failing to defend themselves. Secondly, the choice of competitive enemies can be justified as an act of reciprocity – people should strike back if they feel challenged. Jacobs (2004: 316) examines the everyday usage of this kind of reciprocity and concludes that: ‘Conflict spirals occur because of the different “arithmetics” of punishment that grievants have in

¹⁴ It is tempting to feel that fathers should have ‘learned from their mistakes’ that life would be easier for their children if they stayed out of fights. However, fathers and older brothers may function as role models, especially if sons and younger brothers have seen them fighting or have heard their glorifications of the past.

¹⁵ This legitimization is an example of the complexity and irrationality behind some of these strategies. In that protagonists may displace responsibility onto their friends, while also knowing that the main reason for being accompanied to conflicts is to have help available if opponents are too strong and/or to be cheered on (Conway and McCord, 2002).

¹⁶ This justification is quite powerful because many offences are actually interpreted as help by the milieu, e.g. when a young man defends his girl-friend who feels threatened.

¹⁷ Such excuses regularly occur within a family, where parents pretend not to notice what their children are doing as long as they are not caught by the police.

¹⁸ In order to win a ‘victory’, youths sometimes make fun of such people. When they are allowed to do so without any reaction it is seen as a proof of power (Zdun, 2005).

relation to violators. ... Violators may perceive an initial attack to be “not that bad”, but grievants do, and may impose a level of harm far greater than the violation itself.’

These processes bear a high potential for *brutalization*. It is often difficult for competitors to explain the ‘logic’ of their brutalization to outsiders (the family, social workers, state institutions and so on). However, these progressions of violence are a well-known phenomenon in the criminological literature (Brendgen, 2000; Winstok et al, 2004) and they can be easily used by offenders to justify, to themselves and to their friends, that it is not only acceptable but also necessary to increase the intensity and frequency of violence when engaged in conflicts with rivals (Dowdney, 2002; Dowdney, 2005). Wanna-bes often develop unconventional attitudes towards violence. Initially, when they notice that their violent behaviour is only tolerated to a certain degree by their milieu, they might conceal some of their offences to avoid sanctions. In the long run they might interpret their brutalization as acts of self-development and might prefer to make new friends who accept them as they are or suppress people to avoid criticism. In other words, the brutalization of single members of a clique normally needs internal legitimization. If individuals become more brutal, and their friends reject this new behaviour, they will only get negative social recognition and bad reputations. And, if they break free from their cliques and their behaviour prevents them from making new friends, even the expected benefit for their self image may not transpire (Zdun, 2007a). Offences therefore, even for wanna-bes, become a question of what they have to win or lose, if ‘experiences of social disapproval of a specific behaviour produce internal condemnation of the behaviour within the individual’s conscience’ (Foglia, 1997: 421).

Last but not least, we have to mention aspects of *armament*. We notice, especially in societies with a high degree of everyday violence, the trend for people to barricade themselves. However, the trend towards armament is justified as another defensive option (Schroeder/Newhouse, 2004; Vaughn et al., 2006). The possession of arms is legitimized to oneself and others as a cautious stance and is not, in the first place, meant to harm others. However, armament can have other reasons, too, including lack of recognition¹⁹ and a lack of physical strength. Youths from the ‘street cultures’ of violent societies (say, Brazil or the Russian Federation) can use weapons to compensate for their deficiencies (Dowdney, 2002). People who reject the legitimacy of this might not dare to openly criticize and might, rather, display disapproval through negative reputation.²⁰

Retaliation

Criminologists like Jacobs (2004) highlight the relevance of *retaliation* for violent conflicts. They argue that hard-core youths interpret it as an unquestionable necessity of the ‘game’. Both wanna-bes and veterans must show no fear of striking back and the street code insists that they react to threats and affronts or risk loss of reputation. Jacobs describes in detail how important it is for ‘street culture’ juveniles to retaliate against offences as soon as possible - it would be seen as weakness to wait too long or to be unable to find offenders (Topalli, 2005). These issues of reputation are, according to Jacobs, the reason why people from this milieu seldom calm down with the passage of time; if they cannot retaliate, their anger will increase.

¹⁹ Soares et al (2006) suggest that marginalised youths in Brazilian favelas carry guns as a way to create identity. As just one of the poor, they are acknowledged neither in the favela nor by people outside but, with a gun, they feel like ‘someone’. A weapon becomes a minimal condition for the construction of identity.

²⁰ Even a negative reputation can be attractive for juveniles with low social resources and, of course, for some youths a negative reputation can even confer distinction.

In order to broaden the scope of strategies of legitimization for retaliation, it makes sense to distinguish, like Jacobs (2004), between *retaliation and revenge*. Retaliation is especially about an 'identity-defence' that people have to accomplish because of the expectations of their milieu. If they do not dare to react they will lose reputation. However, any appropriate reaction can be interpreted as retaliation. In contrast, revenge is more about 'justice-seeking' and 'getting even'. It is not enough to strike back - it is essential to succeed. It is important for the self image to react to offences but a person will be more willing to fight, or mobilize friends, for revenge than for retaliation (Buford, 1992; Dowdney, 2002). Cases driven by the desire for revenge are always severe and protagonists will use more violence than usual and be unsatisfied until they are able to get even or punish the offender (Winstok et al., 2004). Retaliation only requires a group or individual to demonstrate strength and willingness to fulfil the demands of the street code and even can be symbolic or involve a low degree of violence. It is not so important to humiliate the opponent and there is no specific need to ask friends for help where that might lead to more violence (Jacobs, 2004; Topalli, 2005). We can conclude that revenge operates at the level of both self and external image, while retaliation fulfils the expectations of a positive external image.

In addition, we have to distinguish between situations where it is possible to achieve 'payback' and situations where this is not possible. Youths from disadvantaged neighbourhoods, for instance, face a lot of institutional discrimination and a lack of structural integration. This might lead to anger that cannot be assuaged by retaliation at an interpersonal level. In the criminological literature the problems faced by disadvantaged juveniles are mentioned as important predictors of deviance (Arvanites and Defina, 2006). Acts of vandalism and attacks on people who are not responsible for this anger cannot be justified in terms of retaliation but can be legitimized amongst peers as a way of unloading frustration. Depending on the attitudes of a clique, there can be rules about which reactions are accepted and in which situations they are accepted. For example, there can be differences about the acceptability of violence towards people under such circumstances, or whether it is only legitimate to destroy things.²¹

Betrayal

Mistrust seems to be typical for 'street' youths but for several possible reasons: a) children may have learned to see social interactions as 'games' that might be won on one occasion and then lost on another - nothing seems to be certain, except the everyday reality of conflict itself; b) children learn that it is part of this game to change sides at times to increase their chances; c) in disadvantaged neighbourhoods there is a high likelihood of unstable and aggressive family conditions that might convey to children that even the closest relatives can be untrustworthy (Dowdney, 2002; 2005). In these circumstances, trust becomes a resource of interaction that has to be justified over and over again. *Betrayal* is a major blow to trust and there are several ways in which one person can betray others. An individual can betray the norms of his or her milieu by unconventional behaviour, or betray someone to others. Both of these forms of betrayal can harm the integrity of people as well as the norms and values of their milieus; if ignored this could undermine the specific rules of a street code and its capacity for social control and,

²¹ Alcohol and other drug abuse can be an excuse to justify violence. This excuse is often exploited by people who ritualize alcohol and drug intake before they start quarrels (MacYoung, 1992). However, a clique must accept such rituals in order for them to become legitimate. If a person is not usually known to be aggressive when drunk, a first offence will be excused more readily and may receive a lighter punishment. It is different for people who are known as drunkards and who regularly start quarrels - it is much more difficult for them to find people who will legitimize their behaviour.

perhaps, endanger the integrity of the milieu itself. Simmel (1908) and Coser (1956) have already revealed that people react more harshly to the unconventional behaviour of close friends than to the same offences committed by outsiders, who are not able to challenge common values and norms by their acts.

There are various ways to *betray the norms of a milieu* by unconventional behaviour. Most of them originate from specific offences that are illegitimate. The first category of offences includes acts that are not strictly acceptable but which can be tolerated if they do not happen too often (Zdun, 2007a). They can be legitimized as exceptions to the rule. Another category of unconventional offences consists of taboos. When people break taboos they might be able to neutralize their behaviour to themselves but might not be able to legitimize it in terms of their milieus (Thurman, 1984).²² Depending upon the offence, it can be necessary for individuals to *conceal* what they did – so that offences are not judged as illegitimate by others. Hence, concealment is an important strategy for the legitimization of unconventional behaviour, especially when mediating between the different groups of a milieu (e.g. family and friends). One way to deal with this problem is to use different strategies of legitimization within different settings, but the more effective and easier way is to hide an offence towards one or more of these groups. The only danger of this strategy is discovery and, if that happens, a person not only has to justify the concealed offence but also the concealment itself. Depending on the norms of the milieu, the punishment for concealment can be harsher than for the initial offence because it can be interpreted, according to Simmel (1908) and Coser (1956), as an attack on major values and norms.

The *betrayal of someone to others* is rejected because it is a rule of ‘street culture’ that people solve conflicts on their own. The police or other state, social welfare, or religious institutions should not be called upon for help and, if this occurs, it may be interpreted as: a) proof of weakness and cowardliness; b) a breakdown of the principle of reciprocity, or c) evidence of a general disrespect for the conventions of the milieu. In any case, it is seen as a disturbance of the functionality of conflicts. This functionality is so important because violent behaviour is not only a pattern of the street code but it is also a main resource for achieving reputation. Thus, it is only acceptable to involve others in a way that will not hamper the conflict process. For instance, it is legitimate to involve friends or family members if their help is needed in striking back (Buford, 1992). In everyday life, however, there are exceptions to these rules. Topalli (2005) concludes that it is naive to believe that the rejection of betrayal and, in particular, reporting or informing to the police means that people do not dare to betray or inform; it may simply be necessary to justify it. He suggests that the main strategies for legitimizing cooperation with police are to explain afterwards that: a) only wrong or old information was given; b) no information was given that could help the police in any way; c) information was given under extreme duress; d) only enemies were betrayed in order to help friends, or e) that the person betrayed was, him or herself, a proven traitor

Backing down from conflicts

The everyday life in the ‘street culture’ might bring up a lot of conflicts but not all of them have to result in violence. The street code only demands that a person does not to run away from conflicts and solves them on his or her own. Agnew (2006: 129) confirms that fights are avoidable, for instance, when one side is willing ‘to back down, apologize,

²² An example of a taboo that is rejected in most milieus is the sexual abuse of children and women.
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and/or make sufficient amends'. The street code does contain conventional ways to back down from conflicts and there are also strategies to legitimize unconventional retreats.

The communication between young people on the streets is often rude and based on *insults*. Among friends this can be interpreted as proof of solidarity because such affronts can be delivered without the recipient feeling the need to respond with violence. With the exception of certain taboos - insults directed at female relatives may not be tolerated - everything else seems to be acceptable. Therefore, if a person does not start a fight because of such insults it may not necessarily be interpreted as backing down (MacYoung, 1992; Zdun, 2005). Insults from rivals are a different matter and demonstrations of strength involve tests of the willingness to retaliate to such affronts and to fight. If a youth does not react in a decisive way it might be seen as a backing down, which could lessen his reputation and even damage the reputation of his clique (Sutterluety, 2002). To prevent the humiliation of the clique, it is important to give good reasons for this behaviour or to be able to conceal it. But, even among rivals and people with whom one is only acquainted, insults can also be interpreted as a form of communication and not as an affront if both parties agree that its content is not meant seriously. Such agreements, again, are not seen as a backing down and they need no further legitimization. If such an insult comes from someone who has a high rank in the social order of a neighbourhood, perhaps from a person belonging to an honorable clique or a gang, it can even be interpreted as a sign of respect – less important youths would not be addressed in such a way (MacYoung, 1992). Honour demands that a person should not be afraid to respond, however, conventional responses to these 'communicative insults' need not be aggressive but may consist, rather, of non-serious insults and other demonstrations of accepting the other's strength.

Respected people also have the potential to intervene in aggressive discussions and conflicts if they want to prevent a fight. Such an intervention means that sanctions become a risk if one or both parties are not willing to back down immediately. In most cases, both sides will respect the mediator and accept the *de-escalation*. The fear of being punished, the rationale behind the intervention and the acceptance of mediators' judgments are regularly seen as legitimate reasons for bringing a conflict to an end. In countries such as Russia, it is even legitimate in childhood and adolescence to use de-escalation after a fight to make new friends. Afterwards, both parties may discuss the reasons for the fight and understand that it was unnecessary. In a further step, they can become friends to prevent further fights or because they realize that they like each other. Such friendships may be accepted within their milieu and may not be seen as backing down or proof of weakness; in fact, making friends with strong fighters can be seen as cleverness (Zdun, 2005).²³

Other strategies of de-escalation are exhibited by veterans. They tend, more than wanna-bes, to use their experience and mediation skills to de-escalate conflicts between different parties, to moderate and prevent escalation in situations with a high conflict potential, or to avoid those situations altogether (MacYoung, 1992). That does not mean that veterans will hide from every danger but they are often more cautious and selective. As they no longer need to improve their reputation, they carefully choose those situations which are necessary to resolve through fighting, whereas wanna-bes may use situations that give no reason for escalation to start quarrels. This veteran pattern of behaviour is accepted within the milieu as legitimate, as proof of wisdom and as a reasonable attitude for managing everyday life. In copying veteran strategy, less experienced street youths may also attempt to de-escalate conflicts at times. This works well in situations that arise from genuine

²³ Cooperation with former enemies reduces the risk to have to fight them again and improves chances in later fights with others.

misunderstandings and where both sides are not interested in starting a fight. A discussion to restore balance is legitimate under these conditions and is not seen as a proof of cowardliness. But such de-escalations are seldom possible when wanna-bes are involved, because of their tendency to invent fictive reasons for starting quarrels in order to improve their reputations (Jacobs, 2004). Anyone wanting to escape without a fight can try to back down or apologize but, depending on milieu attitudes, this can require legitimization to prevent harm to both self and external images.

Backing down from conflicts is possible even in situations where juveniles are normally obliged to react. Topalli (2005) explains that youths can show mercy towards those who have betrayed, robbed, or attacked them but that this will require legitimization. Victims need to use justifications that explain why revenge is not sought - the offender is not worthy of retaliation, retaliation is not possible for some reason or the offender is a close acquaintance or relation. Last but not least, it can be acceptable to retaliate through symbolic acts, without resorting to violence. Concerning retaliation, Jacobs (2004) comments that delays might help combatants to think more rationally and weigh up the costs and benefits before striking back. For instance, in the heat of the moment a young man's friends might demand that he retaliates against an offender but, after some time to cool off, it might become clear that it would be a mistake to attack this person, especially if the offender is much stronger or has a high rank in the social hierarchy. In such situations it becomes a question of how hard the young man wants to fight for his reputation; conflicts with such people have a high potential for achieving social recognition but they also contain a high potential for serious injury. Most juveniles will back down under such circumstances but aggressive wanna-bes might welcome the chance to win respect (MacYoung, 1992).

Relationships between legitimizations

Individuals may have to legitimize deviant behaviour towards different groups and to themselves at the same time. As mentioned above, street youths regularly act in their peer circles in ways that would be interpreted as illegitimate by their families; they can violate various conventions and need to legitimize or conceal them all. However, the violation of one norm may contribute to the violation of others. For example, conflicts within a clique can invoke group processes, the need for retaliation or revenge, betrayal and backing down, which may all have to be legitimized to peers and to oneself. In this context, we can envisage a cumulation of violations against different norms, fostering the need for legitimizations and concealments (Coser, 1956; Simmel, 1908). But the interaction of such cumulations, the way that people deal with them, and many other questions about the processes of justifying one's behaviour, have not yet been examined and need further research.

Conclusion

This article contains a revision of Sykes and Matza's (1957) concept of neutralization, following our theory of dynamic legitimizations (Zdun, 2007a). Although their concept involves important insights that are neglected in other explanations of deviance, there are some open issues that our theory attempts to address. For instance, we are concerned about the lack of argument from Sykes and Matza on whether offenders invent neutralizations after they have done wrong or whether the content of justifications might contribute to reasoning in advance of offences. In tackling these issues, we introduce dynamic aspects to the theory to explain how and why legitimizations change during conflict processes.

We also suggest a solution to deal with open issues concerning the interplay of specific sets of values and norms within different social groups. Sykes and Matza appear to reject insights on this topic from traditional subcultural theory (Cloward and Ohlin, 1960; Cohen, 1955; Miller, 1958). However, it is necessary to realize that people can have a common understanding of norms (and drift between these norms at times) but that this common understanding can vary between different milieus, and people may follow multiple sets of values and norms in their appropriate settings (Goffman, 1959). Hence, it is reasonable to surmise that people need different strategies and contents of legitimization to justify their behaviour towards specific social groups in everyday life, in line with the typologies proposed by Sykes and Matza (1959) and Thurman (1984). While the main strategies and contents of legitimization do not vary much between different social classes and milieus, the individual usage and contents of these justifications vary according to situation and setting.

Grounded on these insights, this article also argues that juveniles drift quite often between different norms and values; particularly between the expectations of their peers and families. Moreover, school-life can facilitate the drift between mainstream society and the 'street culture' milieu. In comparison with juveniles from other milieus – street youths are more often involved in conflicts that lead to violence and need to justify such behaviour to their friends, family and themselves more frequently. Firstly, the street code increases the likelihood of juveniles will get involved in fights that have to be legitimized or concealed from families and authorities. Secondly, with everyday usage, legitimizations become automated and can be deliberately misinterpreted, for example, by aggressive youths wanting to improve their reputation, to start fights with others. Thus, we argue that the street code and legitimizations contribute to each other and that their interaction causes many conflicts and dynamics amongst youths on the street. This is confirmed by the results of various recent studies (Agnew, 2006; Anderson, 1999; Dowdney, 2005; Foglia, 1997; Jacobs, 2004; Stewart et al., 2006; Topalli, 2005; Zdun, 2005).

Finally, a consideration of legitimizations can aid in the prevention of crime and violence; a better understanding of the dynamics and processes that lead to deviance would be a powerful tool in the evolution of effective intervention and prevention methods. For instance, it is difficult to make juveniles understand that their aggressive behaviour is wrong if it is seen as legitimate and emphasized by their milieu. In such cases interventions should be grounded on more than individual and socio-economic explanations of wrong-doing. We should also take into account why and to whom such behaviour might appear legitimate and how juveniles justify it to themselves. In addition, we should discover how far strategies of legitimization change during conflict processes. All this information can provide us with a better understanding of deviance and knowledge

about ambivalent attitudes towards specific acts. In particular, a fuller appreciation of ambivalent attitudes towards the self image and mediation between different settings can provide a key to interactions with offenders (Prochaska and DiClemente, 1984). This alone will not be enough to change the behaviour of aggressive youths but it can be a beginning for change that takes into account the attitudes, necessities, and problems of their milieu.

Further research should build on the concept of dynamic strategies of legitimization in several ways. Research is needed to validate the core approach, enlarge it by further insights, and test it in different milieus. We need more information on the relevance of specific legitimizations, which of them are used regularly, when and in what cases. It is important to analyze different modes of legitimization and concealment, depending on the cultural, social, and economical background of subjects, but we have little information on how people are able to mediate between different milieus and why some regularly drift between norms while others seldom drift. The dynamic concept of legitimization hypothesizes that such variance reflects the attachment of people to different or multiple groups. In other words, their milieus contain contradictory sets of values and norms so that it is impossible not to break some of the rules, some of the time. However, our concept needs further research because it provides few clues to help explain why some people violate the main values and norms of their society or milieus. In addition, our work does not yet provide a clear picture of the processes of brutalization that seem to be typical for young groups of wanna-be offenders. Arguably, the consideration of legitimization processes would open up many new possibilities for research on the motives for and, in turn therefore, the prevention of deviance.

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