CHAPTER I

CONCEPT OF DELINQUENCY

The past five decades have produced enormous number and variety of studies in the field of juvenile delinquency. Whether or not these studies have been of any help, insofar as understanding juvenile delinquency, remains debatable. Because "the term 'juvenile delinquency' has been so abused and bandied about that it has practically no meaning professionally, as a research medium, as an explanation of causation, or as a basis for treatment. No two people using the term (delinquency) have the same concept of it, including psychiatrists, psychologists, social workers, and members of all other professions concerned with diverse problems," suggests Steiner (1960, p. 1).

When one reviews the literature of juvenile delinquency he immediately encounters contradictory theories, opinions, and conclusions offered by many competent researchers in the field. Perhaps because the term delinquency itself is vague, ambiguous, lacks operational definition and therefore means different things to different people. To a lawyer or a law enforcement agency delinquency is "what the law says it is!," remarks Rubin (1949, p. 15). Rubin's remark may be perhaps described as his wishful thinking. Because delinquency, as it has been described in legal and professional literatures, may include
almost any deviant behavior of a youth. Many investigators including
this one have observed that it is largely a matter of jurisdictional
accident and individual community practices that eventually determine
whether a child falls into one category or another (Robison, 1936).
It appears reasonable then to believe that there exists not only dis-
agreement between legal authorities and the so called authorities on
delinquency, but there are some formidable difficulties as to where
delinquency begins and where it ends.

Although the legal definition of juvenile delinquency varies from
clear-cut one country to another, we in India do not seem to have any legal
definition of delinquency. Perhaps the British common law is easy and
simple. It regards delinquency as an act that, if committed by an
adult, would be considered criminal. Under our present existing laws
or legal codes any child becomes a delinquent, should the courts decide
so. On the other hand, the general attitude of the community and fam-
ilies toward children with certain behavior problems, the character
of the social agencies in the community, and most of all the community's
policies of referral for such children are the factors that deter-
mine whether or not a child is delinquent. In her study of adolescence,
however, Farnham (1951) explains the dangers involved in community
standards"... No one is delinquent who merely cheats on his income
tax or examination (unless caught), but anyone who steals an automo-
bile or who holds up a bar or shoots his little brother is unquestion-
ably so. So also is any girl who has an illegitimate child or has
a career of sexual promiscuity even though she avoids pregnancy. So
too are the chronic truants and the pilferers as well as the unman-
ageable and incorrigible youngsters who rebel against the intolerable
homes in which every fundamental of human decency is violated. These
are the problems that are recognized and cause consternation" (p. 147).
We believe therefore that these social standards, conventions, mores,
practices and organizations are not only highly variable but extremely
vulnerable and subject to evaluation and examination from within and
outside.

To paraphrase Kvaraceus (1964) the differences from culture to
culture and country to country regarding delinquent acts and penalties
merely indicate the division and discrepancy that exist between the
definition of delinquency and what should be done about it. In fact,
Bovet (1951), one of the leading authorities in the field of delin-
quency believes that the term delinquency is "artificial".

Vaguely defined as it is, the term delinquency could perhaps be
broken down into two mutually non-exclusive categories, namely,
"behavior problem child and pre-delinquent" and the "delinquent".
This breakdown would not necessarily alleviate the confusion, but it
might help us avoid the misleading statistics on delinquency. For
example, an emotionally disturbed child who in an extremely anxiety-
provoking situation physically assaults some one may be taken to a
clinician or possibly to a boarding school. The same emotional problem
in a slum child might very well result in his being brought to a chil-
dren's court. When compiling the data on delinquency the first child
may rarely be counted as a statistic, while the second child may be
regarded as a significant part of our data collection. In addition,
the second child not the first one becomes the subject matter of some sociologists' and psychologists' study. As a consequence, the etiology and patterns of delinquency, if there are any, remain inconspicuous and unravelled. Because "the majority of research on delinquency has involved lower class population; middle class and upper class delinquents pose an uninvestigated problem for current theorists," observes Miller (1970, p.121). It is because of these researches that laymen as well as social and legal agencies are inclined to believe that disorganized and poor families and communities that lack resources to properly care and control their children are producing a large number of delinquents who are officially adjudicated. But contrary to this widely held belief, juvenile delinquents are not essentially members of our society's lowest class, economically, culturally, socially, and mentally. Rather they come from all and every segment of our society. Indeed some communities or groups may be more susceptible than others in reinforcing their juveniles' delinquency. In 1952 Bloch conducted a survey of 340 college students. In response to his questionnaire given to these students, almost 91 percent of them admitted that they deliberately committed offenses against the law. Interestingly enough this group of students came from better than average middle class homes. And in an extension of the study which included successful professional men and women, including considerably high percentage of physicians and lawyers, it was found that even greater percentage of these professionals admitted to having committed in their youth all kinds of delinquencies and more serious offenses.
Unfortunately once a child is apprehended and exposed to the legal proceedings of the court, regardless of how well intentioned and sincere these procedures may be, the child faces a shattering experience in his life which is critically hazardous. The psychological damage done to these children has been investigated by Duncan (1969). He found that "...stigma resulting from being officially labeled as 'delinquent' increases the probability of engaging in further delinquent behavior....(they) distinctly expressed a feeling of identification and kinship (with other delinquents). The boy can soon learn that while his 'goodness' is obscured by the stigma of being labeled 'delinquent' his 'badness' gains prompt recognition and attention" (p. 41).

How old is a delinquent? When it comes to distinguishing between delinquents and non-delinquents, particularly when this distinction involved children, the criterion is not only arbitrary but heavily dependent upon the inaccurate and often times bogus statistics. Nonetheless, here we are talking about those juveniles who are apprehended and adjudged by judicial authorities as delinquents. It is these delinquents who help the statisticians or researchers determine the age levels, etiological factors, types of delinquency, personality make-up, and social conditions.

We call this distinction arbitrary because the age levels of these adjudged delinquents within which they fall depend, to a great extent, upon legal definition and customary practices which are highly variable. In most countries, including India, however, most juvenile
delinquents fall within the age range of 12-19 years. In the United States offenses are considered juvenile if they occur between ages 7 to 16 or 21 years, varying with the states. The judicial authorities in India have often crossed the lower as well as upper age limits for practical purposes. This age range applies especially to delinquent boys. Insofar as delinquent girls, no statistics, accurate or inaccurate, are available in India. To begin with, there is a very insignificant number of girls who have been brought to court and convicted. According to Vatankhah (1970), "The negligible delinquency rate of girls shows the power of firmly established community attitudes" (p. 70). Our culture, including our judicial system, has a built-in "protective attitude" towards girls. Unless the severity of the offense is of such a magnitude that it might arouse public reaction and call for legal action, the girl must not be called a delinquent (officially). It is the basic roles and values that our culture has assigned to boys and girls that we have come to expect certain types of misbehaviors on the part of boys only. In the United States, for instance, from 1950-1952 far more boys (approximately 5 times more frequently) than girls were apprehended for offenses. (U.S. Juvenile Court Statistics, 1950-52). Nevertheless, when one examines the consistently higher rate of delinquency in boys than girls, he must use certain amount of precautions.

It is obvious, on the basis of what we have discussed thus far, that a delinquent behavior (offense) is something which is largely a matter of cultural definition and a consequence of the standards,
practices, and pressure of the community. The nature and frequency of offenses reflect the attitude and values attached to these behaviors. Despite the fact that different communities may have different standards, these offenses do indicate a discernible pattern in their character. Some of the most commonly known delinquencies are: truancy, stealing, sex offenses, assault, housebreaking, arson, robbery, forgery, offense against public order, drunkenness, drug addiction, being ungovernable, act of carelessness or mischief, carrying a weapon, murder, etc., etc. As stated earlier the frequency of these offenses may vary between the communities and also between the cultures. Since statistics on offenses committed by juvenile delinquents in India are not available or compiled, there is no way we can arrange these offenses in order of their frequency. According to Srivastava (1963), however, the second most common juvenile offense in India is vagrancy. One of the most celebrated studies in the field of delinquency done by Glueck and Glueck (1950) puts stealing and/or robbery as the most frequently committed offense. Whereas housebreaking was on the top of the list provided by D.C. Juvenile Courts (1957), Gibbens (1961) believes that "perhaps the most important changes affecting the statistics of prevalence are the trends in definition of delinquency" (p. 18).
Etiology and Patterns

(Characteristics of Personality)

Before we discuss any etiological aspects of delinquency we would like to make it extremely clear that the present study was in no way set out to explore and critically evaluate the voluminous literature on delinquency, its definition and causes. There are two possible explanations for this deviant behavior. First, the present study was not intended to be a theoretical research endeavor. Secondly, the juvenile delinquency literature abounds with studies (Ashley-Montagu, 1941; Eissler, 1949; Goddard, 1915; Hooton, 1939; Murchison, 1926; Sheldon, 1949; Tulchin, 1939; Bordua, 1960; Glueck, 1959; Glueck et al., 1950; Robison, 1960; Sellin, 1938; Shaw et al., 1931; Bovet, 1951; Glueck et al., 1936; Healy and Bronner, 1936; Tappan, 1952; Cohen, 1951; Lundberg, 1947) on the etiology of delinquency. We shall be making passing references, however, of these and other studies when and if deemed necessary.

The kind of confusion and ambiguity we have seen, while trying to pinpoint what delinquency is, one would hardly expect professionals to come up with one most agreed upon etiology of delinquency, whatever that may be. However, most professionals would agree that in order to come up with a scientific explanation of the cause or etiology of delinquency, the researcher must be able to define the word "delinquency" operationally. But more often than not, researchers have defined (not operationally though) the term delinquency to suit their own needs, which would essentially illuminate their belief, background and
The term delinquency has been consistently referred to and used as a diagnostic classification. It is a "diagnostic label" just as schizophrenia. "...delinquency is also a measure of mental health, just as psychosis and suicide are," says Murphy (1965, p. 7). On the other hand researchers, including clinicians and diagnosticians (Ward, et al., 1962; Ash, 1949; Rotter, 1954; Freedman, 1958; Windle, 1952; Kanfer and Saslow, 1969), question the relevance and reliability of any psychiatric diagnoses. Zigler and Phillips (1961) while discussing the necessary ingredients for an adequate diagnostic classification, assert that an etiologically oriented closed system of diagnosis is premature. The current diagnostic system, as we know, has been borrowed from medicine and has been extensively used by clinicians and psychiatrists. In other words, it is a medical model where a diagnostic label would be a necessary requirement, as far as treatment, for a diagnosis leads to the origin of the difficulty and the future course of illness. In addition, diagnosis helps bring together the accumulated knowledge to understand the pathological process which leads to the manifestation of symptoms (Kanfer and Saslow, 1969). Thus, in short, diagnosis means a precise statement of the illness leading to the cause, treatment and prognosis.

Szasz (1961) challenged the appropriateness of disease analogy to social behavior. Szasz is one of the few noted writers who has written widely on the current misuse of the notion of mental illness. In 1960 he viewed medical model as useless, and inadequate because he
believes that psychiatry should be exclusively concerned with the problems of living and not with diseases of the brain or other biological organs. He proclaimed that "mental illness is a myth, whose function is to disguise and thus render more palatable the bitter pill of moral conflict in human relations" (1960, p.118). While discussing causal process, Bandura (1969) noted: "Most personality theorists eventually discarded the notion that deviant behavior is manifestation of an underlying mental disease, but they nevertheless unhesitatingly label anomalous behaviors as symptoms and caution against the danger of symptoms substitution" (p. 2). Since medically rooted psychiatrists always dominate the field of psychiatry, modification of social deviance (e.g., delinquency) became a medical specialty, with the result that persons exhibiting atypical behavior are labeled "patients suffering from a mental illness, and they generally are treated in medically oriented facilities" (Bandura, 1969, p. 2). It is well to remember here, however, that there is no relationship between psychiatric diagnosis and the response to treatment (Kanfer and Saslow, 1969; Frank, 1965, Freedman, 1958; McPartland and Richart, 1966).

The diagnostic labels of the so-called descriptions of deviant behaviors are nothing more than value judgments. These behavioral labels do not contain any information whatsoever about causal determinants. The questions that readily come to one's mind are: Is it the act (an offense when detected) that classifies a person as delinquent or is it his personality? Or is it both? Are there any personality patterns of those who manifest undesirable (pathological) behaviors?
Or is it that a behavior in itself neither good nor bad, it is the situations under which it occurs determine its true significance?

Throughout our discussion we have frequently used the word "behavior". What is a behavior to a psychologist whose approach tends to be scientific in nature? Behavior is what an organism does - be it overt or covert. Hilgard (1962) says that behaviors are "those activities of an organism that can be observed by another organism or by an experimenter's instrument" (p. 614). If the behavior can be objectively observed and measured, then it becomes possible to predict under what condition that same behavior may be expected to occur. That may be the scientific basis of behavior. The prediction of future events is always expected of a scientific study. The value of science is doubly increased if the prediction method is reliable and valid (Schaefer and Martin, 1969). What in effect is being proposed here is that behavior is subject to lawful causality (Skinner, 1955-56). Let us say for example, opening the door is a behavior. Whether or not the door opens often depends on some one turning a knob and pushing or pulling the door. What an organism does, brings about an effect in some way. Putting a few coins in a coke machine would result in a can of coke. These examples indicate something fundamental about behavior, and that is, behavior operates upon the environment-"operant behaviors" (Skinner, 1938, 1953). Behavior has consequences too. Behaviors (responses) would continue to occur if they keep receiving the reinforcement. They cease to occur if followed by no consequence (reinforcement) or neutral stimuli (Michael and Myerson, 1962).
Psychodynamic theories of personality intend to depict a deviant behavior of an individual as being caused by internal determinants and that the individual is unable to either recognize or control them. Hence the emphasis is on what the individual "has" and not what he "does". These theories assume that individuals have generalized and fairly stable response dispositions. Based on this basic assumption individuals with deviant behaviors are classified as sick, crazy, mentally deranged, delinquent, psychopath and so on and so forth. Contrary to this approach, behavioral approaches assume that these response patterns are dependent upon environmental contingencies. The trouble with psychodynamic approaches is that the internal determinants cannot be induced to experimentation, for they are dubious and not stated in refutable forms. Since they cannot be produced under laboratory conditions, they enjoy the immunity to empirical verification.

The intensity of the underlying pathology is determined by the extent of behavioral deficit — the greater the deficit the more extensive will be the underlying psychopathology. But the extent of deficit or deviancy is arbitrary, relativistic, and above all subjective. Therefore, to a behaviorist, symptoms are nothing more than evaluative responses from others — purely a social judgment based on normative standard of the society. Then there are degrees and consequences of a deviant behavior. Deviancy that brings about aversive consequences is labeled abnormal. Whereas deviancy that causes positive or neutral consequences is likely to be rewarded or tolerated. But then who is to decide what is the acceptable behavior? Within a
culture or subculture people have different behavior standards.

"... From the perspective of the deviants, the life style of conforming members is a symptomatic manifestation of an over commercialized "sick society". (Thus the same behavior becomes symptomatic in one situation and healthy in another situation.) "... A citizen socialized in other respects who commits a brutal homicide will be diagnosed as suffering from a serious mental disorder, but a military recruit's inability to behave homicidally on the battlefield will likewise be reviewed as symptomatic of a "war neurosis". The latter example further illustrates how behavior can come to be thought of as symptomatic because of changes in social norms rather than because of a psychopathology reflected in the behavior itself" (Vandura, 1969, p.4).

Where deviancy cannot be explained intelligibly it often assumes the characteristic of a pathological symptom. Delinquents who generally snatch money from their victims and hit and kick them are considered semi-professional thieves. On the other hand, delinquents who just hit and torture their victims and seek no material gain are considered emotionally sick. The latter group is evidently seeking peers' approval which is often more powerful reinforcer than material reward (Buehler et al., 1966; Yablonsky, 1962).

The preceding discussion appears to reinforce the idea that delinquent behaviors are not indicative of a pathological personality or symptoms of an underlying pathology. Instead, these or any other maladaptive behaviors are "learned behaviors" (Sutherland, 1955; Ullman and Krasner, 1965; Wolpe and Lazarus, 1966). These learned
behaviors have come to be called symptoms. It has been evident both experimentally and clinically that symptomatic behaviors can be produced and eliminated (Wolpe, 1952, 1958). Ayllon et al. (1965) in their famous study of a long term hospitalized schizophrenic patient came up with a graphic presentation of a bizarre pattern of behavior manifested by their patient. The behavior was produced, maintained, and eliminated by simply manipulating reinforcement contingencies. Not knowing as to how the behavior was produced, diagnosticians interpreted (erroneously of course) the behavior as manifestation of an underlying pathology. How these symptomatic behaviors are acquired and maintained, however, have been explained in terms of "functional analysis", also called "behavioral analysis" (Skinner, 1953; Ayllon, 1963; Holz, Azrin, and Ayllon, 1963; Kanfer and Saslow, 1969; Lindsley, 1958, 1960; Barrett, 1962; Ayllon and Michael, 1959).

Now let us talk about patterns (or characteristics) of personality in relation to delinquency. When we talk about pattern of personality we generally assume that children diagnosed or adjudged as delinquents would have certain personality characteristics, e.g., aggression, impulsivity, emotional unstability, etc. These personality characteristics are supposed to differentiate delinquents from non-delinquents. This approach, then, implies that delinquents or for that matter any diagnostic group, possess certain response patterns that determine their behaviors in various situations. Based on these response patterns, researchers (Healy and Bronner, 1936; Hathaway and Monachesi, 1953; Glueck, 1959; Glueck and Glueck, 1950;
Hewitt and Jenkins, 1946; Jenkins, 1949) have shown a relationship between delinquency and personality characteristics. In fact, studies (Sutherland et al., 1950; Karpman, 1939; Stolt, 1950; Syme, 1957; Schmidt, 1947; Wittenborn et al., 1953; Dreger et al., 1964; Zigler & Phillips, 1961) have repeatedly shown that regardless of what pathological behavior is picked up for study it has been found in wide variety of personality types.

One of the most serious objections raised against this approach is "The types of behavior selected for measurement vary. A few of the assessment procedures that have been advocated at one time or another are brief sampling of overt behavior that bear some resemblance to the trait description, endorsement of statements that describe affective state, interests, or response patterns, and farfetched responses elicited by relatively ambiguous stimuli such as ink blots, ill defined pictures, doll families, and incomplete sentences," asserts Bandura (1969, p. 14).

Since the exact antecedents of a deviant behavior are rarely known, the focusing of attention has to be shifted on to something which can hardly be operationally defined, controlled, systematically varied, and eventually verified. As a result, we have varieties of theoretical models of personality and psychopathology. Freudians, for instance, are likely to uncover Oedipus complexes and the rest; Adlerians look for compensatory power for striving and inferiority complexes; Rogerians talk about inappropriate self concepts; and
existentialists find existential crises and anxieties. Similarly, Skinnerians, who do not present a theory of personality, look into the reinforcement conditions in order to locate the determinants of maladaptive behaviors. But this theory explains not only how a behavior is acquired and maintained, it also enables the clinicians to establish relationship between reinforcement contingencies and behavior, which is empirically verifiable.

The foregoing discussion therefore suggests that theories of delinquency that emphasize the role of personality characteristics and psychodynamics seem to preclude cultural and situational variables. This becomes readily evident when one compares two markedly different cultures with regard to incidence of delinquency. For instance, in Cairo, Egypt a very common form of delinquency is picking up cigarette butts from the street. And in Nigeria disrespect, disobedience and defiance of the family are regarded as a serious offense (Kvaraceus, 1964). Would we say then that the child collecting cigarette butts in Cairo has a pathological personality? By the same token we can also say that the same behavior by the same child would not be classified as pathological in New Delhi, Indian, or would it? What these examples suggest is that it is the situation that really determines whether or not when and where to classify a behavior as pathological. Let us consider another hypothetical situation where a society decides to radically or even gradually alter its social and legal norms, the presence or absence of the same behavior will then be considered abnormal—a consequence of an underlying
psychopathology. Critics therefore believe that terms like traits, psychodynamics, personality characteristics, and psychopathology are vague, lack empirical validity and operational definition, hence misleading.
The Present Study

The large body of literature on the subject of juvenile delinquency highlights on two basic hypotheses: (1) delinquent children have certain personality characteristics which supposedly distinguish them from nondelinquents, and (2) these personality characteristics are primarily "bio-psycho-social" in nature. This, it would appear, has an implication that etiologically oriented theories of delinquency derive their inspiration from three major disciplines, i.e., biology, psychology, and sociology. The present study, however, focused its attention on only two aspects - psychological and social. Because it has been evident from a number of studies (Healy & Bronner, 1936; Shaw, 1938; Shaw & McKay, 1942; Mannheim, 1948; Karpman, 1948; Montagu, 1941) that delinquency and crime are not related to birth or heredity. One of the international authorities on juvenile delinquency, Bovet (1951) claims that "all the individual can inherit is temperament (p. 10), which can also be inherited by nondelinquents and other diagnostic groups. On the other hand, we must recognize the fact that the delinquent behavior in itself cannot be inherited.

The present study, as it may appear from the title, has two basic parts, namely, etiology and patterns of delinquency. We, therefore, intended to find out if there was any etiology of delinquency, as far as "psycho-social" (environmental) determinants. In other words, we were interested to examine whether or not there was any relationship between delinquency and environmental variables.
Insofar as the second part - patterns of personality - an attempt was made not to deny or accept but to investigate if delinquent boys had certain personality characteristics; and also if an overall personality difference would emerge between delinquents and non-delinquent boys.

The point that must be stressed here is that there were no pre-conceived hypotheses or hypothetical guidelines to realize the aforementioned objectives. The present study was then basically an exploratory study. Such an approach, though not radical, may not satisfy those interested in "confirmatory" research. Nevertheless, we believe the concept of delinquency, as we know it, needs more exploratory studies (in terms of concepts, etiology, and the delicate surveying equipments) before we attempt to "confirm hypotheses". We also believe that several hypothesis confirming studies have been repeatedly found to have one thing in common. "First certain assertion is made that a certain form of deviation is characteristic of the criminal, then it is proved that the same phenomenon is found in non-criminals, and finally it is shown that these anomalies are somewhat more frequent in criminals," complains Aschaffenburg (1913, p. 177). Ironically, this is done without giving any due consideration to the possibility that the variables under study may not have been operationally defined, controlled, and verified. Thus, there has been and still is much confusion and disagreement about what (variables) and how (methodology) to study delinquency.

In the present study, therefore, attempt was made to systemati-
cally explore and point out some of the major difficulties researchers
have had in the past that might have kept their results from being
repeated and verified.

Even though our approach was psycho-social in nature, no partic-
ular theoretical model of personality was picked as the basic guideline.
Therefore, another secondary aim of the present study was to look for
some kind of workable hypothesis which might enable us to comprehend
a wide range of variables and conditions that may produce, maintain,
and even eliminate delinquent behaviors.