

Chapter 4: Theories of Causation

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Explanation is central to preventing or controlling delinquency and abuse. All policy and practice in juvenile justice is shaped, intentionally or not, by theory. For example, "get tough" policies, such as Class X felonies and automatic waivers to adult court in Illinois, are an offshoot of classical theory and hedonism, policies relying upon individual or group therapy are based in psychological or social psychological theory, and policies stressing neighborhood improvement, better education, and job opportunities are based upon sociological theories (see Chapter 4).

The classical or free-will approach to explaining and controlling delinquency is based upon the belief that human beings exercise free will and that human behavior results from rationally calculating rewards and costs in terms of pleasure and pain. Presumably, acts that have painful consequences will be avoided. To control delinquency, then, society simply has to make the punishment for violators outweigh the benefits of their illegal actions. Thus, penalties become increasingly more severe as offenses become increasingly more serious. Under the classical approach, the threat of punishment is considered to be a deterrent to criminals (delinquents, abusers) who rationally calculate the consequences of their illegal actions. However, according to this approach not all individuals are capable of rationally calculating rewards and costs. The modified approach (generally referred to as the neoclassical approach) called for the mitigation of punishment for the insane and juveniles, who, up to a certain age, at least, were thought to be less responsible than adults. The impact of this approach can be seen today in the trend toward transferring minors who commit serious offenses to adult court which subjects them to far harsher punishments in a system less attuned to rehabilitation. Indeed, it appears that the exemptions from harsh punishment called for in the neo-classical approach have been largely ignored in the current rush to impose "get tough" policies on juveniles and adults. Another popular theory discussed in the text-deterrence theory- is also behind the "get tough" policy orientation of the last two decades.

There have been a number of attempts over the years to find biological or genetic causes for crime and delinquency. The results of twin studies conducted over the past 75 years seem to indicate that there may be a genetic factor in delinquency/crime, but the exact nature of the relationship remains undetermined. There are those who argue that there may be a causal relationship between race/ethnicity and delinquency and who regard the data indicating overrepresentation of minorities in delinquency as evidence of such a link. It is very difficult, however, to separate the effects of heredity and environment and at this time there is little evidence of a genetic link between race and crime/delinquency.

The human mind has long been considered a source of abnormal behavior and therefore delinquency. Early varieties of psychological theories of delinquency and crime focused on lack of intelligence and/or personality disturbances as major causal factors. For example, Freud and his followers Healy and Bronner believed that the delinquent was a product of a personality disturbance resulting from thwarted desires and deprivations which led to frustration and a weak superego. Behaviorists called for a change of techniques from the subjective, speculative approach based on introspection and retrospection favored by Freud to a more empirical, objective approach based on observing and measuring behavior. In this approach, criminal and delinquent behavior is viewed as varieties of human social behavior, learned in the same way as other social behaviors. To control and rehabilitate delinquents, then, the therapist employs behavior modification techniques to extinguish inappropriate behavior and/or to replace it with appropriate behavior. The popularity of programs in Illinois designed to accomplish this end speaks to importance of the psychological approach to understanding delinquency today.

Sociological theories share the notion that delinquent behavior is the product of social interaction rather than the result of heredity or personality disturbance. For sociologists, delinquency must be understood in social context. Thus we must consider time, place, audience, and nature of the behavior involved when studying delinquency. Sutherland, for example, believed that through interacting with others individuals learn how to define different situations as appropriate for law-abiding or law-violating behavior.

From the labeling theorist's point of view, society's reaction to deviant behavior is crucially important in understanding who becomes labeled deviant. Erikson discusses the ceremony that deviants typically go through once the decision to take official action has been made. First, the alleged deviant is apprehended (arrested or taken into custody). Second, the individual is confronted, generally at a trial or hearing. Third, the individual is judged (a verdict, disposition, or decision is rendered). Finally, he or she is placed (imprisoned, committed to an institution, or put back in society on probation). The end result is that the individual is officially labeled deviant. One of the consequences of labeling in our society is that, once labeled, the individual may have great difficulty redeeming himself or herself in the eyes of society. In the Illinois juvenile justice system, the requirements that juveniles be housed separately from adults and the exclusion of the public from juvenile court hearings illustrate the impact of learning and labeling theories.

Conflict theorists argue that conflict is inherent in all societies, not just capitalist societies, and focus on conflict resulting from gender, race, ethnicity, power, and other relationships. They contend that laws making certain acts illegal are passed and enforced by those who monopolize power against those who are powerless (the poor and minorities, for example). To theorists accepting this position, the overrepresentation of minorities in all phases of the juvenile justice system may be seen as evidence of class, race, and gender bias.

Control theorists view a poor self-concept as increasing the chances that a youth will turn to delinquency; a positive self-concept is seen as insulating youth from delinquent activities. Negative self-concepts and low self-esteem have also been frequently noted as characteristics of those who abuse or neglect children. Controlling delinquent or abusive behavior, then, involves among other things, improving the self-concept of the individuals involved. Many of the diversion programs in Illinois attempt to improve the self-concept of delinquent minors through the use of counseling and social services.

Review Questions

1. Is there any reason to believe that the theories of delinquency stated in the text do apply in Illinois?
2. Is there evidence that Illinois has been caught up in the "get tough" policies related to delinquency of recent years?
3. What is the relationship between the theory of delinquency posited and the type of policies and programs utilized to control delinquency?
4. Is there evidence that Illinois regards labeling as a specific problem for juveniles who come into contact with the justice system? If so, give an example.
5. Can you provide an example of the relationship between theories of delinquency causation and diversion programs?