

The contributions of albert kircidel cohen and explanation of jose padilla essay ...

[Law](#), [Criminology](#)



Abstract

The theoretical framework of Albert K. Cohen depicts several principles involving criminal and delinquent behavior explanations. Cohen utilized sociological factors in order to provide theoretical pattern wherein a “corner boy” or those who were left behind from society’s standards or known as the *middle-class rods*. Out of failure and frustration, these individuals began to develop opposing perspectives against the societal standards; hence, providing the opposite of such measuring rods. Cohen provided significant theoretical application, which considers the subcultural values of these delinquent individuals. He noted that cultural influences and psychological effects of failure provides the strain, which negatively influence these individuals; hence, producing the consequent negative behavior. Such theory is very much evident in the social issues of Jose Padilla, who was normally a normally living individual that became involved in various illegal doings, such as al-Qaeda involvements. With the principles of Cohen’s theory, the group’s behavioral pattern is analyzed and critically elaborated under the theoretical concept.

Hypothesis

As according to Cohen’s theoretical application in Jose Padilla’s case, this individual has entered the *corner boys* stage under a society of neglecting environment that somehow progressed to *college boys* stage and began meeting the societal standards. However, due to the considerable capacity and foreseen failure, he ended up in frustration and, at the lone point, became delinquent individual.

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Introduction

Between the 1950s and early 1960s, several authors developed sub-cultural theories of delinquency. These theories branched off to the dominant explanations of crime during that period: the anomomie and social disorganization perspectives. Theories in criminology tend to be unclear and lacking in justifiable broadness. The lack of clarity can sometimes end up in apparent inconsistencies, although more attention to the structure of a scientific theory and its requirements might reveal more agreement among theorists than now recognized. In fact, rarely do available theories offer guidance that does not require heroic leaps of conjecture. Practicality is not a requirement of a valid theory since theories might be void but still of use.

However, condition for a theory to be considered certifiable is none other than practicality. Criminology is the scientific study of crime; hence, theories need to have adequate basis in order to prove true and be considered useful. Another denotation of the term Criminology is the study of law making, law breaking and the response to law breaking. This definition of criminology is also a useful way to categorize the theories. Theories of law breaking are the most common and essential in the field of Criminology. The questions that usually come out is " why do people commit crime?" or " What makes countries more prone to crime than other?" These theories serve as the guide of practice and a protocol to assist the implementation of law and reading of crimes (Vito, Maahs & Holmes, 2007 p. 14).

Subcultural theories share two common themes. First they focus squarely on the lower class. Second, the theories attempt to explain the formation and activity of delinquent subcultures. A subculture is defined as a group, such as street gang, that holds norms and values that are different from mainstream society. Gangs almost always are collections of individuals whose behavior in the group places them outside the prevailing mores of their society.

However, some gangs have served socially condoned functions or even carried out desired social activities avoided by ostensibly more upstanding members of communities (Branch 1997 9).

Given the limitations of method solutions to comparative criminology's problems, it can only turn for help to one of its disciplines - to sociology, psychology, biology, or economic. Unfortunately, as we have seen, each discipline believes that conceptual scheme is peculiarly applicable to crime. Worse, all eventually conclude that cultural variability is a major factor in crime, the very conclusion that cross-cultural criminology seeks to rise above. This point can be illustrated by the work of Albert K. Cohen, which developed a theory of gang delinquency based on the following logic: lower-class boys are ill-prepared to do well in school, the principal vehicle for status achievement in American society; the school applies middle-class standards in evaluating the behavior of all boys, and lower-class boys do not measure up; as a consequence, they look to alternative means to achieve status; in the course of this research, they encounter other boys with similar problems, and a group solution, the delinquent gang, emerges (Gottfredson and Hirschi 1999 172).

Research on adolescent gangs originates with the seminal work of Thrasher (1927), who systematically studied 1,303 gangs in Chicago over a number of years. Thrasher identifies gang members as juvenile delinquents, an association subsequently repeated so strongly and so frequently that delinquency now is implicitly incorporated in the definition of gangs. Indeed, the terms gang and delinquency are often used interchangeably (Branch 1997: 1). Gangs have existed in a variety of ethnic communities with varying degrees of intensity at different points in history. The research of Thrasher (1927) is generally regarded as the core of behavioral science understanding of gangs and related phenomena. Thrasher asserts that gangs are composed of marginalized boys who are poor, very likely to be residents of a slum, and transient. Until very recently, these observations have been considered the canon and have gone unchallenged (Branch 1997: 9). One of the most controversial members of gangs of the current times is Jose Padilla, who happened to become a juvenile criminal at the age of 14 years old. Jose Padilla has been linked in various criminal and delinquent accusations brought by different policing sectors especially linked in the accusation of collaboration in the al-Qaeda group.

The main argument of the course research involves the theoretical content of Cohen's Gang theory associated with delinquency and crime occurrences. The study shall employ the methodology of theoretical analysis and interpretation in order to provide unbiased justification of the argument proposed. As the theory denotes further utilization of case and explanations of Jose Padilla, the study shall evaluate the theoretical model presented if

such claims and the appropriateness of minimal race and economic influences are valid to create equal opportunities and avenues for all children.

Presentation of Theory

Albert K. Cohen sought to explain why delinquent subcultures developed and why they engage in a particular kind of delinquency, Cohen argued that most gang-related delinquencies were non-utilitarian (Vito, Maahs & Holmes 2007 160), malicious, and negativistic (examples are e. g. vandalism, assaults, etc.) or serving no useful purpose (McShane and Williams 2003 67). Even theft seemed to be based on factors other than the value of stolen goods (e. g. thrill, something to do). Cohen argues that strain produced delinquency; he simply devised a different source of strain. In Cohen's theory, strain is caused by the failure of lower-class boys to achieve middle-class status, which is somehow the negativistic outcome of perseverance for quality improvements caused by strains (Vito, Maahs & Holmes 2007 160). Cohen applied a combination of differential association and anomie theories to explain juvenile gang delinquencies. He noted that most juvenile criminal behavior was committed by groups or gangs rather than by individuals.

Cohen recognized that juveniles often engaged in crime to gain status among their delinquent peers. Juvenile gangs functioned as a separate culture aside from the dominant culture. The subculture served to insulate lower-class juveniles from the mainstream culture and provided a way for

them to rebel against the dominant middle-class culture and gain status of their own (McShane and Williams 2003 65). Cohen viewed the delinquent gang as a separate subculture, pressing a value system directly opposed to that of the larger society. He describes the subculture as one that takes its norms from the larger culture, but turns them upside down. The delinquent's conduct is right by the standard of his subculture precisely because it is wrong by the norms of the larger culture (Siegel 2004 203).

The strain of pursuing goals within diverse opportunity structures may lead to adaptations such as crime, delinquency, and other deviant behavior. The reason behind is the power of a person to control or manipulate the situation is still present; however, if in case the person breaks down because of this strain experience, that is the time wherein a person manifests valiant and law-breaking actions (Siegel 2004 71). According to Cohen, most lower-class boys desire middle-class status and initially accept the goals and values (e. g. responsibility, delayed gratification, ambition, manners, control over aggression, respect for property) of the middle class (Vito, Maahs & Holmes 2007 160). The causes of juvenile delinquency, according to Cohen, included poor social skills, a lack of educational opportunities, and an inability to delay gratification. Environmental influences were key concepts of Cohen's theory of juvenile delinquency. The type of family into which one was born led to the type of interaction and opportunities one would have, and subsequently, influenced juvenile delinquency (McShane and Williams 2003 65).

The truth of Cohen's theory as an explanation of American delinquency is problematic. Its applicability to other cultures is, however, even more

problematic. Not all cultures have universal compulsory schooling, share the achievement values Cohen ascribes to American society, and, at least in some cultures, delinquency does not seem to satisfy the motives Cohen ascribes to it. Any attempt to modify the theory to make it compatible with a different culture must alter the means by which boys achieve status, the ends they, or the definition of delinquency itself. Cultural imbalance theories, such as Cohen's thus suggest that each culture may require its own delinquency, a condition cross-national criminology (Gottfredson and Hirschi 1999 172).

Cohen's article entitled "The Sociology of the Deviant Act: Anomie Theory and Beyond" (1965) was also influential in the field of criminology. In this article, Cohen discusses some of the fundamental propositions of Robert K. Merton's anomie theory, which was a major contribution to criminological thought at that time. Cohen identifies some of the strengths and weaknesses of Merton's theory and explores the processes associated with anomie theory. Cohen notes the disjunction between the social process that is proposed and the role of the individual. He concludes by proposing that better modes of conceptualization be developed to explore the role of the individual in a social process (McShane and Williams 2003 66).

Another key concept of Cohen's theory of juvenile delinquency was *middle-class measuring rods* (McShane and Williams 2003 65) or the standards of authority being imposed. One significant handicap that lower-class children face is the inability to positively impressed authority figures, such as teachers, employers or supervisors. The conflict and frustration lower-class

youths experience when they fail to meet these standards is a primary cause of delinquency (Siegel 2004 203).

According to Cohen, those who were not middle-class would fall into one of the following categories: corner boy, college boy, or delinquent boy. The category of corner boy is the most common and includes youth who engage in petty delinquency. The college boy accepts and strives to meet the middle-class norms (McShane and Williams 2003 65). The *corner boy* role is the most common response to middle-class rejection. The chronic boy is not a chronic delinquent but may be a truant who engages in petty or status offenses, such as precocious sex and recreational drug abuse. His main loyalty is to his peer group, on which he depends for support, motivation, and interest. His values, therefore, are those of the group with which he is in close personal contact. The corner boy, well aware of his failure to achieve the standards of the American dream, retreats into the confronting world of his lower-class peers and eventually becomes a stable member of his neighborhood (Siegel 2004 205).

The turning point occurs when boys reach school age. Cohen noticed that the school systems of the 1950s were entrenched in middle-class values and social networks. The *college boy* embraces the cultural and social values of the middle class. Rather than scorning middle-class measuring rods, he actively strives to be successful by those standards (Siegel 2004 203).

College boys, singled out by their dress, manners, and attitudes, failed to live up to this middle-class measuring rod (Vito, Maahs & Holmes 2007 160-

161). Realistically, however, college boys are doomed to fail because they do not have the capacity to achieve middle-class standards.

The *delinquent boy* rejects middle-class norms and established his own set of norms, thus facilitating gangs and gang-like behavior (McShane and Williams 2003 66). The delinquent boy adopts a set of norms and principles in direct opposition to middle-class values, and strives for group autonomy (Siegel 2004 205). Cohen believed that different youth would react to this status frustration differently. The delinquent solution involved the creation of a subculture that valued things in direct opposition to middle-class standards. Cohen borrowed the Freudian defense mechanism reaction formulation to describe this process (Vito, Maahs & Holmes 2007 161). Cohen referred to the delinquent boy behavior as reaction formation, which includes an exaggerated response to one's inability to succeed. Youth in this category are described as engaging in short-run hedonism (McShane and Williams 2003 65).

Application of Theory

Case Presentation: Jose Padilla

In the United States, Jose Padilla, born in October 18, 1970 at Brooklyn, New York, is the son of Puerto Rican immigrants. It is unclear whether Jose Padilla, also known by his adopted Muslim name Abdullad Muhajir, was using his gang affiliation to sponsor at Chicago's O'Hare Airport as an associate member of the al-Qaeda terrorist network. The FBI reported that Padilla had changed his name, converted to Islam, and trained with the terrorist network after his last

release from prison (Ronczkowski 2006 178). Padilla, during his childhood moved in Chicago, Illinois, and eventually entered his schooling. Padilla did not attain good academic backgrounds in educational firms; hence, he joined street gangs, such as the Maniac Latin Disciples street gang. During his affiliations with various gang of their area, Padilla maintained various aliases (e. g. Jose Rivera, Jose Alicea, Jose Hernandez and Jose Ortiz). In a New York times report dated 2004, Padilla, at the age of 14, had killed Elio Evangelista by kicking the victim in the head for the given reason statement, “ because he felt like it”, which consequently placed him in juvenile detention until he was 19 years of age (. At the age of 20, Padilla was arrested due to assault to officers with numerous piled up cases, such as robbery, theft, etc (Saunders 2004).

Padilla was imprisoned due to illegal possession of firearms, traffic law violations, and in jail, he was charged with battery on a law enforcement officers. At this point, Padilla was married to an American Cherie Maria Stultz (1991), who happened to be with him during the course of these events. After his 10-months detention, Padilla entered a series of minimum-wage jobs prior to the incident of criminal offenses. During 1993, Padilla was converted to Florida after learning the non-violent philosophical views from his Muslim instructor Maulana Shafayat Mohammed (Christol 2004 50). In 1998, Padilla decided to migrate to Egypt in order to further deepened his knowledge and religious obsession, and from there, he remarried his second wife, Abu Shamia'a who was at that time, 19 years old. Padilla and his second family moved to Cairo in 1999, and from there, Padilla maintained a

normal life with his family by teaching English in the morning, and martial arts in the evening. Early 2000, he went to Saudi Arabia in order to fulfill the Muslim pilgrimage for the hajj (Lustick 2006 36). Upon his return, he notified his wife about an opportunity to teach English at Yemen, and so, Padilla migrated his way to Yemen for the said opportunity (Richardson 2004 138). During the spring season of 2002, one of the senior official of al-Qaeda present in American custody mentioned indirectly, indicating the physical appearance, and other characteristics that pointed out to the dirty bomber, Mr. Padilla (Sontag, 2004).

On May 8, 2002, a U. S national named Jose Padilla was arrested at Chicago's O' hare Airport by the U. S Department of Justice on a material witness warrant to secure his testimony before a grand jury in New York investigating the terrorist attacks of September 11, 2001. On May 15, 2002, the New York district court that had authorized the warrant appointed counsel to represent Padilla (Cassel 2004 63). On June 9, however, President Bush issued a memorandum to the secretary of defense in which he determined that: (1) Jose Padilla, who is under the control of the Department of Justice and who is a U. S citizen, is, and at the time he entered the United States in May 2002 was, an enemy combatant; (2) Mr. Padilla is closely associated with al Qaeda, an international terrorist organization with which the United States is at war; (3) Mr. Padilla engaged in conduct that constituted hostile and war-like, including conduct in preparation for acts of international terrorism and had the aim to cause injury to or adverse effects on the United States; (4)

Mr. Padilla possesses intelligence, including intelligence about personnel and activities of al Qaeda, that, if communicated to the U. S, would aid U. S efforts to prevent attacks by al Qaeda on the United States or its armed forces, other governmental personnel, or citizens; (5) Mr. Padilla represents a continuing, present and grave danger to the national security of the United States, and detention of Mr. Padilla is necessary to prevent him from aiding al Qaeda in its efforts to attack the United States or its armed forces; and lastly, (6) It is in the interest of the United States that the Secretary of Defense detain Mr. Padilla as an enemy combatant (Murphy 2002 297). On June 11, Padilla's attorney petitioned the district court for a writ of habeas corpus, challenging the lawfulness of Padilla's detention and seeking permission for Padilla to consult with counsel. The U. S government moved to dismiss the petition on the ground that Padilla has been designated as an enemy combatant (Murphy 2002 298).

Analysis of Scenario in Theoretical Perspective

According to Cohen, subcultures of delinquency are characterized by working-class membership, masculinity, group loyalty, short-term hedonism, non-utilitarianism and a lack of specialization in delinquent acts. He developed the notion of *status frustration* to explain how the subculture acts as a means for working-class boys to find a solution to lack of status in middle-class life (McLaughlin and Muncie 2006 427). As with the theory of Cohen, such immigrants may had been under the stage of corner boy who happened to failed in meeting the middle-class standards; hence, revolted and further progressed to delinquent acts (Cordova 2005 132). In the case of

Jose Padilla who happened to acquire his initial frustration during his childhood, the possibility of acquiring deviant behavior is theoretically due to his inability to attain the social demands of the society. In application of the concepts of Cohen's theoretical framework, such peer group, organization, or support system of the presently governing subculture lies as the most valuable variable for these individuals who benefit from such union.

Utilizing the concept of corner boy, Jose Padilla obtained the capacity to live normally and was even able to enter schooling. However, he was not able to comply with the academic standards imposed at the school and such occurrence resulted in his frustration. Applying the theoretical principle of Cohen, the initial standards provided in the situation is the academic requirements, which act as the standard measuring rod. Due to the situation wherein Jose Padilla was not able to comply with the given standards, Padilla entered a group wherein the subculture is synonymous to his preference. However, the situation further aggravated and consequently, provided extensive frustration on the part of Padilla. After his confinement, Padilla entered the stage of college boy wherein he tried to manage a normal life by having his own family, entering at least a minimum-wage job, etc. But still, as the theoretical principle of Cohen applies, college boys do know for a fact that they still do not have the capacity to resolve the measurement rod of society, and as for Padilla, he still ended up breaking the societal norms and deviating from the normal standards. Padilla decided to convert himself to Muslim in an effort to resolve the frustrations; however, the realization of his incapacity led him to a deviant individual wherein he decided to participate

in those moves that are against the societal norms of provided by the community. As for Cohen, the process of Padilla's deviancies was initiated out of frustration from the standards.

Conclusion

Reaction-formation theory of gang delinquency was first proposed by Albert Cohen in the 1950s. According to the theory, lower-class youth enter into gang delinquency as a group response to the failure to acquire status as measured by middle-class norms and values. Since lower-class youths are disadvantaged in institutional settings, such as school, they lack the means and opportunities to attain culturally prescribed goals. Cohen theorized that such youths exhibit status frustration in competition with middle-class youths, causing them to band together in delinquent gang subculture where their values are opposite from those of the middle class.

Although Cohen is credited as one of the first to relate the school system to delinquency, his theory has been criticized as invalidated empirically.

Furthermore, there is little evidence to support the notion that lower-class youths reject middle-class values. Finally, in reaction-formation theory, too little attention is given to the relative weight of such correlates as family, biology, and sociodemographic characteristics in explaining youth gangs and delinquency.

For Cohn, gang activities are explicitly masculine in that it emphasize achievement, exploit, aggressiveness, daring, active mastery, and pursuit. The delinquent gang acts in ways that reflect these aspects of the male sex

role. Cohen presumed that delinquent behavior ultimately downgrades what he has to say about masculinity in favor of upgrading an emphasis on class and class conflict. For Cohen, the delinquent subculture is to be seen as a consequence of a working-class collective response to the shared experience of being judged by middle-class values and the frustration that results from this. Cohen's observations are provocative but not without their problems, such as when Cohen presumed that the biological basis of sex-role theory is non-problematic starting point for an explanation of routes into crime.

Criminal behavior, according to Cohen, was not acceptable to the dominant culture. The delinquent subcultures that arose in poor, urban environments were rooted in class differences, parental aspirations, and the quality of schools. Groups of boys, frustrated with their apparently low position in society, would begin to act in ways that were rewarded by their own peer group. Crime or gang participation was a rebellion against the middle-class standards.

As with the application of Cohen's theoretical framework in the social dilemma on Jose Padilla, the existence of such group may have been due to the social upbringing and environment that influenced the social perspectives and middle-class standards of their community. Jose Padilla was formerly known as juvenile criminal, who happened to attain a normal life; however, due to conflicting standards of society, he was forced to pursue the deviant path as against to the societal norms. The upbringing for these delinquent youths may have been defective from the very start, such as the absence of attachment to their country of origin, failure to meet or undergo

the community standards or requirements (e. g. formal education, societal achievements, etc). Such occurrence contributed in the occurrence of the reaction formations that, consequently, produced negative deeds and actions that opposed the middle-class standards. Out of frustration, these opposing values are maintained in their cliques; however, as the influence of their particular subculture grew, the chances of union for the implementation of a unified goal of greater negation of middle-class rods are at hand.

Cohen's theory leads to a rather unique prediction. If school experiences are the major source of strain, then dropping out of school might actually decrease delinquency. Although early research supported this position, more recent studies suggest that dropping out of school in itself has little influence on delinquency (Vito, Maahs & Holmes 2007 161). Cohen's work helps explain the factors that promote and sustain a delinquent subculture. By introducing the concepts of status frustration and middle-class measuring rods, Cohen makes it clear that social forces and not individual traits promote and sustain a delinquent career. By introducing the corner boy, college boy, delinquent boy triad, he helps explain why many lower-class youth fail to become chronic offenders. There is more than one social path open to indigent youth. His work is a skillful integration of strain and social disorganization theories and has become an enduring element of the criminological literature (Siegel 2004 205).

Cohen's work has provided the foundation for juvenile gang theories. Later criminological theorists, such as Richard Cloward and Lloyd Ohlin, were influenced by Cohen's theory and built on some of its assumptions (McShane

and Williams 2003 66). Today, gang involvement poses a problem for communities throughout the United States. Law enforcement officials are forced to handle gang and gang-related problems, confounded by those in the community who are affected by the increase of gangs. Albert K. Cohen, one of the first to develop a theory regarding gang behavior and gang formation, has remained an influence in the field of criminology as it addresses the problems associated with gangs (McShane and Williams 2003 66).

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