

# [Definition of juvenile delinquency criminology essay](https://assignbuster.com/definition-of-juvenile-delinquency-criminology-essay/)

This chapter includes the basic definition as to who is considered to be juvenile delinquent and there is an in-depth look of the different theories together with the various causes of juvenile delinquency. Academics within the discipline have regarded juvenile delinquency differently. Therefore, there are a multitude theories and factors concerning this social plague but not a single answer as how to curb it. Many theories have been propounded and can be classifies as follows:

Biological Theory

Rational Choice Theory

Labelling Theory

Strain Theory

Social Disorganization

Differential Association

2. 1. 1 Definition of juvenile delinquency

When you input the word “ juvenile delinquency” in your search engine, you will get the answer as “ antisocial or criminal behaviour by children or adolescents.” Juvenile delinquency is a social phenomenon and may have the definition of young children being involve in felonious and criminal activities.

Delinquent acts are a special category of deviant acts. Every deviant act involves the

violation of social rules that regulate the behaviour of participants in a social system

(Cloward and Ohlin, 1960). Worldwide, criminal acts of young persons are referred to

as juvenile delinquency (Cohen, 1964).

In the US, since the 1980s, juvenile delinquency has often been referred to as youth offences.

The age at which juveniles legally become adults differs from country to country, but in

most states, young people are considered juveniles until the age of 18 years

(Clements, 1987, cited in Mzinyathi, 1992). In Mauritius people are considered juveniles until the age of 18. However, some countries set the limit at the age of 16 or 17.

2. 2 The Biological Theory

This theory states that the biogenetic factors are the key causes of behavioural changes in young people. It draws a link between behaviour and hormones. The presence of testosterone hormone is a strong predictor of sexual motivation and influences boys in their behaviour. The lack of oestrogen in girls can lead to depression and to react in negative moods. An undeniable fact is that most illegal rebellious acts are disproportionately carried out by young men. While girls are regarded as soft and tender, boys are regarded as strong and aggressive. Attempts in expressing one’s masculinity may be a factor to be involved in illegal activities[1]. Being vigorous, powerful and to show one’s prowess may be a way for young boys to express their masculinity. Acting out these ideals may make young men more likely to engage in antisocial and criminal behaviour[2].

Other than biological factors, the way parents behave with young boys may make them more susceptible to offending. According to a study which appeared in the Journal of Genetic Psychology September 2008, there exists a significant association between an affinity for antisocial peer groups and a particular variation called the 10-repaet allele of the dopamine transporter genes (DAT1). Florida State University criminologist M. Kevin Beamer conducted a study whereby adolescent males who possess a certain type of variation in a specific gene are more likely to flock to delinquent peers[3].

2. 3 The Rational Choice Theory

Seeing an increase in the recorded rate of juvenile delinquency and the failure of rehabilitation purposes, researchers emerged with the Rational Choice Theory[4]. According to this research, offenders are motivated in committing any delinquent act when they decide to violate the rules and regulations after considering their personal interests, i. e, self-interest, learning experiences and personal values. For researchers in this domain, the causes of crime lie within the offender rather than in their external environment.

This theory stresses on the act of engaging in delinquent activity rather than on the delinquent act itself. It is believed that before choosing to commit a non-conforming act, the deviant evaluates the seriousness and the degree of the punishment and the risk of apprehension. Moreover, the value of the felonious act as seen by the peer group and the extent the personal needs of the delinquent is taken into consideration by the latter.

It cannot be denied that young people will indulge in deviant activities if they do not fear punishment and the risk of being apprehended.

2. 4 Labelling Theory

An act may become delinquent only if it is perceived and considered as delinquent. It may have been done for the first time and is known as a primary deviance. The person may be consequently punished for this misbehaviour. He is given an official label and is considered a as a ‘ thug’. From then onwards, all his acts are viewed from a different perspective.

According to Labelling Theory, once young people have been labelled as criminal they are more prone to offend. All those who are labelled as such are expected to behave accordingly. Once labelled as deviant, a youth may accept that role and be more likely to associate with others who have been similarly labelled[5]. The young person ends up by accepting the label imposed upon him and develops a deviant self-image[6]. Labelling theorists say that male children from poor families are more likely to be labelled deviant and that this may partially why there are more lower-class young male offenders[7].

“ The crux of labelling perspective lies not in whether one’s norm violating behaviour is known but whether others decided to do something about it.”[8]

Any form of social reaction to delinquency may therefore amplify it rather than reduce it.

2. 5 The Strain Theory

Robert Merton (1968) has carried out an analysis where he felt that there are institutionalized paths to success in society. He came up with two concepts: ends and means.

The ends are the goals that one tries to achieve when indulging in any kind of social behaviour. The main ends are money, possessions, status, power and an affluent standard of living. They can be achieved by conforming. People have accepted the ends and try to achieve them by legitimate means. The means would refer to the methods used to reach the goals.

Strain Theory stresses that crime is mostly caused by people having difficulty in achieving socially valued goals by legitimate means, i. e, people who live in poverty.

Example:

A conformist means of obtaining wealth and status is by high educational attainment and securing well paid job. However, a delinquent means can be used to achieve the ends and this could be by robbing a bank, i. e, by bending the means he seeks to attain the desired ends.

Merton has classified this dilemma into five stages:

Innovation

At this stage, delinquents accept the conforming goals but are unable to achieve them by the socially approved means. They use deviant methods which may or may not gain the approval of the society.

Ritualism

The deviants are not capable of achieving the conformist goals at this stage. They lose sight of the goals but continue to conform to the socially approved means.

Retreatism

These people reject the society and its values. They do not have faith in both the means and the ends and give up both. This is due mainly to failures experienced earlier and in almost all quarters- homes, school and work. E. g, drug addicts.

Conformity

At this particular stage people conform to both the system’s means and goals.

Rebellion

Some people reject both the approved goals and means and replace them by a new system of acceptable ends and means.

E. g, the socialist’s idea of redistribution of wealth in a capitalist economy or the activities of a religious group like Hare Rama Hare Krishna Mission in an Arab country.

The extreme case may be the terrorists who reject the ‘ society’ and along with it the institutions and the rules. They seek to replace them by their own ‘ society’ through deviant ‘ means’, usually rebellion.

2. 6 Social Disorganization

This theory generally focuses on the culture. Criminological theory attributes variation in crime and delinquency to the absence or breakdown of communal institutions, e. g, family. The personality of the child is affected due to poor or defective relationship with and between parents and being subject to frequent humiliations.

Parents have been aggressive, disrupting frequently, using abusive language and are living separately in certain cases. A research carried out by Olweus (1995) shows the following factors can affect the development of a child during the course of his growing up[9]:

Lack of emotional involvement by parents at early age

Parents do not set limits to the degree of deviance tolerable

Discipline being too strict by parents who use a rigidly authoritarian type of upbringing

There are certain open causes in the family, which encourage behavioural deviations. These can be because of alcoholism or drug usage, bad examples of elders and an unorganised or asocial home. There are concealed causes which include some problems within the family and are hidden from outside. The symptoms of these problems are shown by the child’s behaviours. All these lead us to suppose that there are families, which seem to produce children with behavioural deviations deviations or where the socialisation process is abnormal.

2. 7 Differential Association

With industrialisation, the family has witnessed various changes in its structures. The process has created a lot of instability in the family causing some form of disintegration. It cannot put into operation many of its fundamental functions as an institution. In the process of modernisation it is the young people who often have to bear the cost of the change.

The family is incapable of providing the basic element of security to the young generation. The school, too, is not in a position to provide that care. It has become more like an ‘ A’ producing factory which is in one way the requirement for better jobs. The youngsters are uncertain about their position and try to find other shelters for security and stability. They turn towards the peer group, which plays an important role in compensation for the family and school. The delinquents form a common group and seek the support of each other.

The theory of Differential Association suggests youngsters are motivated to commit crimes by delinquent peers and learn criminal skills from them. The peer group is able to exert a lot of influence on young people. It is very powerful; it helps to produce tendencies towards disintegration, which can result into various forms of deviant acts. Young people are unstable, uncertain and have problems of adaptation. They see their future prospects less bright, competition becoming tougher and social relationships being less stable[10]. In these conditions, it is most probable that they will come across other young people who are mentally and socially insecure. It forms a vicious circle. Altogether they will find solutions to their problems by going against the normal channel.

The Differential Association Theory deals with young people in a group context and looks at how peer pressure and the existence of gangs could lead them into crime.

Deviance is a means of coming to terms with anomic situations and also represents, if there are no alternative means of proving oneself, to make clear and excessive demanding clear and- even if only briefing- understable in a single act.

Delinquency is therefore a reaction by young people to the process of disintegration and anomie in all social fields.

2. 8 Causes of Juvenile Delinquency

Every society has certain modes of behaviour to be acceptable or rebellious in nature from the very first civilisation. Every deviant act involves the violation of social system (Cloward and Ohlin, 1960). Researchers the world over have long debated the various causes of delinquency. Yet juvenile delinquency continues to be a salient topic and no single cause has been able to answer as to what leads a juvenile to become delinquent,

“ Delinquency should not be seen as a surprising phenomenon but as something all adolescents will participate in unless obstacles are placed in their paths by a disapproving society.”[11]

Glasser (1965) believes a youth may become deviant if his lifestyle is based upon consistently meeting one’s needs in such a way that it deprives others of the ability to meet their needs.

Behavioural specialists indicate that socio-economic conditions like poverty hold a key importance in a youngster’s life. Furthermore, peer pressure makes young people more vulnerable to conform to certain values and norms which are not socially acceptable. Other theorists believe experience of a childhood trauma such as child abuse and family dysfunctioning lead youngsters to be indulged in criminal activities. This chapter will address some of the factors and their attempts to explain why some young people are more susceptible to deviant behaviour.

2. 8. 1 Family structure and delinquency

According to Wright and Wright (1994) the family is the foundation of human society.

“ As the family goes, so goes the nation and so goes the whole world we live in,” said Pope John Paul II

Norms, values, model of behaviour emanate from the family unit and these factors create an internalised “ blueprint” for the child’s personality, beliefs and attitudes[12]. Families can teach children to be aggressive, antisocial and violent (Wright and Wright 1994).

Family Dysfunctioning

Gorman-Smith and Tolan (1998) state that parental aggressiveness and parental conflict predict violent offending; whereas, lack of maternal affection and paternal criminality predict involvement in property crimes[13]. There is a strong link between delinquency and familial antisocial behaviour and family conflict. Children are more bent to violence if there is violence between relationships that they share with their family[14]. Amato and Sobolewski indicated associations between exposure to parental divorce and marital discord while growing and children’s psychological distress in adulthood[15].

Communication

Communication plays a pivotal role in the functioning of family. As stated by Clark and Shields (1997) effective communication is important for optimal family functioning as it can have major implications for delinquent behaviour[16]. With continuous family communication in a compassionate and non-judgemental tones will make children feel understood and accepted leading to a positive self-image and higher sense of self-esteem.

Parental Monitoring

Monitoring becomes necessary as children moves into adolescence as the latter spend more time with peers than under the supervision of parents. Kim et al. showed that coercive parental and lack of monitoring leads directly not only to antisocial behaviours but also contributes to increase peer association which is predictive of higher levels of delinquency. However, it is also seen that when parents are too strict and maintain a harsh monitoring, adolescents are likely to

2. 8. 2 Peer influence

Peer pressure can influence a child’s behaviour just as the family can. When youths face lack of social support and response from their families and communities, they turn to their peer groups for support[17]. The peer group is an adolescent’s main source of social interaction.

According to Agnew (1991) and Lamson(1993) juveniles substitute peer groups for parents when they see the latter as uncaring.

Spending time with deviant peers exerts much pressure on the youth to adopt the same behaviour[18]. Weak bonding to conventional peers lead to association with deviant peers which results into initiation or aggravation of delinquent behaviour[19].

2. 8. 3 Educational experiences

Education is instrumental in this competitive environment, for instance, what we call the “ rat-race” in Mauritius, to find a respectable source of income and to survive.

High level of education for survive is responsible for changes in crimes and delinquency rates[20]. There is a well-established correlation between school failure and deviancy[21]

Difficulty in the school environment often contributed to truancy and more serious offences[22]. School environment may shape a youth sense of opportunity and self-worth. In Mauritius, academic achievement is one of the principal stepping stone towards success. Socio-economic and demographic factors also impact on educational opportunities and performance[23]. For instance, in Mauritius educational environments are not always the same. It is apparent in underclass environment, e. g, outskirts of cities like Roche Bois where education is usually not a strong norm of behaviour.

Moreover, school dropout and poor academic achievers are more likely to be involved in criminal acts.

2. 8. 4 Socio-economic class

The gap between the rich and the poor is widening. According to Merton (1968), children from poor families do not have sufficient means to achieve status, employment, etc. hence, they turn to criminal behaviour to achieve the same things, i. e, through ways not being accepted by the society. Juvenile delinquency is influenced by the negative consequences of social and economic development. Furthermore, unemployment among youngsters can increase the likelihood of their involvement in illegal activity.

2. 8. 5 Trauma

A grim reality in our modern world is that many young people are abused and traumatized every day. The abuse, whatever its nature, may have a long-lasting and profound effect on a youth’s life.

“ Numerous studies over the past 10 years have shown a clear relationship between youth victimization and a variety of problems in later life, including mental health problems, substance abuse, impaired social relationships, suicide and delinquency.”[24]

2. 9 Juvenile delinquency in Mauritius

In Mauritius, delinquency includes conduct that is antisocial, dangerous, or harmful to the goals or norms of the society. The “ Brigade pour la protection des mineurs”, a unit at the MPF, is specialized in the detection and prevention of juvenile delinquency. In 2011, around 700 juvenile offenders were involved in crime and misdemeanours, of whom 300 in assaults and 130 in thefts. About 800 juveniles were contravened for road traffic offences.

2. 9. 1 Juvenile offenders

The juvenile delinquency rate (excluding contraventions) was 5. 8 per 1, 000 juvenile population in 2011 compared to 5. 2 in 2010. The rate for boys (10. 6) was much higher than that for girls (0. 9) in 2011. In fact, juvenile delinquency rate has been rising for the past years: from 1. 0 in 2000 to 5. 8 per 1, 000 juvenile population in 2011. According to experts in criminology, this rising trend has a direct link with the rise in the number of family issues (e. g. divorce, domestic violence, etc).

## Table 1. 1 – Juvenile offences reported, Republic of Mauritius, 2010 & 2011

## Number

## 2010

## 2011

Juvenile offences

1, 348

1, 518

Juvenile offenders

1, 395

1, 572

Juvenile delinquency rate per 1, 000 juvenile population

5. 2

5. 8

(Juvenile delinquency rate excludes contraventions)

2. 9. 2 Juveniles convictions in court

(a) Around 300 convictions involved juveniles in 2011; almost three quarter of the sentences were fines.

(b) A significant rise was noted in the number of convictions involving juveniles, with a fourfold increase since 2007 (from 75 in 2007 to 300 in 2011).

## Juvenile detainees

## Overview of juvenile detention

## Low but rising number of juveniles being sent on remand

Male juvenile offenders are either admitted to Correctional Youth Centre (CYC) or Rehabilitation Youth Centre (RYC) according to the gravity of the cases and age of the offender. Those who commit serious offences are sent to CYC. However, all female juvenile/child offenders are sent to RYC as there is no CYC for female juveniles. Child/ juveniles beyond control are also sent to probation homes.

The conviction rate (CYC & RYC) per 100, 000 juveniles was 22 in 2011 compared to 28 in 2010.

## Correctional Youth Centre (CYC)

The CYC is under the aegis of the Mauritius Prisons Services. Male juvenile offenders aged 14 to 17 years old are admitted to CYC.

(a) In 2011, the daily average population of detainees in CYC was 5 convicts and 20 remands.

(b) More than three quarter of the 18 juvenile convicts admitted to CYC in 2011 had committed theft.

## Table 5. 3 – Juvenile detainees admitted to CYC, Republic of Mauritius, 2010 & 2011

## Number

## Detainees

## 2010

## 2011

## Convicts

## 24

## 18

Assault

1

1

Sodomy

1

1

Theft

14

14

Other offences

8

2

## Remand

## 129

## 149

## Total

## 153

## 167

## Rehabilitational Youth Centre (RYC)

The RYC is under the aegis of the Ministry of Social Security, National Solidarity and Reform Institutions. Child/ juvenile offenders aged 10 to 17 years old are admitted to RYC.

(a) In 2011, the daily average population of RYC comprised 30 convicts (20 girls and 10 boys) and 10 remands (5 girls and 5 boys).

(b) The number of juveniles admitted to RYC in 2011 was 161. Out of them:

· 131 were on remand and 30 were convicts,

· 23 were admitted as child/juvenile beyond control, of whom 19 were girls and 4 boys.

## Table 5. 4 – Juvenile detainees admitted to RYC, Republic of Mauritius, 2010 & 2011

## Number

## Cases

## 2010

## 2011

## Male

## Female

## Total

## Male

## Female

## Total

## Convicts

## 6

## 10

## 16

## 9

## 21

## 30

Sexual offences

1

0

1

2

0

2

Theft

1

1

2

1

1

2

Other cases

4

9

13

6

20

26

of which child/juvenile beyond control

4

9

13

4

19

23

## Remand

## 48

## 56

## 104

## 71

## 60

## 131

## Total

## 54

## 66

## 120

## 80

## 81

## 161

## Probation homes/hostels

Juveniles/children beyond control are also sent to probation homes/hostels under the aegis of the Probation and After-care Services.

(a) In 2011, a daily average of 9 juveniles/children stayed (5 boys and 4 girls) in probation

homes/ hostels

(b) About 15 juveniles were admitted in probation homes in both 2010 and 2011.

## Other juvenile sentencing

(a) Some 53 juveniles (up from 93 in 2010) were sentenced with probation orders in 2011, of whom 52 boys.

(b) The number of juveniles were committed to community service work was 3 in 2011 compared to 8 in 2010.