

CHAPTER 10

THE PROBLEM OF JUVENILE DELINQUENCY

10.1 Introduction:

Where a few decades ago *juvenile delinquency* had been known as *stealing by children* in one form or another, in developed societies we find a disturbing increase in youth misbehavior and juvenile delinquency. Especially, it seems that violent, aggressive behavior, sexual misbehavior, drug abuse and vandalism now increasingly reign supreme. Sociologists and criminologists find that juvenile delinquency has increased in modern forms of society.

The concept *juvenile delinquency* means a *child* or *youth* who has committed a violation punishable by a law. According to Child Law, a *juvenile* is someone under 18 years of age, while a child older than 14 also is viewed as subject to being held legally accountable. The following also is an acceptable description:

- 7-16 years: child misbehavior (child misconduct)
- 17-20: juvenile delinquency.

From this, the concept *juvenile delinquency* holds especially for youth from 14-20 years.

Boys commit somewhat more misdeeds than girls (roughly in the ratio of 8:1 in the R.S.A.). The nature of misdeeds by boys is more violent (vandalizing, burglarizing, pillaging, assaulting, stealing cars); girls rather steal money and clothing. A reason for this is that, in general, girls lead a more sheltered life and move around less with peer groups outside of the home. Boys are physically stronger, more in search of adventure and more aggressive. Parents also are stricter with a daughter who wants to go out or come home late at night. Also, a son will commit a misdeed often, while a daughter only accompanies him/her.

Misdeed statistics (e.g., in the U.S.A. and Europe) indicate that juvenile delinquency is increasing everywhere in the world. However, this also can be ascribed to juvenile delinquency being reported and recorded by the news media more than ever before. Although the largest percent of delinquents are male youth, in general the period of youth is viewed as a misdeed phase of a passing nature.

On the other hand, youth who are found guilty of a serious misdeed are very likely to be guilty of a crime in adult life.

The phenomenon of juvenile delinquency awakens alarm regarding the instability of society, the disruption of family life, and the increase of sexual confusion and social irresponsibility. Related to this, official statistics show an increase in divorce, sexual disease and extramarital births.

With respect to contemporary misbehaviors, a fact which stands out is that there is an accelerating increase in *juvenile delinquency* (especially in the 15-20 year age group) than ever before and, especially regarding misdeeds such as drunkenness, drug abuse, vandalism and assaults.

10.2 The sociopedagogical significance of juvenile delinquency:

Where a sociologist and a criminologist ask about the significance and implications of youth misdeeds for *society*, for a sociopedagogue, the concern is sociopedagogical questions about *youth misbehavior* and *juvenile delinquency*: What do youth misdeeds signify as a social phenomenon for a child's and youth's *education*, growing up and socialization to adulthood? Criminality is the most extreme form of [anti]sociability, and youth misbehavior means a youth becomes a destructive, harmful and antisocial member of society even before he/she is "let loose" as an independent member of it. In addition, in the case of a juvenile delinquent, the sociopedagogical essences are realized inadequately, and this gives rise to misbehaving in society. The origin of juvenile delinquency is in the family and in society as a form of living together. A juvenile delinquent's living together, his/her

socialization, social-societal orientation and identity formation fail. For an individual youth, juvenile delinquency means guilt, shame, humiliation, and a lack of engagement in society. For society, this has the disturbing expectation that today's juvenile delinquent very likely is going to be the adult criminal of tomorrow.

Most juvenile delinquents are found guilty of a crime only one time, but it also is true that the younger the transgressor is when first found guilty, the greater the likelihood that he/she again will commit a punishable misdeed.

10.3 Categories of juvenile delinquency:

Almost all juvenile delinquents can be divided into the following categories:

I Antisocial types

low socioeconomic milieu
higher

group delinquents (gangs):
("social" criminal)
oversensitive,
Two subtypes:
(i) *unsocialized, aggressive type*:
cruel, violent, vindictive, pugnacious,
destructive, defies authority.
(ii) *seemingly socialized type*:
less aggressive, but rather dishonest
underhanded –the most general type.

sociopathic
(social deviancy, poorly socialized)
deviancy)

II Neurotic types

middleclass and
socioeconomic milieu

solitary type:
submissive,
depressive, ashamed.

neurotic
(psychic

These categories of juvenile delinquency overlap, i.e., a particular category of juvenile delinquency is typified by the characteristics in column I: comes from a low socio-economic milieu-impeding environment; commits misdeed in a group—along with the gang, in part for the “sociality” of it; is sociopathic, i.e., misdeed is seen as a social deviancy rather than the result of social weakness. Here, there is less often a psychic disturbance; rather he/she is involved in realizing the unacceptable social values of his/her delinquent subculture. A second category of juvenile delinquency shows the characteristics in column II: he/she comes from a middleclass (or higher class) socio-economic milieu; commits misdeeds alone; is more neurotically inclined, and personal psychic weakness (disturbed, deficient, needy) is the origin of his/her misdeeds.

10.4 The origins of juvenile delinquency:

It is unnecessary to repeat the personal, family and societal factors which can give rise to juvenile delinquency which were described systematically and comprehensively. In connection with the following possible originating factors, the reader is referred to other chapters of this book:

- Personal factors: see 8.3.1.
- Youth problems: see Chapter 6.
- Family factors: see 8.3.2.
- Family types:
 - ** open family in closed criminal neighborhood – hostility against the “greater society”
 - ** seeming family (tension and conflict)
 - ** dis-socializing family types (unadequate socialization)
 - ** neglected family (uncaring, chaotic, without order)
 - ** modern large-city family (defenseless, without character, education-neglecting)
 - ** disharmonious family (struggle and conflict)
 - ** permissive family (weak discipline)
 - ** *inadequate religious educating*
 - ** vulnerability of the modern family (see 2.4 and 2.6)

- * The etiology of sociopedagogical problem areas (see Chapter 5):
 - ** choice against adequate educating
 - ** disturbed relationships (marital, educative)
 - ** family lability
 - ** sub-cultural factors
 - ** societal factors (see 8.3.4)
 - ** educative mistakes (neglecting, hardening, lack of love, too much correcting)
 - ** inadequate authority (too strict, too indulgent, inconsistent)
 - ** incomplete family (death, divorce, abandonment, step-relationship, working mothers).

- * Milieu-impeded family (impoverished): see 9.3, 9.4, 9.5, 9.6.

- * Leaving school too early: See Chapter 8.

These factors can be supplemented with the following:

- **Intelligence:** A less intelligent youth commits more misdeeds because he/she is not able to reason about and to understand the consequences of these deeds. An intelligent youth can become a “drop out” because of his/her underachievement and failures in school, and proceed to juvenile delinquency. He/she then often is the leader of the gang, or he/she easily leads less intelligent youth to misdeeds.
- **Family:** Parents themselves can maintain a low moral level and set a poor example of antisocial behavior, lifestyle and worldview by their negative attitude toward fellow persons and society. Through alcohol abuse, immorality, misdeeds, quarrels, outbursts, assaults and mishandlings, they can influence their child and youth to juvenile delinquency.
- **Gangs:** When a youth joins up with unfavorable peer groups, he/she participates in acts of delinquency at parties, discos, movies, clubs, skating rinks, etc.
- **Mass media:** Movies, television, lectures, “comics”, etc. stimulate sensations, adventures, unfavorable hero-

- worshipping, curiosity, sexual stimulation, etc., and youths who influence them to acts of juvenile delinquency.
- Use of free time: Meaningless and purposeless use of free time lead to boredom and a search for adventure.
 - Identity: Concerning *personal identity*, a potential juvenile delinquent shows animosity, defiance, distrust, rejection of authority, stubbornness and being socially self-conscious. Related to this is a temperament which shows inclinations for restlessness, impulsiveness, aggressiveness, destructiveness and even sadistic behavior. Regarding his/her cultural identity, a juvenile delinquent identifies with the milieu-impeding background from which he/she has come (Botha, T. R.: p. 147).

In summary, especially material, educative, social and affective forms of *educative neglect* of a child and youth can give rise to juvenile delinquency.

As a summarizing illumination of this matter, there is reference to Carp's¹ "classical" description of the various forms of negative or *neglectful educating* which can give rise to juvenile delinquency:

- (i) Educating without love: Educating requires love and understanding, but sometimes it happens that in their behaving toward their child, parents are heartless. This lack of love can be because the parents never wanted to have a child (i.e., he/she is unwanted), because the other children are favored, or as the result of a step-parental situation. A lack of love promotes emotional impoverishment, an apathetic disposition and an inclination to introversion and feeling inferior, but on the other hand, it can lead to an intense need for loving bondedness, as well as a desire to be understood. The intense experience of inferiority, along with the desire for understanding can lead to misbehavior.
- (ii) Permissive educating: This sort of neglectful educating amounts to the parents omitting an obligation to create in their child a duty to be obedient to the demands of society. Their being socialized is damaged with the consequence that they are not adequately prepared for

life and, thus, cannot maintain themselves in the outer world. Their weapons are lying and deceit, while the fickleness above all is expressed in misconduct of an economic nature.

- (iii) Assimilative educating: This is the consequence of parental egoism. A child is not educated or handled according to his/her inherent potentialities but is trained to be a duplicate of one of his/her parents who thrust upon the child his/her own interests, desires and ideals. Usually such a parent has seen his/her own future dreams fail and now uses his/her child as a means of fulfilling his/her own ideals. Because this sort of lack of educating restrains a child's natural development, this leads to an inflexibility in his/her own striving in which he/she then might find an escape in misdeeds by way of compensating.
- (iv) Overbearing or coercive educating: the parent does not tolerate the slightest deviation from his/her commands. The child is forced to practice directions and instructions in robotic ways. The restraining and rigidifying results of this sort of educating produces are even more offensive than the results of assimilative educating.
- (v) Educating which neuroticizes: Carp refers to conflicting education. A child never knows what to expect from a parent. One moment he/she is coddled and in the next he/she is scolded. Understandably, the child is not able to develop the self-confidence he/she needs.

A child who is inclined to be rebellious and sensitive falls prey the most to this sort of neglectful educating, and this handicaps him/her in his/her development.

Neglectful educating is the most important breeding ground for juvenile delinquency and youth misdeeds. This means a child and youth develop into an asocial or antisocial person. A deficiency in love and care for which he/she has a need lead to feelings of inferiority and spite which bring about disabilities and hardship. The inadequate transfer of *social norms and values* mean for a child

or youth a lack of social engagement, youth misbehavior and juvenile delinquency as results:

- * negative social feelings
- * a negative social attunement, also regarding fellow persons and their property
- * deficient social responsibility
- * deficient social conscience (being without conscience)
- * social shamelessness
- * social apathy
- * social intolerance
- * unmanaged impulsivity.

10.5 The psychopathologized child and juvenile delinquency:

When neglectful educating assumes serious measures, it can *psychopathologize* a child or youth, and such a person usually is guilty of a serious misbehavior and/or a crime.

Before this form of deviancy is dealt with, the concept of *psychopathy* is discussed briefly. Carp provides the following description: By a psychopathic personality is understood a personality which, because of deviancies in structure, shows an important deficiency in adjusting to society, and he/she experiences this lasting affliction is a result of his/her disharmonious development.

It must be emphasized that society, as well as the psychopath him/herself suffers from his/her difficult behavior.

A psychopathic disposition is innate and manifests itself in a person's development. The main characteristics of psychopathy are a *disturbance in regulating and integrating* human ways of being. Thus, the personality is misinformed and disharmonious with respect to *the life of passions, temperament and character*. A psychopath seeks satisfaction for his/her inclinations in passionate ways and, therefore, his/her behavior is unrestrained, strange,

antisocial, unreliable and *sometimes* criminal. Because of his/her deviant behavior, a psychopath *can* become a criminal.

The following are a few characteristics of a psychopathic personality:

- (i) State of discomposure: They are irritable, passionate persons who respond to situations extremely impetuously and with violent, outrageous outbursts for the slightest reason. They will surrender themselves to a roving disposition, alcohol or sexual excesses (deviancies) to try to escape their feeling of unrest and displeasures. They can be inconsistent, fanatic, negativist or antisocial in their interpersonal relationships, behaviors, interests, vocational practices, political views, etc.
- (ii) Deviant attitudes toward life values: Some life values are exaggerated (e.g., the religious fanatic); others continually have no meaning for the psychopath. For example, he/she continually leaves his/her family in the lurch or does things which are not socially acceptable.
- (iii) Deviancies of the life of passion: For example, a psychopath will commit shameless sexual misbehaviors, or show an abnormal urgency for hedonism and drugs (e.g., alcohol, morphine) and, in doing so, harm his/her physical and psychic-spiritual attunement. Other expressions of a psychopath's abnormal life of passion are kleptomania (urge to steal), pyromania (urge to start fires) and an excessive passion for power (urge to dominate others).
- (iv) Deviancies in temperament: A psychopath can, without reason, either quickly wake up happy and active or be depressed and pessimistic. A general characteristic is extreme irritability and instability in his/her emotional life.
- (v) Character deviancies: Psychopaths can show autism, excessive egocentrism, hysteria, a deviant fantasy life, abnormal suspicion, etc. Usually, there is a defect in moral feelings; conscience does not function and, thus, there is no guilt or feelings of remorse over a misdeed

which is committed. Other possible characteristics of psychopathy are a weak will, quarrelsomeness, and infantilism.

At this stage, there must be a distinction between *constitutional psychopathy* (also called genuine or innate psychopathy) and *acquired psychopathy*. The first mentioned is the psychiatric image described above – a psychopathic child, because of his/her mis-formed person structure, and is a task for a psychiatrist and, as such, falls outside of the pedagogical field of work.

The concept *psychopathologized child* refers to a child who has acquired his/her state of psychopathy during his/her development and which does not involve an innate disposition. This phenomenon also is called acquired psychopathy, pseudo-psychopathy or “developmental” psychopathy. This means that during his/her growing up he/she has acquired an apparent psychopathy; he/she is so seriously neglected affectively, socially and pedagogically that he/she shows an image of psychopathy—he/she has been psychopathologized.

In the contemporary pedagogical literature (see Bowlby, Hetzer, Spitz, Wolf, J. H. van den Berg) the importance of an adequate mother-child relationship is emphasized strongly, especially regarding the early years of childhood. It is indicated clearly how disturbances in this relationship work as a psychopathologizing factor.

Serious *affective neglect* can occur because of a lack of motherly love (e.g., an intellectually retarded or a cold, emotionally impoverished mother), a disturbed mother-child relationship or separation of mother and child by war, institutional placement, etc. Then, a child lacks the mother’s emotional warmth, love and care of which he/she is in need. This being in want of or lack of an emotional bonding with the primary educator of a young child can result in his/her emotional development not progressing adequately. His/her emotional life is not awakened. His/her emotionally impoverished communicating with his/her mother means that his/her communication on an interpersonal level remains emotionally impoverished.

Pedagogical neglect means that, through mistakes in educating, too few demands are placed on a child for self-restraint and self-control. He/she is not taught norms; also he/she does not learn demands of obedience, and his/her conscience forming is inadequate. Thus, his/her socialization is realized in extremely deficient ways.

The above forms of neglect result in a child showing serious psychic and social deficiencies in his/her development: he/she is *emotionless* (because of affective neglect) and *normless* (owing to pedagogical neglect). He/she is *harmed* in his/her development as a person such that he/she cannot adequately engage his/her environment: he/she has never learned through being bonded lovingly and through educating how to do this. He/she is so severely frustrated in his/her childlike distress and disappointments that he/she responds to them with unrestrained, antisocial and unconscionable behavior, which shows a great similarity to psychopathic behavior. Thus, he/she shows the person-image of a psychopath.

To distinguish between a child with constitutional psychopathy and a psychopathologized child, several educationists have chosen the concept *educably extremely difficult child*, as referring to a child who has acquired psychopathy through serious mistakes in educating. It is an apparent psychopathy which, in contrast to genuine psychopathy, under favorable circumstances can be eliminated, in part, or entirely.

A psychopathologized child has difficulty engaging in society; his/her behavior is unrestrained, antisocial and uncontrolled passion.

There is no being emotionally bonded which is awakened, no formed conscience or acquired social norms and values to regulate his/her behavior. Inconsistency, misforming and disharmony characterize him/her as a person. Examples of his deviant behavior are negativism, sexual misdeeds, thievery, falsehoods, lawlessness, acting infantile, etc., and he/she proceeds readily to juvenile delinquency.

A psychopathologized child's expressions of his/her life of passions collide with the demands of the educator and of society. He/she is less graspable (an educator cannot get a grasp of him/her), and influenceable by educating. It is very difficult or almost impossible to bring about a "remediation" of him/her with ordinary educative means such as reward and punishment. In his/her educating, it is difficult to appeal to his/her conscience or to a loving bonding which ought to exist between educator and child. Because of his/her deviant behavior and mis-formed personhood, he/she has difficulty engaging in family life, in the school class, in age groups or society. A vicious cycle often arises between the child's deviant behavior and the educator's disinclination and unwillingness to give him/her loving attention. A psychopathologized child often is involved with the police and a judge of child justice. Often, he/she is committed to be admitted to a special school or institution, also called a clinical school or a school for children extremely difficult to educate.

10.6 Motives for juvenile delinquency:

Youths can commit misdeeds because of the following motives²:

- **Greed and hedonism:** Because of poverty or unemployment, a youth suffers a lack of, and doing without things, and there are things which he/she wants to have or do which cost money. Initially, a child or youth only steals candy, cigarettes, small amounts of money, etc. Older youths steal money to buy something desired, or to be able to pay for entertainment. Especially shiny cars, motorbikes and nice clothing are attractive to youths, but they will steal anything in the prosperous society which he/she wants to have.
- **Feelings of inferiority:** To compensate for this, a youth can become aggressive and cause others physical suffering, or he/she can commit thievery to brag about it later or boast with the stolen goods. Because he/she does not achieve elsewhere, juvenile delinquency becomes the event of achievement – with this, he/she acquires "status" in the subculture of juvenile delinquents, and this allows him/her to validate him/herself.

- Spite: A youth can have spite for or cherish an individual, the school or society. He/she is spiteful by destroying movie theaters or bus stops, telephones or telephone booths, mailboxes, public toilet facilities, playgrounds, plants, streetlights, parks, etc. Or he/she assaults persons he/she spites.
- Opportunity: Many youths are in a situation which tends to elicit a misdeed, e.g., when money or property is laying around in an office or shop where it appears to be easy to take the money or goods without the danger of being caught.
- Drugs: A youth often commits a misdeed while under the influence of drugs (including alcohol). Or he/she uses drugs or sells them or commits a misdeed to obtain money to buy them.
- Adventure: A youth seeks “adventure” and begins being “mischievous”. He/she “ventures” into the areas of thievery, vandalism, sexual excesses, or traffic offenses.
- Identification: He/she identifies with undesirable “hero figures” who commit misdeeds and set poor examples which he/she experiences in movies, on television and in reading materials.
- Meaninglessness: Often youths commit “meaningless” acts of vandalism, assaults, etc. which are described so because the motive for the misdeed cannot be inferred. Usually, it then can be explained as an expression of a youth’s hate, spite, resentment, frustration, discontentment, failings, societal alienation, disillusionment, etc.
- Seduction: Youths easily seduce each other to misdeeds, especially if it is the regular activity of the group and the youth readily wants to be accepted by the group and is strongly influenced by their provocations and encouragement.

10.7 Youth misconduct:

This is not viewed as a penal misconduct of youth, but it is found that most juvenile delinquents have previously been guilty of misconduct. By far, the largest percent of juvenile delinquents already have manifested misconduct at school such as the following: underachievement, thievery (candy, toys, money), rejection of authority, brutality, rebelliousness, fighting, etc. In addition, youth

misconduct includes the following antisocial activities: mischievousness, destructiveness, disobedience, loafing, truancy, running away, sexual excesses, alcohol abuse, unrestrained behavior, etc.

10.8 Forms of juvenile delinquency:³

As an English author (D. J. West) states, this has to do with “girls, sex, drugs and violence”.⁴

- Theft and burglary: This includes stealing from cars, houses, shops, offices, workplaces, etc.
- Auto theft: Also, motorbikes, bicycles, gasoline, car parts, etc. are stolen. A car is stolen to ride in, to sell, to commit other crimes such as plunder and smuggle, to traffic in stolen goods or to escape from the police or an institution.
- Plunder: Usually, in connection with gangs, often it is called a “little plunder” because it is carried out so clumsily and awkwardly. Because power, courage and talent are lacking, this usually is a half-hearted act against defenseless victims such as the aged, women, children, intoxicated men, prostitutes and taxi drivers. Plundering also is more exciting than ordinary stealing.
- Assault: Another person is often attacked after disorderly behavior, being challenged, threatened, insulted or physical suffering, usually with the fists, a knife, a stone, a chain, a flat iron, or a boot.
- Vandalism: Malicious and punishable property damage, usually without “reason” or for hatred. This can include:⁵ childlike mischief (smearing a wall or shoot at it with an air gun); unintentional vandalism (carelessly setting a fire); senseless and infantile wrestling; intentional and malicious property damage; slight vandalism (e.g., by careless hunters).
- Sexual misconduct: sexual assault, rape, sexual seduction, prostitution. The origin of this especially is the permissiveness of the times, influence of the mass media, influence of music, dancing and songs, poor examples of adults, educative neglect (especially sex education), inadequate religious education, puberty problems and early

- sexual awakening, seduction, curiosity, conforming, popularity and boastfulness (peer groups).
- Traffic offenses: Youths speed or despise traffic rules because of impetuosity, a lack of feelings of responsibility, adventure and boastfulness.
 - Manslaughter
 - Murder
 - Deceit: falsifying checks or documents
 - Drug use, abuse, pushing
 - Abducting
 - Extortion.

10.9 Providing help to juvenile delinquents

Also, here prevention is better than healing. Juvenile delinquency can be prevented by

- a stable family life
- adequate educating (also regarding parental example)
- the elimination of milieu impediments (see 9.7).

With respect to a juvenile delinquent, the following forms of providing help are appropriate:

- parental guidance or family therapy
- institutional placing and educating
- pedotherapy or psychotherapy
- psychiatric help or pastoral psychological help
- group therapy
- forming pedagogically desirable groups in youth clubs, youth organizations, recreation clubs, sport clubs, etc.
- passing child laws regarding means for ending juvenile delinquency.

It must be recognized that it is an extremely difficult task to rehabilitate a juvenile delinquent with his/her emotional, social and normative disturbances. and his/her behavioral deviations. It is even more difficult if a child shows a psychopathologized image because of serious educative neglect.

References

- ¹Carp, E. A. D. E., as cited by Venter, H.: *Jeugmisdaad*, J. L. van Skaik, Pretoria, 1977, pp. 84 and 85.
- ²Also see: Venter, H.: op cit.
- ³Venter, H.: op cit., pp. 18-25.
- ⁴West, D. J.: *The young offender*, Pelican Books, 1967, p. 183.
- ⁵Middendorff, W., as cited by: Venter, H.: op cit., p. 22.