

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. Especially 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 it seems that the concept *juvenile delinquency* holds especially for youths 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 the 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.

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 the fact that juvenile

delinquency is being reported and recorded by the news media more than ever before. Although the largest percent of delinquents are male youths, in general, the period of youth is viewed as a misdeed phase of a passing nature.

On the other hand, it is true that youths 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 extra-marital births.

With respect to contemporary misbehaviors a fact that stand out is that there is a more 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 would 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 is "let loose" as an independent member of it. In addition, it is clear that 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 especially is in the family and in society as a form of living together. A juvenile delinquent's living together, his socialization, his 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 the future.

A majority of juvenile delinquents are found to be 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 probability that he again will commit a punishable misdeed.

10.3 Categories of juvenile delinquency:

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

I Anti-social types	II Neurotic types
low socio-economic milieu	middleclass and higher socio-economic milieu
group delinquents (gangs): ("social" criminal) Two sub-types: (i) <i>unsocialized, aggressive type</i> : cruel, violent, vindictive, pugnacious, destructive, defies authority. (ii) <i>seemingly socialized type</i> : less aggressive, but rather dishonest underhanded –the most general type.	solitary type: submissive, over-sensitive, depressive, ashamed.
sociopathic (social deviancy, poorly socialized)	neurotic (psychic deviancy)

These categories of juvenile delinquency overlap each other, i.e., a particular category of juvenile delinquency is typified by the characteristics in column I: he comes from a low socio-economic milieu-impeding environment; he commits his misdeed in a group—along with the gang, in part for the “sociality” of it; he is sociopathic, i.e., his misdeed can be seen as a social deviancy rather than the result of social weakness. Here there is less mention of a psychic disturbance; rather he is involved in realizing the unacceptable social values of his delinquent subculture. A second category of juvenile delinquency shows the characteristics in

column II: he comes from a middleclass (or higher class) socio-economic milieu; he commits his misdeeds alone; he is more neurotically inclined, and personal psychic weakness (disturbed, deficient, needy) isw the origin of his misdeed.

10.4 The origins of juvenile delinquency:

It would be an unnecessary repetition if all of the personal, family and societal factors that can give rise to juvenile delinquency were again 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 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 under-achievement and failures in school and proceed to juvenile delinquency. He then often is the leader of the gang, or he easily leads the less intelligent youths to misdeeds.
- Family: Parents themselves can maintain a low moral level and set a poor example of anti-social 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 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 that 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 his *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 that shows inclinations for restlessness, impulsiveness, aggressiveness, destructiveness and even sadistic behavior. Regarding his cultural identity, a juvenile delinquent identifies himself with the milieu-

impeding background from which he has come (Botha, T. R.: p. 147).

In summary, especially material, educative, social and affective forms of *educational 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* that can give rise to juvenile delinquency:

- (i) Educating without love: Educating requires love and understanding but sometimes it happens that in their behaving towards their child, parents are heartless. This lack of love can be because the parents never wanted to have a child (i.e., he 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 inherent potentialities but is trained to be a duplicate of one of his parents that thrust upon the child his own interests, desires and ideals. Usually such a parent has seen his own future dreams fail and now uses his child as a means to fulfilling his own ideals.

Because this sort of lack of educating restrains a child's natural development, this leads to an inflexibility in his own striving in which he 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 commands. The child is forced to practice directions and instructions in robotic ways. The restraining and rigidifying results that this sort of educating produce are even more offensive than the results of assimilative educating.
- (v) Educating that neutricizes: Carp refers to conflicting education. A child never knows what to expect from a parent. One moment he is coddled and in the next he is scolded. Understandably, the child is not able to develop the self-confidence he needs.

A rebelliously inclined and sensitive child falls prey the most to this sort of neglectful educating and this handicaps him in his 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 has a need lead to feelings of inferiority and spite that 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 it is necessary to discuss briefly the concept *psychopathy*. Carp provides the following description: By a psychopathic personality is understood a personality that, because of deviancies in structure, shows an important deficiency in adjusting to society and he experiences this lasting affliction as a result of his disharmonious development.

It must be emphasized that society as well as the psychopath himself suffers from his difficult behavior.

A psychopathic disposition is innate and manifests itself in the development of the person. The main characteristics of psychopathy are a *disturbance in the regulation and integration* of human ways of being. Thus, the personality is mis-formed and disharmonious with respect to *the life of passions, temperament and character*. A psychopath seeks satisfaction for his inclinations in passionate ways and therefore his behavior is unrestrained, strange, antisocial, unreliable and *sometimes* criminal. Because of his 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) in order 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 continually leaves his family in the lurch or does things that 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 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-pessimistic. A general characteristic is extreme irritability and instability in his 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 that 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 a psychiatric image as described above – a psychopathic child, on the basis of his mis-formed person structure, 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 state of psychopathy during his development and that here it does not involve an innate disposition. This phenomenon also is called acquired psychopathy, pseudo-psychopathy or

“developmental” psychopathy. By this it is meant that during his growing up a child has acquired an apparent psychopathy; he is so seriously neglected affectively, socially and pedagogically that he shows an image of psychopathy—he 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 on the basis 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 that he is in need of. This being in want of or lack of an emotional bonding with the primary educator of a young child results in his emotional development not progressing adequately. His emotional life is not awakened. His emotionally impoverished communicating with his mother means that his 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 is not taught norms; also he does not learn demands of obedience, and his conscience forming is inadequate. Thus, his socialization is realized in extremely deficient ways.

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

to psychopathic behavior. Thus, he shows the person-image of a psychopath.

In order to distinguish between a child with constitutional psychopathy and a psychopathologized child, a number of 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 that, in contrast to genuine psychopathy, under favorable circumstances can be eliminated in part or entirely.

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

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

A psychopathologized child's expressions of his life of passions collide with the demands of the educator and of society. He is less graspable (an educator cannot get a grasp of him) and influenceable by educating. It is very difficult or almost impossible to bring about a "remediation" of him with ordinary educative means such as reward and punishment. In his educating it is difficult to appeal to his conscience or to a loving bonding that ought to exist between educator and child. On the basis of his deviant behavior and misformed personhood, he 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 loving attention. A psychopathologized child often is involved with the police and a judge of child justice. Often he 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 on the basis 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 that he wants to have or do that 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 he will steal anything in the prosperous society that he wants to have.
- Feelings of inferiority: In order to compensate for this a youth can become aggressive and cause others physical suffering, or he can commit thievery in order to brag about it later, or boast with the stolen goods. Because he does not achieve elsewhere juvenile delinquency becomes the event of achievement – with this he acquires “status” in the subculture of juvenile delinquents and this allows him to validate himself.
- Spite: A youth can have spite for or cherish an individual, the school or society. He is spiteful by destroying, movie theaters or bus stops, telephones or telephone booths, mailboxes, public toilet facilities, playgrounds, plants, streetlights, parks, etc. Or he assaults persons he spites.
- Opportunity: Many youths are in a situation that 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 that they will be caught.
- Drugs: A youth often commits a misdeed while under the influence of drugs (including alcohol). Or he 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 “ventures” into the areas of thievery, vandalism, sexual excesses or traffic offenses.
- Identification: He identifies with undesirable “hero figures” who commit misdeeds and set poor examples that he experiences in movies, on television and in reading materials.
- Meaninglessness: Often youths commit “meaningless” acts of vandalism, assaults, etc. that 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 the majority of 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: under-achievement, 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 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 acts 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 of 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 emotional, social and normative disturbances and his 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.