



Theoretical Approaches to Delinquency

Banke Bihari Gupta

Research scholar, Law Department,
University of Allahabad, Prayagraj

Abstract

Theoretical Approaches to Delinquency provides a comprehensive investigation of a number of hypotheses that, in an effort to explain criminal behaviour and juvenile delinquency, attempt to classify the causes of these phenomena. In spite of the vast number of viewpoints from a variety of disciplines, such as psychology, law, and sociology, a comprehensive understanding of the subject continues to be elusive, which highlights the complexity of the problem. In the study, the numerous ideas are organised in a general sense into three basic categories: the biological, the psychogenic, and the sociogenic theories. These three primary approaches are then further dissected in order to provide a more nuanced understanding.

The Biogenic Theory proposes that there is a biological basis for juvenile delinquency, implying that there is a significant physiological difference between criminals and people who have never committed a crime. This work elaborates on the opinions of important proponents such as Cessare Lombroso, who championed the idea of criminals as biological throwbacks, having unique physical qualities that are linked to their criminal behaviour. Cessare Lombroso was one of the people who advocated for this idea.

The Psychogenic Theory focuses on the psychological factors that are thought to be behind criminal behaviour. A number of different theories place a strong emphasis on the major influence that psychological dysfunction has on criminal behaviour. These theories point to a wide variety of mental qualities that may predispose persons to engage in criminal activity. In addition to this, the study addresses several control approaches as well as the idea of cultural deviation in relation to this environment.

On the other hand, sociogenic theory investigates the societal and environmental elements that contribute to criminal behaviour. According to this idea, the interaction that people have with the social environment around them has a substantial impact on the likelihood that they would engage in illegal behaviour. This hypothesis is investigated throughout the work through talks on differential association and the function that learning plays in the progress of antisocial conduct.

In addition to these fundamental ideas, the study examines and provides an overview of the Medico-Biological Theory, the Classical Theory, the Psychoanalytical and Psychiatric Theory, and the Multi-causal Theory. This provides a comprehensive picture of the field. The work highlights the consensus that delinquency and criminal behaviour cannot be assigned to a single causal element, demonstrating the diverse nature of the issue, and despite the varied opinions, this work emphasises the importance of this point.

Keywords

Juvenile Delinquency, Biogenic Theory, Psychogenic Theory, Sociogenic Theory, Criminal, Behavior, Psychological Dysfunction, Societal Influence, Multi-causal Theory

Introduction

To better understand criminal behaviour, many schools of thought, including those held by psychologists, psychiatrists, lawyers, philosophers, and sociologists, have advanced several hypotheses. Each theorist attempted, first, to explain criminal behaviour and juvenile delinquency from the perspective of his own field. However, their explanations were frequently based on an insufficient understanding of the issue. The researchers concentrated more and more on the behaviour of adolescents and the laws governing them. because they held the belief that delinquency and crime are inextricably linked to one another and that comprehending one does not allow for an adequate comprehension of the other. The majority of previous thinkers held the view that there was a direct correlation between delinquency and criminal behaviour, however in modern times, this correlation has not been firmly demonstrated. There have been many views, opinions, criticisms, ideas, and suggestions about the causes of delinquency and crime published in a variety of sources; nevertheless, these pieces of information have rarely been brought together. However, the vast majority of answers involve acknowledgment that delinquency and criminal behaviour cannot be explained in terms of a single causal element alone.¹

In general, the Biogenic Theory, Psychogenic Theory, and Sociogenic Theory are the three primary approaches. The biological viewpoint blames flawed biology for the behaviour of juveniles.

The psychogenic techniques take a variety of forms, but they all place an emphasis on the psychological dysfunction at the root of the criminal behaviour. According to the sociogenic theory, criminal behaviour can be understood in terms of the conditions of social structure. In a similar vein, sociological explanation is concerned with the sociogenic theory. Several of the hypotheses will now be categorized into further as given below.

(A) Biogenic Theory

This hypothesis is predicated on the notion that the organic constitution of criminals is strikingly distinct from that of typical human beings, which, in large part, defines the nature and severity of their criminal behaviour. Therefore, the criminal is a biological entity, a degraded member of the human species, whose psychotic deficit is the root cause of his criminal behaviour. The criminal's behaviour stems from his psychotic deficiency. It is generally agreed that Cessare Lombroso is the more insightful proponent of this notion. He asserted that "a criminal is an atavistic phenomena, a biological throwback since the somatological qualities of criminals match those of primitive men." [Criminals] are biological throwbacks, he said.²

The goal of biological theories is to attribute criminal behaviour to the biological or physiological factors that contribute to it. Those who agree with the theory of biological determinism argue that people's propensity to break the law may be determined by the physical traits they have inherited or developed.

The deviant and the non-deviant can be distinguished from one another based on their physical make-up. Phrenology, which is the study of the conformation of the skull as an indicator of mental faculties and traits of character, was the most interesting of the physical theories that were proposed to explain the causes of delinquency. In particular, according to the hypothesis of FJ. Gall, this theory was the most compelling (1758-1828).

Gall was a physician from Vienna who, when he was still a young medical student, "saw that several of his contemporaries who possessed distinctive features also have particular head shapes. He pondered the question,

¹ Stephen Schafer Richard D. Knudten *Juvenile Delinquency An Introduction* Random House (1970) New York p. 55

² Lombroso Cessare (1911) *L. Uomo Delinquency. 1876*, Translated with modification of Horbton, H.R (1911) as *crime, its causes and remedies* Modern Criminal Science Series No. 3 Boston, Little Brown.

"Why do people have such various faces and such different natures? Why is one dishonest, while another is straightforward, and a third virtuous?" ". In an effort to find answers to these issues, he dedicated his life to investigating each and every skull he could get his hands on. He went to medical laboratories, prisons, and insane asylums, and his fingers "itched" to measure the bumps and inequalities of the skulls he saw. He haunted medical laboratories. He was under the impression that he had identified a connection between head "Knobs" and specific tendencies and personality characteristics, which he referred to with ritzy titles. Phrenology was introduced to the world in this way, and the world was ready and waiting to absorb it.³

"there exists a set of criminals born for evil, against which all social treatments crash as against a rock," Cessare Lombroso, a biologist who made an extraordinary contribution to the field of criminology, asserted. According to him, criminal activity is all the rage. According to Lombroso, a typical criminal has certain physical characteristics, such as a low forehead, hairy body, red eyes, ear deformation, receding chin, big and protruding jaws. In addition, a typical criminal has either an extreme sensitivity or non-sensitivity to pain.

While he was serving as a surgeon in the army, he made the observation that unruly troops possessed specific physical traits that were absent in the other soldiers.

(B) Psychogenic Theory

In general, this view places an emphasis on the psychological dysfunction that characterizes criminals. According to Hirschi, every theory may be categorized into one of these three fundamental stances.

- The motivational hypothesis, which stresses the importance of legitimate desires over conformity, cannot satisfy a person to the point where they deviate from the norm.
- Perspectives on control: a person is free to perform criminal crimes because his links to the conventional are founded on the concept of cultural deviance, which states that a deviant conforms to a set of standards that are not accepted by a society that is larger or more powerful.⁴

Additionally, there are a great number of academics who have emphasised the importance of psychological and psychiatric factors as being substantially associated to delinquency. Glueck and Glueck came to the conclusion that a mesomorphic bodily make-up is characteristic of a delinquent. His demeanour might be described as hostile, rebellious, resentful, distrustful, stubborn, adventurous, unconventional, and non-submissive to authority. He is also unconventional and adventurous.

The person who commits the crime is a byproduct of civilization. Individuals are subject to such a significant influence from sociological elements that, depending on their surroundings and the social conditions in their local context, they either shun or embrace illegal activity. Following an exhaustive investigation of offenders, Professor Sutherland presented two hypotheses to explain criminal behaviour, including the following:

- The processes that are working at the time of the occurrence of crime, which may be referred to as the dynamic explanation of crime, and

³ K. Kusum, 'Juvenile Delinquency- A Socio-legal Study'(1979) Published by KLM Book House, New Delhi, p.13

⁴ T. Hirschi Causes of Delinquency (1968) California University of California Press p.p. 16-34.

- The mechanisms that were active earlier in a criminal's life history, which he referred to as the historical or generic explanation of crime.

Sutherland and Cressey⁵ hypothesized that the pattern of criminal behaviour is taught in the same way that a person acquires patterns of lawful behaviour: through the exchange of messages. The sociologists also discuss the role that learning by doing has in the development of criminal behaviour. Differential association was the name given to this particular theoretical framework.

According to Sutherland, criminal behaviour is not something that is passed down from parents to children, and an individual who is not already trained in criminal behaviour does not engage in criminal behaviour. Instead, criminal behaviour is learnt through interaction with other people, particularly within personal groups that are close to the individual. According to Sutherland, this would imply that impersonal agencies like movies and newspapers play a pretty significant role in the development of criminal behaviour. In addition, according to Sutherland, the reason a person becomes a criminal is because they have access to more favourable definitions of breaking the law than definitions of breaking the law that are less favourable. The terms "frequency," "duration," "priority," and "intensity" are all relative to "differential association." Frequency and duration are two modalities of association, and priority is assumed to be important in the sense that lawful behaviour developed in earlier childhood may persist throughout one's life. This indicates that the association with criminal behaviour and also the association with anti-criminal behaviour vary in those respects.

Merton⁶ emphasised how crucial the term "anomic" is. Deviant behaviour, in his view, is characterised by a selective adherence to what is accepted. "Social norms and occurs in areas of specific structural restraints in social system," he suggests that "anomic" develops because of a break down in the relationship between goals that place a great stress on success and to which all groups in our society are in doctrine without equivalent emphasis on institutional or legislative channels of access to these goals. He also suggests that "anomic" develops because of a breakdown in the relationship between goals that place a high premium on achievement and which hold members of every segment of our society accountable.⁷

According to Sykes & Matza⁸ As with the majority of social behaviours, delinquent behaviour can be learnt through the process of interacting with others. Both parties are of the opinion that the delinquent's family will share the view of respectable society that delinquency is wrong, despite the fact that the family may be involved in a range of unlawful activities. People believe that a delinquent has some level of commitment to the dominant culture. The social order in which he frequently participates, quilts or shame when he defies its prescriptions, grants approval to particular bestowing figures, and differentiates between appropriate and inappropriate targets for his deviation are all things that he does.

They say that there are five important techniques, which are as under:-

- The denial of injury.
- The denial of responsibility.
- The denial of victim.

⁵ Sutherland E.H and Cressey. D.R., *Juvenile Delinquency*. New York: McGrawhill Book Co., 1949

⁶ Merton, R., *Social Theory and Social Structure*. Gelencoe III: Free Press 1957.

⁷ RK. Merton *Social Structure and anomie American Sociological Review* (1938) pp. 672-682

⁸ Matza, D., *Becoming Deviant*. NJ. Englewood Cliffs; Prentice Hall Inc. 1969.

- The condemnation of the crime.
- The appeal of higher loyalties.

The writers are of the opinion that the effectiveness of delinquent behaviour is diminished as a result of these tactics.⁹

(C) Psychoanalytical and Psychiatric Theory

Airchon¹⁰ argued that there must be something in the child himself that the environment brings out in the form of delinquency. said that this must be the case because. The reason that delinquents act the way that they do is because they are "Maladjusted" in some way. The statement made by Airchon suggests, in addition, that the environment may act as a precipitating force, but it can never act as the major component in the causation process.

(D) Medico-Biological Theory

This idea has been proposed numerous times, in numerous ways, and frequently in conjunction with other hypotheses to form the "Medico biological" thesis of causality. In this context, this theory would take into account the inherited influences, the chemical equilibriums that exist within the physical organism, and unquestionably the impact that physical disease has on behaviour. The biological explanation, which is largely concerned with hereditary features, has a well-known historical illustration in the form of the Lombroso controversy¹¹ Given quantifiable physiological traits, such hypotheses continue to be popular in modern times, as evidenced by recent studies addressing the Y chromosome, for example.

(E) The classical Theory

The traditional view of free will asserted that man is a free moral agent who can make his own choices and can therefore choose to act immorally. On the basis of the existence of free will, the classical thinkers argued that since the offender is morally guilty and responsible for his actions, he ought to be subjected to a kind of punishment that is proportional to the degree of his moral guilt. As a result, the severity of the sanctions that may be imposed depended on the level of immorality that had been committed. At the tail end of the nineteenth century, a plethora of motivated scholars from a variety of fields, most notably medicine, psychology, psychiatry, and sociology, began applying themselves to the investigation of this difficult issue. Others have looked for explanations in emotional attitudes, while still others have looked for them in the general social milieu. Some have looked for explanations in their physical and mental health.

It was argued that the classical theory was flawed because it regarded human beings as nothing more than numbers, without taking into account their unique personalities or the contexts in which they committed crimes. The most hardened criminal, the accidental offender, and the chronic offender were all made to suffer the same punishment. According to Liszt, who made this observation, "it was the Magna Carta of the professional criminal since he knew exactly what dangers he had to incur and could judge with cold calculation before hand if the risk was worthwhile." According to Saleille, the doctrine "is manifestly erroneous, horrible, and horribly unjust, but obviously

⁹ GM. Sykes & D. Matza op. cit pp. 664-670

¹⁰ A. Airchon *Wayword Youth* (1955) Meridian Books, New York pp. 45-55

¹¹ Lombroso, c., *Pioneers in Criminology*; Crssare Lombroso (1835-1909), M.E. Wolfgang. *Journal of Criminal Law, Criminology and Police Science*, 52, 1961.

straightforward and easy to implement." It is common practise to assign antisocial behaviour to a particular cause or condition, such as a person's medical or mental health, their environment, their social situation, etc.¹²

(F) Multi-causal Theory

According to Abrahamsen,¹³ "the totality of a person's criminalistic tendencies plus his total condition, divided by the degree of his resistance, is a criminal deed." He reduced the myriad of elements that could have caused the problem to a mathematical formula:

Tendency Situation Crime Resistance

This demonstrates that nature and environment are both contributors to the development of criminal behaviour. A child may resort to pickpocketing because of their need for chocolate, while another child may take off in someone else's vehicle because they are looking for excitement. Although the behaviour of some children may be explained by a single precipitating and preponderant cause, there are still a great number of other elements that contribute toward precipitating that one factor. There are many preceding pressures and weights that need to be taken into consideration before one single straw can break a camel's back. Researchers in the fields of sociology, psychiatry, and criminology have come to the conclusion that delinquency is caused by a number of different variables. Burt¹⁴ cited no fewer than 170 factors that contributed to a person's propensity toward criminal behaviour.

According to him, "crime is assignable to no single universal source nor yet to two or three: it springs from a wide variety, and typically from a multiplicity of alternative and converging influences." [Crime] springs from a wide variety, and typically from a multiplicity of alternative and converging influences. It is easy to imagine that such a dramatic reaction is almost often the result of the confluence of a number of subversive circumstances; nonetheless, it takes many coats of pitch to paint something dark enough to be considered completely opaque.¹⁵

The discussion at the Seminar¹⁶ supported in its entirety the multi-causal theory of delinquency and urged the conduct of study to determine whether particular factors are more significant when considered in the context of India's rural, social, and economic milieu.

There is not one single component that is solely responsible for criminal behaviour. It is the consequence of the relationship between the person and the immediate and economic circumstances in his environment, such as poverty and slums, for example. The biological, mental, and emotional aspects make up the natural components.

Indirect factors that contribute to criminal behaviour include factors such as geography and climate. The following is what B.K. Bhattacharya says:¹⁷ "There is a great deal of work that has to be done to eradicate abject poverty, to fix homes that are damaged and unorganised, to do away with slums and the carcinogenic conditions they create, and to ease the suffering of millions of refugees. On the other hand, for a select group of privileged individuals, there is a paradoxical rise in the quality of their clothing, food, and entertainment options, as well as an earlier onset of physical and sexual maturity and economic autonomy. The adults are not providing the young people with

¹² K. Kusum, 'Juvenile Delinquency- A Socio-legal Study'(1979) Published by KLM Book House, New Delhi

¹³ The Psychology of Crime p. 37(1960)

¹⁴ Juvenile Delinquency 10 (1960)

¹⁵ Juvenile Delinquency 10 (1960)

¹⁶ Glanville L. Williams, The Criminal Responsibility of Children, Cr.L.R. 1954 P.493 at 494

¹⁷ Glanville L. Williams, The Criminal Responsibility of Children, Cr.L.R. 1954 P.493 at 494

sufficient guidance, nor are they setting a positive example for them. In an atomic age, an age of violence, when robber nations care little for humanity, with ethics shattered and ideals fallen, immediate gratification is sought, leaving tomorrow to take care of itself. One must not, however, stop trying one's best or hoping for the best."

At a seminar that was held in Tokyo at the United Nations Regional Institute for Asia and the Far East, the rise in juvenile delinquency was attributed to factors such as an increase in leisure time, the breakdown of the family system, a weakening of human relations, rising standards of living and aspirations for the same, the impact of war, the influence of mass communication, social change, etc. When one examines the files and histories of children who have been placed in institutional care, one discovers that in the vast majority of these cases, there are at least four or five factors that have led these children astray, the most significant of which is a combination of adverse economic conditions and an unhealthy family environment.¹⁸

Conclusion

In the investigation of juvenile delinquency, the multi-faceted nature of criminal behaviour emerges with clarity, demonstrating the inability of isolating a solitary cause or strategy. The above discussion crossed numerous theoretical grounds from the Biogenic, Psychogenic, and Sociogenic theories, presenting varied perspectives anchored in biological, psychological, and social frameworks. The voyage across various theoretical landscapes shows the complicated web that drives delinquent conduct, emphasising the confluence of components including biology, environment, psychology, and society. This intricate interplay demonstrates the requirement for a more integrated, multi-causal approach to understanding and combating delinquency.

The Biogenic Theory, with its focus on physical and genetic variables, reveals a biological propensity to criminal behaviour but fails to contain the full of human complexity. Similarly, the Psychogenic Theory, although admitting the crucial role of psychological dysfunction in criminal behaviour, misses the diverse extrinsic circumstances that contribute to delinquency. The Sociogenic Theory, giving a view founded in social structures and conditions, stresses the importance of external societal and environmental influences but potentially disregard the individual's biological and psychological characteristics.

An exploration into other theories, like the Psychoanalytical and Psychiatric Theory and the Medico-Biological Theory, further exemplifies the complexity of the issue, emphasizing various aspects like childhood experiences, mental adjustments, inherited influences, and the impact of physical diseases on behavior. The Classical Theory's attention on moral choice and free will, and the Multi-causal Theory's strategy of amalgamating many components into a cohesive whole, give further layers of insight to this multidimensional dilemma.

Delinquency, a multidimensional phenomenon, defies the bounds of a single theoretical framework. Each theory, while giving useful insights, contains inherent limits, underscoring the demand for a more holistic, integrated perspective. Understanding the intertwining threads of genetics, psychology, society, and various other elements is crucial in designing successful, comprehensive strategies for the prevention and intervention of delinquent conduct. Bridging the divides between these diverse theoretical approaches and synthesizing their insights will pave the way for a more profound, nuanced understanding of delinquency, enabling the development of more targeted, effective strategies for mitigation and prevention in the future landscape of criminology and juvenile justice.

¹⁸ K. Kusum, 'Juvenile Delinquency- A Socio-legal Study'(1979) Published by KLM Book House, New Delhi, p.28-29