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A CONSIDERATION OF THE RELATIONSHIP OF "PUNITIVENESS" TO DELINQUENCY AS DEVELOPED IN OPPORTUNITY THEORY

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The notion of punitiveness plays a significant role in the development of Cloward and Ohlin's theory of delinquency. However, research dealing with the relationship of punitiveness to delinquency has been both limited and confusing. These difficulties are further confounded by inadequate measurements of delinquents and delinquency. This article attempts to clarify the relationship of punitiveness to delinquency and place it in its proper perspective in delinquency theory.

PUNITIVENESS AND THE THEORY OF OPPORTUNITY

"Punitiveness" in this article is related to the concept of blame for one's frustrations which stem from failure to achieve the culturally prescribed goals. Cloward and Ohlin suggest that "the way in which a person explains his failures largely determines what he will do about it."¹ They believe that when a person fails he either blames himself or he blames the social order, and "Whether the 'failure' blames the social order or himself is of central importance to the understanding of deviant conduct."² Accordingly, if blame is attributed to personal inadequacies the individual will attempt to improve himself, to change so that he can fulfill social expectations. But if blame is attributed to a malfunctioning society, then it is Society which is at fault and needs to be changed, not the individual. In the former case, personal blame does not lead to delinquency, while in the latter it does. As Cloward and Ohlin state:

* Assistant Professor of Sociology, California State College, Dominguez Hills. This paper is a modified version of an earlier draft, "Self-Reported Delinquent Behavior and Punitiveness," presented at the annual meetings of the Pacific Sociological Association in April 1971. The writer is greatly indebted to Professor Delbert S. Elliott, who collected this data as part of a larger research project funded by the National Institute of Mental Health Research Grant Numbers MH07173 and MH15285. In addition the critical comments of Professor Elliott and Professor Herman Loether proved invaluable in the writing of this paper.

¹R. CLOWARD & L. OHLIN, *DELINQUENCY AND OPPORTUNITY: A THEORY OF DELINQUENT GANGS* 111 (1960).

²*Id.* at 111.

When a person ascribes his failure to injustice in the social system, he may criticize the system, bend his efforts toward reforming it, or disassociate himself from it . . . in other words, he may become alienated from the established set of social norms . . . The individual who locates the source of his failure in his own inadequacy, on the other hand, feels pressure to change himself rather than the system . . . By implication then, attributing failure to one's own faults reveals an attitude supporting the legitimacy of the existing norm.³

Perhaps one of the clearest indications of what Cloward and Ohlin were referring to here as extrapunitiveness is found in the response of Bobby Seale, Chairman of the Black Panthers, when asked by a Newsweek reporter if he considered his "illegal" activities crimes: "No. I refer to crime as being the exploitation of poor people by filthy rich, money-mad, avaricious capitalist pigs."⁴ It was not criminal to use heroin, as that "helped my nose not to smell the urine-soaked hallways" and "feel the garbage underfoot and hear the sound of police sirens." As far as Seale was concerned, his actions were compelled by a society which must necessarily bear the blame.

According to the theory, the highest rates of delinquency should be found among those who blame the social order for their frustrations, as compared to lower rates among those who blame their own personal inadequacies. Those who perceive themselves as better equipped than their peers will blame the system for their failures. They will experience what Cloward and Ohlin call "unjust deprivation," an inability of the system to fulfill its promised expectations of equality of opportunity. Cloward and Ohlin acknowledge that "relatively little is known about the conditions that lead to external rather than internal attributions of causality," and state that the field of psychology has devoted the most attention to this important problem in recent years.⁵

³*Id.* at 111-112.

⁴NEWSWEEK, February 23, 1970, at 28.

⁵CLOWARD & OHLIN, *supra* note 1, at 112.

EMPIRICAL AND THEORETICAL INVESTIGATIONS

Cloward and Ohlin cite Saul Rosenzweig as one of the principal psychologists dealing with this issue. Rosenzweig's analysis led him to identify various types of reactions of persons who attribute blame to the system or to themselves.⁶ Cloward and Ohlin also mention Merton, a sociologist who was concerned with discovering those types of social situations which "elicit self-evaluations or internalized judgments," and those which elicit institutional evaluations or "externalized judgments."⁷ While Merton did not develop these notions to a very great extent nor extend them to the notion of delinquency, Rosenzweig and some others have.⁸ It is interesting to note here though that the results of these applications were generally disappointing since significant differences were not found. However, two other studies were able to show significant relationships between punitiveness and delinquency even though they reported opposite results.

Gatling showed that delinquents had more "extra-punitive" responses than the control group to his creation of a punitiveness measure.⁹ However, in addition to the question of what kind of inferences can be made from his small sample sizes—25 in each group, there is a serious question concerning the validity of his punitiveness measure. By his own admission, "The weakest spot in the experimental procedure is whether an answer that a puzzle can or cannot be solved is sufficient evidence for classifying a response as being extra-punitive . . ." In short, a study characterized by this type of dubiousness does little to insure the convictions one may have regarding the relationship of punitiveness to delinquency.

Somewhat later, Vane, in a study of delinquent girls, found results contrary to Gatling's.¹⁰ She noticed that the girls showed a less than average

tendency to turn the aggression outward and a greater than average tendency to turn it inward. Since Cloward and Ohlin were specifically concerned with males, it might be possible to explain these findings by sex differences.

Nevertheless, in view of these controversial and discordant findings, Cloward and Ohlin maintained that the explanation a person advances for his failure to attain his goal is crucial in determining the reaction that ensues, and that the Rosenzweig analysis was the most appropriate means for measuring this reaction. While this raises some methodological difficulties, it is theoretically sound and has not been overlooked by some recent writers.

Elliott, Voss and Wendling suggested that the theory of capable dropouts or "pushouts" would imply that these dropouts should be intropunitive.¹¹ However, they found that the dropouts tended to be less intropunitive and more extrapunitive than the non-dropouts. The magnitude of the difference reflected a real sample difference which was quite unexpected from the capable dropout theory. Elliott suggested that these results may be due to the fact that the delinquents were not separated from the other capable dropouts, which would tend to confound the findings. However, with respect to the extrapunitiveness dimension, since the delinquents were not separated from the non-dropouts either, the bias on extrapunitiveness could be offset, though it would not be for intropunitiveness, because delinquents are not supposed to be intropunitive. Clearly, a partial for delinquency is necessary here before any additional insights can be drawn.

Hirschi has offered some additional evidence to confound further the relationship between punitiveness and delinquency. He demonstrated that the results of his tests do not tend in the direction hypothesized by Cloward and Ohlin: "In general, it does not matter whether the boy blames himself or the social system for potential failure: ascription of blame is essentially unrelated to the commission of delinquent acts."¹² Since Hirschi did not offer any adequate reasons for these discrepant findings, we can only briefly speculate about them at this point. It would appear that the concept might not be at all relevant to explaining delinquency. However, the logical implications of the notion cannot

⁶ Rosenzweig, *The Experimental Measurement of Types of Reactions to Frustration*, in *EXPLORATIONS IN PERSONALITY* 585 (H. A. MURRAY ed. 1938).

⁷ R. MERTON, *SOCIAL THEORY AND SOCIAL STRUCTURE* 240 (2d ed. 1964).

⁸ Rosenzweig, *Validity of the Rosenzweig Picture-Frustration Study, with Felons and Delinquents*, 27 *J. CONSULTING PSYCH.* 535 (1963); Fry, *A Study of Reactions to Frustrations in 236 College Students and in 207 Inmates of a State Prison*, 28 *J. PSYCH.* 427 (1949).

⁹ Gatling, *Frustration Reaction of Delinquents Using Rosenzweig's Classification System*, 45 *J. ABNORMAL & SOCIAL PSYCH.* 749 (1950).

¹⁰ Vane, *Implications of the Performance of Delinquent Girls on the Rosenzweig Picture-Frustration Study*, 18 *J. CONSULTING PSYCH.* 414 (1954).

¹¹ Elliott, Voss & Wendling, *Dropout and the Social Milieu of the High School: A Preliminary Analysis*, 30 *AM. J. ORTHOPSYCHIATRY* 808 (1966).

¹² T. HIRSCHI, *CAUSES OF DELINQUENCY* 185 (1969).

be overlooked, nor can the importance placed on it by Cloward and Ohlin. The most obvious suggestion, therefore, given the dearth of studies concerning the relationship, is to develop more concise research, which is the goal of this article.

DATA AND METHODOLOGY

The sample for this study was a type of cluster sample consisting of 1,338 males of high school age. It was not a probability sample, but rather an intended selection of eight public high schools in two California metropolitan areas. The areas were suburban in character rather than central city or metropolitan core. An effort was made to include socio-economic as well as ethnic variability in the sample so that lower, as well as middle-class, black, chicano and white juveniles might all be represented. The schools were selected so that the class and ethnic variability would be represented as dominant in some schools and as a minority in others. For example, using the Hollingshead Index of socio-economic status, one school had one-fifth of its students in class 2 and two-fifths of them in class 3, while another had one-third of its students in class 5.¹³

Data for this study were gathered over a four year period at the beginning of the fall semester of each of the years. The initial observations were made on the 1963 freshmen classes at each of the schools, then continued for the subsequent years on the same classes to provide a sequence of panel type data. These data were supplemented by police contact reports on all the juveniles every year of the study, such reports supplying one of

¹³ An exact breakdown of the class distribution of the eight schools is as follows:

School	Percentage in each class				
	I	II	III	IV	V
1	0	5	31	46	18
2	7	23	37	24	9
3	2	1	19	44	34
4	1	8	38	41	12
5	—	4	30	48	18
6	1	9	23	53	14
7	2	—	24	42	32
8	3	4	22	39	32

Source: D. ELLIOTT & H. VOSS, DELINQUENCY AND DROPOUT. A SUMMARY REPORT TO THE NATIONAL INSTITUTE OF MENTAL HEALTH, Grant numbers MH-170173 and RGI MH 15285, Chapter 3, at 14 (1971).

the measures of delinquency.¹⁴ At the beginning of the study, the juveniles completed a modified version of the Picture-Association Study for assessing Reaction to Frustration (P-F Study). Generally,

The P-F Study consists of 24 cartoon-like pictures, each of which represents two characters involved in a mildly frustrating situation. The figure on the left is shown making a statement which either describes the frustration of the second figure or is itself actually frustrating to the latter. S is instructed to examine the situations one at a time and write in the blank 'balloon' which is provided, the first reply that enters his mind as likely to be given by the anonymous figure. . . . It is assumed that S identifies himself, consciously or unconsciously, with the frustrated individual in each situation, and that his responses thus are representative of his own characteristic ways of reacting' to similar frustrations.¹⁵

The responses were scored according to direction of aggression and type of aggression, and then given a Group Conformity Rating, which is a composite score "derived from a comparison of each item score to the modal responses of the appropriate normative sample." Three categories were created on the basis of this rating: extra-punitive, impunitive and intropunitive. These categories were indicative of those personality characteristics of the sample population in their response to frustration.

Delinquency was measured in two ways: legally, and through self-reported behavior. This was done primarily to compensate for the numerous problems encountered when official data is the only dependent variable.¹⁶ By utilizing two measures for the dependent variable, modified replications of other studies could be performed and an additional important behavior measure could be added.

¹⁴ A more comprehensive description of this sample is given in ELLIOTT & VOSS, *supra* note 13, Chapter 3, at 9-37.

¹⁵ J. ZUBIN, L. ERON & F. SCHUMER, AN EXPERIMENTAL APPROACH TO PROJECTIVE TECHNIQUES 487-88 (1965).

¹⁶ Some studies dealing with the methodological difficulties involved when official data are used are as follows: Akers, *Socio-Economic Status and Delinquent Behavior: A Retest*, 1 J. RES. CRIME & DELIN. 38 (1964); Epps, *SES, Race, Level of Aspiration, and Juvenile Delinquency: A Limited Test of Merton's Concept of Deviation*, 28 PHYLON 16 (1967); Erickson, *The Changing Relation Between Official and Self-Reported Measures of Delinquency: An Exploratory-Predictive Study*, 63 J. CRIM. L.C. & P.S. 388 (1972); Short & Nye, *Reported Behavior as a Criterion of Deviant Behavior*, 5 Soc. PROB. 207 (1957).

TABLE I

MEAN NUMBER OF DELINQUENCIES (SERIOUS POLICE CONTACT) AND (NON-SERIOUS POLICE CONTACT) BY PUNITIVENESS

	Serious Police Contact				Non-serious Police Contact			
	Yr 1	Yr 2	Yr 3	Yr 4	Yr 1	Yr 2	Yr 3	Yr 4
Ex	.05	.10	.06	.06	.24	.18	.13	.10
Im	.08	.11	.03	.03	.25	.22	.17	.12
In	.08	.06	.04	.02	.21	.13	.10	.11
F =	.54	.95	.99	4.40*	.49	2.92	2.53	.32

* = $p < .05$.

The legal or official measures are police contact reports. These data are relatively free of process distortion since they are initial contact reports and do not concern the subsequent decisions on arrest, filing of petitions or court action. The self-report measures are based on the Nye and Short scale.¹⁷ An attempt was made during the data collection to insure maximum confidentiality to the respondents by number coding each respondent's questionnaire and removing all school personnel from the room during testing.

Since the delinquency data were collected for each of four years on every subject, and since changes in rates were anticipated, it was felt that all four years should be analyzed with respect to punitiveness.¹⁸ In addition, there was no one year which was representative of the others and which therefore could have been used as an average. The punitiveness measure, however, was measured once, since it was a personality characteristic and therefore relatively stable.

These delinquency measures were further differentiated by severity of the act. In both cases, the act was considered non-serious if it was punishable under misdemeanor statutes, and serious if it was punishable under felony statutes. Thus, there were four dependent variable categories: non-serious police contact, serious police contact, non-serious self-reported behavior and serious self-reported behavior. The actual analysis was done through a one-way analysis of variance, where the punitiveness measures were the independent variables and the delinquency measures the dependent.

¹⁷ Short & Nye, *supra* note 16, at 207.

¹⁸ The self-reported behavior data were collected only at years one and four.

FINDINGS

Table I shows the results of this analysis for the police contact measures of delinquency with punitiveness, where Ex. = extrapunitive, Im. = impunitive and In. = intrapunitive. A cursory analysis of this table shows that there is one significant F score, at year four, of the serious police contact data. Looking at the delinquency means in these cells, the highest is in the Ex. cell at .06, while the lowest is in the In. cell at .02. The Im. cell at .03 falls between these two with a mean not accounted for in the theory. Cloward and Ohlin hypothesized that boys who were extrapunitive would commit the greatest numbers of delinquent acts, and implied that those who were intrapunitive would commit the least. Thus, it appears that the year four data do offer directional support for their theory. As a further analysis of this finding, t tests were conducted on the interlevel comparisons, with the only significant t being found between the Ex. and In. means, where $t = 2.30$, $p < .05$, which also supports the theory.

The first question concerns the interlevel comparisons of the order of means in the other cells. There is a very important reason why interlevel statistical comparisons should not be conducted among data where the overall F score tends to be insignificant.¹⁹ As Hays states, "After the over-all F has been found significant, then any comparison (within the levels) may be made." If the F is not significant, the probability increases that the interlevel comparisons, even though showing significant t's, will not cover the corresponding true comparison value. That is, an insignificant F decreases the probability that the confidence intervals between levels will contain the true value for that comparison.

A further question is the appropriateness of an analysis of the other F's. While Hays would lead us to believe that they might be statistically inappropriate, they could have directional relevance for this study. Consequently, we will talk briefly about some of these other cells, bearing in mind that we were unable to reject the null hypothesis of no difference. This attempt will be made to discover trends in the data in an effort to evaluate their conformity to the theory.

Examining the serious police contact data, it appears that the year three Ex. cell indicates the

¹⁹ H. HAYS, STATISTICS 483-85 (1963).

greatest amount of delinquency, thereby conforming to the theoretical expectations. In year two, the lowest delinquency is found in the In. cell, while the highest is in the Im. cell. The difference, however, between the Ex. and Im. cells is really too small to warrant further discussion. Year one is quite an anomaly, with the Ex. cell lowest at .05, and the Im. and In. cells with equal amounts at .08. The trends, then, appear to be rather vague, inconsistent, and weak, and could quite possibly be due to random fluctuations.

The non-serious police contact data show some interesting trends. The greatest amount of delinquency is found in the Im. cells. Cloward and Ohlin do not consider impunitiveness in their theory, so this finding, while not contradicting it, is unaccounted for. The lowest amount in years one, two and three is found in the In. cell, which is consistent. However, it would have to be concluded that these trends, while more consistent than those in the serious police contact data, are nevertheless not very strong evidence either for or against the theory.

Elliott suggested that Cloward and Ohlin's concern with the notion of blame may be indicative of an ethnocentric judgment.²⁰ Miller argues that the lower class is concerned with such "focal concerns" as "fate," where the emphasis is seen to be on whether one is lucky or not.²¹ Implied in their argument is the idea that lower class boys do not really blame anything or anyone for their position, but attribute any difficulties to misfortune or fate. This could be exemplified by the saying, "That's the way it goes. Sometimes you eat the bear, and sometimes the bear eats you. That's life." For the middle class, on the other hand, a villain is always sought for one's misfortunes. That is, blame must be attributable to some source, and once it is, a solution can then be sought by rectifying the wrong. This argument gains additional support if we recall the studies which indicated that official police data on delinquency are biased towards the lower class. Indeed, it is possible that what these data could be reflecting is an over-abundance of lower-class members, caught more often by the police, who are relying on fortune or luck to explain any

²⁰ From a communique with Professor Delbert S. Elliott, May 5, 1970, regarding the possible implications of these findings.

²¹ Miller, *Lower Class Culture as a Generating Milieu of Gang Delinquency*, 14 J. SOCIAL ISSUES 5 (1958).

frustrations, and consequently show impunitive personalities. This, of course, is an *ad hoc* explanation and not a conclusion based upon empirical support.

The most significant findings of this analysis are the fact that the F's are, with one exception, insignificant. If our analysis were to end here, we could reject the hypothesized relationship between punitiveness and delinquency as being one of no greater strength than that expected by chance. As the next analysis indicates, however, this would be an erroneous conclusion to draw.

Table II, which gives the mean number of delinquencies by punitiveness when self-reported behavior is the dependent variable, shows significant F's in all four cases. The serious self-report data for both time periods show the greatest number of delinquencies to be occurring among those individuals who are extrapunitive, and thus offers strong and consistent support for the theory. In year four, the lowest mean number of

TABLE II
MEAN NUMBER OF DELINQUENCIES SERIOUS
SELF-REPORT AND NON-SERIOUS
SELF-REPORT BY PUNITIVENESS

	Serious Self-report		Non-serious Self-report	
	Yr 1	Yr 4	Yr 1	Yr 4
Ex	2.05	2.36	4.42	6.02
Im	1.24	2.12	3.14	5.46
In	1.27	1.64	3.14	5.08
F =	7.40**	4.52*	13.30**	4.00*

* = $p < .05$.

** = $p < .01$.

TABLE III
INTERLEVEL t VALUES FOR COMPARISONS OF THE
PUNITIVENESS MEASURES OF MEAN NUMBERS OF
DELINQUENCIES FOR SERIOUS SELF-REPORT AND
NON-SERIOUS SELF-REPORT

	Serious Self-report		Non-Serious Self-report	
	Yr 1	Yr 4	Yr 1	Yr 4
Ex-Im	3.15**	.84	4.24**	1.62
Ex-In	2.92**	2.58*	4.16**	2.67**
Im-In	-.22	2.37*	-.02	1.49

* = $p < .05$.

** = $p < .01$.

delinquences occurs within the intropunitive cell, while year one shows the lowest number to be the impunitive cell. This evidence is not accounted for by the theory, but neither does it contradict it.

The non-serious self-report data in this Table shows the extrapunitive means to be the largest for both time periods. However, as with the serious self-report data, the lowest mean in year four is for the intropunitive cell. For year one, the impunitive and intropunitive means are equal, again appearing to offer confounding evidence. In order to clarify some of these issues, and since the *F*'s are all significant, interlevel *t* tests will be reported in Table III.

The serious self-report data of Table III indicates that the Ex. variable at year one is significantly different from the Im. and In. scores, suggesting support for Cloward and Ohlin's postulations. The year four comparisons are also supportive since the Ex.-In. comparison is statistically significant.

Year one of the non-serious self-report data in Table III indicates that the Ex. value is significantly larger than either the Im. or In. value. This is expected from Table II, and supportive of the theory. Year four of this Table shows a statistically significant difference for the Ex.-In. value, indicating the largest value is significant from the smallest value, while the middle value is not significant from either.

CONCLUSION

The relationship of punitiveness to delinquency, an important part of Cloward and Ohlin's theory, was examined in this study. Previous studies of the relationship have offered either tenuous support, no support, negative evidence or have dealt with it tangentially. In short, the evidence dealing with this relationship has been at best inconclusive.

Perhaps the most serious consideration of the notion for delinquency came from Hirschi, who offered negative evidence for the theory. However, an analysis of his evidence raises some doubt as to the accuracy of these findings. In the first place, he did not use Rosenzweig's scheme of analysis in measuring punitiveness, but rather used one question involving perceptions of occupational barriers. While questions of this type are certainly useful in making decisions on the tenability of the punitiveness relationship, more of them seem to

be in order before a positive rejection of this aspect of the theory can be made. In addition, any positive rejection would also necessarily entail use of the Rosenzweig analysis since Cloward and Ohlin explicitly refer to it. Secondly, Hirschi only considered black juveniles. Given the nature of his question, "Do you think that any of the following things will keep you from getting the kind of job you want to have eventually?"—"Am Not Smart Enough" or "Racial Discrimination,"²² subjects were only "telling it like it is" rather than indicating whether they were extra or intropunitive. That is, the fact of the matter is that most blacks cannot get desired jobs because of racial discrimination, and perception of this state of affairs is only sensing reality. So Hirschi's findings, while implying negative evidence for the theory, raise further questions of their own validity, and clearly cannot be accepted as negative proof.

The analyses presented in this research attempted to comply with the theoretical postulations as closely as possible. The goal was to operationalize that variable which Cloward and Ohlin stated induced the juveniles to accept delinquency as an alternative once they had become frustrated, and then to determine the effect that variable had on delinquency generation. Additional analyses should include non-projective measures of the punitiveness variable, perhaps in the direction offered by Hirschi, since methodologically the use of projective with non-projective data could produce somewhat tenuous results.²³

Of particular significance in this research are the differential findings which occur when measurement of the dependent variable is altered. Using official data we find little relationship to punitiveness, but with self-reported data we find very significant relationships. These findings add additional support to the utility of self-reported behavior for delinquency research and reflect further on the vagueness of the official measures. Finally, this research offers empirical support for the relationship between punitiveness and delinquency in Cloward and Ohlin's theory, where none had previously been found.

²² T. HIRSCHI, *supra* note 12, at 184.

²³ It can be argued, however, that the most important delinquency measure, the self-report measure is also projective data. The most significant relationships for this study are those between the two projective measures and subsequently are not subject to the initial criticism.