

**Marc Le Blanc
Marcel Fréchette**

**Male
Criminal Activity
from Childhood
Through Youth
Multilevel and
Developmental Perspectives**



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RESEARCH IN CRIMINOLOGY

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Male Criminal Activity from Childhood Through Youth

Multilevel and Developmental Perspectives

With 17 Illustrations



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Preface

In the last 50 years or so—following the etiological and comparative works of the Gluecks, the ecological studies of Shaw and MacKay, the surveys on delinquent gangs and the first survey of self-reported delinquency by Porterfield—empirical criminology has succeeded in compiling a fairly exhaustive list of factors likely to lead to delinquency. Whether these factors are biological, psychological, sociological, or legal, their effect on delinquent behavior is now better known. On the whole, analytical and comparative studies have been fruitful, as evidenced by recent reviews of the literature, among them those of Rutter and Giller (1983) and Wilson and Herrnstein (1985), even though a number of ambiguities and numerous controversies still persist.

The history of investigation has given rise to a great number of theories explaining delinquency, as any self-respecting manual of criminology can confirm (for example, Empey, 1978; Feldman, 1978; Shoemaker, 1984; West, 1984). Each of these theories gives the impression of being *the* explanation of delinquency. Even today, in spite of the impressive number of so-called integrative theories (see The Albany Conference, 1987), each one asserts that it is the one that best explains the many complex causes of delinquency. Although most theories have an empirical base, rarely have they been submitted to thorough verification, such as systematic replication or cross-cultural and temporal comparisons.

On the basis of this rapid review, it is evident that there is a great deal of scientific material available. Its development, however, has been and still is beset by four conceptual and methodological stumbling blocks: disregard for the levels of interpretation, slow conceptual development of the notion of delinquency, inability to go beyond description, and difficulty in properly analyzing longitudinal data. It is not our intention to dwell on these problems here, since we will have occasion to come back to them throughout this book. It is well, however, to show how they have been solved within the framework of the research program that gave rise to this book.

Our Perspectives

The French criminologist Jean Pinatel (1963), in a masterly effort to define the bases of criminology, was the first to propose that criminologists should distin-

guish between three levels of interpretation of the criminal phenomenon, namely *criminality*, the *criminal*, and the *crime*, each level having its own perspectives, its own rationales, and its own methods. He defined criminality as the sum of infractions committed at a given time and place, influenced by demographic, economic, or political factors and occurring on a societal scale. The level of the criminal centers on the transgressor and involves personal characteristics and the factors that influence the formation and evolution of his or her personality. The level of the crime, the act itself, involves only a small part of the life or criminal career of the subject; it is an event that has a beginning, a development, and an end and there are factors or mechanisms that cause its appearance.

This basic rule, that there are three levels of interpretation, was rediscovered by American criminology recently, but the emphasis has been mainly on the two levels of the crime and criminality (Hirschi, 1979, 1987; Short, 1985, 1987), an emphasis Sutherland had suggested much earlier (Sutherland & Cressey, 1960).

Following this rule, we have chosen to devote this book to a single level of interpretation, what is traditionally called crime. To make sure that there is no confusion, we will use the term *criminal activity* to refer to the level of interpretation. This term offers a twofold advantage. First, it is universal and refers to a reality in constant movement rather than to the strictly legal category, crime. Second, it permits the use of three complementary perspectives that, like a nest of tables, fit into one another, namely, the perpetration, or the way the crime is executed; the offending (to follow the recent suggestion of Blumstein, Cohen, Roth, & Visser, 1986), the descriptive and evolutive characteristics of all the crimes committed over a given period of time; and the behavioral pattern or overall configuration of the parameters and mechanisms of offending linked in specified ways. By concentrating on one level of interpretation, as did Wolfgang, Figlio, and Sellin (1972) in their classic study, we sought to support as firmly as possible the explanatory perspective on delinquency, the search for correlates and causes of criminal activity. Consequently, large portions of this book will deal successively with these three ways of looking at criminal activity: how crimes are perpetrated at different ages; offending as seen from a descriptive, an evolutive, and a process point of view; and the characteristics of a limited number of behavioral patterns.

To follow the rule of levels of interpretation is not enough. It is clear that, at the present time, the idea of criminal activity is still subject to conceptual difficulties. A review of the criminological literature quickly and incontestably establishes that, on the one hand, descriptive concepts are numerous (prevalence, seriousness, crime mix, etc.) and some evolutive concepts have been identified (specialization, escalation, etc.), but, on the other hand, although data are abundant they are still insufficient. The report of the Panel on Research on Criminal Career (Blumstein et al., 1986) eloquently supports these observations. Furthermore, as we shall see, there is no significant consensus on the operational definition of most of the concepts used by theoreticians and researchers. Besides, although theories on the correlates and causes of delinquency abound, none has appeared that takes into account the development of offending and its internal

dynamics. What is more, developmental models capable of integrating existing concepts are rare and simplistic. For example, the model proposed by Blumstein et al. (1986) is constructed with only four concepts: the frequency of the crimes, the age when criminal activity started, the duration, and the age when it stopped. In short, our objective will be to propose a better conceptual and operational elaboration of the dependent variable. This will be done with the aid of the empirical data at our disposal. While making an evaluation of the applicability of existing theories to one or another aspect of criminal activity, at the same time we will be seeking new explanations for one or another of the components of criminal activity. Chapters 3 and 4 will be devoted to this conceptual elaboration and its validation by empirical data. Not only will the concepts be strictly delimited, but a method of articulating the concepts will be proposed and tested so as to construct a model or an integrated theory of criminal activity.

Once we have clarified exactly what will be called delinquency, and once the components of criminal activity have been suitably established, we must avoid one of the stumbling blocks that has hampered many studies over the past 50 years. It is the fact that almost all studies describe the accomplishment of the crime, the offending, or the behavioral patterns using only one sample or a single method of ascertaining the degree of an individual's delinquency. Throughout this book, however, and particularly in Chapters 3 and 4, we will use a comparative approach: We shall compare hidden delinquency with official delinquency as well as a representative sample of the adolescent population with a sample of youngsters declared juvenile delinquents by the court.

Studies on criminal activity usually focus on official delinquency—arrests or convictions. We also study these aspects, but we add data on hidden delinquency obtained by means of three interviews set up at intervals between the beginning of adolescence and the beginning of adulthood. A comparative approach is necessary because, on many questions relating to the nature of the offending (frequency, escalation, specialization, etc.), the conclusions of different studies do not agree, especially those that include hidden delinquency and those that use only official delinquency. Those that compare the data obtained on the two types of measurements of delinquency are rare and deal only with some limited aspects, notably the validity of the reports of hidden delinquency (see the works of West & Farrington, 1977). Not wishing to state prematurely that one is superior to the other, we thought it would be interesting to systematically compare the two (which we have done in Chaps. 3 and 4) to determine the points of convergence and of divergence and to explain them.

The second comparison proposed throughout the same chapters is between a representative sample of the adolescent population and a sample of wards of the juvenile court. It has two complementary objectives: to verify the general scope of the conclusions derived and to further the comprehension of the mechanics of criminal activity. The sample of adolescents, because it is representative of a generation born around 1960, makes it possible to control whether the interpretations extend to the entire adolescent population. This type of inquiry, which uses a questionnaire and involves a large number of subjects, does not offer very

detailed information about criminal activity. What is more, since delinquency is occasional and of no great seriousness, discovering the dynamics of the delinquency is difficult. The sample of wards of the court offers greater scope: The rates of prevalence and intensity are high for most types of infraction no matter what the age, and the interview can be used to obtain detailed information about the accomplishment of crimes over long periods. In short, it might be said that the adolescent sample offers a naked eye view, whereas the juvenile delinquents sample offers a magnified view, like that of a microscope. In this sense, as Cernkovich, Giordano, and Pugh (1985) noted, and with reason, samples of convicted juvenile delinquents are essential for the advancement of criminological knowledge. They make it possible to include chronic delinquents who are virtually absent from the studies on hidden delinquency that are based on representative samples of adolescents.

Finally, it is evident that, when in addition to using a comparative approach we use a longitudinal approach systematically to follow the whole evolution of criminal activity over time, we adopt a perspective that has been little exploited in criminology, as shown by the reviews reported by Farrington (1979) and by Mednick and Baert (1981). The recent work of Farrington et al. (1986c) also points to the lack of longitudinal studies, especially those that include several direct contacts with the subjects and use data from various sources. Consequently, we have compiled a list of all the crimes committed by boys recruited from among ordinary adolescents and delinquents, from the moment the crimes become apparent during puberty to the end of the 20s.

In criminology, a caustic debate is going on between the supporters of longitudinal surveys and the upholders of cross-sectional surveys. The advocates are Blumstein et al. (1986) and Farrington et al. (1986c), while the prosecutors are Hirschi and Gottfredson (1986, see also Gottfredson and Hirschi 1987a). The advocates of longitudinal research emphasize the numerous uses and advantages of designs with repeated measures on the same people. The prosecutors vigorously question the usefulness of such surveys. The argument of the prosecutors is that longitudinal research is not required for the study of crime. The demonstration of this argument is fivefold: There is an age invariance in crime (Hirschi & Gottfredson, 1983); the concept of criminal career is inconsistent with evidence (Gottfredson & Hirschi, 1986); and in their most recent article (1987a), Gottfredson and Hirschi document three new arguments—the features of the longitudinal design are not superior to the properties of the cross-sectional design, its superiority to measure the effects of intervention could be challenged, and a comparison of empirical results obtained from the two types of studies shows that longitudinal surveys have produced no really new knowledge concerning the causes and correlates of crime. While the first four demonstrations have been subject to much controversy, the last one, that the results of longitudinal surveys have been confirmatory rather than heuristic, is devastating. The prosecutors present numerous examples, and they are sound ones. They show that for standard causal variables such as sex, race, age, family variables, and peer group influences, the two sets of surveys produce facts that are confirmed one by the

other. A reading of Farrington et al. (1986c) and of Blumstein et al. (1986) literature reviews does not demonstrate clearly that longitudinal surveys propose new outstanding results concerning the correlates of crimes.

Our position is that the debate over the usefulness of longitudinal surveys versus cross-sectional surveys will prove as sterile as has the qualitative/quantitative methods debate that was so prominent during the 1970s in the social sciences. We will argue throughout this book that cross-sectional surveys are sufficient to study the distribution and the correlates of crime, but that only longitudinal surveys can potentially help us to sequence events, crimes, and causal factors because each person acts as his own control. Even if we accept Gottfredson and Hirschi's conclusion that longitudinal research does not habitually address the question of sequence of events, we think that there are more urgent tasks for criminologists than debating research designs. It is particularly important to elaborate the notion of criminal activity and open ourselves to the concepts and methods of developmental psychology before we can come to any conclusions about the usefulness of specific research designs.

Acknowledgments. We wish to make note, in the present work, of results obtained in two research programs that began in the early 1970s and were carried out by teams of the Research Group on Juvenile Maladjustment of the University of Montreal. The two research programs had the same objective—to explain how delinquency develops—and the same method—longitudinal observation of subjects.

The first program, under the title "Diagnosis and prognosis of serious delinquency," followed the evolution of 470 wards of the Juvenile Court of Montreal throughout their adolescence, essentially by means of a sequence of interviews to measure their criminal activity, their social life, and their personality. The second program, "Structure and dynamics of delinquent behavior," measured the same aspects on a sample of 3,070 adolescents of both sexes living on the Island of Montreal.

This research would not have been possible without the help of the youngsters, who agreed to participate, and of the parents, professors, school authorities, and various practitioners from the social services and courts for minors. We thank them for their valuable assistance.

We also owe a great deal to the numerous collaborators who participated in this collective work and made it possible, whether our colleagues, Louise Langelier-Biron, Maurice Cusson, Daniel Élie, Jocelyne Forget, and Pierre-Marie Lagier, or the various research assistants who were responsible for the data collection and analysis. They are Jacqueline Bayreuther, Hélène Beaumont, Liane Bédard, Normand Bélanger, Lizette Bélisle, Diane Bourgouin, Aaron Caplan, Roger Charland, Claude-Nil Claveau, Gilles Côté, Renée Dedeker, Lorraine Drapeau, Marie-Claire Fabien, Françoise Frénette-Deschene, Marie Gagnon, Rosette Gagnon, André Groleau, André Lapierre, Jacques Lapierre, Marie-Josée Lavigne, Suzanne Légare-Boisclair, Diane Maisonneuve, Bruno Marceau,

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An empirical and theoretical work such as this one could not have been undertaken without the direct or indirect intellectual stimulation of some eminent criminologists, such as Alfred Blumstein, Travis Hirschi, David Farrington, Rolf Loeber, Jean Pinatel, Albert Reiss, Denis Szabo, and Marvin Wolfgang. Some of them have inspired our work, while others have extensively commented on or discussed this manuscript. We would like to thank them for their support.

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Montreal, Quebec

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1

From Delinquency to Criminal Activity

Is it possible to define delinquency, not only clearly and exactly but also in such a way that the term has an identical meaning for everyone? Is it possible, by this single word, to express the multitude of diverse acts that even the most superficial observation shows must be included?

Semantics tells us that the word comes from the Latin *delinquere*, "to make a mistake." The generic meaning of committing an offense has been specific since the 14th century; it refers to the activity of any person who evades the law, that is, in the etymological sense, who neglect the observance of what the criminal code calls a crime.

Current usage, whether in judicial practice or in the social sciences, is a source of confusion. In some circles the term is used to refer to crimes committed by both adults and juveniles. In other circles the term is reserved for the deviance of minors only, "minors" being identified in most legislation throughout the world as persons under 18 years of age.

The objective of this chapter is to review current definitions of delinquency and to elaborate operationally the notion of criminal activity. We will then present the data on which our analyses are based.

Definitions of Delinquency

Since a major task of this book will be to compare hidden and official delinquency, we thought it essential to review the evolution of the legal and scientific definitions of delinquency. Knowledge about changes in the legal definitions is helpful in understanding the significance of our results. We also felt it necessary to discuss the multiplicity of scientific constructs that refer to delinquency, in order to propose a new set of measures. As we will show, there is no adequate consensus on concepts, constructs, and measures.

A More and More Specific Legal Idea

Analysis of the concept of delinquency shows the importance of the law as the criterion for its definition. Obviously it is the legislator who determines what

constitutes delinquency by deciding what acts are prohibited and their commission considered punishable and by stipulating the circumstances whereby the status of delinquent can be attributed to a given individual. It is also clear that such decisions and dictates are subject to the values, norms, and usages of the particular society. Every definition of delinquency, then, must necessarily be relative in time and space, as pointed out by a number of authors (see Cusson, 1983), even though striking constants emerge, constants that are obviously cross-cultural and historical.

A RECENT IDEA

Delinquency has only recently been of interest to the legislator. It wasn't until the end of the 19th century and the beginning of the 20th that the term acquired its specifically legal status, thanks to special legislation. Thus, even though delinquency has had a specific meaning since the 14th century, not until 5 centuries later did Western societies officially recognize the status of *minor* and enact special laws. In Canada, where we gathered our data, codification of the Criminal Code took place in 1892 and the Juvenile Delinquents Act was adopted in 1908.

It was also at the end of the last century, with what was called the "discovery" of childhood in society (Aries, 1962) and with the development of a new understanding of this idea (Empey, 1978), that the type of behavior adults should adopt toward children was codified. The official rights of children were declared, along with the concept of delinquency and the delinquent.

A number of U.S. states then decided to set up reformatories for young criminals and industrial schools for neglected children. This made necessary the creation of juvenile courts. Illinois had the distinction of being the first state to create such courts, in 1899. Platt (1969) recorded the history of what was an important innovation at the time. In practice, this court became a sort of "superguardian" with specific powers of restraint over both parent and minor.

In Canada, the same evolution took place (Corrado, Trépanier, & LeBlanc, 1983). As in the United States, the spirit motivating the changes was a humanitarian concern for abandoned, neglected, or delinquent children, a desire to "save" the children not only from the harmful effects of poverty, misery, cultural deprivation, and other bad influences, but also from the brutality of the adult criminal justice system. Furthermore, since ties with England were closer than they are now (Canada being part of the British Empire at the time), the influence of the doctrine of *parens patriae* was felt in Canada all the more strongly (Farrington, 1979).

DEVELOPMENT OF THE CONCEPT IN CANADA

The Canadian Juvenile Delinquents Act of 1908 was preceded in the latter half of the 19th century by a number of changes in criminal procedures (Gagnon, 1978). The first legislation calling for the application of different criminal procedures for youngsters under age 16 was passed in 1857; it called for speedy trials and

punishments of young delinquents. However, until the Criminal Code was adopted in 1892, only small changes were made in the trial and sentencing of young people.

The 1892 Criminal Code included a first codification of the criteria and measures to be applied in the case of minors: (a) The age of criminal responsibility was set at 7 years, (b) children over age 7 and under age 14 could not be held criminally responsible unless they understood the nature and consequences of their acts, (c) special procedures were instituted for the trial of persons under age 16, and (d) the provisions of previous laws on sentences were maintained, such as use of the reform school in place of the penitentiary. In 1894, more rules for minors were passed, including the obligation to hold separate trials for juvenile delinquents and to not imprison them in adult institutions. These changes prepared the way for the establishment of separate courts for juvenile delinquents in 1908. Other new measures for minors included placing them in the care of an officer of the Children's Aid Society, finding them an accredited foster home, suspending sentence for an indefinite period, sentencing them to a minimal fine, and sending them to a reform or industrial school.

After the gradual institution of these many changes, the Juvenile Delinquents Act of 1908 did not appear very revolutionary. Rather it crystallized a renewed concept of delinquency and its treatment which made possible implementation of measures throughout Canada that had applied only in Ontario or Quebec. Let us look at the contents of this legislation, which remained in force to 1984.

The Act of 1908 marked a major turning point in the history of the Canadian judicial system. It instituted a court exclusively for juvenile delinquents; it delimited the range of delinquency; it specified the objectives to be achieved; it called for specialists to advise, enlighten, and support the court; and it determined procedures (referral to the adult court, notification of parents, etc.). This new justice system was based on a totally different philosophy of justice from that of the past and on a new view of delinquency, as pledged in the preamble. Delinquents were represented as products of their environment and as persons in need of help more than punishment. The state was a good parent who had to treat the delinquent youngster with justice, not like a criminal but like a child who, being on a downward path, needed counseling, encouragement, help, and support. To accomplish this, the state had to give a great deal of discretionary power to the persons in authority.

The definition of the delinquent advanced in this act merits special note, not so much because of its official content (it is, in fact, very simple and concrete), but because of its intention, since its object was to make the young offender a fully recognized subject of law. Delinquent here meant:

... a child (under 18 years of age in Quebec or 16 or 17 in other provinces) who commits an infraction of any of the provisions of the Criminal Code, or of a federal or provincial statute, or a regulation or ordinance of a municipality or who is guilty of sexual immorality or any similar form of vice, or who commits any other infraction ...

This definition, however, has the disadvantage of being rather elastic. It covers minor marginal behavior as well as serious criminal acts. The conduct described ranges from activities that adults consider improper for a minor (sexual promiscuity, use of alcohol) to the most serious crimes defined by the Criminal Code, from behavior prohibited by various laws and regulations (such as the municipal regulations on curfews) to those especially provided for juveniles (e.g., school attendance) or those passed in provincial legislations (against neglect, abandonment, situations of moral or physical danger, etc.) in which the child is a victim.

In this definition, delinquency emerges as an all-inclusive idea since, when all is said and done, a delinquent can be any young person who needs protection or who has contravened a law. This Canadian definition of delinquency, by the way, was not very different from the definitions adopted by most of the U.S. states and the Western countries during the same period or in the following 10 years or so (Corrado et al., 1983).

Contrary to this first legislation, the recent federal Young Offenders Act (1982), which came into effect in 1984, limits the concept of delinquency. A youngster who commits an infraction of the Criminal Code or of another federal law or regulation is called a "young offender," but this is not the case for one who is guilty of a departure from provincial or municipal laws. The very general concept of delinquency used by the previous Juvenile Delinquents Act, which included crimes committed by youngsters, situations in danger of leading to delinquency, serious disorderly conduct, and circumstances endangering the safety or development of the young person, is abolished. In addition, minors can no longer be prosecuted for acts considered legitimate on the part of adults or for acts for which the persons in charge of their education are responsible.

This tightening of the definition of delinquency was accompanied by a stricter distinction between childhood and adolescence. The Young Offenders Act applies only to minors from age 12 to 18, the age bracket corresponding to the beginning and end of adolescence. According to Zimring (1982), this position fits in perfectly with the evolution of juridic concepts as well as psychosocial theories. These concepts and theories led scientists first, and then practitioners and legislators, to differentiate clearly between childhood and adolescence, so that legally the second is seen as a phase of semiautonomy in which, despite the fact that the laws are identical with those for children, the obligations and responsibilities are much more demanding.

It is clear, then, that in Canada as well as throughout most contemporary societies, legislative developments have been determined by a considerable effort toward the conceptual specification and operational limitation of the idea of delinquency itself. Two types of infraction are finally differentiated. The first, infractions of the Criminal Code, seems to be more significant and constitutes official delinquency (referred to in this book, a little redundantly, as "criminal delinquency"); the second concerns infractions of the laws and regulations governing particular aspects of social life, such as driving a car, alco-

hol consumption, public order, and so on (these come under the title “statutory delinquency”).

A Controversial Scientific Concept

For a scientific approach, it is not sufficient to define delinquency as the violation of a law by a minor. Too many questions are left unanswered. For example, violation of what laws constitutes delinquency? What must be the nature or seriousness of the infraction? Is the perpetration of the crime a behavior problem or a way of life? What distinguishes delinquency from other manifestations of opposition to the law? These many questions have been fiercely debated in scientific circles, whether in criminology, sociology, political science, or psychology.

DEVIANCE VERSUS DELINQUENCY

In sociology a distinction was made very early between deviance and delinquency. Most manuals on juvenile delinquency, whether early or recent (Cavan, 1962, 1969; Cusson, 1983; Empey, 1978; Gibbons, 1975; Reed & Baali, 1972; Robinson, 1936; G.W. West, 1984) have been unable to escape the debate over the legal versus the social definition of delinquency.

Partisans of the social definition say delinquency must be defined as (a) violation of current norms of conduct (Sellin, 1938), (b) conduct that is in conflict or at variance with the priorities of the community (Robinson, 1960), or (c) behavior that is totally contrary to normal social usage (Cavan, 1969). Delinquency and deviance thus become equivalent. The definition found in most manuals on general sociology (Rocher, 1968) likens delinquency to a violation of institutionalized norms that are shared and recognized as legitimate within the social system (A.K. Cohen, 1955).

To advocate such a perspective complicates the scientific approach enormously, since criminology has the ambitious mandate of studying and explaining all behavior that is socially inappropriate. This mission makes the basic problem of operationalization almost insoluble, since it requires choosing an object of study that can be sufficiently specific and minimally homogeneous and that can be explained by a limited set of factors. Furthermore, to equate delinquency with deviance accentuates the degree of imprecision—the fluidity, so to speak—of the phenomenon under study. As Walker (1977) explained, this is because there is more chance for the norms of conduct of a group to be relative and contingent than for the criminal laws or official regulations. A final difficulty is the lack of practicality of a nonlegal definition of delinquency, since a researcher's data will then be in danger of not accurately reflecting the current practices of the system of justice for minors.

The other choice is the strictly legal definition of delinquency, based on written laws and regulations sanctioned by the government. These regulations and