**Background Information**

Delinquency is minor crime especially committed by young people. The theories of delinquency aim to explain the causes of juvenile crime, most of them trying to explain why delinquency is concentrated on people from the lower class. The three major sociological traditions that contribute to this explanation are structural functionalism, symbolic interactionism, and conflict theory. Structural functionalism explains delinquency as a result breakdown in the social processes that control conformity. Symbolic interactionism explain delinquent behavior as caused by social meanings and definitions rather than values. conflict theories, on the other hand, concentrate on the role of power relations and economic contradictions in the development of delinquent behavior. This paper will discuss the differential opportunity theory and the subcultural theory by comparing the similarities and contrasting the differences in these two theories which fall under the structural functionalism theory.

The subcultural theory developed by Albert Cohen in 1955 is a combination of several of his theories and states that juveniles who do not fit in may seek validation from a subculture formed by other juveniles who do not meet the conventional social status. Cohen (1955) suggests that children of the underclass experience failure to achieve in school when compared to the middle- class children, growing a sense of frustration that make them to seek validation in subcultural groups. These groups have more lenient values that the children in the underclass can meet. These values are mostly set contrary to the middle class values with the aim of retaliation to the middle class lifestyle that the underclass cannot meet. Cohen describes these values as negative and malicious, an opposite of the middle class community gauged values. The subcultural theory therefore describes delinquent behavior as a result of frustration that comes from failure to meet community and social standards.

Differential opportunity theory was developed by Richard Cloward and Lloyd Ohlin in 1960. They argue that for one to understand the different forms of delinquent behavior, one must consider the different types of illegitimate opportunities available for people who seek a way out of the underclass. They suggest three types of responses, each which lead to its own subculture, including a stable criminal subculture, a conflict subculture and a retreatist subculture. The stable subculture offers a promising but illegitimate opportunity for upward economic movement (Juvenile delinquency, theories of, 2019). The subculture develops when there is coordination between people in legitimate and illegitimate roles in the underworld. The legal power present provides stable patterns that allow for advancement into the delinquent world. In such a place where legal and illegal opportunities are merged create an avenue for crime.

Conflict subculture consists of communities in what Cloward and Ohlin (1960) refer to as a disorganized slum, where the legitimate and illegitimate spheres of life are not connected. These disorganized cultures cause the development of street gangs and violent crimes. The worst gang in this scenario become a mark of prestige and their members are considered to be of a higher standard (Luliana, 2021). The retreatist subculture on the other hand, includes adolescents who fail in both legitimate and illegitimate opportunity structures, a term they referred to double failures. These type of adolescents end up engaged in drug abuse and other forms of law breakage to escape their harsh realities. These juveniles take on activities such as begging, borrowing or stealing to maintain their small habits. Cloward and Ohlin conclude that juveniles are more willing to succeed when given an opportunity rather than join a subculture of delinquency.

**Similarities in The Two Theories**

The subcultural theory and the differential opportunity theory, just like many other theories that attempt to explain the causes of delinquency in juveniles believe in the existence of classes in the social construction of Juveniles (Juvenile delinquency, theories of, 2019). Children belonging to the middle- class social group are able to meet the social expectations and fulfill the expected values. Children in the underclass, on the other hand, are unable to reach the social standards set in the community. These people are the ones that are fond of engaging in juvenile delinquency as they try to find a way out of the underclass. The two theories are therefore similar in their beliefs in the existence of social classes that differentiate the children who conform well to the assumed social values, also known as the middle-class performers and the underclass, also known as the lower class, that have a challenge conforming to the said cultural values.

Cohen’s subcultural theory and the differential opportunity theory by Cloward and Lloyd all begin with the assumption that conventional opportunities to conventional success are unequally distributed among socioeconomic classes (Luliana, 2021). This lack of means causes frustration among the underclass young people, leading to the learning and cultural transmission of delinquent behavior. The theories

The two theories fall under the structural-functional category, which regard delinquent behavior as a result of strains in the social processes that provide a measure for conformity. The theories explain the failure of institutions such as families and school that provide a ground for socialization and conformation to the social norms that people assume should hold. According to these theories, the institutions fail in their aim to create a conformity to the societal values, making juveniles to develop behavior that challenges these values. Delinquency among juveniles is therefore associated with failure to fit in with others due to weakness or inability, forming classes and further subclasses that the children choose to engage with to feel in place.

Both theories include the formation of subcultures which are groups among the underclass people with similar characteristics. These subcultures act as sub-systems containing people with their own values in the society, which are often against the generally acceptable social values (Luliana, 2021). These deviant values in the subcultures lead to the development of crime and delinquent behavior. In many cases, people who children who join the subcultures are looking for people who can relate with them and their situation. Many of these times they feel like social rejects and they come together to try and form a group of people that understand each other, where defiance may easily arise.

**Differences Between the Subcultural Theory and the Differential Opportunity Theory of Delinquency**

The main difference between the differential theory and the subcultural theory is the content of the subcultures. While Cohen (1955) believes that children in the subgroups consider their norms right simply because they are wrong in the dominant world, Cloward and Ohlin consider lower-class delinquents as goal- oriented (Luliana, 2021). The norms and behavior in the subcultures depend on the illegitimate opportunities available to get out of the lower class. Just as opportunities to succeed in the conventional world are unequally distributed, opportunities in the criminal world are unequally distributed. The success of a subcultural group also depends on the type of community in which they develop.

Another difference between these two theories is that the differential opportunity theory discusses factors other than social factors that can cause delinquency in juveniles (Trappen, 2017). Cloward and Ohlin (1960) argues that given more opportunities, juveniles would be more willing to succeed other than join a subculture. The differential opportunity theory discusses delinquency as an option for success given that there are limited opportunities to succeed in the conventional world. The subcultural theory, on the other hand views delinquency as a reaction for not meeting social expectations. According to Cohen, subcultures are formed in protest of the social norms that the people in these groups are unable to achieve.

While differential theory views criminal behavior as learned through interactions and learning of values, the subcultural theory contends that criminal behavior is a representation of the subcultures values and their attitude towards criminal behavior. In differential opportunity theory, children and adolescents are pushed into criminal behavior by the situation they are in. in their search for a better life, these juveniles may involve themselves in company and friendships that may corrupt their behavior and lead them to crime. Such associations contribute to ideas, motivation and techniques which are against the law. In the subcultural theory, juveniles share common values and attitudes specifically against the set values to show spite and defiance. Criminal behavior is therefore a representation of the groups’ beliefs and values contrary to the conventional values.

**Implications of Subcultural Theory on the Treatment of Juvenile Offenders**

Cohen’s theory of delinquency brings to light the fact that offenders, in their view, may not be aware that their actions are criminal offenses. The membership of the subculture may require the individuals to adhere to some norms in defiance of the societal values. This theory suggests that even though some of the children in these subcultures may be involved in delinquent activities, they only do so to conform to the values of the group. Many of the times, crimes are punishable when the offender did wrong intentionally to hurt others or to break the law. In this case, the question is, does the offender participate in the crime with knowledge that whatever he or she is doing is against the law or hurting another individual. The consideration of this theory in making decisions against criminal offenders may raise the question of whether or not the individual should be punished as other or their ignorance should be considered.

 The subcultural theory also describes crime as an act of rebellion. Many times people consider rebellious people as poisonous to the society as they have no regard for the law and other people’s rights. In a situation where the judges or jury making the decision for a case involving a member of a subcultural group are negatively biased towards rebellious people, it may cause them to give excessive punishment to the offender. In many cases, rebellious people are non-remorseful, which may cause the judge to impose heavy punishment. This effect mainly affects male offenders as they are known to be generally ruder and more rebellious than the females.

 The subcultural theory explains delinquent behavior as a result of failure to fit in the society. People in this subgroups are lonely and are only trying to seek validation. This means that their mental status is wanting and they self-esteem is low as they try to get attention from the people around them and develop a sense of belonging. Incorporating this theory into the criminal justice system would impact on the way law makers and enhancers treat juvenile offenders who are members of such subcultures. Such a system would incorporate mental health education to such children to help them learn that failure in one part of life does not mean that they are useless. Such system would provide programs to help increase the individual’s self-esteem and help them discover what they are good at and what can help them advance better in life.

 Finally, a system that considers the subcultural theory in the treatment of juvenile offenders would help reduce the number of African American children and young men in juvenile prisons. In most cases especially in the USA, blacks and other minorities are faced with the marginalization which causes them to miss on opportunities that are readily available for their white counterparts. Understanding the cause of increased crime in areas with high populations of these individuals would help create a system that solves the problem of juvenile crime by creating opportunities that suit these young people according to their abilities. Giving the subgroup members a sense of purpose and showing them that their failures are not a definition of their whole lives would help reduce the number of offenders and repeat offenders who feel that participating in criminal behavior is their sense of purpose.

**Implications of differential opportunity theory on the treatment of juvenile offenders**

In differential opportunity theory, children engage in delinquent behavior as they try to seek a way out of the underclass. Understanding and applying this theory means that law enforcers should realize that the only reason why these juveniles engage in crime is to try and find a way out of their current situations. Instead of punishing these offenders, they should look to give the equal opportunities as the children in the middle class. The theory insists that given the opportunity, such young people would choose to work rather than engage in crime. Creating opportunities for these young people would not only help change those already involved in crime, but would also prevent others from joining crime as they would be busy working on the given opportunities.

The theory identifies three responses as children try to get out of the underclass. The first identifies the combination of legitimate and illegitimate opportunities. The best way to deal with young people caught in crime through such a response is by increasing the number of legitimate opportunities available for the juvenile. In such a situation, there is a legitimate power helping with the crime, hence it is not only important to consider the offender but also those encouraging breaking the law. In the second scenario, a juvenile engages in crime due to the formation of conflict subcultures. These people engage in violent gang activity to help them get off their underclass. Providing these subcultural members opportunity other than this type of crime would help reduce the rate of crime and reduce recruitment of other children into the subcultures. The final response is the double failure. When a person in this stage is caught in crime, it is important for the law enforcers to know that the most likely reason for crime is to get the substances they use to make them forget their failures. Considering this theory when addressing such offenders would include taking them for rehabilitation and activities that help improve their self-esteem. Also helping them discover what they are good at would help reduce crime by creating tailor-made opportunities for them. Using this theory would help reduce levels of discrimination against minorities and lead to increased opportunities by identifying each person’s strengths and weaknesses. Juvenile offenders would be treated with understanding as the law makers try to find solutions to the unfair distribution of opportunities which causes the young people to engage in crime.

The differential opportunity theory would help incorporate a system in the law making and implementation that helps solve crime from the source instead of punishing the offenders blindly. These creative solutions help to not only reduce the rate of crime but prevent the future occurrence of such crimes.

**References**

Cloward, R., & Ohlin, L. (1960). Delinquency and opportunity: A theory of delinquent gangs.

Cohen, A. (1955). Delinquent boys: The culture of the gang. Free Press.

Juvenile delinquency, theories of. (2019). Encyclopedia.com | Free Online Encyclopedia. <https://www.encyclopedia.com/social-sciences/encyclopedias-almanacs-transcripts-and-maps/juvenile-delinquency-theories>

Luliana, A. (2021). SUBCULTURAL THEORIES OF DELINQUENCY AND CRIME. Journal of Law and Administrative Sciences.

Trappen, S. (2017, September 13). Theories of delinquency. <https://sandratrappen.com/2018/12/30/theories-of-delinquency/>