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# CRIME PREVENTION REVIEW

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The CRIME PREVENTION REVIEW is a professional forum for the Criminal Justice System in California designed to provide discussion of varied concepts and issues of crime prevention and useful resources for the practitioner in the field.

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## Social Scientists' Contribution To The Demise Of Delinquency Rehabilitation

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### Introduction

On November 2, 1978 in the evening at prime time, after an intensive advertising campaign on the radio, newspapers and T.V., a television program called *Scared Straight* was seen by approximately one million people in the Los Angeles area. The program, a documentary which has since received an academy award, was filmed at the Rahway State Prison in New Jersey and was designed to frighten hardcore juvenile offenders by exposing these young men and women, black and white, to three hours with lifers inside the prison. The exposure to the inmates was, according to the warden of the prison, handled exclusively by the inmates, and indeed the convicts went to some length to inform the juveniles that there would be no psychologists, social workers or probation officers appearing during their visit to prison.

The inmates, black and white, in language raw and natural, yelled, harassed, intimidated and challenged the juveniles. The inmates took turns in facing the juveniles while talking about themselves and demanded full and rapt attention. While detailing aspects of their lives, the inmates harassed the juveniles by mocking their fears, their smiles and their disbeliefs. The juveniles were also threatened directly with physical and sexual assault.

Mr. Peter Falk, our national working class detective, stressed the value of this approach by focusing on the low costs of the program (the inmates were not paid), the brevity of the experience for the juveniles (three hours), and

the success rate of the program. After six months only one of the seventeen juveniles shown in the documentary had gotten into difficulty with the law. This seems remarkable in light of the fact that these juveniles were not status offenders but confirmed hardcore offenders. This "cure" was confirmed by observations of probation officers who said they hadn't seen the juveniles at their old hangouts any more, and by the juveniles who reported that they were frightened by the experience and had gone back to school. The viewing audience's reaction was swift and positive. While some objected to the language, none were upset with the rehabilitation program's tactics.<sup>1</sup> We were upset and angered with the program. Neither the language, nor the paraprofessional's control of the program were the issues for us. What we envisioned after the massive publicity to get similar programs started in states throughout the country was a movement spearheaded by the institutionalization of scare tactics. Dale Hardman, in a recent satire, carries out the logic of fear and threat by suggesting public tortures which could be useful in preventing further delinquency and crime.<sup>2</sup> Most readers would probably find this suggestion repugnant, yet this televised event of a real phenomena is not too far from that satirical suggestion.

What we were angered about was the simplified approach to rehabilitation, its emphasis upon fear and repression as the factors of social control and, by direct implication, its rejection of rehabilitation and treatment. What was emphasized in the program were the physical and sexual abuses that awaited all future juveniles who believed that their futures did not include prison as a viable possibility. The program seemed to be another spike in the rehabilitation coffin. It implied that rehabilitation is dead and that we can now return to the warehousing and punishment orientation of yesteryear.<sup>3</sup>

The movement for the demise of rehabilitation has been supported by both academic research that supposedly refutes the efficacy of treatment, and by liberties groups, like the American Friends Service Committee who argue against the possibility of treatment, as well as by prisoners themselves who have posed legal challenges to the cruel and contradictory systems of treatment.<sup>4</sup> The argument is being made and repeated that social science and correctional efforts, aimed at implementing and evaluating treatment are for naught since treatment is worthless. *Scared Straight* will support this growing belief in the failure of treatment and could become the adopted response to the frustration of increasing crime rates and the direct and indirect costs of crime. Such a disdain for treatment is, perhaps, represented by its omission in the report of the *Task Force on Juvenile Justice and Delinquency Prevention*, done under the L.E.A.A. The report has no single chapter on treatment rehabilitation in its 800 pages and 28 chapters.<sup>5</sup>

Our concern here is not with the external politics of this movement, (the

<sup>1</sup> *Los Angeles Times*, "Scared Straight' Tops Ratings in its Time Slot", television documentary, Part III, p.3, November 4, 1978.

<sup>2</sup> Hardman, D. G., "Notes at an Unfinished Lunch", *Crime and Delinquency*, Vol. 23, No. 4, 1977, Pp. 365-371.

<sup>3</sup> Zimbardo, P. G., "Letter to the Editor", *APA Monitor*, July, 1975, p. 3.

<sup>4</sup> Martinson, R., "What Works—Questions and Answers About Prison Reform", *The Public Interest*, Spring, 1974, p. 25; American Friends Service Committee "Struggle for Justice", *A Report on Crime and Punishment in America*, 1971, New York: Hill & Wang, Inc.

<sup>5</sup> *Report of the Task Force on Juvenile and Delinquency Prevention*, National Advisory Committee on Criminal Justice Standards and Goals, 1976, Washington, D. C.: U. S. Government Printing Office.

legal issues of treatment, the rights of prisoners and the use of hard line rhetoric by politicians), but with the contribution that social scientists have made to the demise of rehabilitation, a demise that we believe is not justified by the evidence and moreover poses a threat to a just society.

There are a number of ways that social scientists have contributed to this demise. We shall develop each of them in some small detail, although each deserves more careful and systematic work.

The person and work of August Aichhorn, one of the founding pioneers of delinquency rehabilitation, will be used to illustrate these points whenever possible, although they have generality beyond the particulars of his case. The ways in which we believe criminologists have contributed to the demise of treatment can be found in the atheoretical base of our work, the neglect of our intellectual history, and the neglect of our relations with sister disciplines. We shall address each of these separately although they obviously overlap.

#### Atheoretical Efforts

The axiom of Kurt Lewin that nothing is as practical as good theory has not been part of the working arsenal of correctional evaluations. There is little to be gained by anyone, when research neglects theory. All social action has conceptual referents, and hence practical knowledge is intimately connected to the testing and discovery of the abstract principles involved in any clinical or social practice effort. The distinction that is often made between basic research and applied research, between knowledge and practice, as exemplified in the research versus teaching dispute, often turns out to be a spurious distinction emphasizing differences that are minimal. These distinctions neglect to examine the mutually enhancing functions that can occur in developing knowledge and studying practice.<sup>6</sup> Many of the classical giants of western thought, like Freud and Marx, older criminologists like Bentham and Beccaria, and more modern theorists of social science like Lewin understood the practical value of generalization based upon clinical practice. The contemporary figure in corrections, Daniel Glaser, stands out as the person who has adamantly attempted to assert and reassert the importance and value of this position in criminology and delinquency research on treatment strategies.<sup>7</sup> But he is a rarity. The survey of Lipton and his co-workers talks more to the way we are. They evaluated 286 programs in order to discover what works.<sup>8</sup> These studies stand as a testimonial to the disbelief of the value of theoretical work in treatment. Neither the works surveyed, nor the authors of the survey, organized the work according to causal theory or abstract conceptions of intervention strategies. We are thus left in the dark about the correctional or treatment principles involved in the successful, the unsuccessful or the mixed programs. In the television

<sup>6</sup> Lundberg, A., "Science in Human Relations", reprinted in *Sociology Students and Society* by Rabow, Jerome, 1972. Pacific Palisades, CA: Goodyear Publishing Co., Inc.; Rabow, J., "Research and Rehabilitation: The Conflict of Scientific and Treatment Roles in Corrections", *Journal of Research in Crime and Delinquency*, Vol. 1, No. 1, 1964; Wilson, E., "Sociology: Scholarly Discipline or Profession?", newsletter, *On Teaching Undergraduate Sociology*, December 1977 and February 1978.

<sup>7</sup> Glaser, D., "Concern with Theory in Correctional Evaluation Research", *Crime and Delinquency*, Vol. 23, No. 2, 1977, Pp. 173-179.

<sup>8</sup> Lipton, D., Martinson, R. and Wilks, J., *The Effectiveness of Correctional Treatment*, 1975. New York: Praeger.

program, *Scared Straight*, despite the fear tactics, there are a number of interesting theoretical and abstract principles and empirical processes that deserve mentioning. Unless these processes are identified, we can tell little about the utility of the Rahway effort. For example, the use of power or force or force threat, as the contemporary sociologist as Goode would have us call it, is operative in all collectives.<sup>9</sup> While important, it is only one of the four major control systems which include prestige, wealth and love. Force and force threat do not alone make for change or respect for justice. Indeed; Goode argues that the system which requires the least physical force would most closely approximate a just system.

It would be a tragic mistake, however, to assume that force and force threat operated exclusively at Rahway. A scene in which the juveniles were told (forced) to remove their shoes was followed by a question which asked them how they felt. All of them said they didn't like it. This was developed by one of the lifers to indicate to the juveniles that that's the way people on the outside felt when items of clothing or material goods were stolen. They were then warned that future thefts might be done to the lifer's family and loved ones. The lifers indicated that they would be real unhappy to learn about that. The program thus encouraged the juveniles to put themselves into the role of the other and they were therefore encouraged to develop empathy. None of them had demonstrated this ability in the interviews prior to the prison encounter when asked about the impact of their robbing and muggings upon others. Through a process of identification with the inmate or his situation, the juvenile was encouraged to imagine his future life as one that would involve the loss of freedoms, continued violence and constant sexual assaults. Education was stressed by the lifers as a way they might avoid coming into the prison. This implies an emphasis upon legitimate opportunity structures. The media and the public seemed, however, to be obsessed with the fear and threat factor.

As indicated, empathy for others, anticipation of consequences and legitimate opportunity structures also seem to be operating in concert with force. Unless each of these processes is considered, we will have no basis for knowing why we should or should not implement such a program. Each of the factors that I selected as important in *Scared Straight* was recognized by August Aichhorn. Yet Aichhorn is regarded as a psychoanalyst and, like most psychoanalysts, his ideas are often considered by sociologists and criminologists as unverifiable and hence non-researchable.<sup>10</sup> Aichhorn's notions while theoretically complex were, nevertheless, operational. He utilized concepts of force, empathy and love, and educational opportunity in his work and practice with juvenile offenders. For Aichhorn, force and force threat were most effective when not directly communicated, but were to be understood by the juveniles. His idea was that discipline and harshness reinforce the aggressiveness of the delinquent. Sureness and certainty need to be communicated rather than hostility and fear:

<sup>9</sup> Goode, W. J., "The Place of Force in Human Society", in *Social Problems and Public Policy: Deviance and Liberty* by Rainwater, Lee, Ed., 1974. Chicago: Aldine Publishing Co.  
<sup>10</sup> Gibbons, D. C., *Delinquent Behavior*, 2nd edition, 1976. Prentice Hall, Publishers.

In spite of all the friendliness and love the delinquent obtains for his analyst, he must know that the analyst can act in an entirely different way if he wants to and that he has enough aggressiveness, vigor and even combativeness to subdue the delinquent at any time. This double approach is one of the most difficult, dynamic skills to achieve since the one aspect must always remain un verbalized, latent, potential, but active enough to reach the delinquent's unconscious, while the other is consistently and continuously acted out; yet both are necessary, presuppose each other and either alone is ineffectual.<sup>11</sup>

These sound very much like force and force threat and love.

The notions of empathy and love were very much a part of Aichhorn's understanding and strategy. He called this the establishment of the positive transference and was able to modify the classical conceptions of transference and develop parameters that facilitated his work with delinquents. To establish love or transference, the crux of change, Aichhorn argued that there are no hard and fast rules for establishing the transference. If the child is in an institution there is no hurry to establish the transference, for the juvenile receives preparation for the transference from the other children in the institution.<sup>12</sup> The worker must sense the ambivalence and distrust on the part of the child.<sup>13</sup> Education, for Aichhorn, is a way to put the child in contact with reality. But he was sophisticated about the similarities, the different types of delinquents and individual variations that needed to be attended to in working to place the child in contact with reality. "One thing they all have in common; they do not tell the truth."<sup>14</sup> The worker should not call attention to the transparency of the child's lies. The issue of types of delinquents has received much attention in contemporary work but none of this has built on Aichhorn's appreciation of types.

It is not only the distant past that our correctional social scientists have repressed, but successful work in the past decade has also been ignored. Palmer and Halleck's excellent criticisms of Martinson, Shawvers and Sanders' careful examination of popular but false premises in corrections (including the idea that treatment doesn't work), and Glaser's critique of conservative thinking reinforced by Nagel's conclusion about the non-utility of hard line repressive measures should all become benchmarks for both generalizations and policy regarding treatment plans and policy.<sup>15</sup> With such little knowledge, we easily contribute to both the mystification of deviance and possibility of being co-opted from our basic theoretical mission.<sup>16</sup> Both of these seem to occur when we fail to keep in mind the theoretical goals of social science and the importance of developing knowledge based upon practice. Co-optation and mystification will continue when

<sup>11</sup> Aichhorn, A., *Wayward Youth*, 2nd edition, 1931, p.20. New York: Viking Press.

<sup>12</sup> McCorkle, L. W.; Elias, A. and Bixby, F., *The Highfields Story: An Experimental Treatment Project for Youthful Offenders*, 1958. New York: Henry Holt & Company; Weeks, A. H., *Youthful Offenders at Highfields: An Evaluation of the Effects of the Short-Term Treatment of Delinquent Boys*, 1958. Ann Arbor, MI: University of Michigan Press; Empey, L. T. and Rabow, J., *The Provo Experiment: Evaluating Community Control of Delinquency*, 1972. Lexington Books.

<sup>13</sup> Aichhorn, *Op Cit*, p. 52.

<sup>14</sup> Aichhorn, *Op Cit*, p. 124.

<sup>15</sup> Palmer, T., "Martinson Revisited", *Journal of Research in Crime and Delinquency*, July, 1975, p. 142; Halleck, S. L. and Witte, A. D., "Is Rehabilitation Dead?", *Crime and Delinquency*, Vol. 23, No. 4, 1977, Pp. 372-382; Shawver, L. and Sanders, B., "A Look at Four Critical Premises in Correctional Views", *Crime and Delinquency*, Vol. 23, No. 4, 1977, Pp. 427-434; Glaser, D., "The Counterproductivity of Conservative Thinking About Crime", *Criminology*, Vol. 16, No. 2, 1978, Pp. 209-224; Nagel, G., "On Behalf of a Moratorium on Prison Construction", *Crime and Delinquency*, Vol. 23, No. 2, 1977.

<sup>16</sup> Hills, S. L., "The Mystification of Social Deviance", *Crime and Delinquency*, Vol. 23, No. 4, 1977, Pp. 417-426; Cressley, D. R., "Criminology Theory, Social Science, and the Repression of Crime", *Criminology*, Vol. 16, No. 2, August 1978, Pp. 171-191.

we don't ask ourselves what we need to know to advance theoretical knowledge and when we fail to remember what was successful.

### Forgetting the Past

In a recent critique of modern and neo-Freudian therapies, and modern society, Russell Jacoby notes that problems and ideas once examined mostly fall out of sight and mind to later resurface as new and novel. Arguing that the repressed and denied past rumbles in the present with little appreciation by the modern therapies, Jacoby argues that social amnesia is this era's response to the past. The past is antiquated and the present is best.<sup>17</sup> Much like the contemporary *est* graduates who glibly assert "then was then and now is now", we in corrections also want to forget or deny our past, but have gone further by having forgotten what we forgot. Which is repression.

This paper started out as an analysis of August Aichhorn, for we wanted to assess his contribution to rehabilitation and treatment, and work out the interdependence of psychoanalysis and sociology with application to treatment of delinquents. In rereading Aichhorn's works and going over details of his life, we soon discovered that this man is ignored in contemporary works of rehabilitation. We picked five major and general works in delinquency off the shelf and found that only one mentions Aichhorn's writings in the bibliography.<sup>18</sup> A recent volume celebrating the achievements and sophisticated status of delinquency theory notes the efforts and scholarship of Thrasher, Shaw, McKay and Healy who were, the author asserts, all peripheral to delinquency development.<sup>19</sup> Aichhorn is not mentioned as contributing to either psychoanalytic or sociological theory in delinquency.

Has Aichhorn been rejected because he was a psychoanalyst? If so, this is a distortion, for Aichhorn was first and foremost an educator and clinician. He came to psychoanalysis after establishing a name and reputation as an educator and clinician. Psychoanalysis offered Aichhorn a theoretical base from which he could explain, substantiate and modify his earlier work with delinquents. His training in psychoanalysis was useful to him in working with delinquent boys, but he considerably modified the parameters of classical analysis by considering the type of delinquent, the special situation of adolescence, and the nature of familial relationships. Aichhorn's sensitivity to types of delinquents ("every type of delinquency deserves a special type of treatment") to the theoretical issues involved in causation, and to the demands of practice make him worthwhile for students of theory who wish to understand the complications of treatment strategies or intervention.<sup>20</sup>

Doubtless you expect me to tell you the plan that I made for clearing up all this dissocial behavior. But I confess that I am unable to do this nor am I certain if it would be possible. It has been my practice for years to utilize favorable situations or, if none exist, to create them; intuition and deliberation serve me alternately, depending on the case.<sup>21</sup>

<sup>17</sup> Jacoby, R., "Social Amnesia: A Critique of Contemporary Psychology from Adler to Laing", 1975. Boston: Beacon Press.

<sup>18</sup> Empey, L. T., *American Delinquency: Its Meaning and Construction*, 1978. Homewood, IL: Dorsey Press.

<sup>19</sup> Ferdinand, T. N., ed., "Introduction", *Juvenile Delinquency: Little Brother Grows Up*, Sage Research Progress Series in Criminology, II, Beverly Hills, CA: Sage Publications.

<sup>20</sup> Aichhorn, *Op Cit*, p. 234.

<sup>21</sup> *Ibid.* p. 85.

This clinician and theoretician is thus not a source of influence in current rehabilitation thinking in spite of his writings which are easily available today. Perhaps we are all too eager to believe Gibbons that psychoanalysis is neither fashionable nor viable.<sup>22</sup> This criticism ignores the many changes that have been made in psychoanalysis, and such criticisms come from a variety of sources. Since Aichhorn has never strictly subscribed to that philosophy, we can ill afford to ignore the psychoanalytic perspective of delinquent causation and treatment developed by Aichhorn or his students.<sup>23</sup>

### Sister Disciplines

In 1964, I argued that two major dysfunctions in correctional research resulted from the emphasis on pure research, and the failure of researchers to involve themselves with the clinician's strategies and techniques.<sup>24</sup> This emphasis contributed to our failure to develop a scientific penology. In noting the dysfunctions created by the professional canonization of clinicians, I failed to see that such canonization also occurred with sociologists. I neglected to see and appreciate how our scientific education was often done at the discrediting and expense of other valid disciplines.<sup>25</sup> The anti-psychological perspective is still evident in much sociological work on delinquency prevention. Two sociologists, Lundman and Scarpitti, recently pleaded that we broaden the attack on delinquency by including more measures and more perspectives.<sup>26</sup> Such figures as Jeffery and Meier need to be noted here for their efforts to increase our appreciation of the validity of an interdisciplinary perspective.<sup>27</sup> The time has come to not only recognize the simple point that life is simultaneously psychological and sociological, but to appreciate the real dilemmas and problems created by the ignoring of this truth.<sup>28</sup> One of these problems is that a strict disciplinary perspective will address itself to only some variables while ignoring others. Thus we can only discover a limited range of the determinants of behavior. A second problem is that a strict disciplinary perspective only allows for the testing of selected variables and excludes others. Thus only a limited range of explanation is possible. Finally, a strict disciplinary perspective encourages certain methods of inquiry to the exclusion of other methods. Thus, possibilities for discovering new truths or anomalies are limited. While an emphasis upon a disciplinary perspective thus marks off boundaries and sets up separate domains, it does so at the expense of discovering aspects of reality and modifying assumptions about other levels of analysis and disciplines. Aichhorn's work draws attention to a range of the determinants of

<sup>22</sup> Gibbons, *Op Cit*.

<sup>23</sup> Eissler, K. R., ed., *Searchlights on Delinquency: New Psychoanalytic Studies*, 1949. New York: International Universities Press, Inc.; Johnson, A. M., "Juvenile Delinquency" in *American Handbook of Psychiatry*, Silvano Arieti, editor, Vol. 1, 1959. Basic Books, Inc.

<sup>24</sup> Rabow, *Op Cit*.

<sup>25</sup> Rabow, J. and Zucker, L., "Whither Sociology", paper read at PSA meetings, San Diego, CA, 1976.

<sup>26</sup> Lundman, R. J. and Scarpitti, F. R., "Delinquency Prevention: Recommendations for Future Projects", *Crime and Delinquency*, Vol. 24, No. 2, 1978, Pp. 207-220.

<sup>27</sup> Jeffery, C. R., "Criminology as Interdisciplinary Behavioral Science", *Criminology*, Vol. 16, No. 2, 1978, Pp. 149-169; Meier, R. F., "Introduction", *Theory in Criminology: Contemporary Views*, F. Meier, editor, 1977. Beverly Hills, CA: Sage Publications.

<sup>28</sup> Wallerstein, R. S. and Smelser, N. J., "Psychoanalysis and Sociology: Articulations and Applications", *International Journal of Psychoanalysis*, Vol. 50, 1969, p. 693.

behavior that currently are ignored in contemporary work in rehabilitation.<sup>29</sup> An appreciation of his methods would encourage the implementation of treatment modes that are currently considered passé. An appreciation of his work can only enhance our understanding of the reality and complexity of human life and would help us develop a generalized and abstract understanding of genuine treatment principles and achieve the larger goal of human understanding.

<sup>29</sup> Aichhorn, A., *Delinquency and Child Guidance: Selected Papers*, Fleischman, Kramer and Ross, editors, 1964. New York: International Universities Press, Inc.

**END**