**Differential opportunity theory**

Cloward and Ohlin integrated Sutherland’s and Merton’s theories and developed a new theory of criminal behaviour in 1960. Whereas Sutherland talks of illegitimate means and Merton talks of differentials in legitimate means, Cloward and Ohlin talk of differentials in both legitimate and illegitimate means to success-goals.

The important elements of this theory are:

1. An individual occupies a position in both the legitimate and illegitimate opportunity structures,
2. Relative availability of illegitimate opportunities affects the resolution of an individual’s adjustment problems, and
3. Faced with limitations on legitimate avenues of accessibility to goals and unable to revise his aspirations downward, he experiences intense frustration, resulting in exploration of non-conformist alternatives.

Schrag (1972:167) systematically organized Cloward’s theory and gave its four postulates:

1. Middle-class goals, specially economic goals, are widespread,
2. Every organized community provides legitimate opportunities for attaining these goals,
3. Access to legitimate means varies from class to class, and
4. Within given community, illegitimate opportunities may or may not be available.

But Schrag himself has criticized the theory of Cloward and Ohlin based on the above postulates on two counts:

1. The theory fails to explain why a young person who belongs to a lower class does not become involved in the activities of delinquent gangs, and
2. Who will use illegitimate means to achieve the goals? Schrag has answered the second question himself.

He says that three types of persons are susceptible to indulging in deviant behaviour or join delinquent gangs:

1. Those who blame the system for their failures and/or adjustment problems,
2. Those who think, they possess the official criteria but not the pragmatic criteria, and
3. Those who are alienated from conventional norms or a legitimate system.

Cloward and Ohlin have identified three types of delinquent sub-cultures: the criminal, the conflictory, and the retreatist. The first emphasizes orderly activity oriented to economic gain; the second emphasizes violence and gun-fighting; and the third emphasizes drug use and other ‘kicks’. The first tends to arise in areas where successful and big-time criminals reside and they have a high status in the conventional community and mutually acceptable relations with political machines and law enforcement officials.
This sub-culture does not manifest violence. The second is found in areas where there is no alliance between the criminal and the conventional elements. This subculture features violence and/or threat of violence as a method of getting status. In such neighbourhoods, young people tend to organize themselves in a community of gangs contending with one another for ‘rep’ through the show of violence and toughness.

The third is found in areas where either repressive police measures make street-fighting too dangerous or where moral and other inhibitions against the use of violence exist. Individuals denied access to criminal and conflictive opportunities tend to withdraw into a world of narcotic drugs.

Short, Tennyson and Rivers have supported Cloward and Ohlin’s theory on the basis of their study on the perception of legitimate and illegitimate opportunities pertaining to education and occupation among 500 Negro and white lower-class gang boys and middle-class non-gang boys from the same neighbourhood. Walter Reckless also undertook a project to examine Cloward’s theory.

The important criticisms against Cloward and Ohlin’s theory are:

1. The main contention in the theory that there are two kinds of opportunities—legitimate and illegitimate—is not so, simple as it seems. The distinction, although real, is ‘analytical’ rather than ‘concrete’, that is, there are not some things that are legitimate opportunities and other things that are illegitimate opportunities, but the same things are always both; for example, notes prepared by students on small pieces of paper can be used as unfair means in examinations as well as legitimate simple means for remembering points a day or two before the examinations. Similarly, a gun can be used for killing as well as defending oneself;

2. Cloward and Ohlin maintain that the lower-class youths have two orientations:
   (a) Orientation toward membership in middle-class, called ‘lifestyle’ orientation, and
   (b) Orientation toward economic improvement, called ‘economic’ orientation.

Cloward’s thesis is that candidates for delinquent subculture are those who wish to retain lower-class membership but aspire to improve their economic status (Johnson, 1978: 179). But Gordon says, these two orientations do not exist separately;

3. Cloward has not specified the initial conditions for the emergence of various types of subculture;

4. There is class-bias in this theory;