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LABELING THEORY AND PERSONAL CONSTRUCT THEORY: TOWARD THE MEASUREMENT OF INDIVIDUAL VARIATION*

JOSEPH A. SCIMECCA**

Labeling theory which, in the early 1960s, began to challenge the functionalist version of anomie as the dominant paradigm in criminological theory,¹ has recently come in for a spate of criticism.² Indeed, the criticisms came so rapidly and were so abundant that by 1973 one writer, Peter Manning, could speak of the exhaustion of labeling as a theory.³ While the basic criticisms of labeling theory range from the problem of limited applicability to its overemphasis upon official as opposed to unofficial reactions to deviance,⁴ two major criticisms stand out above the rest. These are that Labeling Theory has not been empirically validated⁵ and that proponents of Labeling Theory have posited a deterministic view of the individual actor in the face of official stigmatization.⁶ Both

of these criticisms, I will argue, can be traced to the Labeling Theorist's failure to incorporate a fully developed psychological conception of the individual into their scheme of analysis. While lip-service is paid to George Herbert Mead's notion of the development of self (which is so well-known to social scientists that I will not dwell upon it here⁷), Labeling Theorists in general still posit an amorphous conception of self which almost precludes viable empirical research.⁸ Only by incorporating a fully developed theory of psychological processes into Labeling Theory can the theory's proponents overcome the criticisms raised against it. The psychological model of human behavior offered here, which I contend can satisfy this need, is Personal Construct Theory as developed by the late clinical psychologist, George Kelly. Such a synthesis of Labeling Theory and Personal Construct Theory will not only go a long way towards answering the major criticisms leveled against Labeling Theory but will provide a multivariable theory of criminal behavior, one which can take both subjective and objective factors into consideration.

The Empirical Validation of Labeling Theory

The basic proposition of Labeling Theory assumes "that societal reaction in the form of labeling or official typing, and consequent stigmatization, leads to an altered identity in the actor, necessitating a reconstitution of self."⁹ However, since Labeling Theorists have concentrated for the most part

* This is a revision of a paper presented to the American Society of Criminology, Toronto, Canada, November, 1975.

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¹ For an analysis of the paradigmatic changes in modern criminological theory, see Scimecca & Lee, *Paradigm Changes in Criminology and the Sociology of Deviance: A Sociology of Knowledge Approach*, in *THE OLD AND THE NEW CRIMINOLOGY*, (E. Flynn ed., publication forthcoming).

² See E. SAGARIN, *DEVIANTS AND DEVIANCE* (1975); Akers, *Problems in the Sociology of Deviance*, 46 *SOC. FORCES* 455 (1968); Gibbs, *Conceptions of Deviant Behavior: The Old and the New*, 9 *PAC. SOC. REV.* 9 (1966); Manning, *Survey Essay on Deviance*, 2 *CONTEMP. SOC.* 123 (1973); Wellford, *Labelling Theory and Criminology: An Assessment*, 22 *SOC. PROB.* 332 (1975). For responses to criticisms of labeling theory, see H. BECKER, *Labeling Theory Reconsidered* in *THE OUTSIDERS* (2d ed. 1973); Goode, *On Behalf of Labelling Theory*, 22 *SOC. PROB.* 570 (1975).

³ Manning, *supra* note 2, at 123.

⁴ For an excellent summary of the criticisms leveled against labeling theory see E. SAGARIN, *supra* note 2, at 121.

⁵ In particular, see E. SAGARIN, *supra* note 2, at 121; Gove, *The Labelling Theory of Mental Illness: A Reply to Scheff*, 40 *AM. SOC. REV.* 242 (1975); Scheff, *Reply to Chauncy and Gove*, 40 *AM. SOC. REV.* 252 (1975); Scheff, *The Labelling Theory of Mental Illness*, 39 *AM. SOC. REV.* 444 (1974); Wellford, *supra* note 2.

⁶ See Scimecca, *The Implications of the Sociology of Knowledge of C. Wright Mills for Modern Criminological*

Theory, 3 *INT'L J. CRIMINOLOGY & PENOLOGY* 145 (1975); J. Quadagno & R. Antonio, *An Extended Model of Labelling Theory: The Case of Mental Illness* (paper presented to the Society for the Study of Social Problems, Montreal, Canada, 1974).

⁷ For a statement of Mead's social-psychology, see G. MEAD, *MIND, SELF AND SOCIETY* (1934).

⁸ For a limited exception, see Rotenberg, *Self-Labeling Theory: Preliminary Findings among Mental Patients*, 15 *BRIT. J. CRIMINOLOGY* 360 (1975).

⁹ Davis, *Labelling Theory in Deviance Research: A Critique and Reconsideration*, 13 *SOC. Q.* 447, 460 (1972) (emphasis in original).

on labelers and those already labeled, there is virtually no substantiation of the assumption that a reconstitution of self occurs when one becomes, to use Lemert's term, a "secondary deviant." Indeed, Lemert himself takes the notion of altered status as given in his definition of what constitutes secondary deviation.

Secondary deviation refers to a special class of socially defined responses which people make to problems created by the societal reaction to their deviance. These problems are essentially normal problems which revolve around stigmatization, punishments, segregation, and social control. Their general effect is to differentiate the symbolic and interactional environment to which the person responds, so that early or adult socialization is categorically affected. They become central facts of existence for those experiencing them, altering psychic structure, producing specialized organization of social roles and self-regarding attitudes. Actions which have these roles and self-attitudes as their referents make up secondary deviance. The secondary deviant, as opposed to his actions, is a person whose life and identity are organized around the facts of deviance.¹⁰

Concepts, such as "self," "self-attitude," "self-concept" are never fully defined, and attempted definitions are usually tautological. For instance, one definition which just about all Labeling Theorists would subscribe to is: "self-concept is a term used to refer to a person's organization of his self-attitudes."¹¹ But how does one organize one's self-attitudes, indeed what are self-attitudes? What we are left with is a dilemma subsequently reflected in the research. For as Gary Jensen points out:

[S]elf-concept variables are sometimes treated as independent and sometimes as dependent variables, with some theorists and researchers focusing on the consequences of deviance for one's self-image, others focusing on the consequences of one's self-image for deviance, and others focusing on both.¹²

The implications are apparent. The definitions of self and self-attitude are so unclear as

to almost preclude viable empirical research. A prime example of how this vagueness of terms affects research can be seen in the works of Walter Reckless and his associates.¹³

Briefly stated, Reckless *et al.* examined the "self-concepts" of teenage boys to see whether variations in their conceptions of themselves accounted for specific patterns of behavior, in this case, delinquency. The initial study by Reckless, Dinitz and Murray, investigated 125 "good" boys as defined by their teachers and substantiated by official records and self-evaluative item questionnaires, and found that the "good" boys had "good" self-conceptions.¹⁴

Subsequent follow-up studies of "good" and "bad" boys showed that self-conceptions were generally predictive of deviant behavior. Specifically, a much greater proportion of boys with "poor" concepts had juvenile court records, than did boys with "good" self-conceptions.¹⁵ While the methodological problems with the Reckless studies are apparent—in particular the failure to use parallel groups as a control—in terms of our concerns, the major weakness is the insufficient definition of "self." Schwartz and Stryker, summarizing this problem in Reckless's work, write:

A critical analysis of the work of Reckless and his associates . . . leads to the conclusion that, while their belief that self and deviance are related in particular ways may be sound, their methods in seeking to validate it are weak indeed. In particular (and this is hardly peculiar to them), they offer no ground rules for differentiating between the subject's self-relevant responses to instruments designed to elicit information from them and their responses which are not self-relevant. Nor do they supply ground rules for differentiating the particular aspects of self that "make a difference" with respect to deviance in general or delinquency in particular.

¹³ See Dinitz, Scarpitti, & Reckless, *Delinquency Vulnerability: A Cross Group and Longitudinal Analysis*, 27 AM. SOC. REV. 515 (1962); Reckless & Dinitz, *Pioneering with Self-Concept as a Vulnerability Factor in Delinquency*, 58 J. CRIM. L.C. & P.S. 515 (1967); Reckless, Dinitz & Kay, *The Self-Component in Potential Delinquency and Potential Non-Delinquency*, 22 AM. SOC. REV. 566 (1957); Reckless, Dinitz & Murray, *Self-Concept as an Insulator Against Delinquency*, 21 AM. SOC. REV. 744 (1956); Scarpitti, Murray, Dinitz & Reckless, *The "Good" Boy in a High Delinquency Area: Four Years Later*, 25 AM. SOC. REV. 555 (1960).

¹⁴ See Reckless, Dinitz & Murray, *supra* note 13.

¹⁵ See Scarpitti, Murray, Dinitz & Reckless, *supra* note 13; Dinitz, Scarpitti & Reckless, *supra* note 13.

¹⁰ E. LEMERT, HUMAN DEVIANCE, SOCIAL PROBLEMS, AND SOCIAL CONTROL 40-41 (1967).

¹¹ Videbeck, *Self-Concept and the Reaction of Others*, 23 SOCIOMETRY 351 (1960).

¹² Jensen, *Delinquency and Adolescent Self-Concept: A Study of the Personal Relevance of Infraction*, 50 SOC. FORCES 84n (1972).

In brief, given the absence of ground rules, anything an actor says or does is "self," and the chances of reaching very precise conclusions by means of a construct of such spacious dimensions are virtually nil.¹⁶

Schwartz and Stryker, themselves, then try to overcome these weaknesses in Reckless's notion of self-concept and posit the following as basic premises for a definition of self:

1. Persons seek to create and maintain stable, coherent identities.
2. They prefer identities with positive affect; in other words, people prefer to think well of themselves.
3. Identities are motivational forces; they are imperatives to behavior which enact or symbolize them.
4. Identities develop in the process of social interaction. Shared expectations of behavior, they emerge from the relationship of person and others with whom he is embedded in networks of social interaction.
5. Concretely, behavior is a function of a role-making process. All behavior, including that which is deviant, involves the interplay of definitions of self and reactions of others; or, to state it in another way, the interplay of claims of identity and the verification or denial.
6. Identities are fixed or stabilized by commitments. The actor's investment in his network of social relationships reinforces the significance to him of the identity on which his network is based.¹⁷

They then use Osgood's and associates'¹⁸ measure of the Semantic Differential, claiming as a theoretical justification an affinity between Osgood's analysis of the development of meaning and Mead's analysis of the development of the self.¹⁹

In brief, the Semantic Differential is an instrument which uses a seven-point, bipolar rating scale. The major difference between the Semantic Differential and other rating devices is that its rating scales are based on an extensive series of factor analytic studies. The Semantic Differential thus offers an opportunity for cross comparisons of the meanings of two different words for one subject, or the meanings of the same words for a number of subjects, by

enabling the investigator to sum ratings in terms of three major dimensions: evaluative, potency and activity. There is a major statistical problem with the Semantic Differential in that whether two particular scales correlate positively or negatively is to a large degree a function of the particular concepts rated on the scales. Serious questions can be raised, therefore, as to whether the findings of orthogonality between major factors, which Osgood used as the basis of his instrument are invalid, since they are based on a matrix of inter-correlations which in themselves, most likely, do not meaningfully reflect the true state of affairs, but are instead a pooling of errors.²⁰ Thus, when Schwartz and Stryker write that, "we do not believe that the gap between our theory and our findings is to be accounted for by the methods we used,"²¹ to justify their inconclusive findings concerning self-conceptions of blacks and delinquency, I would seriously question this interpretation.

There is certainly a gap between their theory and their method because their method does not allow for the fact that individuals are constantly reconstructing their meaning structure—that this meaning structure cannot be adequately measured by a pre-determined framework. As presently constituted the Semantic Differential simply cannot examine the manner in which an individual organizes and creates his/her way of viewing the world and self. Implicit in its use is a view of the individual, not as Mead envisioned him/her—as one who actively engages in a creative dialogue with social reality—but simply as one who reacts to social stimuli. In short, Schwartz and Stryker base their study on a view of the individual as a passive agent, a view they share with the overwhelming majority of Labeling Theorists.

Perhaps the most important empirical test of labeling has been attempted by Mordechai Rotenberg.²² As Rotenberg points out, "Any theory of social labeling which does not provide the conceptual framework for analyzing the properties of self-labeling accompanying the social process is incomplete."²³ Seeking to empirically answer the question of what, from the

¹⁶ M. SCHWARTZ & S. STRYKER, *DEVIANCE, SELVES AND OTHERS* 18 (1970).

¹⁷ *Id.* at 15.

¹⁸ C. OSGOOD, G. SUCI & P. TANNENBAUM, *THE MEASUREMENT OF MEANING* (1957).

¹⁹ M. SCHWARTZ & S. STRYKER, *supra* note 16, at 3.

²⁰ D. BANNISTER & J. MAIR, *THE EVALUATION OF PERSONAL CONSTRUCTS* 127 (1968).

²¹ M. SCHWARTZ & S. STRYKER, *supra* note 16, at 124.

²² Rotenberg, *supra* note 8.

²³ Rotenberg, *Self-Labeling: A Missing Link In the*

actor's perspective, makes a *label* stick,²⁴ Rotenberg offers a conceptual scheme which argues that self-labeling among mental patients varies according to the incorporation of specific beliefs and cultural roots that underlie major Western and Eastern labeling systems.²⁵ Using a sample of forty adult Israeli mental patients diagnosed as schizophrenic, Rotenberg found that those who were of Western origin perceived their label as an *a priori* categorical ascription, one that was innate and irreversible, what he called "indicative labeling."²⁶ New patients of Eastern origin, on the other hand, were more likely to see their label as externally induced, and which could be curable, or changed ("transmutive labeling").²⁷ As time of hospitalization increased, however, the Eastern patients came to accept "indicative labeling."²⁸ Although Rotenberg's work can be used to support a deterministic and passive view of labelers, such an interpretation is a risky one at best, given that the role theory Rotenberg uses leaves out too many unexplained variables which might account for the initial differences in "indicative" and "transmutive" labeling acceptance. More importantly, though, is the fact that Rotenberg, like Schwartz and Stryker, offers a pre-determined framework for analyzing self-labeling. It is no wonder then that his conclusions point, in the end, to an overdetermined conception of the individual.

Labeling Theory's Deterministic View of the Individual Actor in the Face of Official Stigmatization

As stated previously, a number of recent writers have pointed to the implicit determinism of Labeling Theory. In brief, the argument states that Labeling Theory has done a disservice to the work of George Herbert Mead, by conveying a unilateral process which omits human choice.²⁹ This determinism is a direct result of Labeling Theory's overemphasis on successful labeling, its stress on the performance of deviant roles, and its primary focus upon the social audience.³⁰ What seems to have

occurred is that Mead's conflict between indeterminacy and determinacy has been resolved, in practice, by an acceptance, among Labeling Theorists, of determination. As Paul Schervish so aptly phrased it, "Unfortunately for the long-range development of the labeling perspective, the situation that imposed the fewest methodological problems for research were, not surprisingly, the ones in which individuals became formed rather passively into secondary deviants."³¹ The split over methodology that characterized the two major strands of Symbolic Interactionism, Herbert Blumer and the Chicago School as opposed to Manfred Kuhn and the Iowa School, has manifested itself in the notion of self adhered to by Labeling Theorists. Bernard Meltzer and John Petras have summed up quite well these differences:

Blumer and Kuhn ascribe different qualities to the self. Blumer contends that the self is a process of internal conversation, in the course of which the actor can come to view himself in a new way, thereby bringing about changes in himself. . . . As Blumer writes, "The vital dependancy of the attitude on the nature of the ongoing interaction suggests how fallacious it is to use the attitude to construct the scheme of that interaction." Kuhn, on the other hand, describes the self and human interaction as structures. The organized set of self-attitudes serves as a system of pre-established plans of action. And human association takes the form of fairly stable, ready-made patterns of role and counter-role prescriptions. Thus, for him behavior-prescriptions and behavior-predictions tend to coincide.³²

For Labeling Theory, the players are different but the game is the same. Labeling Theorists, for the most part, have chosen the Kuhnian branch of Symbolic Interactionism and thereby opt for a deterministic view of man. This, in part, explains the almost exclusive concentration upon the regulation of the deviant by some group. In Kuhn's perspective, if we know the individual's reference groups, we

"Societal Reaction" *Theory of Deviance*, 22 *SOC. REV.* 335, 339 (1974).

²⁴ Rotenberg, *supra* note 8, at 360.

²⁵ *Id.* at 360-67.

²⁶ *Id.*

²⁷ *Id.* at 365-66.

²⁸ *Id.* at 373.

²⁹ Quadagno & Antonio, *supra* note 6.

³⁰ *Id.*

³¹ Schervish, *The Labeling Perspective: Its Bias and Potential in the Study of Political Deviance*, 8 *AM. SOCIOLOGIST* 47, 48 (1973).

³² Meltzer & Petras, *The Chicago and Iowa Schools of Symbolic Interactionism*, in *SYMBOLIC INTERACTIONISM: A READER IN SOCIAL PSYCHOLOGY* 43, 53 (J. Manis & B. Meltzer eds. 1972) (quoting Blumer, *Psychological Import of the Human Group* in *GROUP-RELATIONS AT THE CROSSROADS* (M. Sherif & M. Wilson eds. 1953)).

can predict his self-attitudes and hence his behavior. What is missing, though, from such a perspective, is the reflexive nature of the self. Given the theoretical justification for Labeling Theory (Meadian social-psychology), there is no reason for assuming that the deviant label is accepted. The premise that an individual may simply reject or fight back against the labeling process is as likely an outcome as one which posits complete acceptance. Two recent studies, one based on empirical data, the other more of an analytical scheme, call attention to the process of rejection of deviant labels and are therefore worth mentioning here. The first, by Quadagno and Antonio,³³ shows how mental patients use certain techniques in order to resist labeling and maintain a normal identity, when faced with official stigmatization. As the authors put it, "The labeling process is neither automatic nor self-fulfilling—even for those who have undergone official labeling and institutionalization."³⁴ The second work, by Rogers and Buffalo,³⁵ offers nine possible ways, ranging from repudiation to alteration, which individuals use to fight back against being labeled a deviant.

In short, Mead's theory of the development of self points to a reflexive interpretation of the individual action. However, because his overall scheme is undeveloped, Labeling Theorists have taken the easy way out (both methodologically and politically)³⁶ and offered an "over-determined conception of man." What is needed, if Labeling Theory is to answer its critics, is a view of self that gives primary emphasis to the active, exploratory side of the individual without at the same time sacrificing the methodological rigor necessary for an explanatory theory of deviant behavior. In short, the answer to Labeling Theory's weaknesses lies in a theory of self that goes beyond Mead—a fully developed, empirically sound view of the individual seen as one who is actively engaged in the act of trying to control his/her own destiny. Such a theory, I will argue in the next section of this paper, already exists. This

³³ Quadagno & Antonio, *supra* note 6.

³⁴ *Id.*

³⁵ Rogers & Buffalo, *Fighting Back: Nine Models of Adaptation to a Deviant Label*, 22 SOC. PROB. 101 (1974).

³⁶ See Schervish, *supra* note 31, for an analysis of the political implications of determinism in labeling theory.

theory, Personal Construct Theory, can provide the necessary means of investigating the subjective side of deviant behavior, something that has been conspicuous by its absence in Labeling Theory.

As was shown in this section, Labeling Theory lacks an adequate psychological base, a viable, researchable notion of self that does not sacrifice the active, volitional side of the individual. In the following sections, I will argue that Personal Construct Theory as developed by George Kelly can provide just such a base. This is so, because according to Personal Construct Theory, individuals come to know something about the world in which they live only insofar as they can make interpretations of it.

Man can only come to know the world by means of the constructions he places upon it and he will be bound by events to the extent that his ingenuity limits his possibilities for reconstructing these events. Each man erects for himself a representational model of the world which allows him to make sense out of it and which enables him to chart a course of behavior in relation to it.³⁷

*The Formal Content of Personal Construct Theory*³⁸

George Kelly proposed, as the "Fundamental Postulate" of his theory, that *a person's processes are psychologically channelized by the ways in which he anticipates events*. Eleven corollaries are elaborated from this fundamental postulate. They start from the assumption that individuals anticipate events by construing their replications and evolve for themselves a construction system which allows them to test these anticipations. Human beings can only come to know the world by means of the constructions they place upon it and are bound by events to the extent that their ingenuity limits their possibilities for reconstructing these events. In short, all individuals erect for themselves a representational model of the world which allows them to make sense out of it and further enables them to chart a course of behavior in relation to the representational model or construct system.

A construct is essentially two-ended, involving a particular basis for considering likeness and difference and at the same time for exclud-

³⁷ D. BANNISTER & J. MAIR, *supra* note 20, at 6.

³⁸ For a full statement of Personal Construct Theory, see G. KELLY, *THE PSYCHOLOGY OF PERSONAL CONSTRUCTS: A THEORY OF PERSONALITY* (1955).

ing certain things as irrelevant to the construct involved.³⁹

Kelly emphasized that people choose for themselves that alternative in a dichotomized construct through which they anticipate the greater possibility for the elaboration of their system, and that a construct is convenient for the anticipation of a finite range of events only.⁴⁰

Construct Theory and Labeling Theory: A Synthesis

By combining Kelly's Personal Construct Theory with Labeling Theory, the major criticisms raised in the preceding section against the latter can be answered.

Generally speaking, efforts to test and validate the notion of "secondary deviance" have largely resulted in negative findings. Follow-up studies made of juveniles who were processed by official agencies, when compared to others who were released to their homes, indicate that processing does not result in any greater amounts of recidivism, serious delinquency or adult criminality among those who had been officially labeled than among those who were not.⁴¹ These studies have not, however, actually tested the psychological state of the labeled individual. That behavior follows self-conception is simply assumed. If the individual does not think of himself as a labeled deviant, he will not engage in deviant action. This may or may not be true, but what is apparent is that Labeling Theorists, by eschewing psychological variables, have not tested the subjective state of the individual. Personal Construct Theory enables the researcher to do just this. George Kelly developed various methods for eliciting and measuring the self-conceptions of individuals—what he called their personal construct systems. The most elaborate measure is the grid form of his Role Construct Repertory Test.⁴² Personal Construct Theory places considerable stress on the notion that each person erects for him or herself a hierarchically organized system of interrelated constructs. The repertory grid test investigates both con-

struct relationships and hierarchical status. Constructs are elicited from the subject by asking him/her to supply names to fit various role titles. Role titles, for example, range from self to mother to successful person. The subject is then asked to suggest some important ways in which two of the people mentioned are alike and different from a third. Through the use of the grid method, the manner in which a person organizes his/her own behavior is elicited. When a person uses himself or herself as a datum in forming new constructs, these constructs act as tight controls on his/her behavior.⁴³ For example, a person who includes himself in the context of the construct, *powerful-weak*, binds himself to assess his/her own behavior in relation to that dimension.⁴⁴ The person has ordered his/her world along these constructs and sees him/herself in terms of them. It requires only a slight alteration of Kelly's methods to elicit constructs which take the key dimensions of Labeling Theory into account. In particular, those constructs pertaining to authority and stigmatized roles would readily lend themselves to analysis. While I am obviously only pointing out the direction that an altered Repertory Grid Test might take, nevertheless the implications are quite clear. The whole problem of why some individuals accept and others reject negative labels becomes explainable. In the course of interpreting the world, the individual as an active agent tests out his/her interpretations. The methodology of Personal Construct Theory enables the investigator to analyze the direction this testing takes. Of particular importance, given the hierarchical and bi-polar nature of individual constructs, are *superordinate* constructs (those that include others in its context); *permeable* constructs (those to which new elements can be

teacher, rejected teacher, boss, successful person, happy person, ethical person, neighbor. These would be correlated on a grid with such constructs as kind - cruel, frightening - gentle, carefree - conscientious, understands me - unsympathetic, confident - anxious and simple - intellectual. In a completed matrix low scores represent negative associations and high scores, positive ones. G. KELLY, *supra* note 38, at 266-77. For a description of studies which have validated the Role Construct Repertory Grid, see D. BANNISTER & J. MAIR, *supra* note 20.

³⁹ D. BANNISTER & J. MAIR, *supra* note 20.

⁴⁰ G. KELLY, *supra* note 38, at 104-05.

⁴¹ E. SAGARIN, *supra* note 2, at 134.

⁴² Examples of specific role titles would be self, mother, father, brother, sister, spouse, ex-flame, best friend, ex-friend, rejecting person, pitied person, threatening person, attractive person, accepted

⁴³ *Id.* at 27.

⁴⁴ *Id.*

added as a means of organizing future events); *core* constructs (which govern the individual's maintenance process); and *tight* constructs (which lead to unvarying predictions). These four constructs along with their bi-polar opposites, *subordinate*, *impermeable*, *peripheral* and *loose* constructs can be analyzed to indicate the acceptance or rejection of specific ideological constraints by a given individual. At the expense of sounding simplistic, a Repertory Grid given to a "secondary deviant" would elicit acceptance of authority and stigmatization as *superordinate* and *core* constructs, and in terms of future behavioral patterns, *permeable* and *tight* as his/her base for anticipating future events. Potential rejection of deviant labels, on the other hand, would manifest a high level of potential for change on *superordinate* constructs. Personal Construct Theory can thus get at changes in how an individual views him/herself, thereby providing a processual measure of personality—something that Labeling Theory currently lacks. This process works in the following manner: whenever an individual is confronted with the opportunity for making a choice, he/she will tend to choose those alternatives which seem to provide the best basis for anticipating the ensuing events.⁴⁵ This view is thereby compatible with the more radical criticisms of Labeling Theory which see the acceptance of the label of deviant as being related to a condition of powerlessness.⁴⁶ Powerless individuals, lower class individuals, would of necessity see less opportunity for resisting a negative label, and hence would be more likely to construe alternatives which take this notion of reality into account. Viewing deviance in this manner allows the positing of choice to the actor, but at the same time realistically notes that those in positions of power have more choice than the powerless. Such a view also rules out any value-judgment on the part of the theorist. No objective moral judgment is made that the deviant is "bad." It is the actor's subjective judgment that is elicited. Acceptance of a deviant label may simply be a matter of construing it as the best alternative among other more limited ones. In the end, it is the individual's construction of self, that is focused upon. Further, "the fact

that participants do not share the distinction sociologists make"⁴⁷ is not a problem; it is taken for granted.

What we have, then, is a way of analyzing how the individual looks at himself/herself—a way that entails freedom of choice. For as Kelly states:

There are always some alternative's constructions available to choose among in dealing with the world. No one needs to paint himself into a corner; no one needs to be completely hemmed in by circumstances; no one needs to be the victim of his biography. We call this philosophical position *constructive alternativism*.⁴⁸

Individuals seek to understand this world through an infinite series of approximations—anticipation of events. The Repertory Grid Test elicits how the individual anticipates the course of events which make up his/her world, be he/she labeled a deviant or a conformist. The Repertory Grid differs in this manner substantially from the Semantic Differential, which I criticized earlier, because the Semantic Differential defines the conceptual structure of the subject in terms of three prescribed nomothetic dimensions derived from pooled data, while the Grid does not impose preconceived categories upon the individual, allowing the individual to generate a unique psychological portrait of himself/herself.

Implications also arise for treatment and rehabilitation (another criticism raised against Labeling Theory),⁴⁹ in that those who manifest permeable constructs in relation to stigmatization would be better risks for rehabilitation. In short, Personal Construct Theory, by positing a viable psychological model—one that shows how individuals interpret, inquire about, and actively construct their world—while at the same time offering a methodology capable of assessing this construction, provides an insight into the "reciprocal relationship between actor and reactor, stimulus and response, and most importantly, between preexisting differences and 'reaction effects.'"⁵⁰ Personal Construct Theory, by providing the psychological model

⁴⁷ *Id.* at 574.

⁴⁸ G. KELLY, *supra* note 45, at 15.

⁴⁹ E. SAGARIN, *supra* note 2, at 139.

⁵⁰ Hagan, *Labeling and Deviance: A Case Study in the "Sociology of the Interesting,"* 20 SOC. PROB. 447, 456 (1973).

⁴⁵ G. KELLY, *THE PSYCHOLOGY OF PERSONALITY CONSTRUCTS* 64 (1963).

⁴⁶ Goode, *supra* note 2, at 578.

for Labeling Theory, provides an answer to Tangri and Schwartz's call for "designs in delinquency which are analyses of variance designs."⁵¹ A Labeling Theory which can measure

⁵¹ Tangri & Schwartz, *Delinquency Research and the Self-Concept Variable*, 58 J. CRIM. L.C. & P.S. 182 (1967).

individual variation is now possible. If Labeling Theorists can overcome their reticence in using psychological variables, a viable theory of criminal behavior is theirs for the taking. If not, given the spiral of criticism leveled against it, Labeling Theory will most likely go the way of anomie theory, a fate it does not deserve.