"A delinquent child is the failure of about two dozen grown-ups, only two of whom are his parents."

I. Search for a Paradigm

From the discussion we have already had in the preceding Chapters there is no immediate need of tackling the problem of juvenile delinquency, not only to protect social order alone but also to preserve the gains of economic development. For this purpose it becomes necessary to explore the causes, or etiology of delinquent behaviour. It is only by determining the causes of delinquency that we can propose proper steps to correct these causal factors. Otherwise, we will be fighting in vacuum with guess-work strategies resulting in wastage of much needed resources without any worthwhile success.

The two most important aspects for conducting serious research in the area of delinquency etiology are of great practical value to effectively combat the problem. Firstly, at the take off stage, before the delinquent tendencies start having their sting i.e. the 'pre-conflict' stage. For example if one discovers that loose familial control or poor school performance is related to high rate of delinquency then perhaps new approaches to strengthen family ties and proper schooling would be possible measure for curbing delinquency. Preventive aspect is perhaps the most effective way to check delinquent tendencies. Since it falls outside the scope of this research work, so any detailed discussion on this aspect of the problem shall be out of place here except passing references wherever necessary.

The second reason for considering the possible causes of delinquency is
to guide the development of rehabilitative techniques for juveniles who have already been labelled delinquents. The resulted-oriented treatment strategies must be devised so that the initial causes of the behaviour can be overcome or made inoperative for the prevention of future delinquency. This need is felt more when reintegration of the juvenile delinquent in the social setting of his origin is in its final stages i.e. the after-care-stage. In order to prevent the possible drift of the juvenile, once labelled as delinquent, into atmosphere conducive to delinquent conduct and got caught up in the whirlwind of its influential factors, it is necessary to have adequate knowledge of delinquency causation factors. If the causes of delinquency could be isolated with a high degree of accuracy, the prevention and treatment strategies can be more well planned and result-oriented.

A comparative analysis of the factors and forces which contribute to juvenile mal-adjustment and consequently lead to delinquent behaviour is beyond the scope of this work.\(^1\) Here, we can undertake only a brief review of existing theories in order to provide a frame of reference for the discussion to be followed in the subsequent pages. This short review is limited to those writings which have examined the impact of various causal factors on juvenile delinquency. Unfortunately, most of the better known works are those developed by European and American scholars and most of the theoretical concepts which have emerged are, to a large extent, cultural-bound and country-specific. They are mentioned here not because they can play a central role in shaping correctional programmes of our own country, but because such writings dominate the field in the

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study of delinquency problem, and that the broad generalizations reached at by these scholars have contours of universality. Of course, these formulations cannot be the basis of policy-planning relevant at the grassroots level, still, in the broad sense, they can serve as useful guidelines in understanding the problem and its dimensions. After all crime and delinquency is a human behavioural problem and there are many basic similarities in human nature, irrespective of national and cultural boundaries.

Delinquency is assignable to no single universal source, not yet a group of two or three. It springs from a wide variety and, usually from a multiplicity, of alternative and converging influences. In any individual delinquent's case it may never be possible to exactify the causal factor that ultimately pushed him into life of crime. Identification of any single or most vital factor that "broke the camel's back" is also not necessary for the general examination of the problem. It is important only for the purpose of selecting treatment alternative in any particular case, which is not the case in this study. Otherwise also there is involvement of number of factors which individually and collectively motivate or attract or pressurise the immature youngster towards deviant behaviour. The nature of these factors, and of their varying combinations, differs greatly from one individual to another; and juvenile offenders, as will amply be clear from the paragraphs to be followed, are far from constituting a homogeneous class. To determine that a particular characteristic or factor will always lead to juvenile delinquency is very difficult, rather impossible. For example, not all children who grow up in homes with low income become delinquents, yet poverty may play, and in fact plays, an important role in the lives of many juveniles who do engage in such activities. Since each child possess distinct and individualistic personality characteristics, so his actions and reactions to specific situation or situations are never similar.
Some may prefer to act in a delinquent way, others may like to opt for child labour or begging or any other lesser risky way of life.

There are no two opinions concerning the fact that youth crime and delinquency is the next step immediately preceded by the first stage of delinquency i.e. neglected and destitute state of living of the young, in substantial member of cases. Thus the theoretical and factual justifications which are true in the cases of delinquent juveniles are also correct in the cases of neglected and destitute juveniles. Since juvenile delinquency is a continuous process which may ultimately lead to violation of law, so it will not be practically possible to draw a perfect line of division between the first stage and the second stage. Though the discussion immediately followed is mainly focussed on delinquent juveniles who commit some offence but this discussion is equally relevant in the cases of neglected and destitute juveniles.

Many theoretical explanations have been given concerning delinquent conduct of the children. The profusion of theories ranging from one extreme of sociological to the other extreme of biological, all apparently explaining delinquent conduct, are guided by single-track thinking with an emphasis on single converging justification for all categories of delinquent behaviour. It is this rigidity of thought that proves suicidal and thus each theory falls short of full acceptance to a reasoned analysis. However, there are some facts regarding which there appears to be no dispute:

(a) There is no single cause for delinquent conduct, consequently there is no single answer.

(b) Heredity, once believed to have an influence on human behaviour, is not now considered a factor of much importance

(c) There are three basic theoretical explanations of human behaviour, Sociological(also known as Environmental theory), Psychological;
II. Literature Review

(i) Sociological Explanation

According to sociological theory delinquent conduct is the outcome of many social and environmental confluents. A wide variety of adverse social situations play a dominant role in the etiology of juvenile delinquency and ultimately serve as 'push forward' to the young child into life of crime. Thus, sociological theorists find delinquency causation factors deeply embedded in social structures, policies and practices. Accepting this basic thesis the sociological theorists further try to explain how these social factors influence the individual to act in a particular manner. What kind of action or reaction these influencing factors produce in the human mind that ultimately motivates, attracts or compels him to take up a life of crime? Various explanations have been offered as an answer to this question, each stressing a particular dominant factor in these explanations. Adverse situations, social or environmental, in which an individual is born, brought up and lives, cannot by themselves cause delinquency. It is the human reaction to such situations that motivates him towards a life of crime and delinquency. That human reaction is in fact the real cause of delinquent conduct. Since human reaction to such situations is not always similar or identical that is why only some proportion of the population reacts to social adversities through delinquent conduct. The explanations gaining widest recognition in sociological and criminological circles fall into four categories: subcultural and differential association, strain and opportunity, bounding and labelling.
(a) Sub-cultural Theory

Sub-cultural theories identify delinquency causes in the diversity of norms characterising different groups or population segments, while differential association theorists believe delinquency results when illegally learned behaviour is reinforced rather than scorned. This theory assumes that a person may indeed commit acts deviant by the standards of, say middle-class society, but he cannot commit acts deviant by his own standards. In other words, theorists from this school see deviant behaviour as confirmity to a set of standards not accepted by a larger (that is more powerful) society. If the community standards are positive but not according to accepted codes of conventional society, behaviour will accordingly be contrary to standards of the larger society.

Obviously, if "deviant behaviour" is simply "behaviour" frowned upon by outsiders and not by insiders, it is unnecessary to posit any special motivational force or strain to account for it. In fact two different cultures within a society take shape in accordance with their prevailing social-setting and the question of deviance comes upon the surface only when the interests of one cultural group come into conflict with the other, and dominant cultural group brands the behaviour of the other group as "deviant". An individual, as a natural consequence, learns the behaviour pattern of the culture in which he is brought up and acquires the value system of that culture by experience.


The following statement refer to the process by which a particular person comes to engage in criminal behaviour:

(a) Criminal behaviour is learned. Negatively, this means that criminal behaviour is not inherited, as such: also the person who is not already trained in crime does not invent criminal behaviour, just as a person does not make mechanical inventions unless he has been trained in mechanics.

(b) Criminal behaviour is learned in interaction with other persons in a process of communication. This communication is verbal in many respects but includes also the 'communication of gestures'.

(c) the principal part of the learning of criminal behaviour occurs within intimate personal groups. Negatively, it means that the impersonal agencies of communication, such as movies and newspapers, play a relatively less important part in the genesis of criminal behaviour.

(d) when criminal behaviour is learned, the learning includes (i) techniques of committing the crime, which are sometimes very simple; (ii) the specific directions of motives, drives rationalization, and attitudes.

(e) the specific direction and drive is learned from the definitions of legal codes as favourable or unfavourable.

(f) A person becomes delinquent because of an excess of definitions favourable to violation of law over definitions unfavourable to violation of law.

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(b) Strain or Motivational Theory

Strain and motivational theorists blame delinquency on a misaligned social structure that causes gaps between desirable and achievable goals, encouraging some persons to seek opportunities through illegitimate channels. The strain theory is based on the presumption that man has an 'attitude of respect' toward the rules of society; he "internalizes the norms". Since man has a conscience, he is not free simply to calculate the costs of illegal or deviant behaviour. He feels morally obliged to confirm, whether or not it is to his advantage to do so. Having thus established that man is a moral animal who desires to obey the rules, the sociologist further argues that man is under great pressure or strain when he resorts to deviance. The strain theorist uses such concepts as 'ambition' 'discontent', 'frustration' or 'deprivation' as part of his explanation of deviant acts. The motivation to crime as a result of strain overcomes or eliminates restraints - such as considerations of morality and the delinquent conveniently rolls himself into crime prone situation.

(c) Bond or Control Theory

Bonding or control theories maintain that weakened or non-existent conventional ties to familial, educational, religious, or economic and social structures causes non-confirming, delinquent behaviour. This theory


8. Ibid.

9. Hirschi, Travis initially formulated "bonding theory". See Hirschi, Travis, (conted.)
is based on the concept that individual's behaviour is controlled by the bonds which he maintains with the conventional social control agencies and when that bond is weakened individual feels free to act in a manner which suits his selfish interests. The more weakened the group of which he (the individual) belongs, the less he depends on them, the more he consequently depends only on himself and recognizes no other rules of conduct than what are founded on his private interests. This bond with the society is described by various conceptual terms like "attachment", "commitment", "involvement", "belief".

While strain theory assumes that a man is a moral being and morality considerations exercise and account for the pressure that prevents a man to cross the social norms. Contrary to this assumption, control theory starts with the presumption that a man is a moral personality and will invariably indulge in deviant conduct unless the conventional social control agencies exercise their control upon his activities. As and when this control becomes weak (due to social or environmental situation in which the man lives) there is more likelihood of deviant conduct. This justification may not be true to all the individuals what it accounts for substantial majority of them. It is just such a removal of the moral roadblock (social control pressure) that explains the deemphasis on motivation that is characteristic of control theory. "It is our position", says Nye, "that a general behaviour prescribed as delinquent or criminal need not be explained in any positive sense, since it usually results in quicker and easier achievement of goals than the normative behaviour."

Labelling theorists believe that assigning a youth negative labels encourages conformation to expectations associated with the label. This theory operates only at the second stage of delinquent conduct when delinquent tendencies have already taken the roots in the youngster's behaviour. At that stage labelling him as delinquent by formal social control agencies (police, juvenile court) reinforces these tendencies with much vigour, and instead of reformation (which these formal social control agencies & attempt) he is permanently and more deeply rooted into delinquent conduct.

The emphasis in labelling theory (also called by various writers "societal reaction hypothesis", "social definition hypothesis", "interactionist theory", etc.) on the power of social response in causing deviance has triggered a wealth of empirical research. An assumption derived from labelling theory is that contingencies other than the criminal act itself effect the chances of being official labelled as a delinquent by social control agencies. In particular, attention has been drawn to the systematic contingencies stemming from inequalities in society - hence the over representation of less powerful social group (i.e. those of lower income and or certain minority groups) in the criminal statistics.

Being labelled as delinquent places the juvenile in a category which our

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society views as negative. When a youngster is caught for commission of offence and is labelled "delinquent" a halo effect is created which, in turn, affects his subsequent identification and apprehension. Furthermore, it appears most natural that a labelled delinquent is more likely to be suspected of having committed further offences than those who are not. Thus, the official delinquent suffers from the 'stigma' of his or her label. Goffman defines 'stigma' as 'an attitude that is deeply discrediting'.

According to labelling theory, the stigma of the label can have a profound effect on the delinquent. The child who has been evaluated by an authority - the juvenile court - as deviant will begin to notice changes in the attitudes of others. These changes take the form of subtle and non-so-subtle messages suggesting to delinquent that they are indeed expected to continue in a deviant way and reform is considered unlikely. Thus after contact with the police or juvenile court, the juvenile's self-image is altered, the stigmatized role as deviant is accepted, and delinquent behaviour begins to occur with greater frequency. Lement termed this increase in deviance as 'secondary deviance'. According to this analysis one would expect the child who commits an act and is 'not caught' to outgrow the behaviour whereas the child who commits an act and is 'caught' may only get worse.

17. Supra note 12, p. 58.
The impact of incarceration on a youngster's self-evaluation has been studied by Hall, who compared the self-evaluation of incarcerated delinquents, delinquents on probation, self-reported delinquents and non-delinquents. From his research he concluded that incarcerated youngsters viewed themselves in the most unfavourable light. Those juveniles who finally end up in correctional institutions have experienced the effects of labelling at all points in the juvenile justice process. This labelling exaggerates or distorts the nature of the original conflict situation in the mind of the child. The low capacity of the young to resist criminogenic influences during the process permanently confirms his anti-social tendencies and leaves him with little alternative choice to pursue legitimate life style.

(ii) Psychological Explanation

Psychological theories concentrate on how early experiences within the family and other near surroundings contribute to the development of deviant behaviour pattern and anti-social personality traits. While sociologists attempt to explain delinquency in terms of social and environmental factors, psychologists, on the other hand, are more concerned with what happens at the individual level - that is; what developmental factors make some children turn to delinquency while others choose more conventional or socially acceptable forms of behaviour. Generally speaking, psychologists view delinquent behaviour as symptomatic of deeper psychological problems, which are thought to stem from faulty development process. The first and the foundational personality development process begins with the first social control agency - the family. The child's early life experiences within the family

environments shape the personality traits the child is likely to cultivate in his future behaviour.

The supporters of this theory believe that delinquency is a behavioural disorder resulting primarily from emotional disturbance generated by a defective mother-child relationship.\textsuperscript{22} If a child is subjected to emotional shock, such as rejection, he may go through life with deep feelings of rejection, insecurity, and unrest. He is in a perpetual state of tension and may take up a life of crime in pure revolt against the injustice done to him.\textsuperscript{23} As Monsingnor O'Dwyer writes:

\begin{quote}
What can we say to a child, how can we ask him to hold any agreement, pact, or co-variant sacred, to believe at all in honour, in courage, and in tenderness, in a society that permits his home to be broken by divorce on the most shallow grounds.\textsuperscript{24}
\end{quote}

Any child brought up in the circumstances where family control is non-existent or too loose to be regarded as control; where no guidance is provided by the family that makes the child of capable of sustaining the stresses and strains incidental to growing up in a highly dynamic society, the groundwork for deviant behaviour is laid. It is not that parents malevolently bring up their children to become delinquent, but rather that for a variety of reasons (some of the reasons beyond the control of parents) they are disinclined, ignorant and devoid of opportunity to exercise better preventing skills. The reason may be any but the result is the same—defective personality development and unstable emotional setting of the child. And marked emotionality is described on the most influential of all the psychological characteristics of all delinquents, as thwarting or blocking of fundamental desires results in an emotional


\textsuperscript{24} Quoted from Young, Pauline V., Social Treatment in Probation and Delinquency, Patterson Smith:Montclair,New Jersey(1969),p.21.
disturbance and satisfaction is sought through substitute behaviour which may be delinquent.  

To some extent psychological theories have similarities with sociological theories as both place considerable emphasis on the role of the family environment in causing delinquency. The major difference between the two perspectives is that psychologists are less concerned with the impact of the greater social environment and more concerned with how individual factors influence behaviour. Examined on logical analysis there is basic similarity to the extent that socio-economic factors have deep impact upon family setting and in turn on the brought up of the child. "If the home surroundings are not comfortable (need not be always because of poverty alone, though that is the major single reason) then he who is not comfortable at home will be always off into mischief", so says F. Ruckert.  From the psychological perspective, then, the first step in understanding the origin of deviance is to analyse the child's early life experiences.

(iii) Physiological or Biological Explanation

Physiological theorists of delinquency examine the relationship between deviant behaviour and inherited genetic traits, the basic assumption being that delinquency may have a biological basis. To the biologist, heredity is not a mere hypothesis, but a scientific fact — a verified phenomenon with which he is far better acquainted. The primary role of heredity is the transmission of the main characteristics of the species from one generation to the next. So, parents with attitudes and characteristics poised towards criminality are most  

likely to pass on these tendencies in their children.

The basic hypothesis of this theory is that crime is inherited or at least in-born, so the criminal tends always to reproduce his kind, and the delinquent child is the fore-dommed legatee of ancestral depravity and vice.\textsuperscript{28} "Many, perhaps most, young criminals are morally defective; and by morally-defective they mean defective in the common power of forming moral intuitions, argues Dr. Henry, Maudsley.\textsuperscript{29} This moral deficiency is inborn and seems to run in certain families and to be indeed inherited.

Of all the exponents of this wider view, the most systematic and the most influential was Lesare Lombroso,\textsuperscript{30} Professor of Legal Medicine at the University of Turin, the father, as has been called, of criminal anthropology. He and his school collected wholesale observations and carried out the most elaborate physical measurements, by which they proved, or thought they proved, that criminal is marked off by many well-defined characteristics, from the normal law-abiding mass of humanity; that he forms, in fact, a species apart. They were thus led to the belief in a congenital criminal type - the born offender. The main thesis of Lombroso is that a criminal has distinct physical features and accordingly can be identified from physical appearance. These physical features are inherited from parents or other near relative. This discredited assertion about odd physique, facial features and overt symbols of heredity of delinquents have now given way to the more recent preoccupation with genetics and inheritance of disorders.\textsuperscript{31} These studies have been concerned both with pure genetics, such as 'chromosomal' differences, and inferential ones.

\textsuperscript{28} Id., p.30.
\textsuperscript{29} Maudsley, Henry, Dr., \textit{Responsibility in Mental Disease}, (1872), pp.31-65.
\textsuperscript{31} See for example; Cattell, R.B., \textit{The Scientific Analysis of Personality}, Hamondsworth: Penguin, (1965); Owen, D.R., \textit{The 47, XYY Male:A Review}, Psycholo-
notably those concerned with criminality of twins. The question has been tackled on a wide front, including studies of twins, families and their offsprings and subsequent development of adopted children. Overall, they suggest that criminal parents are more likely to produce delinquent children; identical (and, therefore, genetically closest) twins are more alike in their criminality than fraternal twins; and children of criminal parents, subsequently adopted by non-criminal parents, are more likely to offend than those of law abiding biological parents.

It may not be possible to digest the theory of hereditary criminality as such, still it has some elements of truth. In point of fact, small evidence, as a rule, is procurable to demonstrate beyond dispute that the criminal proclivities of the parent have been handed down to the child by their biological transmission. There are some more visible signs that operate to confer credibility on the biological theory of criminality. Many of these strongly motivating factors - bad companions, bad neighbourhood, bad discipline and bad examples of home - are a by-product of the low moral standards of the parents themselves in large number of the cases. This degeneracy of the family indirectly provides a strong stimulent to the moral framework of the growing up child to act in the parental way, instead of directly by its influence on the germ-cells.


33. Supra note 27, p. 56.
The most determined critic of criminal anthropology was an English prison officer, Charles Goring,\textsuperscript{34} who by an empirical research concluded that a physical type specific to criminals did not exist. Furthermore, since physique is known to be linked with social class of origin and with choice of occupation, it is not established whether the alleged physical differences between prisoners and civilians had any connection with the causes of their criminality, or were merely secondary consequences of the fact that the criminals belonged to a different range of social and occupational classes from that of the controls.\textsuperscript{35} Today, the theoretical assertions of Lombroso and others who supported his viewpoint seem quaint.

To conclude in the words of Burt we can say that "crime is not inherited. The hereditary constitution of the criminal, such as it is, we can regard as having at most but an indirect effect. The family temperament, first manifested in the lawlessness of his parent, is not, at bottom, an essentially criminal nature, transmitted as such, but a vague and more general endowment, analogous rather to congenital enfeeblement that may effect temperament, intelligence, or physique as a whole - extreme degrees of common weaknesses to which in a restricted measure we are all more less susceptible. Such weakness and impulsive tendencies may, when excessive, favour a moral lapse; they in no way constitute a fatal and inexorable propulsion towards it."\textsuperscript{36}

\textbf{(iv) Some Other General Patterns}

Besides these broad theoretical classification of human behaviour there are some general visible patterns that can be noted in delinquent conduct of

\begin{itemize}
  \item \textsuperscript{34} Goring, Charles, The English Convict, H.M.S.O.:London,(1913).
  \item \textsuperscript{36} Supra no.: 33.
\end{itemize}
almost all the countries, though with small variations. However, these characteristics are not representatives of all delinquents but rather are characteristic of many juveniles who commit such acts.

(a) Sex

Delinquency is predominantly a male's affair. Part of this difference is certainly due to sex-role definitions in our society, which encourage aggressive, adventurous behaviour from males and passive, and emotional behaviour from girls. Our social system is built up in such a manner that there are few opportunities of delinquency for females because of their domesticated role in the family affairs. Though this fact is in the process of change and there is steady increase in female delinquency everywhere still it will take a lot of time for females (specially in the lower rungs of our society) to acquire equal role in the management of family and social affairs.

(b) Social Status

Official records indicate that delinquency is primarily found among lower socio-economic status youngsters. Some of the truth added to these statistics may be because upper and middle class delinquents manage to escape from being caught. On the other hand there is evidence that lower-class youngsters report more serious offences, and this may partially account for their high concentration in the juvenile justice system. Official records of delinquency behaviour show high concentration of poor and Scheduled Caste and Schedule Tribes juveniles, who are arrested by the police and processed through the juvenile justice system.

38. See Crime in India-1982, p. 88 (There is an increase of 1.7 per cent in 1982 other the year 1981 in female delinquency in the overall juvenile crime).
39. Out of the total juveniles auested during the year 1982 52.8 per cent were having family income of below Rs 150 per month. See Crime in India-1982, p. 110.
40. Hindelang, M., "Age, Sex and Versality of Delinquent's Involvement", (conted.)
system. There are some self report studies with contrary results showing that
there is no correlation between social status and delinquency or social status
is not as strongly related to delinquency as official records show. However,
in the Indian setting since there are almost no self-report studies conducted
so we cannot say with certainty, as to how far this assertion is correct. Of
course, on the basis of common sense we can say there is some grain of truth
in these conclusions, because of the presence of biased approach of the dominant
culture towards these socially handicapped classes.

(c) Community/Religion

In most of the countries with the concentration of racial minority
groups as a part of their population, minority group members are found more
frequently in official records than one would anticipate on the basis of their
numbers in the population at large. To some extent race and social status are
strongly related so it becomes difficult to violate the effects of these two
variables from each other.

In India, if official statistics are to be believed, religion, which is
the main visible dividing line between different communities does not play any
major role in the volume of juvenile crime in the overall juvenile population.
The respective share of juvenile crime of the four main religious groups has
been just in proportion to the population of that particular community. But
there are some apparent distorations in the official statistics which are hard
to digest even with the most liberal approach. For instance in Punjab out of

41. In the year 1982, out of the total juveniles apprehended 37.37 per cent
42. Short James and Mye,F.Ivan"Extent of Unrecorded Juvenile Delinquent:Tenta­
tive Conclusions", Journal of Criminal Law, Criminology, and Police Science,
49, No.4,(1958),pp.296-302.
43. Gold, Martin, Delinquent Behaviour in An American City, Books/ColeiMonterey,
Calif,(1970),pp.72-78.
1613 juveniles apprehended during the year 1982 none was a Sikh, whereas 1743 Sikh juvenile delinquents were arrested in other states. Similarly, states with the large population are reported to have a negligible amount of juvenile crime. It appears that race or religion play a major role only in those countries or those areas of a country where the politically ruling group is largely dominated by one class or race. Since that is not the case in India, so by and large religion has no impact upon the juvenile crime volume. However, the recent spurt in communal violence indicates that minority communities are more aggressive in their attitude towards their problems and thus are likely to account for more volume of juvenile crime than their share in the population.

(d) Education

Another variable that stems from low social status and has a crucial impact upon delinquency is illiteracy or low standard of education. As is apparent from the official statistics that in the year 1982, there were 43.4 per cent juveniles apprehended for delinquency who were totally illiterate and out of the remaining only 7.5 per cent were matric or above. So there is a strong co-relation between juvenile crime and low education level in the Indian setting.

45. In the year 1982 the respective share in the juvenile crime of the respective communities was: Hindu, 64.9 per cent; Muslims 19.1 per cent; Sikhs 1.1 per cent, Christians and others 3.8 per cent. See Crime in India-1982, pp. 110-11.
46. State of Uttar Pradesh 0.1 per cent; Rajasthan 4.9 per cent; Bihar 2.5 per cent in the total juvenile crime, see Crime in India-1982, p. 89.
The line of thought of each theory and of their varying combinations differ greatly from each other. Each theorist is content to trace delinquency in the young to one or some times more than one powerful factor. With the same exclusive emphasis on a particular dominant factor some solitary panacea of theoretical viewpoint has correspondingly been put forward by each theorist. That powerful factor is seized upon/isolation, logically extended and explained and made accountable for all kinds of delinquent conduct. This is perhaps the reason that each theory individually fails to answer the most pertinent objections raised by the other theory in order to justify their own contention with regard to delinquent conduct among the youth. These theoretical conceptual explanations of delinquency can provide only a general guideline in shaping the future criminal policy pertaining to young offenders. But for specific policy planning to combat the problem of delinquency and to formulate strategies for the rehabilitation of juveniles already labelled as delinquent it is necessary that we must identify the factors conducive to delinquent conduct and device means to meet their challenge in a more practical manner.

An overview of the theoretical analysis of crime causation factors listed by various theorists, which is based upon scientific study of human nature and behaviour, just provides a primacy information regarding human actions and reactions to a particular situation that sometimes leads him to criminal activity. These theoretical assertions can be used as a basis for the identification of specific crime generating factors, which, in the ultimate analysis, attract, or motivate, and some times even compel a person to take up the life of crime. All these factors can be very conveniently traced theoretical assertions for their roots and justifications; sometimes to any particular theory and sometimes rather mostly, to more than one. It may be of no practical value to strictly compartmentalize these factors within the fold of any single theory of delinquency
except for an academic exercise, which certainly cannot be of any help for the legal evaluation of any concept of practical importance such as juvenile delinquency. Professor Radzinowicz's remarks provide a clear and practically oriented direction in this context:

I am strongly convinced that the unilateral approach, the attempt to explain all crime in terms of a single theory, should be abandoned altogether with such expressions as crime causation. The most we can do is to throw light on factors or circumstances associated with various kinds of crime.48

Breaking the strict theoretical rigidity, it will be in the fitness of things to consider the specific factors that cast deep impact upon the conduct of the young person at the early learning stage of adolescence, and ultimately make him choose a criminal career, for survival or otherwise, in this most competitive society.

In the broad generalization delinquency causes can be considered under the three main headings: (1) Conditions inside the Home; (2) Conditions outside the Home; (3) Economic development and juvenile delinquency. But before we proceed to discuss the detailed features under any one heading, it is most appropriate to examine the root cause of most of the delinquency causation factors; the mother source of juvenile crime - Poverty.

III. Crime As a Culture: Some Factual Realities
(1) Poverty
"The greatest of evil and the worst of crimes is poverty...All the other crimes are virtues beside it; all the other dishonours are chivalary itself by comparison. Poverty flights whole cities; spreads horrible pestilence, strikes

at the soul of all those who come within right, sound or smell of it", said Bernard Shaw. Even Aristotle said, "poverty is the parent of revolution and crime".  

If we look at the official statistics the above assertion stands confirmed in the Indian social set-up. Most of the delinquents come from backgrounds of social and economic deprivation. Their families have lower than average income and social status. But perhaps more important than individual’s family situation is the area in which a youth lives. Delinquents are concentrated disproportionately in the cities, and particularly in the large cities, where conditions of poverty become more unbearable because of comparative affluent way of life of some portion of the population. This sharp cultural contrast and conflicting value system breeds discontentment on the one hand and raises level of aspirations for material gains on the other hand, resulting into a strong motivation for prosperity, through short-cut and illegitimate means. In view of these factors it is possible to assert with considerable confidence that while crime and delinquency are likely to occur in all income groups, the particular types that pre-occupy us as a society are concentrated among males in lower income groups living in urban centres. Poverty inevitably results into destitution, poor living conditions, malnutrition, illiteracy, and unemployment. These situations mitigate against youth in realizing their aspirations; or participating in national life and ultimately recede into their involvement in delinquent behaviour. Since it is economic adversity that compels a person to live in the kind of community in which other factors conducive to delinquency operate, so it is inescapable to conclude that juvenile delinquency is directly

50. Ibid.
51. In the year 1982 out of the total juveniles auested 52.8 belong to the income group of Rs 150/- per month per family. See, Crime in India-1982, p. 110.
52. Out of the total juvenile crime under Indian Penal Code, two cities Ahmedabad and Pune alone account for more than 5 per cent of that and out of the (conted.)
related to conditions bred by poverty.

There is no need to belabour the point that there is poverty in India where nearly 40 per cent of the world's poor live.\textsuperscript{53} Nearly half of India's population subsists below poverty line.\textsuperscript{54} A Mid-Term Appraisal of Sixth Five Year Plan (1980-1985) estimated 340.10 million (272.50 in Rural Areas and 67.40 in urban areas) persons living below poverty line.\textsuperscript{55}

Under the pressing conditions of poverty there are only two outlets for the poor youngsters for survival - child labour (that in fact provides for the major outlet)\textsuperscript{56} and delinquent way of life. In distress and poverty the maximum who suffer are children and are ultimately driven, as a natural consequence, towards unsuitable or undesirable way of life. Due to most deplorable conditions number of them are brought up to thieve as a trade, and are driven into the streets every morning. They don't return home without plunder. Many others are orphans, or completely abandoned by their parents, who subsist by begging or pilfering and at night sleep under the sheds, in the streets and in the market places. Even when they are detained by law enforcement agencies no one visits them. Such conditions will tempt any person to dishonesty for the sheer necessity to support life. In spite of numerous legal and social reforms designed to prevent the exploitation of workers and to protect their children, the plight of the urban poor has made no substantial improvement and a high level of delinquency from want seems almost inevitable.

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\textsuperscript{54} Report of The Committee on Child Labour, Ministry of Labour, New Delhi, 103, (1979), p. 10, para 2.13. (Planning Commission's criterion for 'Below Poverty Line' is income level less than Rs 65/- per capita per mensum in case of rural areas and Rs 75/- per capita per mensum in case of urban areas.)

\textsuperscript{55} Sundram and Tendulkar, "Poverty in The Mid-Term Appraisal", \textit{Economic and Political Weekly}, 2164 (Nov. 5-12, 1983).

\textsuperscript{56} According to official information the child labour population in India (conted.)
Despite the fact that the overall living conditions of the poor in India has registered an upward swing, but, nevertheless, the gap between the minimum and maximum income groups is widening. The share of top ten per cent rural households went up while that of the bottom ten per cent came down. The same is true to urban working classes. The percentage of the real poor has been constantly increasing and by the turn of the century the population of the poor (below the poverty line) is likely to exceed the total population at the time of independence. This ever increasing number of poor masses is bound to correspondingly increase the number of children in the juvenile justice net.

Poverty is a bedrock of lower-socio-economic family groups and their children. Lower-class children do not possess the familial and other institutional resources by which to acquire the requisite cognitive and social skills to cope with 'grade' school environment, or to succeed in other ways defined as important by society. These disabilities are especially acute among those who eventually become delinquent. The failure of these juveniles to achieve in school and community is productive of strain – a lowered sense of self-worth, alienation, and lost status. Failing to find satisfaction in conventional pursuits a significant number of these juveniles find refuge in deviant peer groups. And the membership of these peer-groups provide the rationalizations, is estimated at 1.5 crores, most of whom work in inhuman conditions. See The Editorial Sunday Tribune, (June 2, 1985), p. 4.

the techniques, and the socio-phyehologieal support necessary to withstand
the moral and legal encroachments of legitimate society. Further more in face of
limited legitimate avenues of access to(conventional) goals, and unable to
revise their aspirations downward they experience intense frustration;the
exploration of non-conformist alternative may be the result.

There are many other offshoots of poverty which are closely associated
with the delinquent way of life, like Beggary & Vagrancy besides some others
having a remote but not irrelevant connection with delinquent conduct, like
migration to urban areas, slum-living etc. The later factors which too contrib­
bute towards increase in delinquency shall be discussed under the separate
heading "economic development and juvenile delinquency".

(a) Beggary

Beggary may be regarded as one of the myriad ways in which social devia­
tion manifests itself, primarily in a backward or what is now designated as
developing economy. This is perhaps the most sinister and humiliating of all
the social evils. It encourages and strengthens delinquent propensities in a
young person, as by begging he explores the vast field of opportunities for a
possible successful criminal career. Organised form of begging under the super­
vision of an adult member of the same cultural group further provides protective

64. Ibid.
65. Ibid.
66. Sushil Chandra, Sociology of Deviation in India, Allied Pub.: Bombay (1967),
p.5.
67. Most of the child beggers are seriously victimised and exploited by the
adult members; See the Report,"Beggar Problem in the City of Bombay", Social
stimulant to the child and permanently inducts him in delinquent culture from where he is not permitted to come back in the beginning, and does not want to come back once he is settled in the profession. Rather, he looks forward towards a more daring exploitation of the opportunities that may come in his way. The easy way of life with which the child gets entranced with, removes all feelings of moral guilt from his mental framework and he feels no hesitation from drifting towards crime as and when the opportunity is there. Thus poverty drives a young person towards begging, sometimes voluntarily but mostly under organised pressure or compulsion, and begging turns out to be a gateway towards delinquent way of life.

In India, where poverty, rather absolute poverty, is wide spread and individual efforts are not just sufficient for self-survival, it is more likely to adversely effect the children in the family, resulting into neglect, abandonment or almost nil family control. According to one estimate 0.5 per cent of our total child population is considered destitute. At least one million babies out of the twenty one million born every year are abandoned soon after their birth due to various socio-economic pressures. The social security system for these young neglects is negligible. There are just 84 institutions with a total capacity of 13781 persons in the whole of India which are meant for caring beggars. Thus poverty sticken socio-economic conditions provide for a rich raw material in the form of beggars, substantial portion of which ultimately takes up delinquent career by sheer necessity. Destitution,

68. "34 Crore Indians are Below Poverty Line", The Indian Express (May 26, 1987), p.4.

69. "Perspective on the Child in India", National Institute of Public Co-operation and Child Development: New Delhi (1975); According to another estimates there are 7 million destitute orphans out of 18 million orphan children in India, see Khandekar, K, Country Report on Child Development in India, NIPCCD, New Delhi (1930).


poor-living conditions, malnutrition, illiteracy, and unemployment, all poverty-based situations mitigate against youth's realization of their aspirations or participating in national life and increase the likelihood of their becoming involved in criminal behavior.\(^72\)

\(b\) **Vagrancy**

Closely associated with begging is vagrancy which literally means "wandering or without settled dwelling". The juvenile vagrant engages himself in trade in stolen goods and articles and sometimes also serves as child labour. The trade in stolen goods is an apprenticeship in courage and preparation for undertaking more daring exploits in future. Comparatively speaking, a vagrant is more versatile in his attitude and grabs whatever opportunity comes in his way, may be begging, child labour, or stealing goods or transporation of stolen or prohibited goods. Thus, both stimulus and experience are provided to the growing child in undertaking anti-social activities with courage and conviction, which becomes a part and parcel of the normal behaviour of that child or sub-cultural group, to which such child is intimately associated in his daily life activity. Keeping in line with the principle "easy come, easy go", the illgotten gains are consumed in the same manner and a major portion of income so obtained is drained out in buying intoxicants and cigarettes, visiting movies and gambling dens. Thus, vagrancy, along with allied behaviour paves a smooth way for delinquency.\(^73\)

Despite the evidentiary support of statistical data supplied by the official information sources, the historically considered assumption that "poverty as such produces delinquency", has been challenged by many researchers.\(^72\) "Youth, Crime and Justice" U.N.Chronicle(Asia Ed.), VolXXII,No.8,New,Delhi, (Sep.1985),p.44.\(^73\) Ibid.,p.8.
Some of them have even gone to the extent of describing this assumption as a 'libel against the poor'.\textsuperscript{74} The careful studies by such men as Lowell J. Carr\textsuperscript{75} and David Brogen\textsuperscript{76} on the relation between delinquency and economic status show delinquency rates to decrease in periods of widespread unemployment and economic distress and to increase in periods of prosperity. Thrasher's\textsuperscript{77} studies have also sharply challenged the general all-inclusive assumption that families fail to function adequately under the pressure of poverty. The researches of Dr. Mirra Komarovsky\textsuperscript{78} in particular show that poverty and continued unemployment in themselves do not undermine family morale and organization, if the family had integrity and cohesiveness before poverty set in. Inspite of these research findings it may not be exclusively possible to hold the view that there is no direct correlation between delinquency and poverty. Certainly economic explanations of delinquency and crime are not uniformly realistic for all the countries, irrespective of the level of their economic development. While underdeveloped countries attribute delinquency rates exclusively to poverty, fastly developing countries, like India, may find concentration of delinquency in slum areas of urban centres, besides poverty. On the other hand highly developed countries may attribute some portion of delinquent behaviour to affluence and highly mobile way of life. However, in the light of these researches it is not possible to ignore the facts established by the findings of these scholars. But it appears that the conclusions are based upon the research conducted in the relatively affluence society settings and may not be applicable

\textsuperscript{74} Young, Pauline, V., Social Treatment in Probation and Delinquency, Patterson Smith: Montclair: New Delhi, (1969), p. 17.
\textsuperscript{75} Carr, Lowell, J., Delinquency Control, Harper & Brothers, (1950), pp. 53-57.
\textsuperscript{78} Supra note 72, p. 17.
as such to the country like India where economy is still in developing stages and bulk of the population lives in conditions of poverty. Since every research is country specific, so its conclusions too have direct relevance to that country or similar type of social setting. Perhaps these research indications may serve as prophesies, more relevant to the future Indian society than what it is today.

Another seriously considered objection pointed out in the theory that "low social class is a delinquency prone areas" is the fact that economically disadvantaged youngsters run a much greater risk of not only coming into contact with the formal system but also having to resort to less-desirable alternatives, such as institutionalization.\textsuperscript{79} Whether the youngster is formally processed in the juvenile justice system or not depends more upon his background and the financial standing of his parents than upon such objective criteria as the type and seriousness of the offence.\textsuperscript{80} Too often the affluent escapes the net of enforcement agencies through many influencing factors including money and power, and even otherwise also he is accorded with more acceptable and non-stigmatizing alternative than his less-fortunate associates. The reason for this is that the disadvantaged youngster usually has little influence or power in his community and in the society at large.

The power of a group determines its ability to keep its people out of trouble with the law, even in instances where they have actually violated it. The powerful enjoys a series of formal and informal liaisons or links into the political system, ranging from the ability to put in 'the fix' to finding a friend in court, to getting its own members on the bench. Such groups are able to influence political and related structures because of their own numerical and organizational strength, brought to bear directly through political mechanism and indirectly through a nexus of institutions created by them which affords them contact.


with the system....A side from the straight political power of the vote, especially when used on a block basis by well-organized interest groups, other areas of institutional power which are partially significant for delinquency are those of education, economics and welfare, when an interest group's capacities tend to be high in all of the areas. When a group's general capacities to influence are high, the official delinquency rates of its children and youth tend to be low. Other institutions, of course, could easily be added to the list - for example, organized religion and mass media.81

The above statement squarely fits in the Indian social set-up so that the administration of justice to the young and adult offenders is concerned. The Influence and power, both political and money, should not be determining factor in dispensing justice or providing services to delinquent youngsters, but in fact it is. This factor accounts for a relative increase of the poor juveniles in the official statistical figures. Eliminating this injustice is not a simple process and can be accomplished only by understanding the many variables that contribute to it and the available resources that can help eliminate or at least reduce it. One of the most effective methods of increasing equality in processing and serving juveniles is the selection and training of competent personnel who manage the juvenile justice system at different levels - a task not that easy to accomplish as to point out.

To sum up we can say that poverty may not per se be accepted as a blanket reason for justifying high concentration of delinquency in the lower rungs of socio-economic cultural group. But it is certainly a source reason for generating conditions conducive to delinquent conduct. The unwholesome effects of its impact on the personality of the child and his behaviour at the early learning stage are not to be ruled out. Poverty engenders crime and

delinquency "by its ultimate action, through ways more often circuitous than plain, upon the inner mental life of the potential offenders." Unsatisfactory human relations, both inside and outside the family circle, inadequacy, frustration and emotional insecurity that emanates from poverty play a noticeable part in producing delinquency. "The perpetual struggle to make ends meet, the degrading conditions frequently met with in the home, the absence of influences of a cultural nature, the inability to gain the full benefit of the education provided, the desire to possess without the means to purchase, the general weakening of the moral fibre produced by long struggle against conditions which render happiness impossible and even decency difficult to attain" are some of the inevitable by-products of a culture of poverty. These are some of reasons besides many others which largely push the young immature child into undesirable conduct. Thus in relation to poverty, despite the disputed links between the juvenile crime and low socio-economic placement, it is most probable that a true, though not exclusive, association exists as a consequence of problems accompanying poverty, rather than poverty per se. Poverty based situations, if not poverty, are accountable for the large proportion of delinquency. Though this appears to be a reasoning in circle, biting its own tail, still there is some grain of truth in this. As the 'majority of delinquents are needy, the majority of the needy do not become delinquents'. So the poverty in itself does not inevitably lead to delinquency though it provides a strong basis for that. Poverty leads to migration to cities; it leads to large concentration of population into slum areas which is surrounded by conditions conducive to crime and delinquency generation; it leads to illiteracy; moral degeneration and what

84. See under the Heading Economic Development and Juvenile Delinquency in this Chapter.
85. Supra note 82, p. 92.
not. All these conditions have a strong contributing potentials for pushing or attracting the young to take up a socially disapproved way of life.

(ii) Conditions Inside the Home

Many agencies affect the child's development; however, the family is the most logical institution in that parental influence is most intense during the years of personality formation. 86 It(family) is one of the basic institutions and the most important primary group with high potentials of effective social control. A normal family has long been regarded as the best insurance against delinquency. 87 The family imprints its members with selfhood in all cultures and absence of family imprints can result in the development of deviant childhood behaviour and loss of identity. 88

These writers rest their conclusions on their interpretation of empirical studies that have probed the family's effects on delinquency. Furthermore, social and psychological research has also established that the family is the most important socializing agent in a child's development of delinquent or deviant behaviour. 89 Research findings indicate that environmental variables like parental deprivation, discipline in the family, inter-parental relationship, parental acceptance - rejection and family size were found to be causal factors in developing faulty personality of adolescents which lead to deviant behaviour. 90

Empirically, studies of moral development have shown that children acquire elementary moral concepts of right and wrong by about the age of seven

or eight and can act purposively, guided by a moral principle. The ability to act morally is, of course strengthened by age. The situations and environments in which a child spends his early years have tremendous impact in building up his moral standards and behavioural attitudes. That situation or environment is naturally a family setting in most of the cases.

The family is the first circle within which the first primary traits of the child are attested and shaped. The interaction of the main family actors within this circle is bound to make deep impact upon the future personality characteristics of the young child. If the environmental conditions within this circle are not conducive to a balanced personality formation the chances of deviant behaviour of a child brought up in that setting are more even.

A family exists as a system because its members interactions among one another are relatively intense compared with their interactions with other people, which creates a system boundary. Negative relationship with parents where the adolescents feel used for the selfish needs or ambitions by their parents may lead to retaliation through delinquency. Parental rejection tends to foster devalued self control, or as Coopersmith points "feelings of personal insignificance". If the parents do not see him as being of worth, it is difficult for the child to view himself in a positive way and to develop the feelings of self esteem needed for self-confident interaction with the world. In such a situation the child tends to equate closeness with helplessness and begins to experience deep discomfort or a tendency to react aggressively.

94. Quoted in (Singh) supra note 90, p. 145.
way "parental deprivation leads to faulty psychological development and the delinquent fails to develop adequate ego and super-ego. The uncongenial home atmosphere makes the delinquent to have traumatic experiences and acute sense of inferiority in early childhood. Consequently, he becomes mal-adjusted and develops deviance in behaviour like truancy, theft, pick-pocketing etc."96 As "no child is so constituted at birth that it must inevitably become a delinquent or that it must inevitably be law-abiding, so the family is the first agency to effect the direction which a particular child will take.97 Failure of the family to provide a supportive framework for healthy primary relations, and the community to offer needed services and facilities are primary factors in occurrences of young crime.

The weaning influence of family and also of the whole community can be seen with reference to criminal tribes of India. Indian Criminal Tribes, which have existed since long socialize children into criminal activities. The tribes such as Banjaras, Pardhis, Kaikadis, Rajput Bhamtas, Bawaria, Kolis, Bhantu etc., have lived by anti-social activities for many centuries. Children of such communities often accompany their elder family members in their criminal activities and thus learn basic family traits. Though the concept of criminal tribes has been abolished by the legislature but it still continues in the records of law enforcement agencies.98

With rich traditional social and cultural heritage and the role that family still plays in our social setting there is a great scope of using family and other social and religious institutions to countervail the potentially destructive forces conducive to juvenile delinquency.

96. Supra note 90, p.151.
98. During interviews with police officials of different police stations it was found that certain tribes/communities are still suspected criminals in the official records. For instance to mention a few: Baurian community in the Area of Dhuri Police Station Distt. Sangur; Shansi community of the Nabha (Fatiala) (conted.)
Besides poverty which has been discussed in the beginning, many factors, primarily centred in the family setting, play dominant role in the formation of the cumulative atmosphere which affect the behaviour of the child one way or the other. Below, some of the important ones are identified and their impact analysed.

(a) Broken Home

Perhaps the most important among the social institutions through which every society seeks to pass on to its younger members the dominant conventional system of attitudes, values and modes of behaviour is the family. Effective operation of the process of socialization by the elders of the family tends to produce confirmist attitudes among its children and reduces chances of delinquency. Where home conditions of a family are not normal there is every likelihood of the development of abnormal tendencies in the young child including inclination towards aggressive and non-confirmist attitude.

It is abundantly clear that the boy or girl who does not make one of a normal family, labours beneath a heavy dis-advantage. The ordinary child in an ordinary home is the member of a small and self-contained society, cared for by the united efforts of both father and mother. The regulatory check of parents besides their love and affection provides an effective shield from influences conducive to delinquency. On the other hand the delinquent child, too often, is devoid of all such benefits. He leads an existence which is warped, one-sided, incomplete; and lacks the most natural check against lawless behaviour. When family check is not there and an opportunity comes in his way he is naturally attracted towards deviant venture; and once he enters the vicious circle; comes to know its ins and outs, he becomes more bold and starts enjoying the Police Station area; Rai Sikhs in Dharmkot Police Station of Faridkot distt., and Zira Police Station of Ferozepur distt. etc.
fruits of ill-gotten money. This small beginning slowly turns into a habit and permanently fixes the child into delinquent career.

It has been established by empirical studies, both in India and outside, that a good number of juvenile delinquents have "broken home" background. By broken home does not necessarily mean that there is an absence of one parent through death, divorce, desertion or separation. Parental bickering or other unhappy family conditions, particularly between the parents, have a tremendous effect on a child. In comparison to developed countries "broken home" conditions are not so common and thus broken home cannot be more than a contributory cause of delinquency in the Indian social setting. In view of the conflicting conclusions regarding the extent of broken home as a factor accountable for delinquent conduct, it is not possible to reach at the confirmed conclusion that structural break in the family is directly responsible for delinquency. However, it cannot be denied that more delinquents come from broken home background.

(b) Defective Discipline

A strong concept is that one factor that contributes to delinquency is the breakdown of respect for authority. The reason for the breakdown today is the same as it was two hundred years ago - as found in eighteenth century literature on crime - youth simply refuses to conform unless forced to do so. Because of sheer immaturity a child is unable to calculate the pros and cons of his actions and attitudes in the right perspective. It needs guidance, control

and affection to put the child on the right path. The family is the first school of learning to which child has the access and looks for guidance. As emphasised by socio-psychological literature that "early childhood experiences, especially those within the family, determine in great part how the youngster will be moulded and how he will eventually adopt to the external environment."\textsuperscript{101}

There have, however, been considerable changes in the pattern of family life in the past two decades with more mothers working outside the home, more marriage breakdowns, an increase in the nucleus family units and individualized life style (specially in the higher rungs of the society). Young people's lives also seem to be more autonomous than those of earlier generations. They are not prepared to accept the prevalent social and moral values without questioning. All this imposes more responsibility upon parents to devote proper attention towards their children and provide them much needed guidance to enable them to cope with the pressures of modern day life-style. It is practically not possible for parents to exercise personal supervision in the sense of "keeping an eye on them all the times" since parents stay out side the home for a considerable time and children also prefer to stay outside the home. The lack of opportunity for parents and children to be together provides sufficient opportunities for the young to engage in delinquent conduct, specially where family control is weak. Since most of the delinquent activities take place away from home, and parents. It is natural that poor supervision and defective family discipline contributes significantly towards delinquent conduct.

The public view that parental supervision is a major factor in preventing delinquency has been supported by past research, although a large number of\textsuperscript{101} Supra note 80 at p.65.
other influences have also been implicated. Poor supervision provides an opportunity to stay away from home, unsupervised, and not subject to particular rules about such things as coming home, tidying up, manners or bed-time. Development of such habits at the early age provides a strong stimulent towards delinquent conduct. Depending upon the emotional stability of the relationship of parents and the patterns of disciplining and guiding, the child will learn to handle the pressures and responsibilities of growing up, inside and outside the home. When the parents are rejecting, indifferent, or inconsistent in the sense of sometimes overindulgent and at other times unduly strict, the child feels very insecure. That insecurity and lack of guidance at the parental levels makes the child helpless and he tries to find out satisfaction of his legitimate aspirations outside the home, unguided, uncontrolled and unwanted. In such a situation lapse towards delinquent conduct is most natural consequence than otherwise.

Burt and the Gluecks studied the impact of family discipline upon the delinquency in London and came to the conclusion that seventy per cent of the delinquents suffer from poor parental control. In United States also it was found that in 91 per cent of cases the delinquent child felt thwarted and rejected even though in many instances the parents were unaware either of their own role in the delinquent's concept of himself or of his feelings towards his family.

In India, where there is a general tendency of parents to go out of the way to shield the culpable conduct of their own child by putting the whole

101. Ibid.
103. Ibid.
105. Healy, W and Bronner, A.P., New Light on Delinquency and Its Treatment, Yale (cont'd.)
blame on other person's child, bad discipline is likely to be wide spread. Due to lack of counselling of parent regarding parent-child relationship, poor feedback from the school regarding the conduct of the child there is a greater possibility of child's developing anti-social tendencies towards life and problems of daily occurrence. In the Indian social setting where economy is in its developing stages and rapid economic progress is bound to result into far reaching social consequences, like urbanization, migrations and industrialization, to mention a few, delinquency problem among the youth is likely to increase with the same speed, rather more. Unless careful social planning by strengthening the traditional and primary social control agencies, like family is undertaken we too, in India, are likely to face in the near future problem of delinquency with the same magnitude and propensity as is being faced by the developed countries today.

(c) Size of The Family

An other important concomitant of poverty that too call for explicit mention in the context of the problem of delinquency is big size of the family or overcrowding. It is largely agreed by the investigators that families with a large number of children contribute a disproportionately higher number of juvenile delinquents. It is practically very difficult to effectively and efficiently manage the family with large number of inhabitants, specially when the family happens to be in the poverty circle. As a result of this children are likely to be deprived both physical and emotional needs and these deficiencies may lead to staying away from home as well as school, thus exposing the young child to the risks of developing delinquent attitude.

Moreover, when one room residence is made to accommodate members of whole of the family irrespective of age and sex, decency and delicacy is the first casualty. As Burt has put it, "Where accommodation is so limited and sleeping-space so cramped, it is hard for parents to preserve a proper dignity; and if, in addition, there are lodgers, boarders, or other families cooked in the same cramped building, an easy intimacy with comparative strangers is bound to lessen social reticence and to injure self-respect." 107

When these feelings are powerfully experienced, the driving forces of wishes and desires naturally develop into urges for substitute satisfactions .... and an alternative mode of self-expression through seizing upon the idea of delinquency. 108

In India where a general belief which has been handed down from generation to generation among the poor strata of the society is that more hands in the family means more income. This tendency is not only responsible for the population explosion but also results into increase in the size of the families. As a result thereof adequate attention can not be provided towards the health, education or general welfare of the children and their legitimate requirements. This pressurises the immature youngster to seek relief and solace outside the home—away from the control of parents. His efforts to realize his aspirations unguided and through shortcut methods often lead him towards delinquent way of life.

In the wake of wide-spread illiteracy prevalent in India, big size of the family further complicates the situation so far the education of the children is concerned. Parents tend to place lower value on their children's education. Meaning thereby that a large number of children do not get even the

elementary education.\textsuperscript{109} As the official statistics show most of the juveniles delinquents are either illiterate or have education just upto primary level.\textsuperscript{110}

(d) Vicious Home Conditions

Family is the first and primary social unit of transmitting values among its youngsters. Some of these values are acquired by the child by observing and experiencing the working of family system and its environments; and some others are advertently interjected by elderly family members through positive efforts. Since one can dispense only what he has, so where the family value-system is infected by vicious home conditions like adult criminality, parental alcoholism and low moral perceptions the children are bound to be effected by demoralizing atmosphere. To know that his own father is in prison or his own mother a profligate is quite sufficient, without any open incitement, to turn a child's thoughts towards lawlessness and vice. To lose respect for one's parents is to lose respect for oneself, for one's fellows and for the whole basis of morality.\textsuperscript{111}

The cumulative effect of this transmission of traditions and values operative in a family is that it provides a ready and handy school for training and specialization in criminal activity for the youngsters. That is perhaps the reason that most of the juvenile and adult crime is concentrated in specific areas of urban population in big cities.\textsuperscript{112}

\textsuperscript{109} Nearly 62 per cent and 50 per cent of the children in age-group 5-9 and 10-14 respectively are still out of the school; see Key Population Statistics based on 5 per cent sample data, Census of India, Series-1, India, Paper 2 of 1983 at 25, Table 14 (Registrar General and Census Commissioner of India, New Delhi).

\textsuperscript{110} 43 per cent of the juvenile delinquents ousted during 1982 were illiterate and only 7.5 per cent were matriculate or above, See, Crime in India-1982, p.110.

\textsuperscript{111} Supra note 107, p.99.

(iii) Conditions Outside the Home

It has now been accepted universally that largely delinquent tendencies are acquired by a child in the process of learning from his own experiences and the experiences of others in whose close association he is brought up. At the personality formative stage influences of family environment and immediate social environment have deep impact on the child's subsequent behaviour and lay down the foundation of personality which the child will bear in the years to come. After family the next important social situations which have their impact upon the child's personality are conditions or environments immediately outside the family.

There is no doubt that the character of street, neighbourhood, friends and other social instructions which come into contact with the young child in the early years of his development considerably play a dominant role in making the 'child of tomorrow'. They are the necessary organs not only for imparting basic skills but also for the requisite internalization of social values and responsibilities. Inadequate or low level operation of these institutions can have tremendous effect upon the habits, attitudes and behaviour of the young child whose personality is open to any kind of influence. The multiple factors, which tend to activate delinquent tendencies among the young, besides the adverse familial situations have been broadly categorised into three groups by an eminent sociologist Cyril Burt:

1. Those connected with the child's daily work, whether at school or at business;

II. Those connected with his leisure hours.

III. Those exercised by the companions he meets and the friends he forms, whether school-fellows, work-fellows, or play-fellows.

113. Supra note 107.
Keeping in view the framework of these sub-divisions the following may environmental factors, outside the family, which have crimenogenic impact upon the youth can be discussed.

(a) Neighbourhood

After family, the most important social control institution, which has high potentials to shape the personality of the young, is the community surroundings or neighbourhood situation of a child. The community and its institutions are the most effective and democratic tools for the supplementation of programmes aimed at the prevention of juvenile crime. This is so only when neighbourhood situation is free from criminogenic atmosphere. But that does not happen, specially in the lower rungs of social strata.

It has been noted that by and large delinquents come from the underprivileged home surroundings. Within the urban regions, slum districts and densely populated industrial areas contribute most to crime. Areas of high juvenile delinquency rate tend to coincide with areas of over-crowding and poor-housing. We cannot dispute the basic facts that in these areas poverty abounds and family life is at low ebb. The community disorganization leads to personal disorganization. The little order and general disorder becomes a way of normal life-situation in such communities. Personal efficiency is often impaired by disorganizing habits which naturally develop in such a community living. It is only through a power of good family influences that risks from high-delinquency neighbourhood can be offset. Since coherent and adequate family relationship is very rare in these areas so delinquency and crime becomes a normal and accepted way of life of that cultural-group and their children. The

cumulative effect of unwholesome atmosphere not only helps in the transmission of prevalent traditions and habits of the community but also serves as training school for imparting necessary skills and techniques in their young for a successful criminal career. This means that delinquent boys in these areas have contact not only with other delinquents who are their contemporaries but also with older offenders, who in turn had contact with delinquents preceding them, and so on back to the earliest history of the neighbourhood. This contact means that the traditions of delinquency can be and are transmitted down through successive generations of boys, in much the same way that language and other social forms are transmitted.  

Studies in the field of sociology of crime has since long attested the findings establishing the criminogenic potentials of slum neighbourhood. The earliest to mention is Frederic M. Thrasher who conducted the study of behaviour of 1313 juvenile gangs in the area of Chicago (Illinois). His findings were that delinquency is a result of disorganized neighbourhoods and family disintegration. The children of immigrants turn to delinquency because of a lack of parental control over their behaviour. The disorganization created by conflicting cultures and poverty left children to their own devices in amusing themselves and developing relationships.

Shaw and McKay who examined the ecology of delinquency in Chicago and other large urban areas came to the conclusion that the ecology of delinquency was concerned with the relationship between neighbourhood characteristics and delinquency rates. Delinquency rates were highest in those areas of the city in which the poor and the immigrants were concentrated.  

117. Id., at pp. 489-90.  
119. Id. at p. 163.
pathology found in this study pointed out that environment is an important factor in the etiology of delinquent behaviour. Since the family-living standards and norms in such community-surroundings also, by and large, present deviant role models, so the juvenile would be exposed to illegal activities in the home as well as in the greater community.

Similarly Sutherland holds the view that all behaviour was learned, whether deviant or non-deviant. Through a process of interaction with other persons, criminal values or actions were communicated. Most of this communication occurred within intimate personal group, so one could anticipate that family members or close associate might have a great impact on the origin of deviant behaviour. One not only learned actual techniques of committing crimes but also how to rationalize the behaviour. Thus, delinquent acts and non-delinquent acts co-exist in the same areas of a city because some youngsters were exposed to an excess of pro-delinquent values and actions whereas other had role models (parents, friends) who presented them with non-delinquent values.\(^\text{120}\)

It has been noticed that arrest rates are, virtually everywhere, greatest for those juveniles and young persons who are not occupied by school of work, and who are socially separated from law-abiding persons.\(^\text{121}\) Being children of poor migrants to cities who reside in over-crowded housing in slum areas devoid of any play-space and with a very weak family supervision (Because of serious personal impediments like alcohol, or drugs addition, severe marital conflicts, long hours of work, large families etc.) their association with delinquency prone situations becomes very easy and powerful. Moreover, the capacity and moral authority of the family over the conduct of their children is affected not only by


\(^\text{121}\) See *Crime in India-1982*, pp. 111-114.
family's internal structure and operation but also by the relationship the family maintains with its social surroundings.\textsuperscript{122} As a result thereof where moral and social surroundings in a community-living are at a low ebb, it will have its natural effect upon the familial control over their children. The family fails to properly insulate the child from delinquency and other related behaviour.

(b) Companionship

It has been estimated that between 60 to 90 per cent of all delinquent acts are committed with companions.\textsuperscript{123} That fact alone shows that peer group has a strong influencing value in shaping the behaviour of individual member of the group as well as the group as such. The typical delinquent operates in the company of his peers, and delinquency, by and large, thrives on group support. As group association provides needed encouragement, support, protection and technique for the commission and \textit{commission} of delinquent activities.

The drastic social and cultural changes brought about by rapid industrialization and urbanization has lead to changes in the structure and use of leisure time. More and more leisure time is spent with peers rather than with the family. The social and cultural vacuum caused by abrupt break from their cultural context with which they were familiar, leads to the formation of another sub-cultural group that provided its own conduct norms, justifications and techniques of coping with the shared situation. Juvenile gangs are one such group. The behavioural norms of such group and its individual numbers depend, in part, on the opportunities afforded by it to meet the needs of its members — money, \textsuperscript{122}President's Commission on Law Enforcement and Administration of Juvenile Task Force Report: \textit{Juvenile Delinquency and Youth Crime}, Washington, D.C. (1967), p.46. \textsuperscript{123}Ibid.
status, etc. - and on the action and reaction of the wider community in which such group subsists. When they encounter opposition at home or in the community, or when they are unable to gain status, compensatory aggression in the form of delinquent behaviour may follow. 124

There is no denying the fact that many susceptible youngsters, hitherto not involved in delinquency, respond to suggestions, invitations, or threats by their associates and join in proposed escapades which they may later find sufficiently gratifying to induce them to form strong allegiance with predatory groups. Such juveniles develop a taste and temperament which induces them to continue with their delinquent habits even when they leave or made to leave the gang association. They are not willing to give away the newly acquired freedom of action and enjoyment easily. When other situational factors of such a child are also conducive to unhealthy development the desire for delinquent activities gets more reinforcement and the child is permanently confirmed in delinquent way of life.

Besides the active involvement of a child in a group association which had delinquent tendencies, there is a silent impact of companionship upon the young child even though that companionship may not be of delinquent children group. The most common example is of a child who happens to live in the association of his wealthier neighbourhood. The mere presence of a well-off companion entices him to live by dishonest means up to the standard and style of the wealthy companion. Though large number of children succeed in controlling this influence but still there are few who are over powered by sentiments and false aspirations and ultimately get off the normal track of life in their effort to match their rich companion. 126

126. Burt, C., has found this kind of influence upon 8 per cent of delinquent children he investigated in his study, The Young Delinquent, Univ. of London Press (1965), p. 131.
Another aspect of companionship that adversely affects the child in his early developmental years is association with adult criminals. Many juveniles are engaged in illegal begging practices, often under the supervision of adults, either their parents or others, who may set certain amounts of money that must be taken in each day. In India where prohibition and rationing of food items is widely used, especially in times of disaster or famine, juveniles are commonly used by adults in urban areas to transport the illicit alcohol or rationed items of food. Their services are cheap and they are less likely to be detected by police or even if detected more likely to be let off on humanitarian and administrative considerations. A detailed study of juvenile offenders in the Greater Bombay area showed that of the three largest 56.1 per cent entailed theft, 21.7 per cent food rationing regulations, and 7.8 per cent prohibition violations. In all these cases juveniles were used as tools by adult criminals.

In many cases adult association plays an active role in the induction of juveniles in criminal careers. Juveniles are supplied with drugs and once they become drug addicts they have no option but to follow the directions of the adult drug supplier who uses them for begging and for the commission of petty thefts. In return to their earnings out of begging or theft the adult drug trafficker supplies them drugs on regular basis and thus inducts the young child into criminal career. On exposure to delinquent way of life than such child cannot leave it even if he wants to leave it.

The evil influence of adult acquaintances is more marked in cases of sex offences by adolescent girls. Usually it is some older youth or man who wields ascendency over some young girls. The whole of the institution of prostitution thrives upon elderly support and protection. The sexual emotions of the young, which are quite natural among all the human beings, are exploited by the

128. Ibid.
129. Supra note 127, at pp.135-138.
experienced adults, with or without money, power and ultimately the young immature is left with no alternative but to continue with habits acquired in the early childhood.

(c) School

School is another time-honoured social institution, more so in the context of present day societies, which can play a major role in shaping the identity of the child. With the introduction of school as compulsory socializing agency for the young children, the importance of role that school can play in shaping the personality of the young immature child has increased tremendously. As early years of school experiences imprint permanent contours on the intellectual, emotional and physical personality that the child will cultivate in the years to come.

By virtue of its teaching-learning functions and its functions as an important agent of social change, the school has a great responsibility for influence children and adolescents for good or for bad. Comparatively teachers in the schools get the maximum time for personal attention and care towards the development of the child. This opportunity of close scrutiny provides sufficient time to the teacher to identify pupil/vulnerable or exposed to the development of delinquent behaviour. The early referral of such pupil to the appropriate socializing agency could very easily forestall more serious problems. Moreover, special attention towards children with difficulties, truants, poor readers, academic failures and school drop-outs as a part of the most vulnerable group can help in a great way in bringing and keeping these groups in the right track of life circle.

The relationship between school and delinquency has been examined by many writers and has been included in many theories of delinquency. If statistics

are a correct reflection of extent of delinquency then we can very safely conclude that a substantial majority of juvenile delinquents have a very poor school performance.\textsuperscript{131} Despite the fact that most of the delinquents possess average and good intelligence level\textsuperscript{132} but they register a very low school performance.\textsuperscript{133} This means that there is something very seriously wrong in the functioning of our educational institutions. They are unable to keep the child within their fold and ultimately he leaves the school and enters into a profession conducive to his social standing and within the easy reach of his potentials.

The type of schooling provided for the poor and the working class population in the developing countries is primarily concerned not with inculcating and refining the creative faculties of children but weakens the child's ability to survive in an environment of poverty, massive unemployment and malnutrition. This is more so in urban centres where lack of cohesive family structure, poor supervision of youth, and ample opportunities to commit property crimes provide a natural attraction for drift towards delinquent way of life. Since school fails in its social responsibility to prepare the child to meet the challenge of life, the child tries to find other channels for survival in the competitive society. According to his ability and strength he chooses his life style. Most of them enter into vast crowd of child labour market, some others prefer to go for begging etc., and a good number of them find satisfaction in more adventurous activities like theft, shoplifting, gambling etc.

School has been often described as a middle-class institution. The children from lower middle class and poor backgrounds perceive school as a major source

\textsuperscript{131} In India out 1,65,337 juvenile delinquents arrested 1,26,970 were educated to the level of below primary standard. See Crime in India-1982, p.112.
of frustration. As lower class child is not prepared from the very beginning to
compete in a middle class world. He feels easily discouraged in his effort to
compete for grades or popularity. Lack of familysupervision and guidance and
failure of school set-up to provide him with necessary support system at this
critical juncture pushes him towards alternative channels to find status and
recognition. Very often such child finds desired relief in deviant conduct. The
lower-class child's lack of success has been described as result of discrimi­
nation on the part of the teachers who expect students to exhibit middle-class
manner and values as well as educational programmes that stress college orient­
ed career goals. The child from poor background naturally fails to find out such a constructive familial environments. The end result of the situation in which the child finds himself is that he pulls himself out of the school or is pushed out of the school. The school drop-out who has partly seen the life-style and charm of middle class environment fails to adjust himself outside the school, and his maladjustment leadshim to delinquency or other unacceptable social behaviour.

The problem is more acute in the poorest and slum areas. Schools are
not adequately equipped with trained professionals capable of dealing with children who are neither ready nor able to learn. On the other hand highly ass­
erting demands for performance and neatness that the child cannot afford make the teacher avoid such children instead of paying more attention towards their problems. This indifferent, apathetic and sometimes hostile attitude of the teacher ultimately prepare the child to rebel and if the familial situations are

pp. 411-454.
also not healthy, which are not in most of the poverty stricken societies, the child turns to other things that have nothing to do with academic learnings. The ultimate result of this interaction is that the school finds a way to ignore him or to push him out so that the rest of its work can continue.

IV. New Development and Juvenile Crime

Development is not criminogenic 'per se'. It is essentially an instrument in improving over all social and economic conditions by means of a adequate redistributive mechanisms. It is in fact haphazard or inadequately planned development which has criminogenic implications. As single-minded economic development without an adequate support sytem of social development creates conditions which are conducive to crime and delinquency. Among the conditions which can be singled out are uneven urban development(slums), poverty, inequality, oppression, illiteracy, unemployment, and use of drugs. Furthermore, technical progress has provided more numerous opportunities and temptations for crime and delinquency. To add to the list is the proliferation of economic crimes, such as embazzlement, fraud, smuggling, tax-evasion, and the misuse and illegal appropriation of state and public property, as well as rampant corruption, bribery and abuses of economic power. Such crimes, limited only to a section of society create a climate of frustration, hatred and revenge against the accepted social norms and thus provide a psychological justification to the young for criminal ventures. All these negative values, resultant of economic development provide a necessary push to the young to jump on the other side of the law.

Economic condition of a society at any given stage of social development has its effects on crime situation - its magnitude, nature and sophistication.  

136. A cross-national study Report revealed that there are 12 indicators commonly included in the measure of development and one of them is higher rates of total crime. See, Giorz Rahav and Shiva Jaamdar, Development and Change, Sage Pub:London(1983).
The oldest and still not irrelevant are the attempts to reflect crime solely in terms of poverty - absolute or relative. Then came the theory formulated by Marx & Angels who interpreted crime in the context of total socio-economic situation produced by capitalistic social set up. Next to follow is the stage of rapid economic development resulting into major changes in the traditional social set-up in the form of industrialization, migrations and more and more access to educational & technological avenues. All these developments weakened the traditional social control agencies (family, kins, school) considerably and ultimately culminated into materialistic attitudes, individualized life-style and intolerable instincts among the human beings, especially the younger generation. These new changes cannot be outrightly termed as negative developments but it is/...balanced social development in contrast to the economic developments which has failed to absorb some of the newly acquired aspirations of the younger generation in a adequate manner. As a result the youth started drifting towards channels immediately and easily available for the fulfillment of their newly acquired aspirations. Thus, many negative consequences of economic development came on surface and could be identified as causative and contributory factors in the escalation of juvenile crime and frustration.

The post Second World War era has witnessed immense changes in economic and social fibre of the society everywhere in the world. The variations in the degree of change in each country is relative to its stage of development. Otherwise, a comparison of social and economic structure of any society immediately after the IIInd World War with the present day society presents substantially changed picture almost in all walks of life. Crime and delinquency cannot be an exception. The present generation has become more open and refuses to accept the time-tested traditional values without questioning. Status quo, which used
to be a fashion forty-five years ago, is being considered as a hard in the progress and development of the society. Greater opportunities for education and access to information has lead to increased social consciousness - a feeling of being a master of one's own destiny, a keener sense of justice, and a desire to participate more actively. The fast pace of development has failed to create adequate avenues for the realization of these aspirations of the new generation. The resulting dissatisfaction and disillusion can lead only too easily to delinquency - what cannot be achieved through legitimate channels may be achieved through socially unacceptable modes. The chief factor of economic development which have affected criminality, particularly in the young are:

(a) **Industrialization and Immigration**

United Nations Social Defence Research Institute has not demonstrated that industrialization and urbanization, by direct causal necessity, lead to a higher level of juvenile crime, although the results do suggest that there is a correlation between urbanization and crime in general. When urbanization is unplanned and exceeds the capacity of the socio-economic and governmental support-structures to provide the necessary services and means in order to achieve certain objectives, its impact on youth crime is more pronounced. Changes in social structure, cultural conflicts lead to a loosening of the ties that individual young people have with their environment. The increase in opportunities generally accompanying industrialization and urbanization could also lead to an increase in juvenile crime and delinquency.

Economic development with an increasing 'single-minded' stress upon growth and production of more and more material goods has resulted into rapid industrialization without any careful and balanced social development along with that. This is true to all developing countries. India is among the first ten countries of the world in terms of industrialization though the poorest in terms of per capita income.\(^\text{139}\)

Industrialization has opened new avenues for labour market in the cities, attracting a unbroken stream of rural poor migrating to urban centres. This lead to substantial increase in urban population from 13.86 per cent of total population in the year 1941, it grew to 23.31 in 1981.\(^\text{140}\) And if the continuing pace of urbanization is maintained, it is expected that by the turn of century the urban population in India will reach 34 per cent of the total population.\(^\text{141}\)

Another major demographic change in population structures, particularly in developing countries, has been a disproportionate increase in younger age groups. Southern Asia has registered an increase of 3.1 per cent in the last one decade(1974-1984).\(^\text{142}\) While the number of young persons is on the increase in most of the developing countries, the employment prospects for newcomers to the labour market are radically decreasing, in many cases, against a background of illiteracy, poor education and poverty.\(^\text{143}\) This situation tends to

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140. Key Population Statistics based on 5 per cent sample data, Census of India, Series I India, Paper 2 of 1982, Table 1, Registrar General and Census Commissioner of India, New Delhi.


create disparities in the social structure, giving rise to problems of inequality and marginalization of the young from the mainstream of national and social life. This creates an increasingly fertile climate for youth crime and delinquency.

Industrialization led to migration and uneven development of urban areas. It provided an inevitable opportunity to a meeting of different cultural and social values, with an increased uncertainty about values and ethics, both for the immigrants and the host society and thus paved the way for cultural conflicts. Contrasts and differences between settled urbanites and the newly arrived poor are highly visible in the modern world of mass culture in the urban centres and they are, therefore, less well tolerated. An insidious system of economic pressures and dissatisfaction incites the young to opt for solution on the other side of the law. To seek prestige and status comparable with urban culture, the young children of the immigrants very easily drift towards life of crime and delinquency as they have very limited avenues of social and individual advancement through legitimate options.

With the advancement of science and technology industrialization no longer depends heavily on all available labour. It needs and rallies extensively on trained and experienced workers thus bulk of migratory young persons reaching the cities fail to find out adequately suitable jobs. This results in unemployment and under employment creating frustration among the youth and their children. Failure to provide productive employment to the youth creates disparities among the members of the same cultural group as well as with the other cultural groups. These situations of socio-economic disturbances contribute to the development of a social milieu prone to life of crime and delinquency. Thus, while industrialization in itself cannot be considered a cause of crime, the interaction of social
processes and relations that follow industrialization serve as strong contributory factor in the creation of crime-prone opportunity structure. Young people, who are highly vulnerable to such influences and by nature lack the patience to wait and see easily fall prey to delinquent way of life.

Socio-economic changes, which often accompany accelerated industrialization and modernization in pursuit of economic growth, start with the rural-urban migration and imbalanced regional development that follow such migrations. Rural dwellers are pushed out by the difficult rural living, hard working conditions and lack of sufficient avenues for reasonable livelihood. On the other hand urban centres appear to provide for a promise of employment, better health and educational facilities and more comfortable living conditions. However, the realities of urban living soon drive home the illusory nature of their expectations. Feelings of alienation, isolation and helplessness through the loss of family and kin-support, lack of appropriate community and social service support structures, material poverty; augmented by psycho-emotional deprivations in the jungle of the urban metropolis breed frustration, discontent and personal socio-emotional conflicts grow.

In the new socio-cultural setting of urban life the traditional crime control agencies of rural societies like cohesive family structures, strong religious proscriptions against stealing (which is the largest single crime committed by the young), intensive supervision of youth, well defined youth roles, limited opportunities to commit crime etc., are delinked and slowly lose their validity in the fast urban life. Since most of the urban centres are not prepared for this huge and sudden influx of poverty-stricken people so the basic services such as: housing, streets, water, sanitation could not be provided.

in sufficient quantities. As a result, instant slums start springing up, usually at the outer rings of the established areas of cities. Land is by and large occupied illegally with no provision for controlling density or providing space for schools, parks and other social services.

According to an estimate within the next 15 years (By 2000 A.D.) 60 percent of our population will be living in slums, planned unplanned, consisting mostly of people from villages flocking the cities in search of employment. Persons living in these areas develop a kind of attitude towards his own self, neighbours, surrounding and non-slum dwellers described as "slum-mentality".

This slum mentality makes a person lethargic and un-enterprising, jealous and suspicious of his neighbours, over demanding and cruel to weaker persons, woman and children. By being lazy, difficult and cynical, he seeks the importance that does not belong to him and therefore, denied to him. For release of pent-up feelings, he takes recourse to alcohol and bawdy festivities. How, the children brought up in such an atmosphere will behave can be well imagined. Several authors have reported that children born and brought up under prolonged stringencies get the indulgence of family members with estranged morality to commit petty thefts, pickpocketing, shoplifting, and alike offences.

Some of the new arrivals are absorbed in the urban economy but for many unemployment and under employment becomes a permanent feature of their lives. For survival and to gratify their unfulfilled expectations these underprivileged

146. Ibid.
depend upon begging, petty thefts and other marginal activities. Many children of such persons are abandoned by their parents who could not afford to look after them. These unfortunate children start roaming the streets; begging, shoplifting, pickpocketing and indulging in other vices like gambling, violation of prohibition laws etc. The adverse situation in which such children live, provide them a natural attraction towards a life of crime and delinquency.

The effect of urbanization has particularly pronounced among youths. It is largely for this reason that almost throughout the world criminals are young urban persons.149 The uneven growth of urban areas often results in a largely separate youth culture separate and beyond the control of adults. They acquire their own norms and standards which can readily lead to forms of delinquency and crime as an accepted forms of recreation, excitement or ways of obtaining material goods. Lacking the benefits of traditional support-system, young people face conflicts and pressures from all fronts in trying to find their place in the altogether new cultural setting. In the resultant isolated atmosphere youth idealism and dynamism are easily mischannelled in the fact of frustration and the discovery that "Life is not what it ought to be". This isolation of the younger generation from the main stream of their cultural background creates a sub-culture within the culture of their origin, which tends to be in conflict with the norms of the general society. The scars of cultural deprivation since childhood and non-absorption in the new cultural-setting results in serious personality defects - ability to express is seriously compromised, backwardness in school results. This culminates into educational failure and its inevitable outcome: difficulty in finding a job. The only outlet left for recreation and survival is found among their own peers or in the streets.

149. Twelve big cities in India, (Ahmedabad, Bangalore, Bombay, Calcutta, Delhi, Hyderabad, J. Purl, Kanpur, Lucknow, Madras, Nagpur, Pune) account for more than 30 per cent of total juvenile crime under local & special laws, see, Crime in India-1982, p. 103.
What alternatives remains for them other than superficial mimicry of the most caricultural aspects of the host society or withdrawals into their shells in the hope of healing their scars? Both these attitudes can lead to aggressiveness and violence, which are out-bursts of defiance and the will to survive. It is their last effort to assert themselves, to try their strength against authority. Deviant behaviour and getting on the wrong side of the law are only step away.\textsuperscript{150}

(b) Mass Media

One of the most visible and felt impact of development is the recognition and acceptance of mass media as a fairly effective mechanism for transmitting factual messages. How far mass media is capable of influencing the attitudes or behaviour of the public especially to persuade the audience to act in a particular manner is still a debateable proposition? But it has an impact, specially upon the young and immature persons, can not be denied even by its strongest supporters.

It is generally assumed that all of us are suggestible.\textsuperscript{151} Image and sound are directly understood by the senses without passing through the sieve of reason.\textsuperscript{152} Mass media being emotional and subjective operates as a strong stimulant in the minds of audience, specially the young, who are handicapped from perceptive immaturity and thus may not be able to look and think beyond the surface.

\textsuperscript{150} Magnot, Therese,"A Second Lost Generation", \textit{Forum}(Council of Europe), 2/1981,p.IX.


The recipient of a mass media message will perceive and interpret any communication according to her or his needs, attitudes and capability of mental maturity. Thus mass media can influence the attitudes and behaviour of the young in a more deeper form, particularly with respect to work, family life, material goods and living standards. Above all, the mass media may cause the immature young mind to develop expectations that contrast sharply with existing circumstances and his ability to acquire. However, it does not mean that mass media is an instrumentality exclusively for negative influences and valves among the youth. It can and does exert positive influences too, rather more, and some of the positive influence help in the prevention of youth misbehaviour. In fact it is the violence exhibited through mass media that is most debatable, so for its impact on crime & delinquency is concerned.

There has not been any systematic study of suggestibility of mass media on normal and delinquent population. The four possible hypothesis that emerge from the research in the field of impact of violence communicated and exhibited by mass media on crime and delinquency may be briefly described as:

(a) it provides the audience with models of behaviour;
(b) it raises the level of aggression in the audience;
(c) it desensitizes the audience to the damage associated with violence; or
(d) it provides an outlet for the aggressive impulses of the audience, thus, by catharsis, reduces the amount of violence.\(^1\)

Inspite of the justification provided by research, based upon small samples of audience, specially children, no clear and coherent picture has emerged.\(^2\) Findings are inconclusive and establish only a weak casual factor


\(^2\) See The Report of the Beijing Meeting(A/Conf.121/IPM 1); See also Krzyt of (conted.)
so for the impact of mass media violence on crime and delinquency is concerned.

Earlier also many theorists like Cyril Burt (Psychologist), William Healy (Psychiatrist), Reckless Walter (Criminologist) emphasised the relationship between mass media and delinquency and crime. Their basic argument was that exhibition of wealth, materialism and immorality in the culture furnishes juveniles with models conducive to delinquency. Due to high suggestive value of mass media its effect on immature minds is more profound and easily arouses their emotions. The tension so created remains unsolved until there is overt physical activity often of an imitative delinquent type. Since their findings, though appear quite sound, are not based upon empirical studies, so it may not be very safe to rely upon their assertions.

Blumer and Hauser were the first to examine the impact of mass media on delinquent boys and girls through sample study of 386 delinquent boys and 252 delinquent girls. Their findings were that only 10 per cent of the boys and 25 per cent of girls were found to have been effected by movies in their delinquent activities.

The most extensive study of the influence of television on children was conducted in England and involved 4500 youngsters in five different cities. There it was found that violence on television did not induce non-delinquent viewers to delinquency. It was only in instances wherein a young person was predisposed that a television show might be seen as triggering delinquency.

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155. (a) Burt Cyril, The Young Delinquent, London Univ. Press: London (1938);


Standard University Institute for Mass Communication Research also conducted a survey on influence of violence in television on 6000 children, 2000 parents and 300 teachers. The main findings of the study was that though there was some disturbances in the young minds, it was not serious enough to lead them to delinquency. But in the cases of delinquents it was reported that they were led to delinquency after witnessing television shows. It was found that they had delinquent tendencies already and television shows only triggered them off. Although exposure to violence in the mass media inhabits or more probably stimulates to some extent aggressive and criminal behaviour in certain individuals under certain circumstances, it is extremely difficult to establish it as general casual factor.

Most of these studies are confined to criminogenic effect of violence through mass media upon the young. Violence in itself is a negative social value and mass media only increases its range and circle of communication. How far mass media can be blamed to serve as a causal factor in the increase of crime in the society can not be accurately answered in view of the confused and intermingled criminogenic potential of 'violence' and 'violence through mass media'? The answer to this question requires more close and sophisticated research in the field of mass communication so far its effect upon crime generation is concerned.

Another area which has so far been neglected is the effect and role of value models projected by the mass media, especially when it has the potentials of increasing artificial aspirations among the young through exhibition of wealth, consumer goods and "criminal solutions" to every day social problems. When a young man fails to realize his falsely excited aspirations in view of economic-social-cultural realities he may seek relief in illegitimate ventures to console

his desires and needs. Inspite of the fact that theorists\textsuperscript{159} way back in the middle of the first half of this century, voiced their concern regarding the impact of this aspect of the mass media upon young persons no serious effort has so far been made in this area of research.

In view of the everincreasing net of mass media as a most effective means of mass communication it is most imperative that a serious research is conducted in this area in the context of its effect upon youth crime and delinquency.

(c) Affluence

The traditional explanation of crime and delinquency in terms of poverty is not fully satisfactory in the present day societies. Economic development of society in itself is no answer to juvenile crime. The fact that major developed countries are facing the problem of youth crime in more acute manner\textsuperscript{160} is enough proof that negative consequences of economic development have direct bearing on the propensity and sophistication of crime and delinquency. The major characteristics of societies with high rate of juvenile misconduct are industrialization, modernization, and urbanization.\textsuperscript{161} The increased affluence brought about by economic development tends to increase criminal activities because of far reaching socio-economic and cultural changes in the social structure that inevitably follow such development.

\textsuperscript{159} Supra note 155.


\textsuperscript{161} Gibbens,T.C. and Ahrenfeldt,Cultural Factors in Delinquency, Lippincott: Philadelphia,(1966).
Affluence in the context of youth crime and delinquency has two aspects. Firstly, affluence in the family and its effect upon youth crime and delinquency. Secondly, affluence in the society as a whole and its impact upon youth crime. Both the aspects of the problem have been considered here.

Affluence and Family Structure: The type of family structure most frequently found in industrialized nations is the "nuclear" or "conjugal" family. The nuclear family, which has become normal in urban centres, is completely unable to provide the necessary support-structure for the developing young at the early age of personality formation. The child feels alone and helpless, devoid of parental care and affection. Busy in the pursuit of material pleasures, the parents do not get enough time to provide proper guidance to the child who needs it most at this stage of growth. This feeling of isolation and neglect has its impact upon the behaviour of the child. Some find solace on drugs and other find some other anti-social channels to relieve their pent up feelings of frustration and loneliness.

Another serious impact of affluence on family ties is the ever increasing dis-satisfaction among the adult members of the family. This results into weakening of the ties within the nuclear family and increase in divorces, and separations among the parents. Broken and inadequate families cause delinquency in rich societies as well as the poor because of resultant lack of control and supervision upon their offsprings.

Ever increasing economic independence of woman has provided more self-respect and self-consciousness among the woman. They are not prepared to play a passive role in the family management and other functions, both, inside and

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162. By "affluence family" here it means economically well-off families and by "affluence society here it means economically or industrially advanced societies.

outside the family. An encroachment upon the traditional and so far unchallenged authority of the husband in the family affairs naturally causes resentment in husbands. Since husbands have not yet prepared themselves to accept this reality, it results into family quarrels and family breakdown. The most vitally effected in this atmosphere of mistrust and resentment is the growing child in the family. Unable to get the necessary care and comfort within the family enclosure he runs out of the house in search of love and care. Unguided and unprotected he becomes an easy object of exploitation and prone to crimenogenic influence. Jack Ioby's conclusions in this regard can be quoted:

I. Parental rejection and neglect damage the personality of the developing child. Lack of impulse control results from pathological socialization. The psychopathic or neurotic boy reacts with violence to trivial provocations, sets fires, and steals purposelessly.

II. Parental inadequacy and neglect, by reducing family control, thereby orient the boy towards hisagemates in the neighbourhood. The family and the peer group are in a sense competing for the allegiance of boys in high-delinquency neighbourhoods. If the peer group is delinquent, a boy's desire for acceptance by his peers tempts him to participate in delinquent activities.

Affluence and Materialism: Affluence societies, in their efforts for economic development, have created a bulk and variety of consumer goods. Their possession is a sign of status and prosperity.

The highly-developed consumer society provides a natural attraction to the members of society, specially the young. Thus the affluence of industrial

164. Supra note 1.
societies creates the material basis for an adolescent market. The ever increasing liberal approach of parents to grant substantial discrepancy purchasing power to the young enables them to demand and obtain distinctive clothing, motion pictures, recreational facilities and eating and drinking places. This widens the group associations of the young that provides emotional encouragement to each other to do something without adult supervision. The members of the group may encourage one another to engage in a wide variety of unconventional behaviour in their attempt to gain material pleasures.

This has an important impact upon the material aspirations of young people: on their desire for cars, televisions, cameras, transistor radios, videos and fashionable clothes. The availability and exhibition of vast variety of consumer goods through mass media naturally raises the material aspirations of the young. These young people sense rather than rationally perceive that the price of material prosperity has been high, perhaps too high for their limited resources. Their inability to control their desire for advance towards prosperity and the environment from which these young people come, fails to satisfy the cost-price requirement of these consumer goods. This inevitably leads to protest and attack upon the actual living conditions which fails to satisfy these artificially raised needs. On the one hand material constraints, which reflect a strong tendency to think in terms of norms and to strive for affluence, increasingly restrict the scope for personal development and edercise on ominous pressure. On the other hand outward circumstances of life in the industrial urban environment bolster this tendency, and in the long run, isolate the young from the social realities. Then the only channel left in the mad race to acquire new consumer goods, is on the other side of the law.

With high rate of mobility and comparatively more opportunities for crime and delinquency a natural attraction is provided to the young for short-
cut methods to acquire and possess the material goods. Because of immature perceptions of their outlook towards realities of life and highly attractive presentation of consumer goods these children fall an easy prey to their acquisitive instincts. Realization of the unrealistic hopes seems very difficult through legitimate cultivation of their skills, hence illegitimate means are preferred.

The spread of ideas of freedom and equality and the interpretation of these ideas by the young resulted in many of them becoming pre-occupied with the desire to have more and more consumer goods and pleasures. Many of them appeal to have almost unlimited desires for such possessions. In this context it is not property that lies behind criminality, but desire for the multivariety of economic items available and for enjoyment of life to the fullest. Unable to control their desires through rational analysis of factual realities, they find satisfaction in physical activities to realise their desires.

**Affluence and Education:** Educational development is a very healthy sign of social and economic progress. It is a substantial investment, both for society and for the individual family. Both of these factors make for an increased supply of educational opportunities and facilities for the growing-up generation.

The extension of mass formal education has created serious problems of life goals for adolescents with educational disabilities. For children unwilling or unable to learn, school is a place where the battle against society is likely to begin.\(^{165}\) Orientation of the young for decent/style during their life

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165. *Id.* at p. 143.
school years and their ultimate failure in life to achieve that results into hatred and resentment against the established norms of the society.

Moreover, the universal education means that education ceases to be a sufficient means to reach at the job. Thus the advancement of education tends to create a vast army of unemployed educated and semi-educated youth. Unable to adjust themselves in the traditional roles of their familial background, they remain disappointed and drift towards a life of crime and delinquency. By the vast majority of the population education is perceived as a means to an end (job) and not an end in itself. When educational achievements fail to serve that end the young person feels deceived and in this atmosphere of helplessness he does not want to retreat to his traditional role. The kind of distinction, which he feels he has acquired from his cultural group prevents him to go back, and in an effort to advance delinquency and crime becomes his most natural choice.

Education instills sense of self-respect and pride among the youth. They become more conscious of self and reflect the same in their liking for freedom, liberty and keener sense of justice and desire to participate in social and national affairs. When in a real life-situation they find these ideals lost in the prevalent den of corruption and favouritism, they feel frustrated. The resulting dis-satisfaction and disillusion easily leads to delinquency and crime. Unable to fight against the might of 'money power' and 'political' power by legitimate means, their inner sense of self-respect provokes them to fight back by whatever means are demonstrative, though may not be result oriented.

If corruption in its various manifestations exists or is believed to exist, in government and its sponsored agencies in their recruitment process and in its social control mechanism (Police, Courts) then they lose their legiti-
macy by violating universally accepted norms of conduct. The moral authority of the government is weakened and the prescriptions for lawful conduct face protest and revolt specially from the youth, who are not yet tuned to the factual realities of social functioning. In such a situation conflict with law becomes inevitable.

Affluence and Cultural Conflicts: The satisfaction of cultural needs is one of humanity's basic rights. By culture in anthropological terms, means the sum total of the attainments, social values and learned behaviour patterns of any specific period, race, or people.

In a period of rapid social change or in a society with sharp divisions along economic and social lines, individuals and groups tend to locate differently within the social setting and may even experience conflict with certain elements of "glittering culture" of affluent society in which they happen to live. When individuals or groups who because of economic pressures, have been uprooted from the cultural background with which they were familiar and are exposed to radically different life-situation they experience a cultural vacuum. In an atmosphere of uncertainty, the affluent cultural setting provides a needed sting to the deprived lot to attain the same social standing. The attraction for attainment of wealth, power and prestige of the affluent culture inducts tendencies which often find their reflection in socially rejected behaviour. This happens more often to young than adult society.

(d) Drug Abuse

Increase in Drug Addiction among the Young: The abuse of drugs, especially hard

166. Dorig, Hans Rudolf, "What Future For Youth", Forum (Council of Europe), 2/81, p.11.
drugs, by the young is a growing problem in number of countries, particularly in the larger cities.\textsuperscript{168} There appears to be an upward trend in the involvement of young people, both males and females, in drug offences even in countries in which drug abuse is relatively recent phenomenon.

In India more and more young people are falling victims of drug addiction. According to a recent survey conducted by the Ministry of Social Welfare in Delhi the increase in drug addiction among the young is steadily on the increase.

At Safdarjung and G.B.Pant Hospitals most of the drug addicts admitted in the hospitals belong to 15-20 and 20-30 age group. In G.P.Pant Hospital the number of 15-20 age group patients have gone from 4 in 1980 to 37 in 1983 and 122 in 1984. Similarly at Safdarjung Hospital persons belonging to the same age group touched 65 and 37 in 1985.\textsuperscript{169} Similarly in the cities of Bombay and Bangalore at least twenty per cent of the students are drug addicts according to Union Welfare Ministry. Increasing trends in the use of smack, brown sugar, heroin have been noted, specially among the student community, in the two cities. Same is true to the city of Delhi.\textsuperscript{170}

Police statistics indicate that there is sudden spurt in illicit trafficking in drugs during 1986, according to information collected by Dr.Hira Singh, Director National Institute of Social Defence.\textsuperscript{171} These drugs are not being brought in to India only as a transit country alone. There is increasing evidence of drug being consumed within the country, according to the statistics compiled by Dr.Hira Singh.\textsuperscript{172} All this is happening in spite of the passing of

\textsuperscript{168} Su\textit{pra} note 153, at p.18.
\textsuperscript{171} "Drug Abuse a Psychic Problem", \textit{Indian Express}(Chandigarh)(Sept.14,1987)
\textsuperscript{172} p.9.
\textit{Ibid}. 
Narcotic Drugs and Psychotropic Substances Act, 1985 which provides very stringent provisions to control drug traffic in India. The highest propensity to addiction is in slum areas, industrial pockets and commercial centres, which largely escape statistics compilations. Moreover, a comparatively high level of tolerance than the society as a whole in the subgroups where drug traffic and consumption are fairly widespread provides a protective shield from detection and prosecution thus the real statistics never come to light. This is the reason that most of the drugs are available in city centres with ready made consumer market.

Correlation between Drug abuse and crime: Slum areas, industrial pockets are the inevitable result of industrialization and economic development. These areas are devoid of basic civic amenities and thus the children who grow-up in such surroundings develop a particular kind of tendency which is more conducive to crime and delinquency. As young people drift to the cities, some cannot integrate successfully into urban society many may become involved in drugs, with all the undesirable consequences.

In comparison to original immigrants their next generation is more prone to acquire criminogenic tendencies. This is due to absence of facilities and avenues for personal or group development because of the surrounding atmosphere of poverty, unemployment, low morality, lack of parental care, open use of drugs and visible dependence on crime for livelihood. The resultant frustration and tension provides the young mind the needed push towards delinquent way of life.

Drinking, smoking and drug addiction are acts of escape from frustration and tension either in the home or in the school or in peer group and streets.

173. For the first half of 1986 ending June 31, 1.5 tonnes of heroin and 8.5 tonnes of Hashish were seized by various agencies all over the country as compared to 700 kgs. of heroin and 7.4 tonnes of Hashish for entire period of 12 months of 1985. *The Law Magazine*, (Aug., 1986), p.38.
Many drug addicts involve in street crime, especially property-related offences, committed largely in order to obtain and funds to purchase drugs. Similarly excessive use of alcohol often leads, directly or indirectly, to various forms of crime, especially violence and various forms of vandalism.

To escape from social deprivation is not the only reason for the young to indulge in drug addiction. There are many, specially economically well off, who use drugs for a variety of other reasons like experimentation, recreation or on friendly persuasion of companions. While many such persons "grow out of it" or continue to use drugs through adult life without causing harm, a substantial number of them become serious psychological problem. The manifestation of this are personal deterioration, suicide, accidents, family conflicts and the commission of crime, particularly in order to finance expensive drug habits. Although drug abuse does not in itself lead to the commission of crime, the interaction between many factors partially brought about by drug abuse, for example the new pattern of behaviour, as well as the punitive reaction of the authorities and society in general, may well be criminogenic. Thus, the association between the drug abuse and criminality appears to be a close one.

Furthermore, there is a possibility that some young offenders start depending upon drugs to psychologically sustain their criminal habits. Due to resultant interaction between the two, drug abuse and criminal habit, it may not be possibly to exactify the crimenogenic potentials of drug abuse by the young. However, the effect of drug abuse on criminal behaviour and vice versa could serve as a basis for future research.

Repressive Measures and Drug Abuse: A merely repressive reaction to the drug problem does not contribute substantially to the perception of the issues or to
the solution of related problems. As we have seen that introduction of harshness of the legal system to control the drug traffic has proved counter productive. Based upon the simple economic principle "more the risk more the gain" the inflow of drugs into India has substantially increased after the passing of Narcotic Drugs and Psychotropic Substances Act, 1985, which contains many repressive provisions. 174 A simple legalism will not help much. It is only by controlling and closing the consumer market that the inflow of the drugs can be reduced. So long the demand is there supply will follow inspite of legal barriers.

Another question that naturally arises in this context is whether widening the legal net and consequently increasing the inflow of drug addicts into the legal system is a proper step to control drug abuse and drug related offences? According to U.N. Social Defence Research Institute findings drug abuser who come into contact with the system tend to exhibit more frequent and more serious criminal behaviour following contact with the system than they had before such contact took place. 175

According to the members of ASHIANA (a drug de-addiction centre set up by the government last year) drug addiction is not a simple matter of physical dependence. It is a manifestation of a long-standing personality problem that has many forms, addiction being only one of the symptoms. 176 Faulty personality development sometimes finds its way into drug abuse and drug abuse stems many drug related offences; like petty thefts, violence, family conflicts and accidents. One of the most pertinent question that comes in the forefront is whether drug abuse and offences that directly stem out of it should be treated as criminal offences or a psychic problem? Is it not proper and better result oriented to

174. Ibid.
treat a drug addict as a victim of many situational and environmental factors
upon which he had no control at the personality formation stage of his deve-
lopment, shearly because of helplessness and mental immaturity? Moreover, it
has been repeatedly established that contacts with the penal system reinforces
criminogenic potentials in the young drug addict. So socio-medical rather than
penal method in dealing with drug addicts can be more successful in their de-
addiction and ultimate reintegration into the society.

Preventive Measures: Prevention is always better than cure. It avoids harassment
and mental agony to the drug addict and his family. It is more effective and
less costly in terms of finance, energy and man power. Some of the preventive
measures in this direction can be summarized:

(i) traditional social control agencies like family, community and
school must be encouraged and guided to play the significant role
in educating the young at an early age on the effects and potential
dangers of drugs and alcohol. They must find time to help them to
solve the range of complex personality problems encountered at
the personality formation stage of their development. Mass media
can also play a very important role in this direction both to parents
and young by providing the necessary information in this regard.

(ii) Reduction in the production and manufacture of dangerous substances
through regulation of their production and distribution can also
help in controlling the availability of drugs to the young. Crop
substitution and other methods of reduction of supply can help
in putting the drugs out of the reach of the young.

(iii) International co-operation among the nations can help in reducing
the drug traffic. Expeditious extradition procedures, exchange of
information on drug offenders and drug traffic and co-operation in implementation of the international drug Conventions can go a long way in checking the drug traffic.

(v) Surveillance of drug prone areas can act as a strong deterrent against drug traffic and drug abuse. Surprising and constant patrolling of drug-consumer areas by law enforcement authorities can help in controlling frequent and free inflow of drugs into such areas.

Remedial Measures

I. De-criminalization of drug addiction and liberalized use of treatment and rehabilitative measures can be more effective in controlling drug addiction than purely penal measures. Drug addiction as an offence should be decriminalized and other drug related offences of little magnitude should also be taken out of the perview of penal laws. Child welfare Bureaus, through specialized correctional centres, should take up the responsibility of treatment and rehabilitation of young addicts.

II. Since drug traffic is primarily with the object of economic gains so penal measures should be directed towards imposition of heavy fines and forfeiture of property illegally acquired instead of long term imprisonment.

III. Now that drug traffic is becoming more and more sophisticated so law enforcement authorities must be adequately trained and equipped to match the resources of offenders.

IV. Research in the field of drug abuse and related offences should be adequately financed. As without adequate feedback on the various aspects of drug traffic and drug abuse we shall be planning on purely guess work.
V. Police personnel, who are in fact the first law enforcement agency to come into contact with the drug addicts, should be specially trained to deal with drug abuses. Normally the police reacts more sharply to a drug addict than any other offender. While the requirement is that police personnel must understand his problem and should have sympathetic approach. The initial mal-treatment by the police can make the rehabilitative process more difficult and lengthy.

(e) Terrorism

Terrorism is not something altogether new to societies or penal system of any country. Traces of it can be found in the political history of India when individual groups used to resort in this kind of activity for purely political ends. Another criminal activity having grains of terrorism can be found in the menace of dacoity which was widespread in India in the past two centuries. But terrorism in its most organised form and large scale operation is something which has surfaced in the later part of the twentieth century.

Broadly speaking, terrorism can be divided into three main categories. Firstly, those terrorist activities which are dominated by some economic considerations. Dons of under-world engage in organised terrorism in a limited manner for continuing their illegal activities in the form of drug trafficking or smuggling or similar such activities. In this kind of terrorism the activities are limited and directed only against officials or trade rivals who may effect their interests. By and large, society is not aware of such activities, its consequences and dimensions because most of such activities are conducted in absolute secrecy and confidence. There are occasional exposures by media which go generally unnoticed so for the vast majority of the society is concerned.
The second kind of terrorist activity in fact is the most dangerous and widely condemned by the persons in seat of power and the society because of its direct adverse effects upon the general masses. This category is dominated by political considerations and motivations. In its present form it often results into senseless killing as it appears from the present day political situation in the State of Punjab. The same pattern could be seen in some of the North East States of India as well as neighbouring country Sri Lankafor almost a last decade. The third category is one which has often been described as state terrorism or state repression. Such activities are state sponsored and are justified on the argument of counter-terroristic retaliatory measures. The success or failure of such measures is a moot question and perhaps beyond the framework of this study. These three divisions are purely academic and have nothing to do with legal measures to tackle with such situations. Otherwise also these classifications are reflective of only contours of dominant element and thus the compartmentalisation can not be very strictly absolute. Moreover, once any organised terrorist group starts its activities with a particular dominant aim many other groups and individuals start associating themselves with the major terrorist group, with shades of opinion which are quite different from the dominant group. Thus, ultimately terrorist organisation becomes a mixture of many diverse attitudes and considerations but it still continues to hold its basic image and continues to be known by that name. A terrorist movement under the banner of political band wagon enjoys a somewhat legitimacy of cause. But law enforcement authorities always try to treat any such group as ordinary criminal gang. It will be proper to add here that simply because a terrorist group has political inclinations does not mean that it is justified in its political aims or in its terrorist activities conducted to achieve any such goal.
In the history of every political society such challenges are always there. So there is nothing very surprising about the problem of terrorism in this part of the country known as Punjab. It is not the problem of terrorism in the State which is troubling the mind of every objectively thinking person but it is the dimensions and proportions it has gained over the past 6-7 years. Attacks on innocent people have become endemic – not only for so-called political objectives but just for the sheer warped satisfaction of watching a fellow human suffer. Not only have the politically motivated attacks on innocent people have increased but the number of senseless acts of violence have multiplied. It is, therefore, the first duty of any authority, however, simple or sophisticated, to protect the innocent and devise effective means for the prevention and control of terrorism.

Terrorism is by and large a youth related problem. However, it cannot be said to be a sudden development in any social set-up. Such a specific trend in criminality is a historically conditioned phenomenon in the life of any human society. Its sophistication, nature extent and gravity is determined by many historical, political, economic and social factors and the general development of the society as such. Accordingly, it cannot be termed as purely law and order problem falling within the sole duty-area of enforcement agencies. This is not a problem for police force or corrections to tackle alone. Even security guards and a whole array of security measures would not provide sufficient support for maintenance of law and order in this case. Here, society is dealing with deeper ailment within itself. On one hand, there is the question of social justice and internal order, which depends upon political, social and economic issues. Extremists are created very often by such conditions and subsequently confirmed in their behaviour role by mishandling at the prevention and control levels. On the other hand, there is a process at work in the terrorist based areas of the
society which has gone relatively unnoticed for far too long. When crime becomes organised it is usually extremely difficult for normal penal law to deal with. Individuals may be prosecuted, even imprisoned but the operation is rarely interrupted for long and crime continues. Heads may roll but others rise systematically to take their places. It is a challenge for legislation, police, judiciary and corrections. So correct analysis of the problem and finding out viable solutions for its prevention and control cannot be isolated from the conditions in which it has deep roots. Planning for the prevention and control of such specific trends in criminality calls for more extensive action and problem-oriented research in order to provide additional knowledge about the phenomena and processes involved, as a basis for formulation of policies and programmes. Control and treatment strategies based on guess work or information provided by lowly placed enforcement officials is bound to prove counter-productive.

In the context of political situation of Punjab some of the immediate causal factors could be identified in the process of interaction with people of different shades of religious options and dramatically opposed political opinions, which also include persons having direct or indirect touch with the extremist activity in the State. By evaluating these opinions and convictions following factors have been found which may be considered as the dominant reasons contributing to terrorist crime in the State. It will not be proper to classify the causes for extremism under any one broad causal factor or even to find out the reason that actually pushed the young person in this life-style. However, a generalisation of these causal factors has been made which certainly is not exclusive, nor it can be.

Political Reasons

Some traces of lost religious and cultural identity can be found in the
pattern of extremist activity in the State of Punjab. The most visible sign of it is that extremist activities are centered around the sikh youth - a group belonging to religious minority in the national mainstream and a majority in its own state. Distrust and suspicion are the central points in the whole context which appear to be creation of political events that followed immediately after Independence. The problem became more open and serious when in 1955-1956 the states in India were organised on the languistic basis leaving Punjab. Without going into the merits of this political decision of leaving Punjab, or whether it was done intentionally or otherwise, it created an atmosphere of suspicion in the political circles of the minority sikh community which at that time was led by Master Tara Singh. As a protest to this discriminating attitude towards Punjab, a political agitation was launched by the Akali Party, which was the lone political representative body of minority sikh community. The Shromani Gurdwara Parbandak Committee, the religious wing of the sikh community, immediately extended its support to this political agitation. This gave the whole agitation a politico-religious coating. This was further strengthened by the fact that the leadership for the agitation continued to be in the hands of political and religious leaders of the sikh community. Thus, this protest against the political discrimination ultimately acquired the dimensions of representing the cause of sikh community alone instead of Punjabies. Neither any attempt was made to seek co-operation nor any offer came forward for extending co-operation for this cause from the Hindu Punjabies of the State. In this manner the agitation popularly known as 'Agitation for Punjabi Suba' became a protest only from sikh community. All kinds of provocative slogans were raised during the continuance of this agitation. Nobody tried to give a proper direction to this movement and it continued to be regulated from Gurudwaras, specially the Golden Temple complex at Amritsar.
When regional issues of Punjab are raised by Akali Dal (such as Ravi Beas water dispute, control of head-works, Punjabi speaking areas outside Punjab or issue of Chandigarh) a majority of Punjabi Hindu traders maintain silence and communal elements oppose them. These issues mentally do not prick them. This gives regional and national issues communal colouring and acts as impediment to the growth of Punjabi nationalism. The common Hindu reacts to any political demand of the sikhs. He perceives Khalistan in every move and believes inwardly that the government, inspite of all its protests to the contrary, will yield even to the demand of Khalistan as it did in case of Pakistan and later on Punjabi speaking state. Mentally urban Hindus are unable to adjust themselves with Punjabi language, literature and culture. Due to historical factors, urban Punjabi Hindus feel themselves near Hindi and culture of Hindi area. Partly out of the psychological make up many of them opposed Punjabi Suba movement. They disowned Punjabi language and helped establish monopoly of sikhs in Punjabi language. That is why sikhs communalists and intellectual under their influence equate Punjabi culture to Sikh culture.

Right or wrongly this agitation was taken by the Hindu Panjabis as an attempt towards the creation of a separate state for sikhs. A counter agitation, though at a lesser scale, was started by the political parties having Hindu religious overtones. Nobody tried to explain the nature of agitation because of small and selfish political ends. Thus the whole agitation ultimately became a political and religious war between the two dominant communities of the State. The national leadership too failed to respond to the situation in its proper perspectives and continued to deal it largely as a 'law and order' problem of

the state. The seeds of distrust and suspicion were sown and it resulted into distinct polarisation of the two communities.

The observation of Rajinder Puri, one of India's well known political commentators in this regard is worth quoting:

Almost every province in India is going through an identity crisis. The identity crisis in Punjab is much more acute. There is a reason for it. Punjabi Muslims could afford to forget Punjab and live like Pakistanis. The Punjabi Hindus could afford to forget Punjab and live like Indians. What could the Sikhs do.

They could not shrug off their language. Their very scriptures are written in it. So the mantle of Punjab fell on the Sikhs. The Sikhs were willing to live like Punjabis, committed to Punjabi language and culture. The Punjabi Hindus were not, and they refused to acknowledge Punjabi as their mother tongue. Thus the seeds of the problem began to bear their bitter fruit, the alienation between Hindus and Sikhs began. With the erosion of Panjab Sikhs began to be viewed as a community rather than a people belonging to a particular province. The Sikhs began to view themselves as a nation rather than a minority.180

After that there was no looking back. The manner in which both the communities conducted themselves during the continuance of this agitation widened this rift and a division on religious basis was created between the two major communities of the State. the real cause was lost in the atmosphere created by religious feelings aroused by the leadership of both the communities. The demand for the re-organisation of State on linguistic basis was in fact perceived as an agitation for a separate sikh State by the Hindu community. On the other hand the counter protest agitation by the Hindu community was taken as an attack by the sikhs on their religious and cultural identity. Thus the agitation acquired communal dimensions in a dominant way. Thus the language and communal issues have got so mixed up in the State that it is difficult to disentangle one from the other.181

181. The Times of India (June 12, 1957).
Everyone knew that the sensus of 1961 were unfair to Punjab for the simple reason that in the communally charged atmosphere, to which Akalis had also contributed, large number of Punjabi speaking Hindus claimed Hindi, as their mother tongue. ¹⁸² This fact was acknowledged in Parliament as early as in 1951 that returns submitted on the question of language had been generally incorrect in large parts of Punjab.¹⁸³ In 1961 the situation could only have become worse, not better. The trend continued and an estimated 53.61 per cent of the Punjabi Hindus mentioned their mother tongue to be Hindi in the 1971 census.¹⁸⁴ This tilted the balance in a considerable manner in statistical numbers regarding the mother tongue of the inhabitants of the State. This further confirmed the already existing polarisation between the two major communities. In fact, at no time any sincere effort was made to bridge the ever increasing gap between the attitudes and approaches of the two segments of the society towards the political problem existing in the State. Both, at national level and at state level, it was a failure of leadership to lead the people in the right direction. The net result of all these happenings was that Sikhs started feeling themselves isolated from the national mainstream. Wherever they went for business purposes they continued to keep their hearts in the place of their birth. This diverted their sense of belonging to the nation. On the other sides Hindus started thinking that Punjab is ultimately a land of Sikhs and Punjabi is the mother tongue of only Sikhs. These divergent approaches of both the communities continued unabated though it did not surface in the form of terrorist activities. Sometimes, agitations on both the sides took violent turn resulting into loss of human lives but at no time it acquired terrorist dimensions. However, the under current process of mutual suspicion and distrust continued to gain strength in a slow and steady manner.

¹⁸³ Ibid.
It was only after the 1965 war with Pakistan that the central leadership thought of reorganisation of the State on linguistic basis. One of the immediate reason that moved the central leadership in this direction was the role people of Punjab specially of border area of Punjab played during the war. But reorganisation of the State in 1966 failed to satisfy either of the two communities. Sikhs thought that the reorganisation is not based on purely linguistic basis as was desired. It was over-shadowed by communal feelings which penetrated into the records during 1961 census. On the other hand Hindus took it as succumbing into the pressure tactics of the Akalies without considering the interests of the Hindu community in the long run. This bickering is still continuing and the political problem of Punjab is more sharp today then what it was in 1955-56 or immediately afterwards.

The most unfortunate incident of attack of Golden Temple culminating into the assassination of Mrs. Indira Gandhi and the massacre of Sikhs in an organised manner that followed her death further contributed towards complicating the problem. In Punjab innocent people are being blatantly killed at will and Government is unable to check this process of killings. On the other hand thousands of Sikhs massacred in Delhi and at other places went almost unnoticed by the nation. Every time an innocent person is killed, whether by the terrorists or by the police in false encounters, the gap of distrust and misunderstanding increases between the two communities.

The failure of the Government to solve the Punjab problem at political level has been taken by sikh youth as intentional effort on the part of the Government to marginalize the State of Punjab and in turn the Sikhs who constitute around 60 per cent of the population. These young persons further moved by religious fundamentalism took to streets and directed their energies towards

revenge from the Government, specially the central. The wave of outrage among Sikhs was generally directed towards the government, but on occasions spilled over to encompass Hindus. In the Sikh mind, the reaction to the Army action had discernably hardened into the following equation: the Army belongs to government and the government belongs to Hindus. Since the Central Government is being described by these people as representative body of Hindus, so these misguided youths started tasting of feeling of revenge through killing of innocent persons specially Hindus. Thus a section of Sikhyouth, a part of a community which prays for the "well being of all (Sarbat the Bhalla) in its daily morning prayer, started drifting towards a direction which the sikh religion does not permit. Unable to match with the strength of the government these youths started killing innocent persons to terrorise the government in order to bring it around their viewpoints. With the prolongation of the problem for such a long period it acquired many other political dimensions like state autonomy which has now overshadowed the original demand for reorganisation of the State on linguistic basis. This multiplication of problem reached at dangerous proportions when violence acquired the dominant place in the whole political process.

Moved by the similar feelings of distrust Hindu Punjabis of the State refused to take in a supporting manner any move on the part of the Government to solve the Punjab problem which tends to be favourable to the interests of Punjab or Punjabis. It is always taken as a kind of concession to sikhs, reflecting a weakness on the part of the Government to deal with the problem with a firm hand.

The seeds of hatred, revenge and suspicion are still being groomed with the active support of political and religious leaders. The saner elements of the
two communities do not dare to come out openly and express their opinions in an objective manner on the holocaust Punjab is facing today. If the silent majority comes out openly and makes an honest effort to find out a political solution of the problem the offshoots of the problem like terrorism too will lose their validity. There is a need for change of hearts which is possible only by selfless efforts at the national as well as state level. It is a long standing problem and will take long time to settle.

Economic Reasons

Economic pressures are in fact most hard for any social group to bear, more so in case of a social group which has tasted economic prosperity for quite a long time. This is true in case of Punjabis in general and Sikhs in particular who are well known for their enterprising nature and labourious approach towards real-life situations. Economic pressures push individuals of any social group towards many other alternatives which may not be suitable to their traditional roles. Terrorism in Punjab is by and large confined to rural youth which felt frustrated because of their failure to absorb themselves in their traditional roles. Three main identifiable traditional roles for the rural youth in Punjab have been agriculture, armed forces and transportation related occupations. Due to economic progress and political happenings these traditional roles have become quite restricted. The failure of these traditional roles to absorb the ever-increasing rural youth left with no other alternative but to find out new avenues for survival. Agricultural avenues reached at a situation point because land continued to be same but the youth population has increased substantially. Furthermore, mechanisation of agriculture reduced the role of youth in the area of agriculture to a greater extent. Another exist
for the rural youth was armed forces. With the introduction of policy of proportional recruitment in the armed forces (at non-commission level) on the basis of population of a state than on merit further closed the another traditional absorbent of the rural youth of the State. The government had adopted a new recruitment policy to give opportunities to communities and areas of India where there was no tradition of joining the army. This was taken by Akali Dal as deliberate act of the government to keep Sikhs out of their traditional profession. The third exist for employment for the rural youth was engagement in the transport business and related occupation. In view of the terrorist activities in the State of Punjab an atmosphere of general disaffection towards Sikhs residing in other parts of the country was created. As a result of that rural youth refused to join any such occupation which requires movement or stay outside the State, specially at far away places. Those who were already settled outside the State started looking back towards their own place of birth specially after the anti-sikh riot that took place immediately after Smt. Indira Gandhi's assassination. In this manner the three main exits for the rural youth were restricted to a greater extent. The resultant unemployment created frustration among the young. In their endeavour to find out few avenues these young persons were easily attracted towards life of adventure having high dividends. Unable to think beyond the immediate gains due to immaturity and frustration, some of them jumped into life-style of terrorism. Once in the net of terrorism they cannot come out even if they want to do so.

Prosperity brought its own problems. At harvest time labourers from U.P., Bihar and Rajasthan began to come in thousands to the Panjab to work as farm-hands on daily wages. Many decided to settle there and were enrolled on the voter list. This has its effect upon the demographic set-up of the State.

and Sikh communalists started their campaign against these migrants who were Hindus. This was to gain political leverage by this process. It was only after 1984 that the number of migrants came down.

Social Reasons

The silent process of social changes at work, that has not been noticed with care, is another reason for creating crime-like conditions, ultimately leading to organised criminal activities in divergent forms including terrorism. This impact of social change is more felt in urban centres where due to poverty and affluence - the traditional social control agencies are weakened. In the resultant situation the young person feels isolated without any supervision, control and guidance. He does not know how to face real-life situations, and a drift towards life of crime and delinquency is just a step ahead. In developing communities the fast pace of economic development is maintained without any proper care towards social development which is one of the most important absorbent of its ill-effects. Economic development inevitably leads into industrialization and mushroom growth of slum areas in and around important urban centres. This leads to fragmentation of family life and normal parental care in urban centres. Thus the most effective traditional social control agencies become considerably weakened. The youth bred in such situations becomes loveless, conscienceless and emotionally cold. He is capable of utter ruthlessness and regularly adds to his own kind generation by generation. Since he does not have love and has never learned to love unselfishly, he cannot transmit love to his children, and too often they grow like him - rejected, devoid of feeling and capable of visiting most appalling cruelties on others for no reason at all. The number of such people multiply decade by decade to prey upon society that does

not usually understands him. Once they were called moral imbeciles - and
then psychopaths or sociopaths. It is not clear what direction modern
psychiatry may be taking in classifying and dealing with such "cases" - if
infact they are to be regarded as "cases" at all. But this group undoubtedly
exists. Perhaps they are most dangerous of all in politics; but they are
dangerous enough in crime, and their elimination, like that of social injustice,
requires a reshaping of urban society to provide the national home care and the
sense of belonging which every child and every person needs. 188A

In the context of Punjab situation most of the persons engaged in
terrorist activities are rural based where the impact of this social change is
not very high. 189 However, it does exist to some extent even in rural societies
of Punjab. One peculiar factor that could be noticed in the Punjab is that most
of the policy makers or top leaders of terrorist organisations are urban based.
Due to their comparatively higher degree of intellect and manipulative capacity
these urban youth leaders attract the rural youth groups without much difficulty
in their own fold and use them for actual operations in the terrorist activities.
Once they taste the dividends of this short-cut method they try to feel com-
fortable. After sometime they realise that it is a short-lived gain. But by the
time these people realise that their ultimate end will be most dangerous they
have no option but to stay on in the situation of their first choice. Since they
realize that life is short lived and dangerous to pull on, they become more ruthless
and revengeful in their activities. Unable to compromise with their ego
they do not prefer to exit from the situation in a legal course, as they regard
such exit as humiliating and injurious to the hollow of heroism, that they feel
they have. Thus the circle continues.

188A. Clifford William, "New and Special Problems in Crime: National and Transna-
pp. 4-5.
State Repression

Human beings are reactive, and will interact with the organisation during any moulding process. "Actions and reactions are equal and opposite", goes a well known saying. The perspective level of enforcement agencies, specially in the lower rungs of police and para-military forces, goes a long way in twisting the problem either way. Where the enforcement agencies are fair but firm they continue to command public co-operation and respect. But where enforcement authorities act in a partial, revengeful or ruthless manner, it is likely to breed discontentment and indifferent attitude towards these authorities. There is no point denying the fact that terrorism, drug abuse and like social problems cannot be tackled in an effective manner without positive and constructive public support. And public support does not come for-asking. It has to be built up by the conduct of enforcement agencies.

It is a commonly known fact that our law enforcement agencies are not acting in a manner conducive to the creation of a public confidence. Inspite of official denials fake encounters, arrest and torture of innocent persons solely for the purpose of extorting money are common occurrences in the State. However, it does not mean that every encounter or arrest is a motivated by ulterior considerations. But even a small number of such incidents tend to shake the public confidence. Law enforcement agencies are not to be blamed wholly for these inactions and over-actions in dealing with the problem. They have never been trained to deal with such situations. Traditional training methods prepare our law enforcement agencies from the point of maintenance of law and order. They continue to uphold this conviction throughout their career, whatever may be the nature of problem. It is, therefore, necessary to study the problem, analyse its causes and device strategies to deal with it. Operations based on single track thinking are bound to prove counter-productive.

Cultural Reasons

There are some inherent characteristics of every culture group. Reflections of these characteristics can be very easily seen in the conduct of that community while acting or reacting to any situation faced by the group, individually or collectively. Punjables are hardworking, adventurous, brave and domineering. With love they can be made to concede anything and a very thing. But they will not tolerate force to be used to suppress them. In that manner we can say that Punjables are over-reactive to adverse situations and also have the capacity to recover at a very fast pace. They are thus naturally built-up to resist force with force and violence specially in situations which they consider unjust and discriminatory - whether rightly or wrongly. In such situations Punjables easily take to arms. Those who do not dare to choose violence, at least reflect a silent protest through other visible means. The general discontentment and a show of silent protest is reflected by the people of Punjab in the recently concluded general elections (1989).

Otherwise also minority communities are always more reactive than the general mainstream of any nation. They are aggressive in their conduct, specially when any thing effecting their religious or cultural identity takes place. If not properly dealt with their protests very easily lead to violence and further to organised terrorism.

Thus in brief it was the communalism and fanaticism of both the communities which precipitated the problem and ultimately it surfaced in the terrible form in the last almost a decade. Politics was communalised and accordingly people were misled for political gains by false slogans and counter slogans. 191

When religious fanaticism overtakes a man, he becomes immune to logic. The press, specially vernacular press of Jalandhar did not play responsible role in the whole episode, rather it contributed to the worsening of the situation.¹⁹²

A brief look at the factors involved in the delinquent behaviour represents only a general sketching of the total picture which can be understood and be susceptible of acceptance and belief by the non-professional. Certainly, it makes sense when it is established that no child is born bad and, through the situations, influences and conditions outlined, he develops into delinquent and, in many cases, an adult criminal.

Certain factors concerning delinquent behaviour are well established with no substantial dispute concerning them. They can be summarized as follows:¹⁹³

1. Manifestation of misbehaviour originates very early in childhood. Nearly one half of seriously behaved children manifested that behaviour before reaching nine years of age. Early discovery of the potentially delinquent child is paramount in a prevention programme.

2. Physical shortcomings and defects do not determine behaviour. They are primarily accessory and aggravating influences.

3. Low intelligence and mental retardation are factors to be considered but seventy per cent of the delinquents are mentally normal.

4. To most outstanding factor is emotional disturbance, a reaction to persons and things causing mental conflicts.

5. In general, delinquents have similar ideas of right and wrong as do the non-delinquents.


6. Delinquents have, usually, certain characteristics. The two most frequent are restlessness and hyperactivity.

7. Almost every delinquent has a record of truancy and/or a history of trouble in school.

8. A concentration of delinquents is found in slum areas but many come from the more privileged neighbourhoods. This in itself, does not cause delinquency but is an influencing condition because it is usually associated with other detrimental factors.

9. At least seventy-five per cent of delinquents are engaged in with others, in many cases the companions are adults, pointing up the importance of bad associations.

10. Search for leisure time activity is also a factor that fits into the total causation picture.

11. Broken or poorly supervised homes are primary in delinquency causation. Eighty per cent of the delinquents come from such homes, many of which are not necessarily suffering from economic deprivation.

12. Delinquent behaviour is learned and acquired, not inherited.

13. A preventive program must recognize how modes of behaviour are acquired. Training, in this aspect of the effort of law enforcement, is essential.

14. Most juvenile behaviour ordinarily characterized as being delinquent, is not abnormal behaviour. There is considerable variation as to just what is delinquent act. There is a vast difference between a mischievous act and a criminal offence.

15. Individual difference must be held paramount. Every individual delinquency requires explanation. The fact that several boys committed an
offence together should not be a guiding influence in attempts to arrive at best disposition for each boy involved.

16. Behaviour patterns are complex and extend into the past. Delinquency is not an over-night phenomenon.

17. All children definite urges and needs. These very with the individual child, consequently, frustration will cause varying reactions.

18. Delinquent behaviour, like all behaviour, is purposive and goal-seeking. The delinquent act may be relatively unimportant. It may have significance only as a symptom of deeper maladjustment.

19. The delinquent behaves as a total personality in a total situation.

20. From a causation point of view, it is not the individual or the situation that explains behaviour, it is the individual's reaction to a given situation.