CHAPTER IV - The Problem of Recidivism...

Its Solution

The Report of a Syndicate in the Central Police Training College, Abu (1963) makes a pertinent reference to the new complex problem of recidivism. Recidivism is defined in the Encyclopaedia Britannica as "a disposition or tendency to relapse into crime, while such a disposition may not be a matter of habit but the consequence of mental disorder or congenital defect". The recidivist is a habitual criminal, who may, in the extreme situation, culminate into a chronic offender. A very serious problem is posed before the society and the state, when the so-called first-offender, the occasional wrong-doer, or the wayward juvenile repeats criminal acts, and such recurrence turns him into a habitual anti-social person. Wellington Scott in his autobiography 'Seven years in the Underworld' says about a professional criminal: "To him each act is a business proposition, considered from a business stand-point and measured only by dollars and cents and the opportunity for a clear get-away". Another professional, Danny Ahern, boasts: "It always pays to go out and steal big" - 'How to commit a murder'. The classic utterance of the professional is that of the notorious criminal Le Blanc - "If I were not a thief by profession, I should become one by calculation
I have computed the good and bad chances..., and I am convinced by the comparison that there is none more favourable or more independent than that of the thief..." It is such professionals that we see among the recidivists, and these by contact affect the juvenile offenders. Thus the number of the habituals grows, and nowadays this has caused anxiety for the administration all over the world.

In a nation-wide survey of habitual criminals, Professor Paul Tappan found that recidivism was so serious that even drastic legislation could not be the best answer. The extent of recidivism is very large and though accurate statistics are not available, it is evident that many prisoners revert to criminal careers after their release. In the United States, the percentage is varying between 45 percent and 55 percent for males and between 30 percent and 35 percent for females. In England, it is 69 percent (males) 72 percent (females). In India Dr. B. R. Kishore states that in calculating the percentage we may not be wrong if we say that out of every three or four perpetrators of crime in the Uttar Pradesh one is a recidivist. He says that recidivism among convicts from the Sampurnanand
camp is very low. This high rate of recidivism means that a large proportion of crimes can be attributed to repeaters.

The factors contributory to recidivism are multiple, and have been divided by scholars into psychological, economical, biological, hereditary and sociological. These are the very causes that predispose a person towards criminal behaviour initially, but they are also the basis of recidivism. Thus causes not lead to crime also lead to recidivism. The following is a list of the causes:

1. **Home conditions** - neglected homes, inadequate homes, broken homes, degenerate homes and homes where love and affection, proper parental control and atmosphere of harmony are absent. These homes are the most productive centres of recidivism.

2. **Differential Association** - The criminal acquires, through association with a particular sub-culture, values and methods of behaviour. Recidivism springs up from a noxious social group.

3. **Economic Factors** play a dominant role in the life of a recidivist. Poverty is the hot bed of crime and its perpetuation.
4. **Biological Factors** are emphasized by Lombroso and he has shifted the focus from the crime to the criminal.

5. **Hereditary** - Garofalo refers to certain mental traits as heritable, and so criminal instinct may also have a hereditary source.

6. **Endocrine Dysfunction** - Crime may be the result of glandular dysfunction.

7. **Psychopathic Personality**: It is said that such a personality is a social misfit, difficult to assimilate in society.

8. **Emotional disturbance** of maladjustment in childhood.

9. **Lack of proper school education**.


11. **Social apathy, lack of after-care**, lack of work and satisfactory rehabilitation.

It will be seen that the causes of recidivism are also the causes of crime, and a detailed examination of these causes has been already attempted in the previous discussion.

There are, however, **causes of recidivism** - viz. the last four - emotional maladjustment, inadequate schooling, absence of correctional
treatment in the prison and lack of rehabilitation - that require a special consideration in this work which is concerned with recidivism as being the general effect of the criminal punishments.

**Emotional disturbance - maladjustment in childhood** - Modern psychiatrists are strongly emphasizing emotional maladjustment in children, which turns them to the path of crime, and such juvenile delinquents often end as habitual recidivists. These unbalanced children unfortunately have not received proper parental care and school education. On this account they grow up in frustration and discontent. They are neglected by parents who often assume that childhood is a period of innocence and bliss and this romantic view makes them blind towards the danger-points in the life of their children. Even affectionate parents are unable to watch properly the development of the children while they gradually become emotionally unstable, rash and indiscreet.

Dr. William Healy of Chicago has done pioneer work in this field and has suggested very appropriate steps in the upbringing of children. The most obvious reason why children go astray is the continuous denial of what they crave by way
of recreation, food and clothing. If this
denial becomes common, they make a vehement
protest, and in course of time become asser-
tive and even aggressive. As they grow, many
of their desires come into sharp conflict with
other realities of life. Thus the children
live from their very birth a life of suppre-
sion in which normal wants of life remain
unsatisfied. Outside the home such children
encounter other groups of children and they
also come into direct touch with the society.
Here they sometimes find, to their bitter
experience, that there are many others who have
the same desires as they have but their desires
are satisfied. The children now begin to see
that there is a big gap between them and the
others. Modern experts in child-care point
out that during such periods of development
parents ought to pay more attention to them,
talk to them and give them a proper encourage-
ment to express themselves in order to clear
their mind of dissatisfaction and despair. Too
many children are penalized or admonished at
home for doing just what they are naturally
bound to do in these very early years of their
growth. Dr. Healy says that these emotionally
disturbed children do not necessarily become
delinquents. They often become neurotic;
they misbehave; they become hysterical. In this stage of delicate susceptibility they are likely to fall into a temptation to commit crime.

Dr. Healy observes: "Youth is a period of instability, with often a disturbed emotional and state. Young people sometimes defy parental admonition and are prepared to defy those in authority. In adventures they find pleasure and are prepared for violent deeds". Emotional maladjustments are strong factors in delinquency. Dr. Hirsch has generalized by saying that 65 percent of juvenile delinquents in U.S.A. and other countries suffer from emotional disturbance or mental deviation. The only cure is the proper home training and atmosphere. The only prevention is through good education, recreation and healthy hard discipline which does not mar the freedom of the child.

The young recidivists that one comes across in a list of habitual offenders are paying very hard for their neglect in childhood. They have taken to crime mostly out of frustration and desperation. Neither the home nor the school has ever done anything to channalise these young lives properly. This reminds one of an apt illustration Dr.K.R.Masani gave of a child, who was brought to him by his mother for examination. After applying
proper therapy Dr. Masani came to the conclusion that the child was deprived of his mother's love, the best thing in the world, and that led him to stealing.

Lack of proper School Education - Many young criminals have been found to be uneducated. The records studied show hardly a criminal or two have had some school education, and that too up to the second or the third standard. Lack of education generally makes these offenders very careless as well as thoughtless. They have a devil-may-care attitude. As one criminologist says, education in schools has a strategic position in the development of children and their adjustment in later lives. It teaches them to think clearly, independently, and equips them to earn a living and be responsible members of society. They know the value of the obligations that bind them to others. Lack of proper school education results in truancy, and that is why school education must be given on systematic lines, so that sufficient individual attention will be paid to each child and his progress carefully watched. Bad school education creates indisciplined and reckless young boys who later become delinquents. Mr. F. J. Lobato, Manhattan College, expresses his strong belief that a major contributing factor to youth offending
is the fact that many schools do not meet the needs of individual pupils. "For these reasons students become bored, apathetic and act out of their hostility towards school. These students need the awareness of school administrators, teachers and special service personnel, which will enable them to cope with their need for understanding brought about by their transgression".

Plato's memorable description of the crooked tree provides a very suitable simile for a boy improperly schooled. "...You see a tree, in a wood, which has grown crooked instead of upright; you will find it has had a twist while it was only a young tree; if anybody had taken away some stone that had got in the way, the tree would have grown up straight".

The problem of recidivism is closely related to juvenile Delinquency and first offenders. It is very obvious that the neglect of these young and misled offenders often makes them professional criminals who take to a criminal career repeatedly and become recidivists. Thus there is a considerable connection between juvenile delinquency and recidivism. Several authors have referred to this delicate and dangerous stage of criminality, and in their
studies show very authoritatively that the earlier a child takes to delinquency the longer is the duration of it in later life.

**Defective or Unhealthy Environment:**

Apart from a few advantages, namely, its easy operation, its programme of reformation and vocational training and its progressive refinement from several aspects, the prison system has been regarded by eminent criminologists as a poor and ineffective method of punishment and reform. Barnes and Teeters have concluded that the value of imprisonment is in no way striking, since it has failed in proper reformation and rehabilitation. It has been the instrument in hardening its victims in antisocial attitudes. A time is sure to come very soon when this mode of sentence will have to be abolished. Even in ancient times a severe protest was recorded against prisons. The Roman jurist Ulpian protested against such type of detention without any beneficial results. The modern view is voiced by Professor Max Grunhut of Oxford, who says that even after 150 years of prison Reform one gets sceptical about the efficacy of the prison treatment for the offenders. Professor Tannenbaum urges vehemently that our prisons should be destroyed root and branch,
because they are only the monuments of our stupidity. A list of charges against the prison system indicates their deficiency as houses of punishment and correction.

There is physical degeneration, moral downfall, ill-organized labour leading to exploitation, rigid discipline breeding intense antagonism, maddening monotony, atmosphere of distrust and espionage, and refined brutality, which give an odd and abnormal turn to the lives of the inmates. The prison instead of improving, reforming and preparing the offender for a future life of responsibility and initiative thwarts him, condemns him as a failure, and in the cases of those offenders who are extremely sensitive, it drives them to self-annihilation. Oscar Wilde very pithly sums up the tragedy:

The vilest deeds like poison weeds
Bloom well in prison air;
It is only what is good in Man
That wastes and withers there.

It is too well-known that theoretically a prison of today is intended to promote the reformation of the criminal, but in the light of its practical and actual operation nothing more ineffective or vicious could be
devised as a method of saving the criminal himself and the society. All that could possibly contribute to the debasement of the human personality happens in the modern prison administration. The correctional treatment not only fails to reform but it actually becomes a training in crime. The reformatories are over-crowded and in spite of classification many juveniles and habituals are flocked together. The 'tough guys' spoil the other innocent beginners in desperation and bitterness. Hans Von Hentig, a German criminologist, observes — "The mammoth prison breeds the professional criminal. It is the introduction to the organized underworld which receives here its material sub-structure and its ideological foundation". Excessive Idleness and overcrowding are but two sides of a dark picture of prison life. It means the survival of the most wicked and unfit. It begets shrewd hypocrites. In confinement, therefore, there cannot be any relationship of equal men; all human relations are unreal, fictitious, counterfeit. There is in fact a delinquency area in which none will get the slightest support as long as he does not descend to his muddy level (Barnes and Teeters).

These inequities of prison life raise the other serious dilemma of prison unrest.
Even in a country like America where it has been possible to take all the steps of prison reform, a correctional Committee reports that riots of prisoners will continue as long as the individual prisoner's personality is ignored through the mass treatment of prisoners. Riots are the outcome of regimentation, monotony, suspicion, fear and contempt, and "locking-psychosis".

Imprisonment of this conventional type has completely failed according to the modern thinkers. It has proved harmful rather than helpful. Its effect is destructive. It has long since ceased to be deterrent. Many writers are of the opinion that the real tragedy of imprisonment is in the frustration of the criminal. This is mainly caused by unsympathetic and sadistic prison officials who take pleasure in brow-beating the victims. The subordinate officials are petty-minded and love a show of authority by inflicting pain. The superior officials pay rare visits and often appreciate the status quo. Very few of them have true resourcefulness. Even good correctional programmes under such personnel fail. Barnes and Teeters even go further to say that the prison officers are as much victimised by the prison as the prisoners themselves. Their personalities are warped by this unnatural life,
and they are scarcely more free than the prisoners they guard. There is also corruption in prison life. This creates a class of privileged and unprivileged prisoners. Even more dangerous than official corruption is the official conviction that convicts are born criminals, mentally, emotionally, morally. These born devils only understand one language, and that is the language of punishment. Such personnel is doubtless incompetent to work on any plan of prison reform and the correction of the criminals.

The old convict-code, based on the hatred of the criminal and therefore, justifying his most callous treatment, cannot be the code for today. Both the prison staff and outside expert personnel must now follow a new code which enjoins an individualised treatment of the criminal for his moral uplift and his ultimate socialisation. Viewed in the light of this goal, success of the punishment of imprisonment appears to be very slight. The growing tendency towards recidivism is a clear reflection of the ineffectiveness of imprisonment. How, therefore, should this punishment be made to yield very good results in the basic problem. This problem has been occupying the minds of executive officials,
legislators, judges, doctors and other experts. Prison reform (with special reference to the education and correction of the criminals) is the burning question today. A few observations in this connection may be made in the following pages.

**Lack of After-care (Rehabilitation)**

We have already seen how a deficient prison system only produces hardened criminals, who, even after their release, revert to their criminal career and again return to the prison, and thus become a very problematic class of prisoners called recidivists. Equally strong reasons for recidivism are found in another quarter, that is the life after release from imprisonment which is a great vacuum to the ex-convict, since there is no efficient system for after-care which would help establish him gradually but satisfactorily in the society. Recidivism thus results on a very large scale for want of an effective machinery for the rehabilitation of the ex-convicts. Rehabilitation means a proper restoration of the ex-convict to the society, his adoption by the society, his complete assimilation into his community. Excepting only a very few countries (U.S.A., U.K. Canada, West Germany etc).
programmes of rehabilitation have been found to be very difficult even to prepare, and their implementation is far more remote for consideration. It must, of course, be said that several countries of the world are aware of this phenomenal situation which rehabilitation has brought before them in a very compelling manner. In the next few pages, therefore, some attention will be devoted to this most engrossing subject of rehabilitation.

Recidivism - How to combat it?

An attempt has been so far made to establish with a certain measure of conviction that the most common legal punishment of imprisonment has on the criminal a very unexpected effect - generally speaking - namely, he comes to the prison again and again and becomes a recidivist. He may not be necessarily a habitual criminal (who is generally classed as a dangerous criminal-minded type). He is all the same a person who does not leave his career of crime and becomes a prison addict. The problem that faces the penologist and criminologist today is: how to reduce this tendency of recidivism? A very large majority of scholars agree that a successful attempt to solve this problem must be through any of the following avenues:
1. **Juvenile Delinquency:** It is very firmly believed that the **most effective** attack on recidivism must come from combating effectively juvenile delinquency. Taking good care of children, saving them from wicked influences of poor slum life, protecting them from incapable parents and broken homes may go a very long way in repelling child crime. The problem is of a very large magnitude; it is very expensive, and its dimensions are so vast that the police, the lawyers, the doctors, the Government, and the social welfare departments must all join hands in achieving its objective. The scourge of juvenile delinquency is not easy to hold back. It will require a total effort on the part of the community. Parent councils, children's recreation clubs, holiday camps and attendance centres may pave the way towards the desired result. Child care is recognized today as a subject of national responsibility, and all progressive countries have given up the punitive approach towards a delinquent child. Child-care is distinguished from child-welfare, and this change in the social attitude is very helpful in the prevention of juvenile delinquency. As Dr. Annie Beasant says, childhood is more susceptible to treatment than any advanced stage.
of life, and therefore, it is of supreme importance that children are very properly brought up. If children are properly looked after and not left without security, they will have favourable environment in which they can grow as normal law-abiding citizens. If handled indiscreetly, they are likely to take to delinquency. In the Western countries very refined methods of dealing with child offenders are practised, and the police and the courts look after the children and attend to their correctional training personally. These children are sent to Children's Homes and Approved Schools. In America and Scandinavia the programmes of treatment of the juveniles have now been taken out of the hands of the courts altogether. The courts decide upon the guilt of the child, while his treatment afterwards is in the control of a Youth Authority or a Child Welfare Council, consisting of specialists in social welfare. It is needless to say that the progress in this direction and the continuous effort behind it are very satisfactory indeed.

In foreign countries bold experiments are made in respect of treatments of the right type for the improvement of child offenders.
The Police chief, Fred Roff is known to have turned juvenile delinquency into juvenile good government. In 1944, he had to round up about forty boys for their destructive pranks in Morristown. He talked to them about the need of stopping the reckless destruction of public property. The boys were gradually convinced and said that "a few cops cannot keep proper watch and on so many mischievous boys". Roff then asked them to co-operate and made them policemen, and this plan of his worked very well indeed. All those nasty boys were turned into sensible young policemen with a sense of duty and service.

In West Germany, Judge Holzschuh decided juvenile cases in a very remarkable way. He asked the boys who had destroyed some pine trees to replant them and thus compensate for their carelessness. The boys did it, and are now very proud of their accomplishment. They have forgotten their mischief and now wisely protect public property. The same judge made a bicycle-thief save money to purchase a new bicycle as a gift to a children's home and later buy from his savings a bicycle for himself. This brought a revolution in the mind of the offender and turned him away permanently from the path of crime. These illustrations will have a revealing significance.
for those judges and officers who have the
difficult responsibility to mould the juvenile
offenders into good healthy citizens.

The work done in India to combat
juvenile delinquency is not quite adequate,
but it is not quite satisfactory. Short-term
institutions have been started for the refor-
mation of the juveniles and are variously called
Remand Homes, Auxiliary Homes, Houses of
Detention. There are long-term institutions
called Reformatory Schools, Borstal Schools,
Industrial Schools, Certified Schools, Vigilance
Homes, Balavihar and Balamandir. Besides juvenile
courts, there are probation, after-care and
follow-up services of limited extent. Govern-
ment of India is well aware of the importance
of the problem and the Children's Act of 1960,
passed by the Parliament for the Union Territories,
is a significant piece of legislation, providing
for the good care, maintenance, welfare, training,
education, rehabilitation of neglected and
delinquent children. The Administration estab-
lished under the Act has been given wider powers
for fixing up varied correctional programmes for
the juveniles. These powers are to be exercised
with a view to the paramount welfare of the
children.
India is rapidly catching up with the other countries on the path of the reformation of the juvenile delinquents. By way of some general suggestions it may be said that the following improvements should be primarily attended to. Juvenile Courts must now be established in all the States, and the courts should be given wide and exclusive jurisdiction. The courts should function as agencies of child-welfare and should include lady judges, who have experience and skill in child-welfare, child psychology and child-education. A child guidance clinic must be available to the court for expert advice, and there should be adequate facilities for carrying out efficiently the correctional treatment to be ordered by the court. This can be done only when there is a special juvenile police Unit of well-trained sympathetic officers. An effective Co-ordination of police-work, court-work and probation-work is essential. It is found that the Bombay Juvenile Court works on these lines to a very large extent and deserves to be mentioned as a very efficient juvenile court. Other states should follow suit.

In short, to check juvenile delinquency is to nip a criminal in the bud. This alone can act as an effective corrective to recidivism.
As Mrs. Alva said in a speech in the Tata Institute of social sciences, Bombay, to reform the juvenile offender is itself a big social problem, but even bigger than this is the problem of removing the social causes of juvenile delinquency. She said - "Accident of birth, lack of opportunities, and other prevailing evils continue to undermine our society. We need a revolution within us for an evolution in society, and mum unless that revolution comes from within you and me, social legislation, even though it expands in every field, will not achieve results". The main point of this utterance relates to prevention being better than cure. Authorities in this field have recommended several preventive measures - namely, the establishment of public and private agencies devoted to preventive work of bringing about social amelioration; establishment of child guidance centres to help the children in their day to day activities; establishment of good schools where able teachers would mould the character of the pupils by instruction and example. The Schools will also provide practical vocational training to qualify for suitable jobs at the end of the school career. The schools will provide recreational programmes and cultural activities
and provide opportunities for group-life and self-government. It is said that the best school for a child is Nature and the world around. The training of children through excursions and play has a considerable effect in broadening their minds to be able to face hard realities of life. A good home protects children from moral dangers and the most effective preventive remedy is to preserve a decent homely life where love and affection would do much that is desired. Here comes the role of the community to adopt destitute and helpless children gone astray and provide for their satisfactory rehabilitation. In this task the role of a juvenile Aid Police Unit is unmistakable. Such a unit, consisting of officers specially trained in human sciences, aware of new scientific and medical developments, experienced in child-care work, will become no doubt the strongest aim of prevention and correction in this field. These units are available in many countries in the West. It is also established in Bombay and is doing appreciably good work.

Children are the true wealth of a country. Their care is a matter of parental responsibility, social responsibility and also
national responsibility. Our late Prime Minister Pandit Jawaharlal Nehru very characteristically expressed this sentiment with the deepest emotion:

"No child in India should be considered to be an orphan. He has at least one mother, that is Mother India".

**Prison Reform - Individual Correctional Treatment:**

On interviewing some important prison officials, it became possible to prepare the following detailed list of the behavioural traits of the habitual offenders who had become confirmed or professional recidivists.

1. They, almost in all cases, take to crime as a profession for the lure of easy money.

2. They look down upon the casuals and keep relations with other habituals only.

3. They are mostly well-behaved towards jail officials, probably due to the realisation that most of their time will have to be spent in jail under the control of these officers.

4. The habituals are most addicted to wine, women and gambling. They derive greatest happiness by spending their ill gotten money on these vices. They often try to gamble inside the jail also.
5. Habituals are comparatively calm and collected as compared to the casuals. They are not impulsive.

6. They have a strong tendency to gang up and have great loyalty towards their gangs.

7. Habituals are most hetero-sexual as they usually have their keeps. But there are stray cases when they have deviated to homo-sexuality. No information is, however, available in respect of habitual long-termers while they are in prison.

8. These habituals are mostly addicted to alcoholic drinks and a percentage of them to Ganja also.

9. They do not have any aptitude for occupational training. Only when forced they take to such work.

10. They pretend to lead a normal social life but always have the craze to revert back to crime.

11. Sense of remorse or contrition is singularly absent in their case.

12. They normally do not have any attachment for their families. They mostly have their keeps who are capable of looking after themselves in their absence.

13. They have a lot of self-confidence in them.
14. The habituals feel quite at home inside jails. They consider it as their natural residence.

15. They take part in games and other cultural or religious activities. They always keep themselves happy.

Some of the habituals have great talents for cultural activities.

The formidable list of the character-traits of these criminals is given only to show how urgent is the need of their reform under a strict correctional treatment during their period of imprisonment. It is agreed universally that the opportunity to train and reform criminals while they are in imprisonment must be treated at its full value. In this period very fruitful steps can be taken to bring the criminal under very wholesome influences. Scholars have, therefore, recommended appropriate schemes for correctional treatment of prisoners. It is well-known that the boldest scheme for reformation of criminals was made by the Italian Penal Code Commission, presided over by Professor Enrico Ferrè. Under this scheme the prisoners were classified and selected for individual treatment. Even the judges were required to take into account this individualization for prescribing punishments.
A legislative scheme of this type is rather difficult to make and practise, because there is almost an infinite variety of criminals, and individualized treatments for all would not be feasible.

The feasible scheme relates to the treatment of the prisoner after the law has inflicted the punishment on him. With the help of an expert staff of prison officials, doctors, psychiatrists, preachers, educationists, it can be properly enforced. Sheldon Glueck and Hermann Mannheim recommend correctional and after-care programmes for the welfare of the prisoner. Correctional treatment involves proper classification and segregation of the prisoners. The hardened criminals and habituals must be treated separately. As a rule, a provision is made for classification of the prisoners, but the system is not worked properly and efficiently. This is a stage where utmost precaution needs to be taken and a Prison Code must provide for proper classification.

The stage of cautious and careful classification of prisoners on all important counts is the most significant stage in the correctional individualized treatment. After this is over, groups of prisoners should be
entrusted to the care of efficient, well-trained, understanding, sympathetic officers who will carry out the programme of reform very patiently in order to bring about some transformation in the conduct of the criminal. This transformation is a very slow process, quite difficult and obscure. A prisoner is not reformed overnight as a miracle. Very tiring efforts on the part of correctional officers are required to prevent a prisoner's deterioration and to help his return to normalcy. Within the jail walls and sometimes outside them, the officers have to help the prisoner to realise his good self and become a law-abiding citizen in due course of time. This heavy responsibility falls on an entire prison personnel, and therefore, there is an insistence that Government should select a very highly qualified personnel interested in this field to direct the correctional treatment of the prisoner.

The Police and prison authorities, with whom the present provisions of reform were discussed, repeatedly indicate that more facilities for correctional treatment are needed in the Indian prisons. Expert clinics for the diagnosis and treatment of the guilty are very essential, this is the very beginning of the treatment. The individualisation helps to know the mental condition,
the moral fibre, intellectual and physical ability, habits and the entire background of the criminal. This makes it easy to prescribe programmes for his treatment, and these programmes, as a rule, lay down the courses for his intellectual, moral cultural physical, mental, and occupational instructions. A daily routine of this rigorous instruction often helps the progress of the criminal. If he shows very satisfactory development, he can be trained in the open atmosphere and may be given some period of freedom to enjoy and learn by himself. He may have a period of parole in which he may contact relatives, friends and visit places of entertainment. In this developed stage he is and is not a prisoner. His entire training may have changed him to a great extent, and he may become quite fit to return to the society to which he belongs. By his occupational training he might secure an economic foot-hold; by his intellectual and moral training he might develop a sense of responsibility. Thus a proper correctional treatment may revolutionize the life of a condemned convict, and lead to his regeneration. It is understood that all criminals will not respond to correctional treatment. But human nature, being what it is, a very large
number of criminals will find it in their interest to respond to the treatment wholeheartedly and take the benefit of the state effort for their own welfare and welfare of the community. The Individualized correctional treatment is easy to outline, but it is the most difficult psychological process. It will require a highly skilled personnel to operate it. There is no doubt that it will have to be resorted to, to stem the alarming tide of recidivism, whatever its cost. In the United States very bold experiments are made in correctional treatment. In New Jersey, Connecticut, Virginia, separate provision is made for women in Female Institutions for correctional treatment. Women Prisoners are assigned to certain cottages for a varied training programme and all of them are looked after by a single guard. The Auburn prison experiments in "Homé Camps" of prisoners for a period of 3 months or more. These camps include even dangerous criminals. The prisoners have here a self-government. Their disciplined, ordered, good behaviour earns remission, and the camp works on the sentiment of sympathy, trust, honour, respect and loyalty. Since the World War II, group therapy has become very popular in prison. A group of prisoners live in association and
govern themselves. The Danish Hospital prison for psychopaths is almost the extreme stretch of correctional treatment. This hospital treats several cases of abnormal, insane and mentally perverted prisoners. The work of this hospital is very noteworthy: The British and Belgium penologists have visited the hospital prison and have made an enthusiastic appraisal of its atmosphere and treatment.

In India steps are taken in this direction by the states by passing Habituals Offenders Acts and providing under them correctional treatment for the habituals. The Bombay Habitual Offenders Act, 1957, has made a good start by providing "settlements" for those offenders. The Act defines the habitual offender as any person who since his attaining the age of eighteen years.

(i) during any consecutive period (whether before or after the commencement of this Act, or partly before and partly after such commencement) of five years, has been sentenced on conviction, on not less than three occasions, to a substantive term of imprisonment for one or more of the scheduled offences committed on separate occasions, being offences which are not so connected together as to form parts of the same transaction, and
(ii) such sentences has not been reversed in appeal or revision.

The proviso to this lays down that in computing the consecutive period of five years aforesaid, any period spent in jail either under a sentence of imprisonment or under detention shall not be taken into account.

The schedule offences include offences connected with (1) counterfeiting coins from Section 231 to 243 Indian Penal Code and (2) Murder, causing grievous hurt, kidnapping, theft, extortion, Robbery, Dacoity, House-trespass, house-breaking and all the offences connected with these from Section 304 to 460 Indian Penal Code.

Sections 14, 15 and 16 of this Habitual offenders Act provides for corrective training of Habitual offenders. This training includes establishment of corrective settlements, power to direct habitual offenders to receive corrective training, power to transfer or discharge from corrective settlement.

Rehabilitation - It is needless to say that the most effective check to recidivism is the satisfactory rehabilitation of the ex-convicts. How to bring about this rehabilitation is the knottiest problem of this country.
Rehabilitation means two things in relation to its objectives. It is a pattern of activities carried out for the correctional treatment of the criminal; and it is a changed condition within the offender making it possible for him to resume contacts with society and carry on his social life as before. In the first sense, rehabilitation and reformation are closely related, and the emphasis is on the best correctional training to change the offender from within. From very early times attempts were made for this kind of rehabilitation. Meditation in silence, moral instruction, signing of pledges for a better life, and compulsory methods of discipline were generally used as methods of correction. In the modern times the correctional rehabilitation is brought about at different stages by different agencies.

Modern thinkers have suggested some very useful and effective steps towards rehabilitation of both kinds (correctional and social):-

(1) For correctional or reformative rehabilitation, they suggest that statutory provisions should be made, laying down the policy of Indeterminate Sentences and the appropriate correctional treatment machinery. In several countries these suggestions have been acted upon, but there are underdeveloped countries where
adequate steps are still not taken in this direction. India has made a very humble beginning and will, it is hoped, amply provide these essential measures. It is worthwhile considering on merit the recommendations of the experienced scholars. The provision of Indeterminate Sentence by the court means that a prisoner may be sent to prison without any stipulated sentence, with the hope of his release based exclusively on his reform and readiness to go as a free person to the society. The release of such a prisoner must be allowed only when he reaches the necessary degree of reformation during the indeterminate imprisonment. The flexibility of the sentence will accommodate the period essential for his reform, there being no fixed time limit. The release should be recommended by an expert Board and ordered by the court after it is satisfied that the prisoner is fit for social life. Some scholars have doubted the efficacy of the indeterminate sentence on several grounds - namely, that it will not be deterrent; there is no satisfactory test of judging when a prisoner has reformed or not; the release may depend upon the favour of the guards; difficulty of getting a very trustworthy personnel on whose word everything may depend;
even the constitutionality of the indeterminate sentence may be questioned. These objections are quite sensible, but they should not come in the way of this essential and convenient method of providing the necessary time for the correctional treatment of the criminal.

Statutory Provisions for correction of the criminal should also be made, requiring a clinical examination of the criminal by experts, since the very basis of correctional treatment is to treat the criminal as a sick man. The judge must act on the advice of experts (Psychologists, Psychiatrist, Doctors, Sociologists etc) and make orders for a particular individualized treatment of the prisoner concerned. The very same view is expressed by Gandhiji - "Jails must be converted into hospitals, the jail staff must be transferred into physicians, the prisoner should be made to feel that they are his friends". W.C. Reckless insists on the individualisation of punishment and treatment. He shows the difference between punitive treatment and correction treatment. Punishment brings about the isolation of the individual and often makes him a confirmed enemy of the society. Such an
individual influences his other inmates and the atmosphere of hostility spreads. Punishment develops caution, fear, lack of respect for anyone and anything, even lack of patriotism. Punishment puts a stop to constructive effort. A patient and sympathetic individualised treatment generally produces a good reaction. The prisoner responds well and gradually realises the value of his personality. A scientific correctional treatment is administered in two ways:

(1) Clinical basis and (2) Group or situational basis. In the former, a thorough clinical examination of the prisoner is made for the treatment of his internal emotional maladjustment in order that his external behaviourial maladjustment will be corrected. The emphasis is on the defect in the individual's personality - a defect which will continue to direct and determine his behaviour, until it is modified by treatment.

The group-method of reformation is a recent psychological and sociological discovery. The emphasis is not on the individualised treatment, it is on the group relations of the prisoner; this is called 'group-therapy', a process introduced after the second war. The
prisoner, over and above the individualised treatment, receives the group treatment. In clinically oriented groups prisoners are allowed to have discussions and some facilities of a common life. It has been found that these group methods have a healing effect and with improved personal relationships the prisoners begin to learn how to handle social situations competently. The Psychodrama (Prisoners express their problems on the stage) has been found to be a very real experience when the prisoners through acting, reach clear insight and reform themselves through such dramatic entertainment.

The programmes of group-therapy have been developed most fully in New York and California. They have guidance centres to suggest educative programmes for groups of prisoners. Expert professional staff processes these programmes of closely integrated treatment. All over Europe schemes of correction, individual or in groups have been taken up on the basis of experiment. In Russia, correction is medical, judicial and pedagogic (for the sick criminal, for the adult and for the minor offender respectively). The Fellow-worker’s courts in Russia, maintain labour discipline and correct anti-social behaviour. The object is of correcting offenders through public influence. By and large, they are
very worthy institutions. England is advancing on similar lines, following the scheme of individualized treatment ordered by the judges on expert advice. In India steps have been taken in this direction under the Probation of Offenders Act, 1958. The court may release an offender on probation for good conduct, and may be put under proper official supervision. We agree with Dr. Sethna that the released prisoner should be under such supervision to guard against his recidivism. But India still needs a very well-developed system of individualisation of the offender for punishment and treatment. A statutory provision to this effect, empowering the courts to pass individualised sentence and order correctional treatment on the advice of experts, is really the need of the day. Many higher officers of the Police and jail departments mentioned, in personal interviews or in replies to questionnaires issued to them, that a very comprehensive central Penal Code is necessary embodying offences, punishments, correctional treatments of the offenders. They seem to suggest a Central Code on the lines of the American Draft Penal Code of 1962. It will be very difficult for this country to provide ideal reformatory systems that are working in America —
the Massachusetts Reformatory and the Elmira Reformatory which are regarded as monumental institutions of individualisation of treatment of criminals. But we want on a sufficiently wide scale separate detention hospitals for the insane criminals, the feeble-minded, and the diseased. Psychological clinics attached to prisons are a much felt necessity for a correctional rehabilitation. In Madras an admirable effort in this direction has been made. If, therefore, a central legislation emphasizing the precise correctional methods or methods, during the period of imprisonment of prisoners, is made available, a very radical step in the reformation of a recidivist will have been reached.

Emphasis on rehabilitation of the prisoner within the framework of imprisonment itself is seen nowadays in the work of scholars devoted to penal reform. Under several heads they suggest how a proper atmosphere in the prison can bring about an effective reformation of the inmates. It is not necessary in this work to treat exhaustively this multiple plan of rehabilitation activity in the prison. However, the matter does demand serious attention. Scholars suggest plans for prison buildings which would ensure maximum security, medium security and minimum security, depending upon the
stage of reformation the prisoner has reached. In America telephone poll prisons, with corridors, provide a very vast space for the free movement of prisoners. Correctional treatment needs places of detention that allow easy and free movements, and a 'super-security' prison is very unfit for such treatment. Correction and mal-nutrition can never go together and it is needless to say that very good care must be taken to maintain a special diet kitchen for the inmates. It is well-known that bad food creates bad temper which even leads to frenzy and violence in prisons.

Efficient correctional officers is the most primary need of prison reform. Only men of sympathetic understanding should be entrusted with the charge of the prisoners. They alone can by persuasion, sympathetic treatment, corrective methods, moral and religious guidance, cultural association bring the criminals to repentance and real self-realization. The American correctional Association is a very helpful institution in laying down the standards and training courses for the custodial officers in the prison. This institute prepares the right type of men and suggests a Code of their duties to prisoners,
their scales of pay, pension provisions etc. This may be regarded as a model modern institution as regards the selection of the prison official personnel.

There is a considerable insistence in the reports of prison officials on the increase of health and recreational facilities - the most effective means of improving the prisoners. The physicians who attend on prisoners often recommend outdoor and indoor recreational pursuits. Vigorous exercise is a tonic and a discipline. It develops appetite and gives good rest and sound sleep.

Free occasional visits by friends and relations, picnics and other entertainments create a sociable disposition in the offenders, and the next step to introduce them into the outside world becomes possible by such visits and contacts. This is a very effective step towards social rehabilitation.

All over the world steps are taken or will soon be taken in the matter of providing a proper education to both adult and juvenile prisoners. A systematic education is the most essential feature of the correctional treatment. A typical Report generally reads - "We accept the modern point of view which holds that the purpose
of education is to develop the individual as well as the total personality: For administrative purpose only we have divided our work into two categories - general education and vocational education". The tendency of the educational programme is not merely to develop technical skills for a social living but also to provide the broad cultural training for the understanding of human values, and relationships. Thus correctional education covers a wide field - academic subjects, general science, hygiene, art, music, fine arts and social relationship etc. Educational methods cover personal attention and instruction as well as group instruction and discussion. Education becomes a sort of a therapy moulding the prisoners to serve effective purpose. Very rightly the training has a strong, vocational bias.

Very soon the prisoner will have to face an unfamiliar world after his release, and he must be equipped to earn a living in a highly competitive and rapidly changing society. Every type of work now needs some special skill and unless the prisoner is ready to give a high-grade performance in his job he will not be legitimately absorbed into the society. No programme of
rehabilitation is complete without including good library facilities and religious instruction. Prison officials and scholars regard the value of religious influence as of first importance. Only an inspiring personality can cast such an influence on the wrong-doers. As a taper lights several other tapers, without losing its glow, so a great personality lighteth several prisoners, who have deviated from the path of righteousness. Lt. Col. P.K. Tarapore, Inspector General of Prisons, Burma, says - "I know a Buddhist Monk of great spiritual distinction who used to preach regularly in our Burma jails. I noticed how the men used to look forward to his visits .... I was afterwards surprised to see some of our most hardened criminals coming away from their interview with him in tears and obviously impressed with some idea of repentance ... Even prisoners whom we had thought to be incorrigible turned over a new leaf in response to his instructions.... "In the countries of the West there is a strong realisation that the chaplins play a very remarkable role in the individualised correctional treatment of the offenders."

In the scheme of correction, self-government by prisoners is a modern attempt to promote social interaction among prisoners. The story of
Osborne who put on a prison uniform and entered the Auburn prison to mix with the criminals is well-known (1914). He formed a Mutual Welfare League and established a self-Government of the prisoners - a sort of prison democracy. The experiment was successful, for it was found that the prisoners conducted themselves very well. This method is not fool proof, but it is practised in many countries under limited guidance, observation and supervision. As a training it has yielded appreciable results.

Criminologists have expressed strong views on futile and humiliating prison labour, which is only short of exploitation. They urge that the labour should be useful, should enlist the prisoner's interest, give him a sense of purpose, afford him an opportunity to exercise his skill, gain confidence in his ability to work, and to instil into him good working habits. As Dr. Grunhut says - "The object of prison labour is training for work and training by work". Labour in prison, properly directed, can serve various purposes: it serves as punishment, if it is sufficiently hard and onerous; it helps to maintain prison discipline; it relieves monotony and keeps the prisoner active and busy; it helps to produce goods at cheap cost for the use of prisoners themselves; it maintains the prisoners
and his family and creates self-respect and responsibility; it imparts technical and manual skill, which is the need of this industrial age, and lastly, it is the most effective reformatory device; it changes the man from within and fashions him as a social asset. The United States has experimented very rapidly in devising as good as six systems of prison labour. There is the contract system in which prison labour is let out to an outside contractor who furnishes the machinery and raw material. The prison management only keeps watch and the contractor has full control of the work. The system puts the prisoners at the mercy of the contractors. The system, therefore, is varied by the piece-price contract system in which the contractor furnishes the material and receives the finished product from the prison. There is little exploitation as the prisoners work under their own supervisors. The lease system is very vicious, as the entire control of prisoners - maintenance, discipline, work, etc - is in the hands of the contractor. The prisoners are removed for outdoor labour as mining, bridge and road construction, sugar-cane plantation. This labour almost approaches slavery. The 'Public Account' or 'State Account' system permits no intervention of outside parties.
The state directs the employment of prisoners in all respects and the production is sold in the open market. This system is advantageous, and is accepted as wholesome. The binder-twine comes from the Minnesota and Wisconsin prisons and is available quite cheap. The state system of prison labour is the most rational. It develops prison industry on efficient lines. Statutory provision can be made for the sale of the goods in certain state institutions and bureaus. If worked properly the industry would support both—prisoners and customers. Some states have found prison labour profitable in the construction of public streets, highways and similar public endeavours. Agriculture also can greatly expand as a phase of prison economy. It can supply vegetables and maintain the health of prisoners by contact with nature. Agriculture is the first step towards re-adjustment to community life. The general view is that hobby shops in prison do not provide what is called gainful employment. These shops keep the inmates busy, but there is no serious employment. This light work leads to idleness which is demoralizing. Activity is an absolute necessity of prison life, and it must be such as to give every able-bodied man in prison something to occupy his mind and time. The prison factory
is nowadays ruled out on humanitarian grounds.

Prison labour is not a curse but a blessing, but very careful attention is needed to direct it to beneficial results. It is a stupid fiction that hard labour is demoralizing. Good sufficient labour, productive as well as instructive, is the vital basis of any form of correctional treatment in prison, leading to satisfactory rehabilitation. It must not be forgotten that the hard work of a prisoner has a great value for him and also for the society. This requires a complete discouragement of free prison labour. A prisoner must be paid justly for his work to support his dependents. A dignified wage creates sense of independence, self-respect, satisfaction of an adequate reward, and a love of labour. Since poverty is perhaps the root cause of many a crime, a well-paid offender in the prison slowly realises that this root cause is gradually removed by those who put him to work and thus protect him. He then realises that his labour is not a punishment but a protection.

Correctional treatment has revealed how strongly even incorrigible offenders have responded in the service of the community. In the field of medical research the inmates have.
contributed vast amounts of blood for the Red-cross and hospitals and have refused to take money. In the field of public service the prisoners in California have helped in fighting nearly 300 forest fires of a very dangerous character. Some prisoners have placed their lives in jeopardy and have actually lost them in flood control and rescue work (Ohio). In several cultural and charitable activities, prisoners have given very liberally. Many anonymous contributions for various charitable purposes can be traced to repentent prisoners.

Western authors have spoken highly of the role of the welfare officer in the scheme of correction and rehabilitation. This officer is to work as liaison officer between the prisoner and his interest outside the jail. Mr. S. D. Kothari, (Welfare officer, Rajasthan), in his critical analysis of the position, refers to these interests with reference to the personal belongings of the prisoner, his arrears of wages, salary, provident fund, insurance, some family disputes and property disputes. On account of this help the released prisoner is able to adjust with life without much difficulty. This officer is truly concerned with the after-care of the prisoner. He helps to bring about social rehabilitation of the prisoner which is a task by itself.
So far we have considered various ways in which reformation or correction of the prison inmates is brought about. There is yet another which may receive a brief attention, since it is brought into practice in our country. A new bold experiment in the treatment of prisoners is now being made in several countries. The prisoners are put in open-air camps with a very few guards. No interference is caused to the work that is assigned to them. They are supplied with decent boarding and lodging arrangements (separate huts), a hospital and an entertainment centre. Their progress in this free open-air confinement is watched and they obtain remission of their sentences on the basis of their progressive records. The experiment has proved successful in India. In Uttar Pradesh, Sumpurnanand camps were established in 1952 with very encouraging results. The work done by these camps is very admirable indeed.

This bold and new experiment in the treatment of prisoners was conceived by Dr. Sumpurnanand after whom the camp is named. In this scheme about 2000 prisoners were employed in the construction of a dam over the river Chandraprabha. The prisoners were housed in tents or huts and in the open, untrammelled by guards.
The camps are almost centres of activity and prosperity. The open prison is a world of its own in which several convicts prepare for a new life to come. The high percentage of success of the Sampuranand camps should embolden other states in India to emulate the jail Administration of Uttar Pradesh. The statistics available measures the success of this experiment by showing that 76 percent of the prisoners settled down well in the life. Emboldened by this success the Uttar Pradesh Government started another camp at Sitargang, where about 800 prisoners were settled. In Maharashtra we have open air camps (jails), on these lines, at Paithan and Yervada. At Satara there is a "Swatantrapur colony" for casual prisoners who stay with their families there and cultivate land.

Probation - Probation (a period of proving or trial) nowadays has acquired a very great significance in the correctional treatment of offenders. As Dressier says, in this period it is very appropriate to design programmes of correction to facilitate their social readjustment. This is an activity conducted under judicial behest. John Augustus of the U.S.A. is known as the father of probation. This Boston shoe-maker had appealed to the courts to suspend sentence on young offenders and put them in his charge, so that he could
save these fallen men and set them once again on the straight and narrow path to rectitude. The good work started by Augustus has now spread all over the world and the probation system has found its way in all the countries for the reform of juveniles and adults, males and females, felons and other miscreants. It is generally the judge who is the sole authority to determine the eligibility of an offender for probation. In respect of juveniles, there is a wide latitude and the judge exercises the widest discretion as regards the minimum probation term. Probation is a privilege not a right, and it is granted by the grace of the court. It is, therefore, revokable on violation of its conditions. Sutherland aptly defines probation as the status of a convicted offender during the period of suspension of the sentence in which he is given a conditional liberty and in which he is allowed to improve his behaviour under supervision. Probation involves full investigation of the criminal's record and conduct. As a rule the probationer is assigned to a specified probation officer who administers the probation programme. This assignment is a very delicate process, depending upon the sex, race and religion of the probationer. A thorough diagnosis of offenders precedes the assignment. Then comes the most difficult task
of the corrective treatment under a strict but at the same time beneficial and efficient supervision. Authoritarian treatment has always failed. According to Barnes and Teeters and Ruth Shonle Cavan, the Probation system is very helpful to reform the offenders without the indignity of a jail sentence and consequent social ostracism. It also ensures the protection of the family of the accused person who is unable to support himself and his dependents in a responsible manner. It is a saviour to the juveniles who can be turned away from the path of crime at the most proper time of their life. Thus probation affords another chance to the prisoner to go into social life without the stigma of a sentence. It also awakens in the community a definite interest in saving individuals who are prepared to turn a new leaf in life. Financially this is the least expensive corrective treatment.

The Probation officer is under a duty to use all community facilities for the offender's rehabilitation. He is the man who brings the offender and the society together. He can revolutionize public opinion by stressing the need of public agencies in the prevention of crime, which can properly begin at this end - namely, in the changed social reaction to crime. The best success
of the probation system lies in the fact that it substitutes an opportunity for social regeneration for the punishment of the criminal. Experts on probation have found it fruitful in the case of a very large number of criminals, excepting the habituals involved in violence, vice, immoral practices and very degrading and inhuman acts. If progressive correctional standards are to be developed there must be a vastly increased emphasis on probation. It should not be treated as mere sympathy and clemency to the offender, nor as a casual campaign of education. There is a deep seated prejudice against it of lawyers, editors and judges. It is said that by probation and parole, law becomes too easy on the criminals. There is some truth in this view but the fault obviously is not in the system as such but in those who handle the probation system. Barnes and Teeters very rightly observe that an effective probation system involves well-trained, well-paid, well-disposed personnel having wide experience of human nature and behaviour and knowing new techniques and methods of correctional treatment.

In India the Probation of Offender's Act (1958) makes provision for probation for first offenders, juveniles and adults. Appellate courts have power to review cases where release on
probation has been refused. There are provisions for revocation and penalty in cases of violation of probation conditions. Probation as a form of community treatment is slowly experimented on, and this aspect of the prison welfare has given the desirable impetus to efficient operation of the system. The Indian Jail officers, excepting of course a few, seem to be in favour of probation in respect of specially selected offenders. The police authorities are not very optimistic about it. At a certain Division (Madhya Pradesh), the probation officer could furnish sufficient detail of information on the working of the probation system. It appears that the experiment of correctional treatment on probation is still not fully undertaken in our country. Sufficient qualified personnel are not employed, and that proves to be a severe handicap. In several places, only one or two probation officers are expected to take charge of several probationers. Then it is found quite difficult to mobilise the community attitude towards the rehabilitation of the offenders. The Indian community, as a whole, has not still realised the value of after-care and rehabilitation of offenders. There are also economic factors involved, since to establish an efficient probatio
system with a strong correctional bias is a matter of considerable expenditure.

Parole - Dressler defines parole (in French meaning Promise - a word of honour by a prisoner) as a treatment programme in which an offender after serving part of a sentence is conditionally released under supervision and treatment. The difference between parole and probation is that the parolee has to serve a part of his term of imprisonment in a correctional institution, while the probationer does not have to undergo incarceration at all.

The parole system had its origins in the British practice of transporting convicted felons to the American colonies and Australia to provide labour for the settlers. The system did not, therefore, originate in humanitarian impulses but in economic necessity. The parolees became the tools of exploitation in the hands of the settlers. Later followed the 'Ticket of Leave' or the Mark system. It is directly related to Parole, because the ticket was a declaration signed by the colonial Governor, excusing a convict from further government work and permitting him to live independently within circumscribed limits. The system operated on a condition of good behaviour. It was turned into an effective
correctional system by Alexander Maconochie when he came to Australia. He tied up the system with an aim and ideal, and his distinctive contribution to parole was the Mark System— an integral part of the Ticket of Leave Programme. Marks were earned on the basis of good conduct and satisfactory work, resulting in the curtailment of the period of confinement. Maconochie's excellent work as Governor of Norfolk Island (1940) is known all over the world. He changed this colony of frightful convicts into a community of sober and self-respecting parolees who pursued innocent occupations, learnt in schools, cultivated small gardens and prayed in the churches. In Ireland Walter Crofton, the head of the Irish Prison system, was influenced by Maconochie's scheme, and by establishing progressive stages of a prisoner's correction he became a universal pioneer of parole. In the United States the Irish system took hold, and the system has gradually reached all the countries in the world.

The agency empowered to grant parole is the parole Board, the Constitution of which differs from country to country. After parole the offender remains under supervision but he is free to make his own progress and satisfy the authorities.

The Government of Bombay was probably the
first to give effect to the parole system in India. The power to grant it vests in the Government. A prisoner, who is sentenced to more than one year but less than five years, may be released on parole provided he has actually undergone a year's imprisonment. A prisoner, who is sentenced to more than five years and has actually undergone two years of sentence, may be eligible for the grant of furlough. The concession is conditional on good behaviour. It is not admissible to habitualls and prisoners convicted of robbery, dacoity or acts highly prejudicial to public peace and tranquility. In 1950 the Government of Bombay approved a scheme of parole prepared by J.W. Ako of the State Board of Prison Directors, California. The scheme provides for group work on public roads and makes arrangements for the parolees in separate huts on the campus. To provide incentive to good behaviour one-third remission is allowed to the employees.

In a nut-shell the philosophy of modern parole is to guard against the potential danger of recidivism. Parole is a chance that is offered to the offenders for a constructive come-back to the society. If the criminal gets socialised, re-educated and attuned to social norms, he ceases to be anti-social and can make a healthy contribution towards a social well-being. Psychology, therefore,
plays a very vital role in parole. It is the mind of the offender that needs expert attention during the parole and this can be done by an individual approach to each and every parolee. It is in the U.S.A. that the system has developed on sound and scientific lines, where psychology aids parole and the prisoner is under close study before and after release. The two vital functions of parole, to be kept in mind by the parole Administration, are - (1) The reclamation of the offender, and (2) the protection of the society. Parole work, therefore, requires relentless vigilance as the risk and the benefit involved are not easy to counterbalance. Professor Gillin wisely concludes that parole is a sound social economy, which must be planned on the basis of psychology, and it is the bulwark of a progressive penology.

Rehabilitation by the community (After-care of prisoners) - The most absorbing stage of recidivism relates to the problem of rehabilitation after the offenders are released. It has been found that in spite of all efforts in correctional treatment of the offenders, during their imprisonment, practically came to nothing if they fail to establish themselves in society in a satisfactory way. It is seen that this failure is the most
potent cause of recidivism, and to remove it
an all out effort on the state level and the
community level and also on the level of after-
care societies would be essential. This is a
titanic task, involving great moral effort,
economic expenditure, legislative effort and
social upheaval. The problem of the discharged
prisoner is facing the civilized nations with
utmost gravity. It has become more important
than crime and punishment, and it is essentially
a problem of the community and not of the law.

A majority of prisoners gradually recoup
themselves under correctional treatment in the
prisons, but they labour under self-condemnation
and feel diffident about their fitness in a
highly competitive world into which they have
to go again. Without self-esteem they have no
confidence, and this leads to a new type of
frustration and demoralisation. It is difficult
for him to bridge the gap between his previous
institutional experience (where in the prison
everything was planned and done for him system-
atically by others) and the new life of freedom
which is full of uncertainty and suspense. There
are many areas of community life in which the
discharged prisoner finds himself handicapped and
stigmatised.

A proper assistance to the discharged
prisoner for his effective rehabilitation should be in the following direction:

(1) the civil rights that some convicts have lost should be restored as soon as possible, and a proper legal machinery should be created to reinstate these rights. A permanent loss of civil rights means the legal death of the prisoner. The disability has serious implications - loss of franchise, incapacity to hold honorary office and to enter into certain relationships etc. There are some states (mostly totalitarian) where loss of these rights under criminal law is very common.

(2) a proper police surveillance is necessary indeed, but it should not lead to the harassment, badgering or hounding of ex-prisoners. The extremity of police vigilance has often led to repugnant practices. Intimidation and blackmail deteriorate both the guardsmen and the ex-convicts they watch.

(3) the need of adequate preparation for community living cannot be overemphasized in the case of ex-prisoners. In America, England and other European countries, this need is met by the establishment of efficient After-care societies. The major concern of these is to find some employment for these discharged prisoners. The
Osborne Association of New York is doing this work of job placement with the help of several welfare agencies that undertake to provide accommodation, food, and other necessaries from the community funds available on charitable grounds. This aspect of after-care is regarded as so significant that the societies even begin the After-care even during imprisonment, as a part of the correctional treatment programme. This becomes a very fruitful effort since the after-prison rehabilitation becomes smooth. After-care, therefore, becomes in a country like America an efficient professional technique in the hands of zealous reformers. The societies are attempting to remove intricacies of rehabilitation by insisting on the society's first obligation to refrain from demoralizing the individual ex-convict by stigmatizing him. The second obligation of the society, harped on recurrently, is to see that every effort is made to fit him into the community and help him realize the potentialities of self-assistance to avert the danger of pauperism, which is the main-spring of recidivism.

The British Central-After-Care Association has done appreciable work in rehabilitation and other voluntary bodies have fallen in line. The Discharged Prisoners Aid Society is
a very active body.

In the afore-mentioned countries, considerable statutory effort is made as regards rehabilitation. In India an attempt in this direction on scientific lines was made in 1954 by the Central Social Welfare Board. It suggested a comprehensive plan for after-care services for orphans, physically handicapped, the delinquents etc. Two after-care programmes were indicated - vocational Rehabilitation and social rehabilitation. It is true that this plan includes the welfare of many types of persons but its relation to the after-care and rehabilitation of ex-prisoners is very superficial. In Madras a discharged prisoner's aid society was established in 1926. There are also many district societies (Arcot, Karapat, Malabar, Salem, Trichinopoly). In Bombay there is the Released Prisoners Aid society (Agripada-1914). A really good institution for helping released prisoners is the Bombay Province Probation and After Care Association. In Poona very laudable work in this direction is being done by the Nava-Jeevan Mandal established in 1956. The reports of this body established under the Bombay Public Trust Act, 1950 show the gradual progress that is achieved in the rehabilitation of prisoners. The Mandal tries to secure employments for ex-prisoners and gives guarantees to the
employees of good service and for making up any loss caused by the employees. The activities of this body are very wide and include arrangements for boarding and lodging, financial help, legal aid, hospital aid and aid for education. As many as sixty to seventy ex-prisoners are looked after, and the atmosphere of the place is clean, peaceful and congenial. Late Shri A.G. Ranade, the Secretary of the Mandal was a very energetic and sympathetic worker for the cause of prisoners' welfare. In Madhya Pradesh, after-care work has just started taking root. A prisoners Aid society is at present doing some work at Bhopal. Unfortunately a substantial benefit of this work is not yet available to the ex-prisoners. One would like to suggest that in this country work on the lines of the 'Friends of Wakefield' scheme should be immediately undertaken. This British scheme is doing an interesting experiment towards socialising homeless ex-prisoners. It is established to help such persons by finding out accommodation suitable to their needs, background and temperament. This work of rehabilitation begins even before the release of the prisoners. Contacts with certain families are established through personal interviews. The Probation officers give permission to the prisoners to live with the outside families. It is
found that several families participate in this scheme and many prisoners have made use of it for their later social rehabilitation. In the year 1961, fifty families gave assistance to the proper settlement of 27 ex-convicts. In India such a scheme is necessary because it will expedite the response of the society to the problem of rehabilitation.

A full summary of the Government activities and policies in this field is available in quarterly reviews published by the Central Bureau of Correctional Services, Department of Social Welfare, Government of India, New Delhi—under the title 'Social Defence'. Provisions have been made in the five year plans to help set up Probation Hostels and After-care Homes. The gist of these reviews is that the problem of crime should be scientifically approached and correctional programmes must form part of the punishment of the offenders. The final rehabilitation should be brought about on the lines followed in the civilised countries of the West. The financial burden of these experiments will always be enormous, but the investment is inevitable and beneficial. For the present it should suffice to say that the recommendations of Dr. W.C. Reckless, a United Nations Expert criminologist on reformation and rehabilitation,
should be taken up for a fuller implementation with great faith and enthusiasm. The recommendations are confidential and have a far-reaching significance.

The challenge of crime in these days must be faced. In the words of Professor Gillin: "The situation challenges every patriotic citizen not wholly dead to the welfare of his country. Let everyone who loves humanity, or cares for our national future, who knows that social institutions may be changed for the better, that man can mould his environment and control to a greater degree his destiny, answer the challenge. Responsibility for the continuance of this situation is his. With the zeal of a prophet, the calmness and patience of scientist, and the relentless perseverance of a Hebrew Jehovah or a Greek Nemesis, let each resolve to do his part in the solution of this great social problem". (Gillin: Criminology and Penology).