Crime is widely seen as one of the most pressing social problems of the human society. Crime of some kind or the other exists in almost all societies.

Crime is a broad term of variable. Its definition may be approached at different semantic levels. But crime is generally defined as an act or omission of an act for which the state can apply sanctions. So in technical usage, a crime is any violation of the law. Justin Muller defined, "Crime is the commission or omission of an act which the law forbids or commands under pain of punishment to be imposed by the state."  

The Sociological Approach to the Study of Crime:

Though there are several other approaches to the study of crime, e.g., biological, legal, psychological, demonological etc., we shall discuss the sociological approach from the viewpoint of our study purpose.

Sociologists emphasise that while crime and delinquency are violations of a behaviour code of a state, these are fundamentally not different from violations of behaviour codes of other social groups, e.g., the school, the family, the religious institution, the labour union etc.


2. This old theory explained criminal conduct to devilish possession and instigation.
The volume of violation of the criminal code is only a small part of the total volume of violations of all behaviour codes in a modern complex society.

Sociologists reject the idea that crimes are natural and universal. There are various factors in the causation of crime and delinquency from sociological viewpoint, the most important being the environmental influences.

The search among environmental factors for causation of crime and delinquency is quite promising. Clifford, R., Shaw in "Delinquency Areas" found that certain slum areas maintained extremely high delinquency rates quite consistently over many years. The delinquency rates in those areas remained constant regardless of the group living in it. Some of the important environmental factors are family conditions, companionship factors, community conditions and economic conditions. There are several aspects of the family factor, viz., broken home, size of the family, sibling position, unsatisfactory parent-child relationship, demoralized home conditions, lack of discipline and control over children etc.

The Companionship factors:

The prospect of the companionship factors can be studied from three angles. First, there are offences which are committed by a company of two or more. Secondly, some persons are likely to fall in the company of bad

elements or criminals and thirdly, sometimes a person may learn certain
tricks from other offenders when in custody. Sociologists observed that
delinquents are more active in social participation and more gregarious
in play than non-delinquents.

**Community factors:**

Community disorganisation has been found to be related to several
social problems including crime and delinquency. Community or social dis­
organisation implies the weakening of institutional and primary group
influence over the lives and conduct of criminals. But the fact remains
that all persons in a society are not disorganised and those who are
disorganised are not affected in a uniform way.

Density and overcrowding play an important role in community or
social disorganisation. Moreover some agencies of mass communication
such as, the movies, the newspapers, magazines etc. may affect some indi­
viduals with criminal virus.

Thus community factors play an important role in influencing the
attitude of delinquent and criminal persons. Slum children are good exam­
pies of this. Even criminals are found to take refuge in slum areas of
cities as community conditions in most of the slums are suitable for such
persons. While no direct causality between social disorganization and
criminal behaviour can be established, there is more opportunity to
become a violator in a disorganized than in an organized environment.
Socio-economic conditions:

Socio-economic conditions can be taken as a main cause of crime and delinquency. Sociologists including the social reformers have usually assumed that if the social conditions could be improved, the conduct of people from low socio-economic classes would become better and there will be the possibility that crime rates would be reduced correspondingly.

Usually poverty has greater impact on delinquent and criminal behaviour in poor, underdeveloped countries where some poor people actually get involved in crime from sheer hunger and want. But even though in some cases, poverty can be considered as the direct cause of criminal behaviour it may not be the sole or outstanding factor. Probably the change, disorganization and demoralization that prevail in industrialized societies are more likely than wealth or poverty to be connected with volume of crime. Economic miseries have a greater influence on crime in an actively developing urban area than in a stabilized rural area.

What can be said of poverty in relation to crime applies equally well to slum and blighted conditions. It is most often observed that even though congested and poverty-stricken areas attract certain classes of people as residents and thus increase the number of recorded arrests, all residents of such areas are not law violators.

Apparently urban atmosphere is conducive to certain types of criminal and delinquent behaviour. The mobility and concentration of urban population
under conditions of relative autonomy and freedom from social control are favourable to a ready market for opportunities for gambling, prostitution and the consumption of alcoholic beverages. The slum culture in urban areas is quite conducive to such delinquent behaviour.

Types of Crimes:

The eight major categories of crime and law breakers as classified by Marshall B. Clinard and Richard Quinney are (1) Violent personal, (2) Occasional property, (3) Occupational (White Collar), (4) Political, (5) Public Order, (6) Conventional, (7) Organized and (8) Professional. Moreover there is the ninth category, i.e., Juvenile Delinquency. 1

Violent personal crimes include assault, robbery and the various forms of homicide, i.e., the acts in which physical injury is inflicted or threatened. Occasional property crimes include vandalism, check forgery, shoplifting and some kinds of auto-theft. Occupational (White collar) crime tend to be ignored by society. The white collar offender is considered differently from the popular strato-type of the criminal. Political crimes includes activities such as treason, sedition and civil disobedience. Public order crimes include prostitution, gambling, drug-addiction, drunkenness, vagrancy, disorderly conduct and traffic violations. Most of this type of crimes are called victimless crimes because they cause no physical

physical harm to anyone but the offender themselves. Conventional crimes include robbery, larceny, burglary and gang theft committed most often by young adults. Organized crime is different from other types of crimes in the sense that in organized crime, illegal activities are carried out as part of a rational plan devised by a large organization that is attempting to maximize its overall profit. Professional criminals are dedicated to a life of crime. Lastly, juvenile delinquency involves wrong-doings by young persons who are under an age specified by law of the place concerned.

We shall discuss about some of the public order, conventional and professional crimes and juvenile delinquency from sociological viewpoints.

Public Order Crimes:

We have already discussed about some of the public order crimes viz., alcoholism, drug-addiction and gambling in chapter 6 of our study. Now we shall discuss about prostitution, a very important as well as alarming criminal behaviour.

Prostitution:

Prostitution has been generally defined as sexual relations on a promiscuous and mercenary basis. Although most prostitutes are female, a small number of them are male also. So far, both groups cater to a male clientele. Under the suppression of Immoral Traffic in Women and Girls Act of India, 1956, "Prostitution means the act of a female offering her body for promiscuous sexual intercourse for hire, whether in money or in kind, and whether offered immediately or otherwise, and the
Prostitutes may be broadly divided into two types, viz., Common
prostitutes and Clandestine prostitutes. Common prostitutes are traditionally
found in specific areas, familiarly known as the red light areas in the
cities. Most of the common prostitutes are illiterates or with low education.
The income level depends usually on the looks, figure etc., but their per­
sonal income seldom exceeds 40 to 50 per cent, making their owners rich but
themselves remaining in poverty.¹

The other type of prostitutes, viz., the clandestine prostitutes
includes call-girls who are generally beautiful, educated, intelligent and
belong to the middle or upper class families. Some of the call-girls have
been found to be employed in regular jobs.

Causes of Prostitution:

The causes of prostitution may be discussed under two heads, viz.,
biological and socio-economic.

The available studies stress that a substantial portion of prosti­
tutes are coerced into it. The predisposing pressures may be socio-economic
and psycho-emotional but the precipitating factors are the big hands of
third party interests — of brothel-runners, procurers and pimps — in
its initiation and continuation.

¹ Sikka, K.D., "Prostitution : Indian Perspectives and Realities" in
the Indian Journal of Social Work, Vol. XLV, Number 2, July 1984,
But poverty is the predominating cause for most women or young girls accepting the profession of prostitution. William Logan, in common with Josephine Butler and other leaders of the campaign for the repeal of the contagious Diseases Act, was aware that the initial causes of women resorting to prostitution were overwhelming poverty, overcrowding and poor pay, working conditions and employment opportunities for women.¹

Thus prostitution is commonly thought to be the tragedy of women who are poor, illiterate and very low income earners. But as it is observed, even if hunger did not exist there would be women selling sex, but the number would be less by about 75 per cent.² As Bureau of Psychological Research observed that economic factors may reinforce other factors predisposing a woman to prostitution as no other way of life offers comparable financial reward to a woman without training or skill.³

Although poverty is a cause of taking to prostitution yet poverty itself is not necessarily sufficient to drive a girl to such a path. According to contemporary observers, the contributory factors along with poverty in this regard are ill-treatment by parents or step-parents, seduction, the birth of an illegitimate child, desertion, widowhood and the need to support dependent children, lack of employment, bad parental example, being 'led astray' by bad companions, intemperance, licentious

¹ Finnegan, F., Poverty and Prostitution, a study of Victorian prostitutes in York, Cambridge University Press, London, 1979, p. 6
² Sikka, K.D., op. cit.
³ Ibid.
inclination, love of dress and finery, indolence and lack of education.¹

Prostitution is thus not an inevitable outcome of poverty; it is nevertheless equally obvious that poverty in some form or other is the major factor for girls initially taking to the streets, and that even after having done so, few are afforded mere than a temporary relief.

Prostitution by itself is no crime and the Acts deal only with particular activities connected with the practices. The law concerns itself with prostitution only when it offends public decency, or when its practice assumes such forms as to amount to a public nuisance.

Vagrancy:

Besides prostitution, vagrancy is also an important public order crime in the eye of law. With the expansion of the city area as well as the city population, the number of vagrant persons also increases, many of whom are found to be indulging in some criminal activities like robbery, theft, shoplifting, black marketeering etc.

Urban slums are very often found to be dens of cheap wines, drugs and gambling. Usually in the evening till late night, male adult population of the slum and scattered settlements take resort to any or more than one kind of such delinquent behaviours. Sometime such behaviours take the turn of serious law and order problem, to the extent of murder also.

¹ Finnegan, F., op.cit., p. 32
**Conventional Crimes:**

Conventional crimes like larceny, burglary and gang-theft are generally committed by those persons who are basically poor. It is frequently observed that though at first this type of criminals commit these acts of crimes out of economic hardship it becomes like a hobby during the later part of life to most of them.

**Professional Crimes:**

Major section of the professional criminals of city areas live in slum and scattered settlements. This type of criminals include pick-pockets, full-time shop-lifters, cheque-forgers, sellers of stolen goods, blackmailers and even killers. These criminals are seldom caught and even if they are, they can usually manage to have the charges dropped or a sentence reduced.

**Juvenile Delinquency:**

Juvenile delinquency is an alarming social problem. Social conditions obtained in the process of urbanization and industrialization have affected the family pattern of the country to a great extent resulting in an atmosphere congenial to the growth of this type of social disorganization. A large number of children moving from rural areas and living in urban slums and grouping for adjustment in urban areas have proved vulnerable to this process and as a result, the number of socially maladjusted children has accorded a gradual rise. Delinquency among children always existed in any society but the rate increases with the increase in urbanization.
Juvenile delinquency involves violation of law by children who are under an age specified by law of the place concerned. The problem of Offenders Act, 1958 of India, which is the only Act which gives a firm description of the existing problems among the juveniles, has incorporated a specific age-level for the application of such Acts. By virtue of this Act, special beneficial measures have been taken for the young offenders who falls within the age of 21 years. Under the Assam Children Act, 1970 (Act XII of 1971), "Child means a boy who has not attained the age of sixteen years or a girl who has not attained the age of eighteen years."

Actually delinquency is a nonformal type of behaviour. When behaviour pattern of youngsters is such that they deviate from the normal path in such a way that their activities may prove harmful to society or to themselves, we may term it "delinquency". Criminal behaviour is delinquent behaviour, but delinquent behaviour may not always be criminal behaviour. There are several contributory factors leading to juvenile delinquency. Internal (Psychological) as well as external (environmental) forces are responsible in the causation of delinquency among juveniles. Among these two forces, rapid industrialization, slum culture and unhealthy companionship, hereditary factors, physical hardships and exploitation of minors by adults, especially in the larger cities are contributory factors leading to juvenile delinquency.

With rapid social changes as a result of economic development, migration of rural masses to cities and the consequent urbanization and social disorganization, incidence of juvenile delinquency has been rising in all
Most writers observe that a delinquent child is handicapped by not a single but by usually seven or eight counts. These causes may be summed up as, if the child has a drunken unemployed father and an immoral mother, if he or she is mentally deficient, is taken out of school at an early age and put to work in a factory and lives in a crowded home in a bad neighbourhood, nearly every factor in his environment may seem to mitigate against them. And such children constitute the largest section of the young delinquents who are brought into court.

The problem of juvenile delinquency in India till recently was confined to a few metropolitan cities. It has now spreaded over the entire country. The average rate of juvenile crimes in India is 11 per cent per annum.  

A Survey conducted by the National Police Academy found that juvenile delinquency is more widespread in urban areas. It was also found that crimes committed by the children commonly are theft, housebreaking and causing injury. Information regarding economic conditions of the parents or guardians of the juveniles was collected by the Bureau of Police Research and Development, under four heads, viz., Lower Income (below Rs. 150/-), Lower Middle Income (Rs. 151/- to Rs. 500/- P.M.), Middle Income (Rs.500/- to Rs. 1000/- P.M.) and Upper Middle Income (Above Rs. 1000/- P.M.). Out of the 1,78,407

juveniles in India, excluding Delhi and Haryana, 71.6 per cent belonged to the parents or guardians of Lower Income group and there were only 4278 juveniles belonging to the Upper Middle Income group. On educational front, the data was available in respect of 1,81,501 juveniles out of whom 51.6 per cent were illiterates and only 5.0 per cent were Matric or above.

It is notable that in all the states and cities, the number of juveniles is always the highest in the lowest income group, i.e., below Rs. 150/- group. For instance, in three major Indian cities viz., Bombay, Calcutta and Madras, the numbers of juveniles in the group of below Rs. 150/- in 1979 were 1735 (out of 2434), 202 (out of 454) and 6953 (out of 9676) respectively. It is also interesting to note that in the income group of above Rs. 1000/-, there were only one and 57 juveniles in 1979 in the cities of Bombay and Madras while not a single juvenile was arrested from that income group in Calcutta city.

2. _________, Ibid.
3. Ministry of Welfare, Govt. of India, Child in India, op.cit., pp. 1416-1417 (Table 10.10).
Case Study of Greater Guwahati:

The report of the Census of Guwahati, 1971 observed that in earlier period the town did not have much law and order problems. But with the increase of the population after 1950, the law and order problem showed an upward trend. In 1970-71, 2612 crime cases were registered in the Guwahati Civil Court out of which 43 were communal cases, 1221 were criminal cases and 1,348 were mixed type of cases.

As is usually observed, slums and pavement dwellings of Greater Guwahati are also found to be breeding grounds of many social evils as well as criminal activities. Some specific notable criminal activities most frequently observed among a section of slum and pavement dwellers are theft, burglary, looting, immoral practices like prostitution etc. Moreover these localities have many dens of gambling and wines. Gambling and alcoholism are quite common vices among the adult male slum and pavement dwellers of the city. In our survey, 41.43 per cent of respondents were addicted to wine and 1.43 per cent were addicted to gambling while many of them were addicted to both of these vices. (See Chapter 6). There are certain slum areas that are quite known for its business on wine. For instance there are the Machari Basti (for traditional and other cheap wine) and the Sharab-bhatti area in the city. It is around these gambling and wine dens that many illegal cheap value place quite frequently. It is in such environment that children also acquire delinquent behaviours.

Though prostitutes are noticeable in some pavements and streets of the city yet according to a source from the city police, prostitutes usually do not reside in the slum localities. According to the same source, prostitutes are found to be residing especially in the Dispur and Hatigaon areas of the city. But they reportedly carry on their business activities all throughout the busy localities of the city.