CHAPTER - VII

SUMMARY AND CONCLUSION
Anthropology, as a wholistic discipline of human behaviour always strives to understand the human action in the context of a specific culture on the one hand and total humanity at the global cross-cultural level on the other. The holistic coverage which forms the hallmark of anthropology had prompted some of the distinguished scholars like Malinowski (1951) and Majumdar (1947) to take note of crime and criminality also along with the other aspects of life of the people they studied.

Several social scientists like criminologists, sociologists and psychologists have offered varied explanations about the origin and development of crime and deviance. If some investigators blamed the ‘circumstances’, the others tried to probe into the Psychological factors in their search for causes of crime. Due to the differential effect of rapid industrialization and urbanization, on various cultures the dimension of juvenile delinquency varies from one society to another. Delinquency as one form deviance is a multi-faceted problem and several theories have been propounded to understand this complex phenomenon.

The biological theory put forward by Lombroso (1911) and later by Hooton (1939) assumes that crime is rooted in individual differences of inherited capacity. Criminals are radically different from normal human beings in organic structure, which largely determines their criminal action
and that criminals can be identified by certain biological traits as having low forehead, ear deformation, receding chin, and other marked asymmetry. However many studies point out that delinquency is not caused due to organic make-up or temperament, or certain biological predisposition. Any statement made about genetic development in relation to environmental constraints are partial and misleading. The studies based on such a theory are fraught with methodological and interpretative difficulties.

The most important of these is that, they underestimate the effects of social and cultural factors on the adolescents and the degree to which knowledge of their past history and parentage affects the way they are moulded by social agencies.

Though Merton's anomic theory focused on how social structure creates strain on the individual to commit crimes, failed to explain why individuals engage in delinquent conduct.

Sutherland's social learning theory says that the probability of crime varies with frequency, priority, duration and intensity of person's contact with the patterns of crime. Sutherland stresses more on the behaviour as opposed to conventional behaviour. The studies of Bandura (1962) and Walter (1969) emphasize the role of imitation and vicarious rewards in explaining social learning process.
The sociologically oriented criminologists who posit 'Sociological theory' believe that an urban community like city presents an appropriate social environment for breeding crime and delinquency. Delinquency is considered to be a reasonable adjustment to the kinds of stresses that young people confront in a modern society. They have stressed more on the process of becoming deviant rather than on how structure determined deviant behaviour.

Reiss (1952) 'Social control' theory suggests that three components of social control explain delinquency. He says that delinquency results from any or all of a) lack of proper internal controls during adolescence; b) a breakdown of those internal controls; c) an absence, or conflict in social rules provided by important social groups like family, close-kin, neighbourhood and school. The investigations based on social control theory reveal that they place excessive emphasis on internal controls and disciplining mechanisms rather than on their links with the broader socio-economic institutions which impinge on the former.

Psychological theory states that delinquency is a kind of abnormality in which the delinquent imagines the others to be hostile and becomes hostile to others. Psychological factors are said to be closely intertwined with physical conditions. Criminals as individuals and their actions, have a psychological dimension. But their problems arise mainly
because of their failure to conform to the laws which represent the will of the larger society. Hence the social and cultural grounding of individuals can not be lost sight of.

Crime is assignable to no single universal source. It springs from a wide variety of factors, and from a multiplicity of influences. The foregoing theories and works based on these theories have depicted juvenile delinquency as an emerging social problem characteristic of societies affected by the process of modernization, industrialization and urbanization. Since it had emerged as a natural consequence of industrialization and urbanization in western society, juvenile delinquency has been seen occurring due to the same causes and as such needs similar remedial measures in other non-western societies also. However effects of modernization, westernization and any deviance arising out of these processes can not be seen as occurring free of the social cultural context within which they are manifested. However most of the works focused on juvenile delinquency depend to a large extent on a perspective which is more often guided by the insights gained through the investigations of the problem of delinquency in western society. Hardly have these investigations bothered to look into the specific social cultural milieu in which the phenomenon of juvenile delinquency occur. It is because of this insensitivity to the socio-cultural context, that the administration and social
scientists in non-western societies like Bangladesh who claim expertise on this problem, quite often think of correcting as well as checking the problem of delinquency through such formal institutions employed by the western societies as Police, Remand Home and Correctional Institutions. They rarely perceive that the traditional indigenous socio-cultural institutions are prompt to take care of problems and are more effective and potent at checking such deviances in the society. Especially the significance of such core institutions, which have been pointed out by the pioneers of 'culture and personality' approach in anthropology as crucial in moulding the personality of individuals, play a vital role in checking and controlling the delinquency of children and adolescents, can not be lost sight of. Most relevant to note are the role of such core institutions as family, peer-groups, and religion explained by Abram Kardiner (1939) and Ralph Linton (1936) while positing their concept of 'basic personality structure'. Indeed, the foundations of delinquent behaviour are laid in early childhood, the period which students of child life regard as the most significant in the development of personality and culture. The works of Margaret Mead (1942), Ruth Benedict (1934), Cora Du Bois (1945), Whiting (1941), Child (1924) and many others bring out clearly the importance of these basic institutions in framing the personality and at the same time checking the deviance among the adolescents in the society.
It is with this perspective that the present study has endeavoured to present an indepth and comprehensive understanding of juvenile delinquency in the urban society of Tangail in Bangladesh. The main concern of this study has been to find out not only the causes but also to understand the remedies and correctional mechanisms that come to play in the socio-cultural milieu of Tangail paurashava within the changing and culturally heterogeneous urban society like Tangail. A wide array of forces generated by industrialization, technological advancement and increasing pressure of population in migration, have given rise to new ways of life. The phenomenon of juvenile delinquency is one such consequence which is gradually raising its ugly head in Tangail society. As a matter of fact Tangail paurashava presents a socio-cultural mix of tradition and modernity. Though various peripheral aspects of people’s life like occupation, dress, food and material possession by urbanization and industrialization, the core and basic socio-cultural institutions like family, marriage system, religious beliefs and practices, and local justice system have remained unaffected to a great extent. It is these institutions which play not only a crucial role in the orientation and socialization of individuals but also in checking their deviance from the established traditions, and values of the socio-cultural system.
The family is an important social group in the development of personality. Family in Tangail has been found as the first cultural agency in giving a particular shape to the personality which an adolescent will acquire. A sound and happy family is looked upon as the best insurance against delinquency. Contrariwise, a family that is broken by divorce, desertion, separation, or death, or that which functions inadequately as a social unit, is handicapped in carrying on its responsibilities toward the adolescents. Informal and formal education is found to be one of the most important factors in the development of an adolescent. Informally imparted religious education as well as the formally imparted school education go a long way in checking the deviance while moulding the personality of adolescents. It is also found that adolescents from low income families who pursue only limited opportunities to participate in higher education exhibit delinquent tendencies. Since the Muslims constitute an overwhelming majority of the population of Tangail paurashava, the Muslim adolescents who acquire the religious knowledge from the Imams and Mullahs quite often conform with case with socially acceptable behaviour.

The foundations of delinquent behaviour are laid in very early childhood. Juvenile delinquency has no single cause. Many factors are found to contribute in producing delinquency, but the central problem in
any case, is, the delinquent himself. A delinquent adolescent is exposed
to many types of influences like, chaotic and restrictive family type,
quarrelsome parental relationships, deprivation of parental, especially
mother's affection and care, broken home, poverty, illiteracy, and bad
company. These are the major factors that contribute to the phenomenon
of delinquency.

The home and family as the fundamental social institution has an
enormous influence upon the development of the personality of the
adolescents. Adolescents keenly watch and emulate the attitudes and
behaviour patterns of their parents in the family and kin network. Case
studies indicate that unhappy homes, marked by incompatibility between
parents and children produce a state of mental turmoil and contribute to the
emotional instability of adolescent, often creating a rebellious
uncooperative attitude.

Education is one of the most concomitant forces in the development
of an individual. The school as one of the principal socializing agencies of
Tangail culture has a major objective to influence behaviour and mould the
character of the adolescents who are put in its charge. It has been found
that the type of delinquency varies with the degree of education.
Delinquencies of violence have been found to be more frequently by the
uneducated or less educated, while delinquencies involving skill and
cunning are associated with the educated. In the fast changing urban scenario, it has been found that to a certain extent poor educational attainment among the adolescents thwart their discerning capability.

Delinquency is primarily a group activity. With the exception of the rare pathological offences committed by individuals, most anti-social acts are committed by adolescents in groups. The influence of peer groups is crucial because, like that of parents, it impinges on the adolescent from his early childhood right through adolescence to adulthood. It is evident that the types of peer-group one chooses exert a considerable influence on an adolescent’s behaviour. If the playmates are of the type that exert wholesome influences, the contacts are likely to be constructive and wholesome. If the contacts are of the opposite type, the results are found to be unwholesome.

The economic condition of families is likely to give rise to situations wherein the children and adolescents are pushed into premature employment which turns deprive them of adequate guidance, care and affection of parents. Such children also fall easy prey to the company of bad characters. Many of the poor families in Tangail are found affected not only by economic hardship, but also by unemployment and immoral life-style. Thus the forces acting within and outside such families, push the adolescents into the quagmire of juvenile delinquency.
Homosexuality is strongly condemned in Tangail and it is believed that it ultimately creates abnormal personality exhibiting criminal tendencies. Young and unsuspecting boys are initiated into such sexual perversion by the abnormal elderly males who are closely associated with them. Once the young boys get into such a habit, they are branded as deviants and delinquents in the society.

Politicization of students and the exploitation of youngsters by the political leaders of various factions have contributed to a certain extent to the deviance of adolescents in Tangail. Quite often the young boys who are truant and abstain from regular school and those who in the company of bad peer-groups commit minor offences, are spoiled by the leaders for their prospective benefits. It is such boys who will later be used for committing serious offenses and daredevil activities. The induction such school and college students especially from the financially weak families into the arms-cadre of political parties, contributes to the creation militant and armed gangs of youngsters.

In modern societies, the state is acknowledged as holding a decisive power over the lives, hopes and aspirations of individuals and social groups. The state acts as parens patrie, whenever and wherever parents are absent or fail to take proper care of their children or negligent in their duty of properly raising and disciplining their children. Bangladesh is no
exception to this, and hence the state has opened up a National Institute for Correctional Services at Tongi, about 60 km. from Tangail where in the juvenile delinquents are supposed to be reformed and made to live with worth and dignity.

The National Institute for Correctional Services, the only institute of its kind in Bangladesh was established in 1978 with a Juvenile Court, a Remand Home and a Training Institute. The Bangladesh Children act 1974 is the backbone of the formal juvenile justice system. This has been enacted with a view to differentiate the juvenile group from the adult group and give separate and appropriate treatment for reforming the delinquent children. The salient features of the juvenile court are a) separate and informal hearing; b) no right provided to have a lawyer for the child; c) protection against legal consequences and stigma. Remand Home has been established primarily for detention and safe custody of delinquents for under trial interim period. After trial if an adolescent is proved guilty of offence, the court depending on the merit of the case, either orders for probation under the supervision of a probation officer or commit him to the Training Institute for correction and rehabilitation indicating a time span. The NICS (National Institute for Correctional Services), imparts training in different vocational trades to the inmates like automobile repairs, carpentry, house-wiring and tailoring. The dormitories where the inmates
sleep are divided into 4 houses like i) Bangabandu House, ii) Shera Bangla House, iii) Nazrul House and iv) Vawal House.

When a juvenile delinquent enters into NICS, Tongi he finds himself altogether in a strange environment. He is instructed about the existing rules and regulations of the NICS by the staff. There is a hierarchical world among the inmates of NICS, Tongi. Khobjaira inmates are found at the top of the hierarchy. Khachchor inmates are found beneath the Khobjaira. After the Khachchor the Niriho inmates are found. Beneath the Niriho inmates, the Habagoba inmates are found, and at the bottom the Faltho inmates are found in Bangabandu House, Shera Bangla House, Nazrul House and Vawal House of the National Institute for Correctional Service.

Apart from the parents and guardians, others who are authorized to bring a child to the juvenile court are police. A very large number of cases have been found to be 'guardian cases'. The formal juvenile justice system is ideally meant to be helpful and rehabilitative rather than punitive. However, it is found that the NICS of Tongi is functioning in an inefficient and unsatisfactory manner, emphasizing more on a custodial aspect than an reformation that is the reason why goal of the institution is not achieved. Moreover the funds for the welfare of the children are either inadequate or misused by the staff of the institution. Thus various aspects of the
formal institutions and correctional agencies like Police, Juvenile Court, Remand Home, Probation System and Parole System lay great emphasis on punitive preventions and impersonal approach, where as the informal and indigenous core institutions like family, kinship organization, religious beliefs and procedures which play a vital role in curbing delinquency in the society are characterized more by mechanical and corrective preventions.

By its very nature, the prevention and control of delinquency can not be the sole responsibility of any one agency or institution, formal or informal, modern or traditional, judicial or non-judicial. Many other agencies, institutions and persons in the society—parents, elderly persons, religious and educational institutions, social and recreational agencies, the press, the politicians, and others—have equal responsibility to curb and control juvenile delinquency. Since juvenile deviance is the expression of the dynamic forces that interact within a specific social cultural context, it is futile to assume or understand the phenomenon as having uniform expression and etiology in all societies or to tackle the phenomenon by a set of formal mechanisms designed in one socio-cultural milieu, viz. the western society.

It is necessary and imperative that indigenous socio-cultural institutions are given due significance. Since the foundations of delinquent behaviour are laid in very early and impressionable stage of the life of