

A study of increasing incidence of delinquency in India and causal factors

Dr. Jasbir Rishi

Associate Professor, HMV Jalandhar, Punjab, India.

Abstract

Juvenile delinquency, also known as "juvenile offending", is participation in illegal behavior by minors (juveniles, i.e. individuals younger than the statutory age of majority). The term juvenile delinquency applies to violation of criminal code and certain patterns of behavior that are not approved for children and young adolescents. Constant exposure to violence, no fear of law and lack of understanding about the consequences of committing a crime have made children prone to violence. Quoting a study, mental health experts said there has been a 300% increase in the number of children committing heinous crimes in the past three years, and most of them were found to be influenced by their surroundings. Theories have been advanced from time to time to explain these things, but only in the last ten or fifteen years have extensive scientific investigation been carried out on these problems. The factors are found to be responsible for delinquency (a) Personality Characteristics, (b) Family patterns and interaction, and (c) Delinquent gangs and subculture.

Keywords: Juvenile Delinquency, Increase, Violence, Consequences

Introduction

It has long been a problem why some children steal and not others, why some play truant, or why some set fires and damage property. Some Children often test limits & boundaries set by parents and authority figures. Generally among adolescents some rebelliousness and experimentation is common. However a few children consistently participate in problematic behaviors that negatively affect their family, academic, social and personal functioning. These children present great concern to parents and the community. Parents may define disruptive and delinquent behavior as disobedience fighting with siblings destroying or damaging property stealing money from family members or threatening parents with violence. Often school staff members often regard delinquent behavior as that which interrupts or disturbs classroom learning, violates the school code of conduct and threatens the safety of faculty and students. Mental health professionals consider delinquency to include a wide range of disruptive behaviors that may involve aggression toward others or animals destruction of property, deceitfulness theft and violations of rule and school attendance.

Officers of the juvenile courts, child welfare associations, educational bodies, and mental hygiene clinics have been instrumental in bringing together a vast amount of data concerning juvenile delinquency, from which certain general conclusions may be drawn.

Juvenile delinquency, also known as "juvenile offending", is participation in illegal behavior by minors (juveniles, i.e. individuals younger than the statutory age of majority) [1]. Most legal systems prescribe specific procedures for dealing with juveniles, such as juvenile detention centers, and courts.

"The delinquent behavior includes such acts as destruction of property, violence against other people, and various behaviors contrary to the needs and rights of others and in violation of society's law (Henggeler, 1989)." The term juvenile delinquency is a legal one; it refers to illegal acts committed

by individuals under the age 16, 17, or 18 (depending on state law).

The term juvenile delinquency applies to violation of criminal code and certain patterns of behavior that are not approved for children and young adolescents. It may be grouped as individual delinquency (in which only one individual is involved and the cause of delinquent act is traced to individual delinquent), group supported delinquency (committed in companionship and the cause is attributed not to the personality of the individual but to the culture of the individual's home and neighborhood), organized delinquency and situational delinquency. A delinquent young person is disobedient, runs away from home and school, cannot be controlled by the parents and teachers, is not amenable to any kind of discipline, is self-willed and habitually acts in a manner injurious to the welfare and happiness of others and himself.

Types of Delinquency

Juvenile delinquency, or offending, can be separated into three categories:

1. Delinquency, crimes committed by minors, which are dealt with by the juvenile courts and justice system.
2. Criminal behavior, crimes dealt with by the criminal justice system;
3. Status offenses, offenses that are only classified as such because one is a minor, such as truancy, also dealt with by the juvenile courts. (Woolard s. 2009) [4].

According to the developmental research of Moffitt (2006) [3], there are two different types of offenders that emerge in adolescence.

One is the repeat offender, referred to as the life-course-persistent offender, who begins offending or showing antisocial/aggressive behavior in adolescence (or even childhood) and continues into adulthood;

The age specific offender, referred to as the adolescence-limited offender, for whom juvenile offending or delinquency

Begins and ends during their period of adolescence^[5]. Because most teenagers tend to show some form of antisocial, juvenile or delinquent behavior during adolescence, it is important to account for these behaviors in childhood in order to determine whether they will be life-course-persistent offenders or adolescence-limited offenders. Although adolescence-limited offenders tend to drop all criminal activity once they enter adulthood and show less pathology than life-course-persistent offenders, they still show more mental health, substance abuse, and finance problems, both in adolescence and adulthood, than those who were never delinquent z. (Carlson, 2000)^[5].

Incidence

Of the total delinquencies committed by the juveniles, hardly 2 per cent come to the notice of the police and the courts. The statistics compiled by the National Crime Records Bureau, Delhi give some indication of the incidence of juvenile delinquency in India. Up to 1987, every year about 50 thousand delinquencies were committed under the Indian Penal Code (IPC) and about 85 thousand under the local and special laws.

But the new definition of a juvenile delinquent after the enforcement of the Juvenile Justice Act in October 1987 (passed in 1986) excludes males in the age-group of 16 to 21 years and females in the age-group of 18 to 21 years. Crime cases attributed to juveniles naturally have been reduced now. This is why juvenile delinquency in and after 1988, compared to 1987 and earlier years has decreased both under the IPC and the local and special laws.

In 1988, about 25 thousand to be delinquencies under the IPC and about 25 thousand delinquencies under the local and special laws were committed. About 14,500 juveniles are apprehended (about 8,500 or 59% under the IPC and about 6,000 or 41 under the local and special laws) in a year for different crimes (Crime in India, 1994).

The percentage of juvenile crime to total cognizable crime in India in 1994 was about 0.5% (in 1988 it was 1.7%). Before 1988, this percentage (of juvenile delinquency to total cognizable crime) was about 4.

In India the highest number of delinquencies committed by the juveniles under the IPC is against property, that is, theft, burglary, robbery, and dacoity. In 1994, these four crimes accounted for 44 per cent of the total cognizable crimes under the IPC committed by the juveniles (theft-28%, burglary-15.1%, robbery-0.6%, and dacoity-0.4%). This was 9.7 per cent more as compared to the percentage of similar crimes committed by the adult criminals. Apart from property crimes, 7.4 per cent juveniles were apprehended for riots, 3.4 per cent for murder, 2.1 per cent for rape, and 1.1 per cent for kidnapping and abduction.

The largest contribution under the local and special laws in 1994 was from offences under the Prohibition Act (11.1%) and the Gambling Act (6.1%) (upto 1987, it was 27% and 21% respectively). The incidence of juvenile delinquency varies widely in different states. Four states-Maharashtra (22.9%), Madhya Pradesh (23.7%), Bihar (10.6%) and Gujarat (11.9%)-account for 69.1 per cent of the total juvenile delinquencies under the IPC in the entire country. For crimes under the local and special laws, two states-Tamil Nadu (59.1 %) and Maharashtra (10.2%) account for 69.3 per cent of the total offences (Crime in India, 1994).

Out of about 17,203 juveniles apprehended and sent to the courts in 1994 for delinquencies under the IPC and LSL, 22.9 per cent were sent to their homes after advice/admonition, 19.7 per cent were released on probation, 5.5 per cent were sent to special homes, 7 per cent were fined and 6.5 per cent were acquitted. About 38.4 per cent cases remained pending. Constant exposure to violence, no fear of law and lack of understanding about the consequences of committing a crime have made children prone to violence. Quoting a study, mental health experts said there has been a 300% increase in the number of children committing heinous crimes in the past three years, and most of them were found to be influenced by their surroundings. In 2013, juveniles in conflict with law were found to be involved in 163 cases of rape and 76 cases of murder.

Times of India reported that 18% rise in crime by juveniles (20 Aug 2015). It further stated that an increasing involvement of juveniles in crime has been a major cause of concern for Delhi Police for the past few years. According to the NCRB data, cases involving juvenile offenders have gone up by 18%-2,876 minors were tracked down in 1,946 criminal cases registered in 2014. In 2013, the figure was 2,140 against 1,590 cases. Last year, 585 juveniles were charged with theft. Like 2013, they were found to be involved in more rape cases than murders.

Of the 2,876 juveniles apprehended, 2,547 were found to be involved in cognizable offences; 1,001 were sent home after admonition and advice, while 474 were released on probation. As many as 382 juveniles were sent to special homes, 40 faced fines and 146 were acquitted. The number pending cases stood at 648.

Among those apprehended, 771 had dropped out of school at the higher secondary level; 122 were primary school dropouts, and 767 were illiterate. As many as 2,118 were found to be living with their parents, while 84 were homeless. A total of 1,252 children came from families with an annual income below Rs 25,000, while 687 belonged to the income group of Rs 25,001-Rs 50,000 per annum.

In 2014, juveniles were involved in 1,007 cases of theft, burglary or snatching, followed by 134 cases of rape and 70 murder. Of the total number of apprehended juveniles, 1,500 were in the age-group of 16-18 years.

Casual factors

The following factors are found to be responsible for delinquency

- 1) Personality Characteristics,
- 2) Family patterns and interaction, and
- 3) Delinquent gangs and subculture. We shall also see that certain delinquent acts may be triggered by unusual stresses.

Personal pathology

1. Brain damage and mental retardation

In a distinct minority of cases of delinquency – an estimated 1 percent or less – brain pathology results in a lowered inhibitory controls and a tendency toward episodes of violent behavior (Caputo and Mandell, 1970; Kiester, 1974). These youths are often hyperactive, impulsive, emotionally unsuitable, and unable to inhibit themselves when strongly stimulated. Fortunately their inner controls appear to improve during later adolescence and young adulthood.

In some 5 percent of delinquent, low intelligence appears to be a casual significance. This is particularly true of mentally retarded, sexually delinquent girls, and the delinquent male retardates who typically commit impulsive offenses, such as petty thievery and minor acts of aggression, often against the person. Frequently delinquent retardates fall prey to brighter psychopaths or delinquent gangs that dominate and exploit them.

2. Neuroses and psychoses

As estimated 3 to 5 percent of delinquent behavior appears to be directly associated with neurotic disorders, and about the same percent psychotic disorders. In the former, the delinquent act may take the form of compulsion, such as "peeping" or stealing things are not needed. Such compulsions often seem related to deviant sexual gratification in over inhibited adolescents who have been indoctrinated in the belief that masturbation and other overt forms of sexual release are terribly evil and sinful. Often such individual fight their inner impulses before committing the delinquent act, and then feel guilty afterward, In both neurotic and psychotic delinquent, the delinquent act is a by-product of severe personality maladjustment rather than a reflection of consistent antisocial orientation,(Bandura,1973)

3. Psychopathic personality

A sizeable number of habitual delinquent appear to share the trades typical of the antisocial psychopathic personality they are impulsive, defiant, resentful, devoid of feeling of remorse or guilt, incapable of establishing and maintain close interpersonal ties, and unable to profit from experience. Because they lack needed reality and ethical controls, they often engage in seemingly "senseless" acts that are not planned but occur on the "spur of the moment" they may steal a small sum of money they don't need, or they may steal a car, drive it a few blocks and they abandon it. In some instances, they engage in impulsive acts of violence – against either property of persons which are not committed for personal gain but rather reflect underlying resentment and hostility toward their world.

Although research has focused primarily on male delinquents, several investigators have emphasized with a high incidence of psychopathic personalities among females in state correctional institutions (Cloninger and Guze, 1970; Fine and Fishman, 1968; Konopka, 1964, 1967).

4. Drug abuse

A sizeable number of delinquents acts-particularly theft, prostitutions and assault-are directly associated with drug problems. Youth who are addicted to hard drugs, such as heroine, are forced to steal in an attempt to maintain their habit, which can be highly expensive. In the case of female addicts, they may be combined with or replaced by prostitution as a mean of obtaining money. The two most common drugs associated with physical assault are secobarbital and alcohol, although the amphetamines may also be involved in impulsive antisocial acts, including crimes against the person.

5. Inferiority Complex

A "feeling of inferiority" in any human attribute may be quite conscious, semi-conscious, or repressed and unconscious. A

child who feels inferior at home, school and in social settings, starts having inferiority complex and to get attention of others he indulges and various acts like stealing, truancy, etc which later becomes delinquency.

6. Suggestibility

Experimental evidence and observation have shown that children are more suggestible than adults and that some children are much more open to suggestion than others, noticeably many of those of borderline and dull average intelligence. It is to be expected, then, that children who are naturally easily led and whose parents or companions are delinquent, will themselves fall into bad ways. The children may actually be used as accomplices or they may copy the others independently, the mere knowledge of the others' stealing or picking pockets being sufficient to suggest to them to do likewise.

7. Habit and Association

One of the most difficult of the psychological causes of delinquency to treat and one of the most potent is that of habit. A delinquency once committed, as the result of suggestion, fleeting impulse, temporary loss of control or from whatever cause, may be repeated more or less automatically by force of habit. A habit develops when mainly pleasant and few unpleasant consequences follow the action. The more often the delinquent behavior is repeated and the more it is attended with pleasant circumstances, the more established becomes the habit. This delinquent habit may persist long after the original cause of its existence has disappeared. A psychiatrist, for instance, may discover and actually remove the causes which led a boy to steal, pick pockets, lie or stay out at nights, but still the young man may keep up his delinquent ways because of habit.

Pathogenic Family Patterns

Of the various pathogenic family patterns that have been emphasized in the research on juvenile delinquency, the following appear to be the most important.

1. Broken Homes

A number of investigators have pointed to the high incidence of broken homes and multiple parental figures in the background of delinquent youths. In general delinquency appears to be much more common among youths coming from homes broken by parental separation or divorce than from homes broken by the death of a parent.

2. Parental rejection and faulty discipline

When the father is the rejecting parent, it is difficult for a boy to identify with him and to use him as a model for his own development. In early study of 26 aggressively delinquent boys, Bandura and Walters (1963) delineated a pattern in which father rejection was combined with inconsistent handling of the boy by both parents. To complicate the pathogenic picture, the father typically used physically punitive methods of discipline, thus the augmenting the hostility the boy already felt toward him as well as modeling aggressive behavior and result of such a pattern was found to be a hostile, defiant, inadequately socialized youth who lacked normal inner controls and tended to act out his aggressive impulses in antisocial behavior. The detrimental effects of

parental rejection and inconsistent discipline are by no means attributable only to the father.

3. Sociopathic parental models

Several investigators have found a high incidence of sociopathic traits in the parents of delinquents particularly but not exclusively in the father (Glueck and Glueck, 1969; Ulmar, 1971 Bandura, 1973). These included alcoholism, brutality, antisocial attitudes failure to provide, frequent unnecessary absence from home, and other characteristics that made the father and inadequate and unacceptable model. Sociopathic fathers-and mothers-may contribute in various ways to delinquent behavior of girls as well.

4. Excess or Deficiency in material things

Material factors determine a child's physical well-being, but they also have a far-reaching influence upon his mental development. They determine his self-respect and confidence among his fellows, and his ability to control his natural instincts.

Possible material deficiencies

- a. Lack of proper clothes.
- b. Lack of pocket-money.
- c. Lack of toys,
- d. Lack of personal property.

Excess in Material Things.

- a. Too many and too elaborate playthings.
- b. Too much to eat, too many candies.
- c. Too much money.
- d. Too many personal possessions.
- e. Too many clothes.

Undesirable Peer relationship

While not typically a gang experience, delinquency does tend to be a shared experience for both male and females. In their study of delinquents in the Flint, Michigan, Area, Haney and Gold (1973) found that about two-thirds of delinquent acts were committed in association with one or two other persons, and most of the remainder involved three or four other persons. Usually the offender and companion or companions were of the same sex. Interestingly enough, girls were more likely than boys to have a constant friend or companion in delinquency.

General Sociocultural factors

Here, we are concerned with broad social conditions that tend to produce delinquency.

1. Alienation and rebellion

Feelings of alienation and rebellion are common to many teen-agers from all socioeconomic levels. For example, we find middle-class youth who are uncommitted to the values of their parents or the "establishment" but at the same time are confused about their own values and sense of identity. Often they view the adult world as hostile and phony place, inhabited by people who work at useless jobs that they pompously assume are meaningful and who try to "sell" the younger generation on a fraudulent and inevitably unfulfilling way of life.

2. Social Rejection and Discrimination

Causes rebellious attitude the young children may feel discrimination at home, school, neighborhood etc. this results in aggression which may cause delinquency. This consist of young people who lack the motivation of ability to do well in school and "drop out" as soon as they can. With increasing automation and the demand for occupational skills-- whether in the trades or in managerial or professional fields--there are few jobs for which they can qualify. Augmenting this population are students who graduate from high school but whose training does not qualify them for available occupational opportunities.

3. Delinquent gang culture

Here we are dealing not so much with personal psychopathology per se as with organized group pathology, involving rebellion against the norms of society. As Jenkins (1969) has expressed it: while the problem of delinquent gangs is most prevalent in lower socioeconomic areas, it is by no means restricted to them, nor does it occur only in particular racial, ethnic, or social groups. While there are many reasons for joining delinquent gangs- including fear of personal injury by gang members if one does not join- most members of delinquent gangs appear to feel inadequate and rejected by the larger society.

4. Poverty and Unemployment

Upon these causes alone depend many others, such as ill-health, overcrowding, neglect, ill-tempered parents, and so forth. Cyril Burt says, "55 per cent of young delinquents in come from homes that are below the poverty line." Thefts of all kinds result from the primal urge for food, clothing, and shelter, and from the jealous desire for some of life's luxuries. Unemployment causes a similar condition of affairs. Statistics in the large cities show that during severe winters and depressions in trade, robberies, "hold-ups," and-thefts increase in number.

Unusual stresses and other factors

Many delinquent acts are based on momentary impulses or are part of the regular activities of a delinquent gang. Delinquent behavior may also be precipitated by some relatively minor even, as when a riot is triggered by a fight between two youths and, of course, it may sometimes, results from innocent pranks that back fire. In some instances, traumatic experiences in the life of a boy or girl appear to act as precipitating events (Coleman, 1973). In an early study of 500 delinquent boys, Clark (1961) found that in about a third of the cases it was possible to isolate highly stressful events that preceded the delinquency, such as death of parents, disruption of family life, or discovery that they had been adopted. These events had proved highly disorganizing and often had led to poor school performance, truancy, brooding, and - eventually -delinquent behavior. Burks and Harrison (1962). Also emphasized the importance of stresses that undermine a youth's feelings of adequacy and worth as precipitating factor in some cases of aggressive antisocial behavior.

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