

CHAPTER I

INTRODUCTION

CONTENTS

- Whither We are !
- Importance
- Purpose of the Study
- General Difficulties in the Research

WHITHER WE ARE !

The problem of juvenile delinquency, as it is often said, is not necessarily a creation of the twentieth century, resulting us from lack of leisure time and adequate opportunities for the growing youth; however, it has been an age-old problem from time immemorial. It has been a source of much anxiety for parents at home, a problem lurking in the classes of the school and an object for discipline and punishment by the State when it becomes too disturbing to be ignored. The complexity of civilisation has intensified and given a new emphasis to it in the present era. The deviate behaviour of children has recently been the focus of much attention of psychologists, educationists, social workers and other reformers at home and abroad, who are engaged in the welfare of the youth. The case of law violation whether by an adult or a juvenile has become a national concern. It is one of the most critical

problems confronting almost all the countries. The war and its aftermath have served to accentuate the magnitude of the problem all over the world. America and England are the pioneer countries in recognising the importance of dealing with the problem of juvenile delinquency. Much work has been done in those countries to tackle this problem and save the youth. Then, whither we are ! Perhaps, India is practically far behind in recognising and then in solving her problem. Whatever literature and research publications are available on the subject pertaining to juvenile delinquency, can mostly be obtained from countries other than India. However, after the independence, India started movements in this and other related fields on a large scale. Thus, the movement of remand homes and certified schools for the young offenders has been practically a very recent attempt in this direction in India. These institutions have mainly been the source of inspiration and information to some enthusiastic research workers in our country, when they are making efforts to collect data necessary in any scientific work. The author of the present investigation has made one such effort, while studying systematically some of the basic factors associated

with juvenile delinquency as observed in some of the districts of Gujarat, viz., Surat, Broach and Baroda.

Problem of juvenile delinquency is a vital issue not only of social importance, but more of national gravity. Its dynamic and complex contents woven and inter-woven in the threads of an individual life have as well covered the entire social texture and extended upto the national life, so much suffocating the existence at every stage that it needs to be nipped in the very bud. To put it in the words of Prof.

Kr. R. S. Singh (40) :

"Juvenile delinquency is not a mere abstraction but something real which is a part of the social life of a people. As such it cannot be treated lightly nor can it be neglected. It is a living problem which if allowed to develop unchecked today sap the very vitality of a nation to-morrow".

Recently, it has attracted the attention of the nation and society; but practically nothing is done in the field. The newly created State of Gujarat has at its very outset shown active interest in the youth welfare programme and its Directorate of Social Welfare has with priority begun to plan schemes, engage workers and start projects in the interest

and for the education of the aboriginals, the backward the delinquents, the handicapped and the crippled. With a view to providing some useful facts at this time, the author in the present investigation has made an humble effort to tackle scientifically and systematically one aspect of the bigger project, viz., problem of juvenile delinquency, as it exists in this part of our country, viz., the Gujarat State.

IMPORTANCE

People in general have considered the problem of juvenile delinquency as a case of minor importance. People show lethargy and neglect for this issue which is a concern of vital importance. The problem is not so dry and uninteresting as it superficially appears to be to the disinterested. With the advance of psychology, it has occupied a place of major interest to social workers and reformers. It has now come to the forefront in the eyes of those that are concerned with it. It has not only social importance, but also national importance. Presence of delinquents in the society and nation represents the failure of the social organisations and the State machinery. This problem much neglected earlier has now-a-days become the issue of vital concern. It requires attention from every corner of the society. Recent years have witnessed definite increase in the percentage of delinquency. From the statistics of the last thirteen

years in the State of Bombay regarding delinquency, as given in Table No. 1, it is marked that delinquency increased every year except during the years 1954-55 to 1956-57 during which it was observed steadily decreasing. But this apparent decrease was the effect of State reorganization and not a real one. The annual administrative report of juvenile branch of the Government of Bombay reads as under :

" The reasons for the significant fall in the numbers of children appearing before the court are quite evident. First of all, after the State reorganization, the case of load of the juvenile courts in the four districts allotted to the new State of Mysore has not been taken into account while working out the figures given above".¹

But once again the rate was found immediately increasing in the subsequent year 1957-58. We read everyday in the newspapers something about an adult criminality, the roots of which can be traced to juvenile delinquency. Professor Merrill Maud (30)^a says :

" All sources agree that the majority of offenders begin their criminal careers in childhood and early youth".

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1. Government of Bombay : Juvenile Branch - Juvenile and Beggars Department - Annual Administration Report for the year 1956-57, p.4.

TABLE NO. 1

Rate of Delinquency
from
1945 to 1958
(Bombay State)

Years	Boys	Girls	Total
1945-46	3327	551	3878
1946-47	3750	662	4412
1947-48	4365	887	5252
1948-49	5493	1047	6540
1949-50	5212	1409	6621
1950-51	6695	1416	8111
1951-52	7626	1510	9136
1952-53	7710	1606	9316
1953-54	8536	1667	10203
1954-55	8106	1435	9541
1955-56	7475	1317	8792
1956-57	6645	1132	7777
1957-58	6724	1253	7977

Professors Alexander Franz and Healy William (2)^a
in their book "Roots of Crime" hold almost the same
view :

" In all of the cases we have investigated the criminality of the adult was the direct continuation of the delinquency of the child, which fact alone places the delinquent child immediately in the centre of the problem of criminality. Moreover, if there is such a thing as a personality with criminal inclination, it must necessarily develop in childhood when all the important character trends are formed. We may call personalities with criminal inclinations all those individuals who have acquired during their development such character trends as make them more receptive to the unfavourable influences of the social environment".

Dr. Cyril Burt (5)^a also confirms :

" It is in childhood that most criminals commence their lawless careers".

To use words of Professors Hannah, Kent and Schoft (19)^a:

" It is proved that from the ranks of children who are today standing at the parting of the ways our criminals of the future are being recruited..... so they are regarded as one of deepest concern to the entire nation".

It was found by the same authors that individuals who were delinquents were found in their ~~con~~^{sub}sequent life criminals. And it was also observed retrospectively in the life of adult criminals that they were delinquents in their earlier life. In view of this, if proper attention with care is given to this problem one can definitely solve later issues of adult criminality.

The preceding discussion suggests that it is more beneficial and economical as well as easy, convenient and fruitful to treat juvenile delinquents at an early period. The following exposition shows that there are two strong points in favour of consideration of juvenile delinquents rather than of adult criminals. Firstly, juvenile delinquents are easier to be studied because almost all of them are not conditioned to that life like adult criminals. Secondly, as they are not conditioned, their rehabilitation is possible before they become hardened. Dealing with juvenile delinquents at the starting level is an economical way to be pursued for decreasing the crimes in society. It has been found that juveniles become criminals in their later life. Juvenile delinquents are adult

criminals in making. As time passes, they become more and more conditioned to living a criminal life. Once they are hardened, they require expensive treatment extended over a large period of time to bring any fruitful result. But before they are conditioned they can be easily rehabilitated for normal living. They are in the formative period of their lives. The habits, attitudes, interests, likes and dislikes are not well set. These all are taking shape during this period. So before their inclinations and actions have been one with their living, one can direct them in the proper channel under the wise guidance and treatment, to which they unhesitatingly yield, while hardened adult criminals shrink from examination and resist the probings.

Next, co-operation from juvenile delinquents can more easily be enlisted than that of the adult criminals. They can be easily persuaded and they resist less. They are more susceptible to appeal; their mind can be easily analysed; the formation of their character and personality has not still been complex and motives are simpler to unravel. With plasticity and elasticity of a growing mind, they are more prone and less resistant to the programme

of correction as rehabilitation. Further, the experiences of juvenile delinquents in comparison to those of adult criminals, whatever has happened in the lives of the former, can easily, accurately and chronologically be reproduced from their memory. Their case histories are short and accurate and can easily be accumulated because the range of their experiences in quality and quantity is too narrow, while in case of adult criminals case histories are too long and the range of their experiences is too wide. Thus, whatever data collected on juveniles are highly significant and can easily be verified from the reports and interviews with their parents or guardians.

All these points suggest the importance and urgency of the problem of juvenile delinquency and at the same time the ease and advantage of dealing with it in right earnest. As juvenile delinquents are in the formative stage of their life, acquaintance with the essentials of child psychology is highly useful to those who are concerned with them. It helps a great deal to understand the child mind. With this knowledge of child psychology, one can

start to understand the delinquent in the making and save him from turning into an adult criminal, thus helping the society and the nation from wasting an individual as well as money and energy on an individual. This grave and serious social problem requires the immediate and close attention of all and from every corner of the society at large. It is not an isolated and individual problem. It is a problem of everyday life, of society and of the nation.

PURPOSE OF THE STUDY

In view of the importance of the problem, the present investigation has been undertaken to study the factors associated with juvenile delinquency among children of some of the districts of the newly created Gujarat State, viz. the districts of Surat, Broach, and Baroda, where the movement of homes and schools for juvenile delinquents has gained momentum and which consequently are in a more reliable position to supply data with exactness and authority necessary for a scientific inquiry.

It may be remarked in this busy age that people in the society including parents are rather neglectful regarding the care and treatment of their children who often turn out to be delinquents. At the centre and heart of the society stands the child. His welfare must be considered and looked after at every point. Any human life is always worth saving if it can be done. Law-violators are the by-products of the society; do not throw them off, but retain them,

consider them, refine them, and try to get out of them what we can. They have just as valuable material concealed in them as the by-products of the factory.

There is a greater need today for the care and education of such children as are a source of disturbance and nuisance to the family. If they can be properly dealt with, many desirable results can follow. Care and proper treatment given during this period produce greater benefits than at any other time in life. The present investigation aims to shed some light on the possible areas which contribute to delinquency and which accordingly need attention of all workers.

A decade ago child offenders were treated like adult criminals with the same severity of punishment. But in course of time, experiences proved that those means of treatment and correction were little fruitful. Now it is recognised that a delinquent is not a child to be punished but one to be treated carefully so that his reformation, correction and rehabilitation become possible. It is now time to recognise that delinquency is not a crime, but a misfortune which requires a different remedy than arrest. Even though

delinquency be a crime by the young, a crime should not be ended with by another act of crime, since to wreck a child's life is also a crime. They may have committed a crime against society or state, but their improper handling is a crime against an immortal soul if they are not helped to overcome the handicaps placed on them. Preparing any working social plan for the treatment of any criminal involves firstly scientific understanding of that problem. Programme for the treatment and reformation of especially the young offenders requires all the more the scientific understanding calling for chiefly the psychological study of the problem. Such a study not only helps the society, but also the State for preparing or setting adequate judicial procedure and legislation for the treatment and welfare of the youth. This investigation will also serve the same purpose upto a certain extent by enlightening the parents, the social workers and the State authorities with its emphasis on the seriousness of the problem, its exposition of areas of treatment and implications for prevention. The findings of this investigation, it is hoped, will be useful to parents, educationists, reformers, State legislature, social service organisations and all those that are associated with the welfare of the youth.

In the present investigation the attempt is being made to study some of the factors which are responsible for juvenile delinquency. It points out some of the land-marks in the causative factors of the problem. Dealing with this problem is not much distant from dealing with the adult criminality which enrolls its highest number of recruits every year from juvenile delinquency. It is a wise step to nip evils in the bud. This attempt is hoped to be also one such step if it can be.

It is also hoped that this humble attempt will be most welcome at the time of the new creation of the Gujarat State. The State has to face many new problems; the present research will be of some use to the social workers of the new State in a matter of much prior importance, viz. the welfare of the youth. Sometimes, or even many times, an attempt by such private individuals is more welcome than the same from official quarters or on a government basis, which has an air of authority and suspicion and hence less reliability. The author holds with confidence that whatever difficulties, limitations and weaknesses are involved in the attempt, it is an accurate exposition of facts observed and purports to be of definite use to the interested.

GENERAL DIFFICULTIES IN THE RESEARCH

Generally, masses do not seem to show a favourable attitude to social investigations due to ignorance and illiteracy. They are rather cold and neglectful. They have very little faith in such investigations and in their results. Under such circumstances it becomes very difficult for the investigator to collect data from unwilling respondents. Even educated persons or heads of the institutions do not also show their willingness under some excuse or the other such as secrecy and confidentiality of official records. They appreciate the attempt, but virtually they help little. They are hesitant to spare themselves from their pressing hours even for a few minutes for this type of work, nor can they spare their records.

For the present investigation the difficulty amounted to another type. This is in main a study comparing the delinquent with non-delinquents. Fortunately, delinquents were obtained with comparative ease from the government certified schools and

and remand homes. But it was difficult to fix from wider population the cases of non-delinquents matching in other respects. For selecting the non-delinquents rating method was used. In such cases there is bound to be some sort of bias of the person whose rating is mixed with his opinion. Another difficulty is the representativeness of the sample of delinquents. All the delinquents in society are not necessarily noticed by the police and brought before the court and submitted to certified schools or the remand homes. Generally, almost all the children pass through the delinquent stage, but some remain persistent regarding their delinquent behaviour, while others come out of it soon. It is said (37)_a:

"There lies in the path of every boy, however normal, or indeed however superior his environment, the opportunity of committing offences which would bring him into the juvenile court and we know that well conditioned and well brought up boys will occasionally kick over the traces".

There are also other influential or social ~~persons~~ pressures which prevent the really delinquents entering the court or the remand home or certified schools. Thus, the population from which the present sample comes may be alleged by some to be not fairly

representative. Yet, it is the only representative population and for the purpose aimed and with the method used it is reliable.

Next, after selecting the children in both the groups, data collection also becomes difficult. In case of both the groups the investigator has to rely mainly upon the memories of the children, their school records and the interviews or reports from parents or persons in charge. In case of delinquent group, sometimes data gathered from different sources or personal interviews contradicted one another. In such cases the investigator was forced to rely upon the official school records. In both the groups parents were less co-operative and more neglectful in providing information.

Further, at different places and in different societies, definition and meaning of delinquency seemed to be different. At one place a particular act or behaviour could be considered as a delinquent act, while at other place the same act or behaviour would become the normal feature.

Next, when question of determining causes in the field of human behaviour is involved, a possibility of the working of some hidden factor influencing the problem will remain unnoticed. The human behaviour whether social or anti-social cannot be explained with the help of a single cause, but can be explained with the help of multiplicity of causes. The science of human behaviour is not still fully well developed. And human behaviour whether social or anti-social is the product of inherent physical and psychological constitution of the individual and his physical and social environment. And in every individual both cases differ immensely. Professor Merrill Maud (30) says :

"The meaning of life situations in terms of emotional reactions and of the development of the whole personality differs for different children in the same home. To one, the life situation may involve deep feelings of being rejected, unloved and insecure; to another in the same home, in spite of the frustrating experiences growing out of extreme poverty, there is the security of parental approval and warmth of acceptance".

Thus, it is very difficult to trace or locate definitely the prime movers or behaviour determinants and still more in case of delinquent behaviour.

Professor Neumeyer Martin (32) adds :

"Delinquent behaviour is the result of a multiplicity of associated factors rather than the product of a few apparent causes. More specifically, it is the product of both personal and social dis-organisation which, in turn, is rooted in various conditions".

In view of this difficulty, the author does not categorically mean to ascribe delinquency only to the simple effects of the factors studied in the investigation. This is not an experimental study manipulating one variable and controlling the rest, but is more or less a normative survey suggesting the likely influence of the variables observed and leaving it to other finer techniques for further verification. Still, this investigation is an important step in detecting the part played by some important factors in the growth of delinquents in one way or the other, to a more or less extent. The critical eye with a hair-splitting attitude will not look too deeply and exhaustively in factors of juvenile delinquency studied here, but the research eye, it is hoped, will at least give credit to the attempt made.