

THE CONVICTS OF SHILLONG : A SOCIO-DEMOGRAPHIC STUDY

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C E R T I F I C A T E

I certify that the Dissertation entitled "THE CONVICTS OF SHILLONG : A SOCIO-DEMOGRAPHIC STUDY" submitted by Ms. Asangla Imchen Kharshing for the degree of Master of Philosophy in Anthropology of the North Eastern Hill University embodies the record of the original investigation carried out by her under my supervision. She has been duly registered and the Dissertation presented is worthy of being considered for the M.Phil degree. The work has not been submitted for any degree of any other university.

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A C K N O W L E D G E M E N T

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31/3/93

Asangla Imchen Kharshiing

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CHAPTER - I

I N T R O D U C T I O N

Man, in his efforts to satisfy persistent needs for subsistence, shelter, companionship, sexual activity and social order, has developed certain ideas, attitudes and habits (Johnson, 1974). The human being is born into a society organised on the basis of certain norms. Social relationships are regulated by norms and values, many of which are backed up by rewards and punishments of various types and degrees, applied through techniques of social control. Each human group is unified by certain beliefs, and that is why certain behaviours are improper, immoral and undesirable. So, we find certain modes of punishment for behaviours that are not socially sanctioned. The individuals, who violate such norms, are often labelled as deviants and given some kind of punishments.

Crime is perceived with startling rapidity as a major social problem, spreading to every field of human endeavour. Neither traditional punishment nor correctional ideology appears to have had any effect in the control and/or prevention of crimes (Coleman and Cressey, 1984).

The word 'crime' has been used so frequently and heard so often that it is taken for granted that every one means the same thing, when he uses the term. But the definition of crime differs from one society to other. To the administrators

of justice and to the lawyers a 'crime' is an illegal act. Some social scientists tend to equate the term 'crime' with all such behaviours that are injurious to the society. Religious people regard 'crime' as belonging to the category of sin. Still others, whose personal codes emphasize truth as the ultimate value, equate falsehood with 'crime'. The most prevalent tendency is to apply the term 'crime' to the acts that deviate from the rules of behaviour, which are highly valued by the dominant segment of the society (Tappan, 1960).

Technically a crime occurs only, when behaviour violates the law. In practice, however, it is not always easy to tell whether a specific act is a crime or not (Jhonson, 1973).

We find that among many kinds of deviants "the criminal" is especially negatively evaluated. A criminal is identified as a murderer, a rapist or an incorrigible thief and sometimes may be censured only as a boat-rocker, who interferes with smooth functioning of the society. At times he may even be viewed as one, who possesses all the qualities of human beings but breaks the law (Coleman and Cressey, 1984).

Statement of the Problem :

There is no society, which is not confronted with the problems, of crime. Accepting the inevitability and functionality of crime phenomenon Durkheim (1966) has remarked that crime is a normal phenomenon in any society and is the natural and inevitable product of collective life and social evolution.

Both incidences and patterns of crime vary from place to place and the reasons for such crimes are not always clearly known. In the state of Meghalaya crimes have not yet been extensively studied from an anthropological point of view, though Dutta Ray et al., (1986) have made a preliminary study on crimes and rehabilitation of the criminals in Assam and Meghalaya.

Although the State Government publish from time to time some statistics and records on crimes and delinquencies among the populations of the state, these records do not throw much light on the factors, which are responsible for committing crimes and delinquencies.

The present study will make an attempt to examine the circumstances and motivating causes, which are responsible for criminal acts or behaviour, which lead to penal repression.

The population in Meghalaya State consists of people of various walks of life, comprising different castes, creed, language, religion, culture, etc., which may pose an array of infinite problems.

Shillong is the capital city of the State. It has got a very cosmopolitan set-up. Since the present study has been undertaken in Shillong, it seems that it is not only sufficient to understand the motivational factors for a convict's aberrant behaviour, but also it is an opportunity to understand the constant action and interaction between the individual's personality and the environment, which surrounds him.

Significance of the study :

The only common feature between the developed and the developing countries is the ever increasing patterns of crime as well as the crime rates. The situation has been deteriorating to such a level that there is hardly any day, when crimes are not being committed, and consequently, the astounding patterns of crimes hardly go unnoticed.

It is interesting to point out that Meghalaya is one State in the country, which used to be known as a very peaceful place. There was a time, when one hardly or very rarely used to hear about any dacoity, kidnapping or rape, etc. However, for the last 10 to 12 years, the situation in the State has been taking a different turn altogether. For example, in the capital city Shillong, the rate of various types of criminal activity has been alarmingly increasing. It may be due to the influx of people from various places. It is said that tension does exist in the areas, where minority communities threaten the way of life of the dominant group (Bertrant, 1967).

With rising concern about the patterns and rates of crime, the accretion of data on etiology of crime becomes a major task and challenge. Through such data one may try to answer some questions like (i) what makes a man commit crime? (ii) under what demographic and/or social conditions induce a person to commit crime?, etc.

In the present study we shall deal with both demographic and social factors, which may be responsible for

committing crimes, and thereby we shall, perhaps, be in a position to point out the main reasons for crimes.

Objectives :

The objectives of the present study are as follows :

- (i) to estimate the rates and patterns of crime in Shillong;
- (ii) to find out to what extent a particular ethnic community or communities is/or are involved in crimes;
- (iii) to understand the socio - economic background of the convicts;
- (iv) to find out the frequency of the habitual offenders;
- (v) to find out the specific reasons behind each type of crime;

Finally, with the help of the present set of data we shall try to highlight the major socio demographic pictures behind such criminal activities in Shillong.

Limitation of the present study :

In any social research it is not always possible to cover all aspects of a problem. Therefore, an investigator identifies with only a few relevant aspects.

In the present study the focus is mainly on socio - demographic factors for understanding the possible conditions (or reasons) that may lead a man to commit a crime. The

psychological, physiological, biological and other factors have not been taken into consideration for time constrain. It may also be noted that we have not analysed all information, collected on other aspects and have to concentrate on social and demographic aspects only.

In the present study all observations have been made only on the convicts, residing in the District Central Jail, Shillong.

Only those convicts, who have been found to be mentally fit, have been taken into consideration for the purpose of the present study.

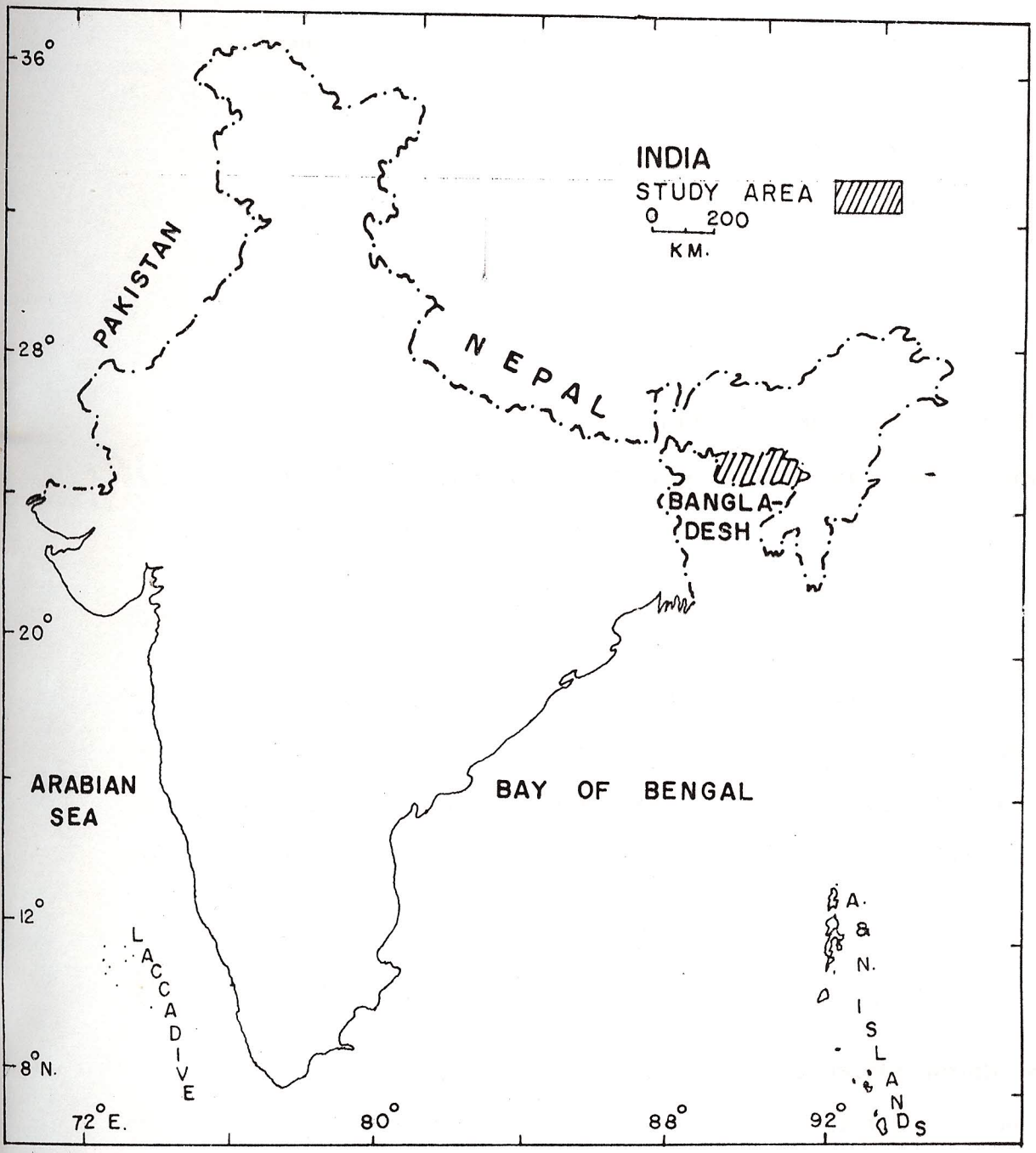
Area of study :

The present study has been carried in the District Central Jail, Shillong, Meghalaya.

The state of Meghalaya is situated in the North Eastern Region of India. It was created as an Autonomous state on April 2, 1970, carved out of the two hill districts of composite Assam, viz., the United Khasi and Jaintia Hills district, and the Garo Hills district. Meghalaya became a full fledged state on 21st January, 1972.

Area :

The total geographical area of Meghalaya is 22, 429 square kilometres. The terrain of the state is mountainous. This is fully reflected by the names of the seven districts (Two



districts have been created in 1992, as such no detail information is available).

Name	Sq.Km.		H.Q.
	Total area	Population	
1. The Jaintia Hills	3,819	2,19,196	Jowai
2. East Khasi Hills	5,196	6,57,160	Shillong
3. West Khasi Hills	5,247	2,17,462	Norgstoin
4. East Garo Hills	2,603	1,88,043	Williannage
5. West Garo Hills	5,564	4,77,775	Tura

The two newly created districts are (i) Ri-Bhoi district with its headquarters in Nongpoh and (ii) South Garo hills with its Headquarters at Baghmara :

Population :

The total population of the State, according to the 1991 provisional census, is 17,60,626. The male and female populations are 3,77,281 and 3,12,138 respectively so, the sex-ratio is 947 females for 1000 males. The density of population is 78 per square kilometre.

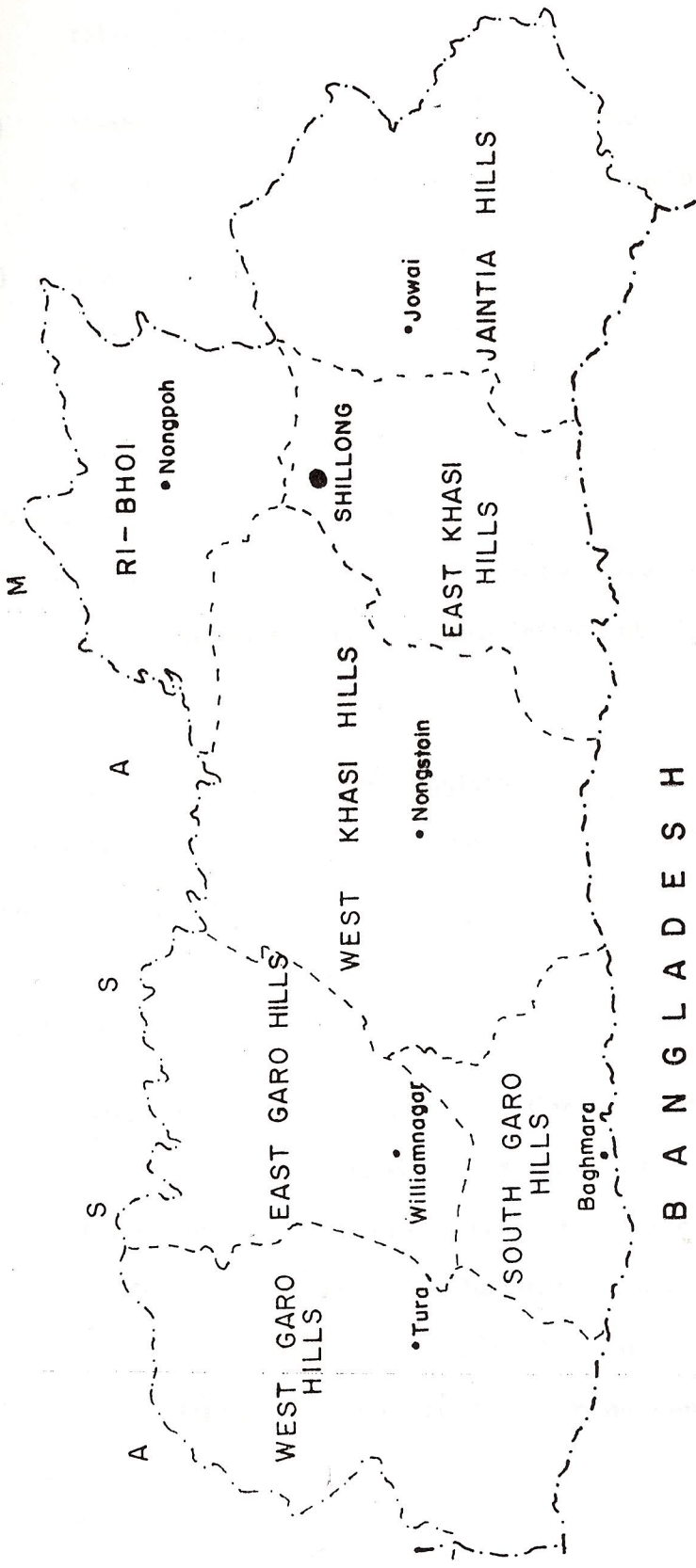
Literacy :

The percentage literacy in the State is 48.26% which is less, in comparison to the Indian standard of 52.11% (Census, 1991).

A few noted characteristics of the State are :

- (1) The scheduled tribes constitute about 80.58% of the

MEGHALAYA



B A N G L A D E S H

Fig. II

total population of the State (Census, 1981).

- (2) Meghalaya is the only State, where the inhabitants follow the matrilineal system of social organisation.
- (3) The world famous Mawsynram, the wettest place in the world is located in the East Khasi Hill, district.

Shillong, the state capital is also the district headquarters of the East Khasi Hills. Shillong is situated at a height of 1,496 metres (4,906 feet) above sea level covering an area of 21,27 sq.kms, and a population of 2,22,273 (Census, 1991).

The Shillong urban agglomeration consists of Shillong municipality, Shillong cantonment, Mawlai, Nongthymmai, Madanrting and Pynthorumkhrah.

The People :

The Khasi, Jaintia and Garo constitute the main inhabitants of the State. They are referred to as the indigenous people. There are also people from the neighbouring state of Assam, Manipur Mizoram and Nagaland. Besides, there are Punjabis, Biharis, Bengalis, Sindhis, Marwari etc. To put it in a nut shell, Shillong is a cosmopolitan urban centre.

The Jail :

The district central Jail falls under the Shillong municipality. The jail was constructed a century ago.

SHILLONG

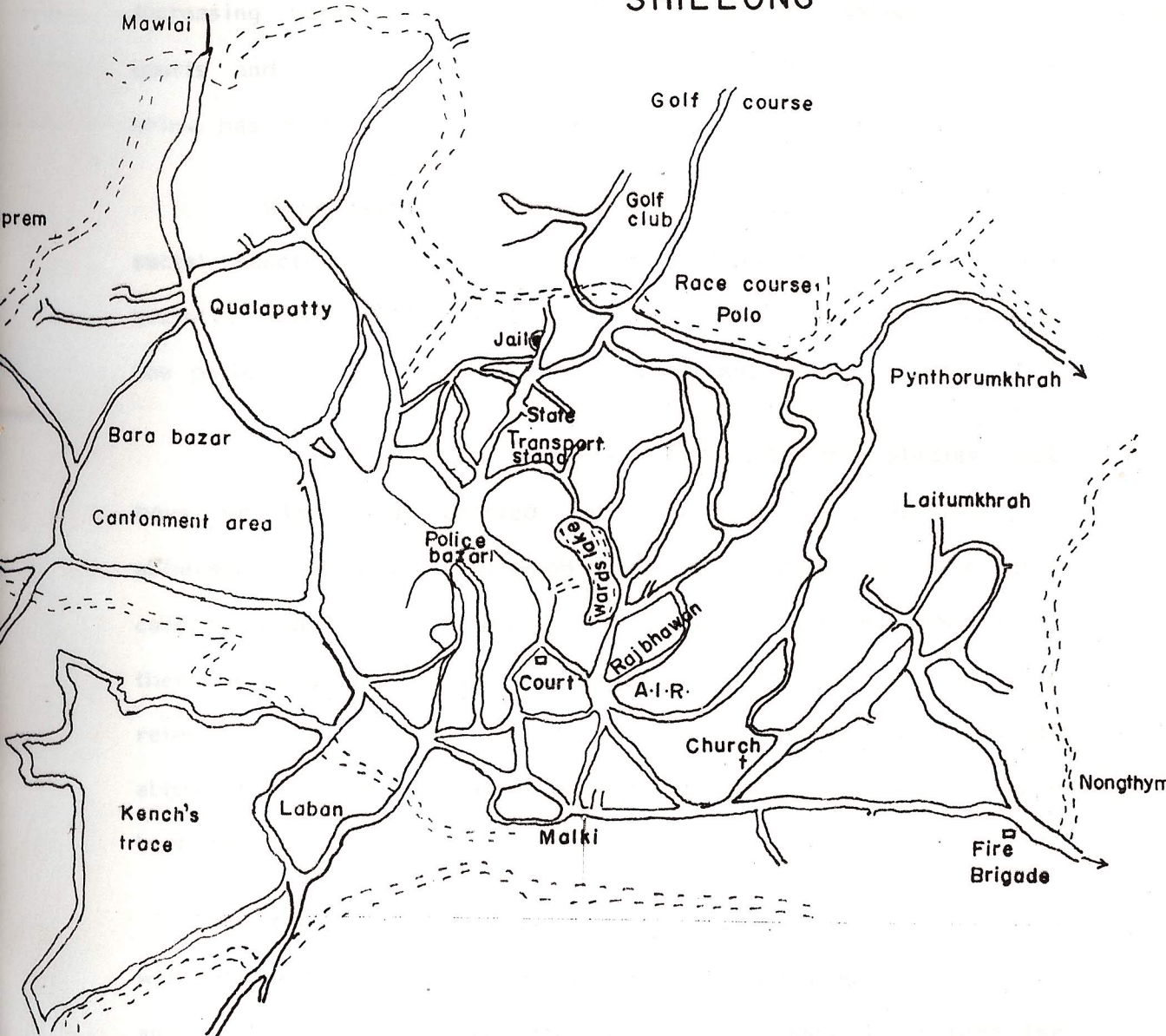


Fig. III

Review of Literature :

With rising concern about crime, there has been an increasing scrutiny on the entire system of justice, police, courts and correction, and the search for the root causes of crime has been going on (Chandra, 1967).

What causes a specific individual to break a taboo, a social sanction or a law, has ever been an enigma to any society. Every where one finds some persons have fallen outside the pattern of permitted conduct (Barnes and Teeters, 1966).

In this section we shall look into the studies that have so far been carried out and written to explain the abberant behaviours. Though we have tried to take into consideration all major studies on crime and criminal behaviour, there is a strong possibility that we might have missed some relevant work. However, the major trends of study on crime and abberant behaviour, which amount to criminal activity, have been incorporated.

The birth of modern criminology can be traced to 1764 with the publication of Cesara Beccaria's book entitled "Crimes and Punishments", (1764). The book was essentially a plea for reform in governmental functions, including the criminal justice system. Thus, strictly speaking, it does not directly deal with the causes for committing crimes or occurrences of deviant behaviour. However, some underlying assumptions about the nature of man are apparent in it. It is thought that all people are guided by a rational desire to seek pleasure and to avoid

pain. The individuals, who commit crimes, choose to do so since after weighing all the options they find that such criminal activity may give them the most pleasure for the least amount of pain. It is regarded as a complete explanation for committing a crime. The people, belonging to this classical school, have seen no need for research on economic, personal, political or social conditions, associated with crime.

The voyage that began with the emergence of positive school of criminology, marks the real beginning of research in criminology (Srivastava, 1981). Of all the positivists' approaches to explain the deviant behaviour, the most persistent investigation was to work out a relationship between anatomical attributes and deviant behaviour.

In the beginning, the positivists have made some physiognomical and phrenological approaches to explain criminal behaviour. Physiognomy refers to the determination of individual characters from bodily features, especially the face. Lavater (1741 - 1801, cited by Johnson, 1974), a Swiss theologian, had regarded that lack of beard in men, shifty eye and 'Weak' chin are the symptoms to unfavourable behaviours. This approach did receive a good deal of attention in the middle of the eighteenth century. Physiognomy was then replaced by a more systematic study, known as phrenology. It deals with the determination of mental faculties and characteristic traits on the basis of the configuration of skull (Johnson, 1974).

The first person to develop this approach

systematically was Franz Joseph Gall (1758-1828), a famous Austrian anatomist. He collected data on heads of the inmates residing in asylums and prisons. The criminologists today consider Gall as the founder of the "Bumps and Grunts School of Criminology" Gall had assumed that the exterior of the skull would conform to the shape of the brain and the various faculties localized in different parts of the brain. Consequently the 'Bumps' on the skull would show the relative development of such faculties as congeniality, friendliness, self-esteem, firmness, sexual passion, love for offspring and so on. So "Bumps", showing high development of the areas for sexual passion, compativeness, secretiveness, etc. would reveal the criminal tendencies. Based on these observations and comparisons, made on the heads of the non institutionalized persons, Gall concluded that a scientific theory on criminal - nature could be developed (Fink, 1962).

As a matter of the fact the emperical study of crimes in modern fashion has made its beginning with the work of Cesar Lombroso (1836-1909). Lombroso tried to relate biological factors to criminal behaviours. The typical criminal could be identified by certain physical characters such as long ear lobes or none at all, a large jaw with no Chin, heavy supra orbital ridges, etc. These observations are based on a comparison, made between four hundred prison inmates and a group of Italian soldiers. However, it may be noted that the Lombrosian notion that criminal behaviour was inherited, remained popular for some more time. Keeping this in mind, the criminologists had studied the

family trees of the criminals. However, these studies were mostly inconclusive due to the fact that for example, the coloured people in United States were looked down upon by the whites and were consequently ill treated. So, it was found that the crime rate was higher among the coloured than among the white skinned people. But this does in no way prove that a criminal behaviour, based on physical characters, is an inherited trait (Coleman and Cressey, 1984).

The impetus for stressing heredity, as an important factor for all criminal behaviours, has come from a book, entitled "The Jukes", written by Dugdale (1942). Jukes was a fictitious name, given by the author, to a rural New York family, whose ancestry could be traced back to the early colonists. So it was considered as a true American family. The author here tried to show that the generations of the criminals and the other social deviants were the products of heredity.

Around the turn of the century, Goring (1913) with the help of his associates, spent some years in making a detail study on the prisoners. It included measurements of certain physical characters. He published his findings in a book, entitled "The English Convicts" (1913). He was of the opinion that there was no specific physical or mental character to differentiate the prisoners from the normal persons and also among the different kinds of criminals. Hooton, an American anthropologist, published a book, entitled "Crime and The Man", in 1939. This book was the result of an intensive study on the prisoners and some non - prisoners. He was of the opinion that

crimes and other forms of antisocial behaviour were due almost exclusively to physical i.e. biological inferiority and racial factors.

Intelligence

Shortly after publication of Hooton's book, the work of Sheldon, "Varieties of Delinquent Youth" (1949) and "Physique and Delinquency" (1956), attracted attention. Sheldon made an attempt to link a type of physique (endomorph; mesomorph and ectomorph) to certain criminal activities. He made an observation that a high percentage of criminals were found to be mesomorph.

In present time the views that criminal behaviour is hereditary and that there are some recognizable physical characteristics to identify the criminals, have totally been neglected. The recent studies on crime and delinquency lend no support to any such hypothesis.

Some recent researchs (Charles, 1978) suggest that certain abnormalities in the sex chromosomes are frequently found among those, who are associated with crimes and physical violence. The biological idea is that an extra Y chromosome makes a male uncontrollably aggressive (Mckusick. 1972). Such individuals often have been found in prison institutions.

The study of crime causation also embraces the area of mental deficiencies and psychological disorders. Goring (1913) is of the opinion that defective intelligence is a major cause of all kinds of crime, except for some kinds of fraud. To the contrary Woodward's study (1917) on this subject suggests that low intelligence plays little or no part in delinquency.

Goddard's book "Feeble-mindedness : Its Causes and Consequences" (1923), reveals that the feeble-minded persons tend to commit more crimes since they are not endowed with sufficient intelligence.

Psychological pathology is assumed to be related to faulty relationship between parents and children, especially in the early years of life. Healy (1926) has observed that in case of delinquents 91.00% of them show major emotional disturbances, whereas only 13.00% delinquents are found in the control group.

A study on 13,000 cases of delinquent children by Breckinridge and Abbot (1912), shows that about 34.00% have come from broken homes. Sheldon and Glueck (1934) in their study on the delinquents, have observed that "broken home" or "poorly" supervised home is one of the main features by which the delinquents can often be distinguished from the non - delinquents.

Abrahamsen (1949) in his book "Family Tension; Basic Cause of Criminal Behaviour", has suggested that in such home, where there is constant bickering and little respect for the rights of each individual, the child is generally "pushed around" and often neglected, and consequently, the child becomes restless and often hostile.

One of the most popular and oldest explanation, advanced for the cause of crime, is deplorable economic condition of man. Fornasari (1894) has pointed out that 85% to 90% of the convicted criminals belong to the economically proper



section in Italy.

Marx and Engels (1940) in "Capital : A Critique of Political Economy" and William A. Bonger (1916) in "Criminology and Economic Condition" have put forward the view that the capitalist structure of a society is responsible for innumerable conflicts and social problems, and criminal behaviour is a product of social conflict.

That Juvenile delinquency is related to poverty, has been studied by Burt in his work "The Young Delinquent" (1938). Burt says that over one half of the total delinquents belongs to the "Very poor and poor" families of London. A similar study has also been carried out by Baget (1941) in Liverpool. He shows that in general population, 30 percent of the families are below the poverty line, but in case of the delinquents 85.72% per cent of the families belong to the below poverty line. But in an earlier study by Healy and Bronner (1926) it is found that 73 percent of the Juvenile delinquents have come from the normal or better homes, which is quite contradictory to the general observation.

Evidence taken from the societies around the world suggests that poverty does not always produce convicts. In many very poor areas the crime rate is low : for example, in rural areas in India, the crime rate is lower, perhaps due to the fact that the people are bound by tradition, which prohibits crime, but in modern societies, where the poor live close to the affluent, the crime rate may be higher. This is due to the fact

that, the people feel deprived, if they have less wealth or status in comparison to those, who are around them. The sociologists have developed the concept of "relative deprivation" to explain this situation. Economic affluence in a society is also seen as generating crime and delinquency (Bertrant, 1967).

A Sociological explanation for crime starts with an assumption that criminal behaviour is a socially acquired behaviour. This is the basis of the theory of "differential association", put forward by Sutherland in his book "Principles of Criminology" (1947).

Sutherland (1947) is of the view that criminal behaviour, like all other social behaviour, is learnt and most of the learning takes place within the intimate personal group. The learning of a criminal behaviour involves a set of motives, drives and attitudes as well as techniques of committing crime.

Cloward and Ohlin (1960), in their book "Delinquency and Opportunity", stress the importance of opportunities for learning crime. Cohen in "Delinquent boys : The Culture of the Gang" (1955) and Short in "Crime and Juvenile Delinquency" (1971) consistently stress the influence of the company that one keeps as the root cause of crime and delinquency.

Another sociological explanation to understand the causes of crime is given by Taft (1956). Taft in his book, entitled "Criminology" (1956), shows that in any culture, which is highly competitive, materialistic and striving for prestige and status and very strongly impelled by social forces, much crimes

take place.

A "Social structure" theory to explain the crime causations, has been developed by Merton (1949). Although this theory has been modified in some ways by Merton himself, by Cohen in his book "Delinquent Boys : The Culture Of The Gang" (1955) and by Cloward and Ohlin in their book "Delinquency and Opportunity : A Theory of Delinquent Gangs" (1960), the underlying idea is that deviance is the result of a 'strain' between culturally prescribed goals and its social structure. Merton (1949), taking the example of the United States, explains that although it is one of the richest countries in the world, the crime rate is high in this country. Merton further attributes this situation to the environmental and other pressures. In the United States, 'the hard work and success' ethic is very strong. Thus, the people, who are poor, are viewed as failures. Under such circumstances, driven by the pressure to succeed, many people stretch the rules. The result is that although success is expected of everyone, it is not open to all through legitimate ways. The result is that a state of anomie exists. Merton defines this as a split between social goals and the ability to reach them. Consequently, it may be said that the social structure frustrates some individuals and does not provide any mechanism for social and personal control.

The theories, outlined above, are to explain criminality and crime in general. What strikes us is that no single theory by itself can explain and solve the question of the "totality" of criminal behaviour. This may be due to the fact that crime is

the result of manifold causes, and one has to take into account a variety of factors : social, individual, biological, environmental, etc.

Criminological research and study in India, dates back to the thirties of the present century. Some sociological studies in this sphere were made by some eminent jurists (Chandra, 1967).

In India, the beginning of criminal statistics can be traced to the Despatch No. 69 of 6th July, 1860 by the secretary of State for India, who pointed out that the information in regard to the police and their performance was defective in many essential details. This was followed by the publication (an annual statistical report) of 'Crime in India' in 1953 (Rao, 1967).

The first detailed and comprehensive empirical analysis on violence and crime in India is by Baldev Raj Nayar's study "Violence and Crime in India" (1975). In his study, Nayar has outlined the main trends and patterns of violence and crime in India. He has also studied the relation of violence and crime with economic and political forces.

Adwani (1978) in her book "Perspectives on Adult Crime and Correction" has tried to identify the relationship between selected social situations and criminal behaviours.

A few attempts have been made to analyze the geographical patterns of crime in some cities in India. The city

crime patterns in Calcutta have been investigated by Dutta (1976) and in Madras by Sivamurti, (1981, 1982). Dutta and Venugopal (1983) have studied the regional variations in crimes in India cities.

Some studies on jails too have been carried out. A mention may be made of Kumkum Chadha's book entitled 'The Indian Jail(1983) She has described the living condition of the undertrials and the convicts. Singh, in his book 'Indian Prison - A Sociological Enquiry' (1983), has presented a balanced picture of the problems, existing in the inmate - warden personnel relationship and the contradictions and harmony in which they live in within the high walls.

Dutta Ray et al.'s study on "Crime Perspective in North East India" (1986) tries to deal with the socio-economic and other factors, which contribute to deviances and crimes in Assam and Meghalaya.

In Meghalaya no study on crime problem, excepting the one mentioned above, has so far been undertaken. So it is felt that a comprehensive and systematic study on the problems of crime may be taken up with a view to understanding the socio - demographic background of the convicts in Shillong. It is just a beginning of a larger study in a very humble way.