

**A STUDY OF
JUVENILE DELINQUENCY IN MIZORAM
WITH SPECIAL REFERENCE TO
CAUSATIVE FACTORS AND CURATIVE MEASURES**

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**Thesis
Submitted in Fulfilment
For the Degree of Doctor of Philosophy
in Education**

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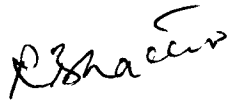
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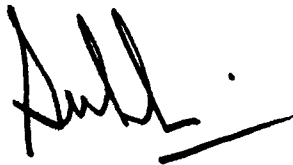
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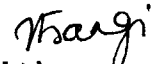
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CHAPTER I
INTRODUCTION

INTRODUCTION

Juvenile delinquency is a universal phenomenon. In recent times, delinquent behaviour has assumed serious dimensions among the juveniles all over the world. Kaldate (1982) considers juvenile delinquency as the sign and symptom of the sick society. Juvenile delinquency was rarely heard of in Mizoram until recently. This may be due to the lack or the absence of an attempt to surface the delinquents. It is a fact that the deviant behaviour among the juveniles and adults has increased enormously along with modern scientific and technological development. The disorder and destruction due to delinquent behaviour has become a threat to the peace and progress of the society. Being a world-wide phenomenon, the closely-knit community of Mizoram is no exception to it. Taking into consideration, the alarming proportion and seriousness of the problem, social scientists and educationist are paying more attention to investigate the various dimensions of juvenile delinquency. These intensive investigations have helped to evolve policy formulations and programmes to deal with the juvenile delinquency. The present investigation is a sincere attempt to study the causative factors of delinquency among the juveniles in Mizoram from an educational and psycho-social angle and to suggest curative measures to circumvate it.

It is difficult to state precisely the meaning of the concept of juvenile delinquency. It encompasses not only violation of criminal law committed by persons below a certain chronological age ... , but, also such acts or courses of conduct that are forbidden for minors such as truancy, incorrigibility, association with immoral persons, running away from home, promiscuity, drinking and drug addiction. The phenomenon is prevalent in all societies, but the nature and extent of the problem may vary from place to place, from country to country, and from time to time. Erickson (1962) writes that "deviance is not a property inherent in

certain kinds of behaviour : it is a property conferred upon these forms by the audience which directly or indirectly witness them. Sociologically, then, the critical variable is the social audienceSince it is the audience which eventually decides whether any given action or actions will become a visible case of deviation". To understand what is deviant behaviour, there are many theories which attempt to explain the etiology of juvenile delinquency. Broadly speaking, it was initially believed that the cause of crime and delinquency was to be located within the individual or the criminal. Goring (1963) in his studies found that criminals are to be inferior to the general population in terms of structure. Thus, defective physique and defective mental capacity are regarded as the cause of crime and delinquency. Therefore, the cause of crime and delinquency was found within the individual and he was held completely responsible for the offences committed. The sociological explanations, on the other, lay emphasis on the social structure and the environment. It was the Chicago School of Criminology who took a lead in establishing the relationship between crime and the ecological and demographic feature of an area (Shaw and McKay, 1969). Criminologists have also realised the need to take into account both biological and sociological factors in their search for the etiology of crime and juvenile delinquency (Goring,1963).

The increasing incidence of crimes committed by juveniles and the social problems arising out of this, calls for immediate solution. To control this problem, Children's Act and the Probation of Offender's Act have been implemented in the State of Mizoram. The Juvenile Justice Act 1986 has also been enforced in the State. Accordingly the Mizoram Juvenile Justice Rules 1988 has been passed by the state legislative Assembly. The Act primarily aims at control, prevention of crimes committed by and against children upto the age of 18 years in the case of girls and 16 years in

the case of boys. With a view to making them useful citizens, the Act aims at doing away with the evil practices of confining young offenders with adults and hardened criminals since such contacts and the jail atmosphere itself have considerably adverse effect on the development of the child. Under the Juvenile Justice Act of 1986, it is mandatory to establish separate observation homes for neglected and delinquent juveniles. The Act also envisages provision for the establishment of Juvenile Court and Child Welfare Board. The Juvenile court set up under the Act is to deal with the cases of delinquent juveniles and the Child Welfare Board to deal with the problem of neglected children. In Mizoram, Juvenile court/Children's Court has begun to function with effect from 1st September 1985. Under the Act, all criminal cases involving children are to be tried in the Children's Court or Juvenile court only and not in open Courts established under the Criminal Procedure Code. Observation Home (Remand Home) and Special Home (Certified School) have also been established. In addition to these, religious and voluntary organizations have set up various centres particularly for drug and alcohol addicts. Alcohol and drug addicts are mainly adults but some juveniles have also been rehabilitated in these centres. These voluntary established centres are assisted by the State Government through the Social Welfare Department of the State. Aftercare and the follow up services for the released juvenile delinquent is yet to be developed in the State of Mizoram.

1.1 Juvenile Delinquency Defined

Juvenile is a young person 'or a child' and 'delinquency' is 'failure' in or 'omission of duty or fault or 'crime'. thus, juvenile delinquency indicates any failure in or omission of duty or fault or crime on the part of the child. Cyril Burt (1973) defines delinquency as occurring in a child 'when his anti social tendencies appear so

grave that he becomes or ought to become the subject of official action'. Juvenile delinquent is a child or youth (minor in age) who deviates seriously from the norms of his culture or society and commit such acts, that if committed by an adult would be punishable as crimes. By juvenile delinquency, one should bear in mind that offences that are committed by the individuals who are under certain ages as specified in the law of the land and that it may be defined as non-normative or anti-social behaviour pattern. An individual is termed a juvenile delinquent who is in the age group of seven to eighteen years and is convicted by a court for violating the provisions of children's Act, the Indian Penal Code (IPC) and Criminal Procedure Code (CrPC) and Narcotic Drugs and Psychotropic Substances Act, 1985. Juvenile delinquency may be defined with the following categories :

Legal definitions

Strictly speaking legal definitions include only those juveniles who are officially labelled by the courts as juvenile delinquents. According to Bartol and Bartol (1989) "Delinquency is behaviour against the criminal code committed by an individual who has not reached adulthood, as defined by the State Federal Law". Commonwealth of Massachusetts defines delinquent child as "A child between seven and seventeen years who violates any city ordinance or town by-law or commits an offence not punishable by death or by imprisonment for life" (Tecters and Reinemann, 1952). Sandhu (1977) states "Delinquency is any act, course of conduct, or situation which might be brought before court and adjudicated whether in fact it comes to be treated there or by some other resource or indeed remain untreated The juvenile delinquent is a person who has been adjudicated as such by a court of proper jurisdiction though he may be no different,

up and until the time of court contact adjudication, at any rate, from masses of children who are not delinquent". The Indian Jails Committee (1919 - 1920) recommended that the definitions of child and young persons as embodied in the English Children Act 1908 and in the Madras Children Act 1920 should generally be used in India. The Central Children Act 1960 passed by the Parliament defines juvenile as a boy who has not attained the age of sixteen years and a girl who has not attained the age of eighteen years who has been found to have committed an offence. In India, the Juvenile Justice Act 1986 defines juvenile delinquent as boy below the age of sixteen and girl below the age of eighteen who have been found to have committed an offence.

Socio - legal definitions

Having found that legal definitions of juvenile delinquency are inadequate, some social scientists have attempted to define the concept by combining legal and social aspects of the juvenile delinquency. These definitions thus include not only of legal aspects of juvenile delinquency but also take into account the social aspects of the problems like truancy from school, running away from home etc. According to Shukla (1994) "A juvenile delinquent is one who is in the age range of seven and sixteen (eighteen years in the case of girls) and takes part in any act that is prohibited by the Indian Penal Code or Local and Special Acts relating to arms, opium, excise, gambling, prohibitions, explosives, immoral traffics, corruption, customs, motor vehicles or violates the institutional code of conduct, or does not conform to the behavioural patterns of those in which custody a juvenile has been kept with the solemn objective of his physical, social, emotion, moral, spiritual and ethical development and growth". According to Kadish (1983), delinquency refers to the conduct by children or youth that is either violative of the prohibitions of the criminal laws or is otherwise regarded a deviant and inappropriate.

Psycho - social definitions

Dissatisfied with the legal or socio-legal definitions, the psychologists have also attempted to define juvenile delinquency. According to Sheldon (1949) delinquency is due to behaviour disappointing beyond reasonable expectation. Woodmansey (1971) states that juvenile delinquency is a mental state specifically characterized by a tendency to behave without regard for, or in active opposition to, the welfare of others. Healy (1926) defines delinquency as one small part of the total stream of the individual's life - activity and its significance represents, equally with other behaviour, a response to inner or outer pressures. In common with all voluntary activities, it is one variety of self expression.

1.2. Study settings : The State of Mizoram

Mizoram is a newly formed state in the North-East India. Mizoram came under the influence of the missionaries after it was annexed to the British India in 1891. The people in this hilly territory embraced christianity discarding their former animistic belief and some of their social customs and practices. Introduction of formal education, adoption of a Roman alphabet to the Mizo language and the subsequent development of the society are the beneficial results of the missionaries' effects. The land has achieved a consistently high rate of literacy 53.79 in 1971, 59.55 in 1981 and 82.27 in 1991 second in All India Census. The progress of education has been phenomenal and there is an integrated effort for socio-economic development in this remote tribal society through the functional integration of voluntary religious and social organisations as well as the Governmental machinery. The land was formerly known as Lushai Hills and the name was changed into Mizo district in 1954. Mizoram became a Union Territory on 21 January 1972. It became a full fledged state of the Union of India in 1987. The state has an area of 21087 sq.km with a population of 6,89,756 and the density

of population is 33 persons per square kilometer (1991 census). The capital of the state is Aizawl. The state legislative Assembly has 40 seats. Administratively the state is divided into Aizawl, Lunglei and Chhimtuipui districts and a proposal is pending in the assembly to create two more districts.

Social Life in Mizoram

Belief in the existence of a supreme spirit pervades among the people in Mizoram however they originally were animists (McCall, 1949) Worship of gods or goddesses may be said to be unknown to the early Mizos. They had fear of the infinite and respect for nature. From this arose the practice of ceremonial offerings and sacrifices (Thanga, 1978). The Mizos religious belief was connected with taboos and superstitions (Sangkima, 1992). The Mizos believed in the existence of evil spirits known as 'Ramhuai' to whose malignant influence was ascribed in all the diseases and sufferings which affected mankind. The big trees, the hills, the rocks, the streams and the caves were believed to be inhabited by those 'ramhuai'. They also believed in a spirit called 'Pathian', the creator and a benevolent being who has little concern with man. Sacrifices were offered to the 'ramhuai' to please the evil spirits however no sacrifices were offered to the 'Pathian' who is considered benevolent and merciful. With the advent of British Missionaries the Mizos embraced christianity since 1894 and the conversion became total within a decade. While there could be several reasons for such quick conversion to Christianity, the main factor appears to be the sense of values of the Mizo which were identical to christian ethics to a large extent. Today, there are different sects of doctrine followed by the Mizos the people within the christianity.

The British colonial ruler described the Mizos as a dusky tribe, living in numerous villages, having no central authority, possessing no written language, obeying the verbal

mandates of the chiefs, hospitable and affectionate in their homes, unsparring age and sex in warpath, untortured as the remotest races in Central Africa, and yet endowed with an intelligence which has enabled them to discover for themselves the manufacturer of gun powder. In spite of this observation, the British conqueror hoped that 'a few years will see the hillsides dotted with schools' (Reid, 1976). Nearly a century has passed after the British conquest, and the hillsides are now really dotted with schools where children in uniforms attend classes even in the remotest part of the hills.

Among some of the neighbouring tribes of the North East India as in the case of Jaintias and Khasis of Meghalaya 'the father has no place in family as a father, but as a son in his mother's abode' [Ray, 1981]. But in Mizo family, the father is the father and head of the family. He works for the family, rules over the family and looks after the welfare of the whole family. When a son gets married he remains in his father's house and becomes the head of the family after he is able to make a separate establishment. Agriculture is the main occupation of the people in Mizoram. The traditional method of cultivation is 'jhuming'. Jhuming requires lots of work like clearing the jungle by cutting the forest which is usually done by the male able bodied members of the family. The rest of the works such as sowing the seeds, weeding and harvesting are shared by the female folk. However, the clearing of path to the field and the construction of jhum house are always done by men.

Arranged marriages had been the traditional practice of matrimonial alliance among the Mizos. But this traditional practice is gradually diminishing as the boys and the girls are free to select their life partners. Now the formal negotiations usually takes place after the boy and the girl make their own choices. Marriage is purely a civil contract, although a pseudo - religious ceremony is performed. In the tribal tradition a price is to be paid by the groom to the bride's

parents. The bride price plays a very significant role in Mizo marriage and the price money is distributed to the relatives by the bride's parents strictly according to the time honoured custom. It is more of a symbol than the cash price. Traditionally, 'mithuns' have been exchanged as price for the bride. However, it must be noted that these days the marriage price is nominal and seldom exceeds Rs 400/-. The responsibility of bringing up the children entirely rests on the parental shoulders. In olden days, the teachings and the disciplines were being done by the father, the head of the family, during meal time. The children are sent to sunday school of church at the age of three which in turn prepares them and inculcate interest to go to pre-primary schools. The parents irrespective of their status and wealth consider it a priviledge to send their wards to schools as Mizos are highly conscious about the benefits of education. This sustained interest shown by the parents in sending the children to schools and the effective efforts of the State Directorate of Education and voluntary agencies through non-formal programmes asserted the tribal state in achieving a high percentage of literacy. [Sudhir and Lalrinkimi, 1983]. However, the Mizos are economically backward and a large majority of the children drop out before they complete the secondary stage. Although the concessions and financial help in terms of scholarships for the tribals students are liberal in the state, there is a lot of wastage and stagnation especially at the secondary and higher secondary stage.

Education in Mizoram

It was the London Baptist Missionaries Savidge and Lorrain who introduced the formal western education with the prime purpose of prospective proselytization. Enabling the converts to read the Holy Bible and the hymn book and enlightening the Mizos with the gospel seemed to be the sole aims of education. In spite of initial resistance and suspicion, the ignorant Mizos soon became great lovers of learning and knowledge, which can be seen from the consistently high rate

of literacy. Further the positive outlook of the tribal masses towards learning took rapid strides in the expansion and extension of education and there soon occurred a break through to such an extent that demand for schools and colleges exceed the capacity of allocation.

Education in Post Independent Mizoram

At the time of Independence or rather till 1950 the progress of education in Mizoram was slow and stagnated. The first matriculation examination was held in 1948 at Aizawl with only 25 students out of which 17 came out successfully. In 1950 two high schools were opened each at Lunglei and Champhai. During 1950-1970 there was very rapid increase in the number of primary, middle and high schools and at the same time an administrative infrastructure was also built up. In 1953, a basic training centre was established at Aizawl. In 1956, a night college was opened which was later on taken up by the government in 1965. Since it became a Union Territory in 1972, Mizoram experienced tremendous expansion and development in the field of education. There are three stages of school education in Mizoram which correspond to the Primary having upto class IV, the Middle School from V to VII classes and the high school which include classes VIII, IX and X. It has been proposed that all +2 which were under colleges prior until now should be attached to the Higher Secondary Schools of the state. The college will accommodate the three years degree courses. Several schools and colleges were taken over on the basis of Deficit system of grant in aid and Provincial system of administration by the government. Many institutions were opened and the existing ones were strengthened and expanded.

Influence of Education

By creating individuality and freedom from basic inferiority, education facilitated the speedy and complete conversion of the animist Mizos to Christian faith. Barring a small fragment

of population (like the Chakmas and the Riangs) the bulk of population in Mizoram has embraced Christianity. This subsequently unfolded the Mizo minds to shake off the shackles of subservience to the unknown multitude of animists spirits which were believed to have protected the primitive folk from time immemorial. These radical religious reforms can very well attributed to a sense of literacy and security generated by education. Education, rightly employed by the far sighted missionaries as the chief tool for the spread of Gospel, still remains a strong force of the chunk circle to conserve and stabilise the faith in God (Zairema,1978). Waving off the traditional taboos and indigenous practices and customs is another major influence of education. Education virtually cast the spell over the people to abolish the drinking of 'Zu' (the spurious rice beer), 'Chai' - the obstinate erotic dancing with alcoholic support and the lavishious crippling sacrifices and feasts. 'Zawlbuk' the bachelor dormitories was abandoned and is replaced by formal village schools. Customs and practices related to marriage, birth, death ceremonies have also undergone a lot of changes. Another impact of education is the sublimation of traditional cultural traits towards more ideal western forms in dress, music, manners and customs. The sudden spur of westernisation under the cradle of education not only guided the society to a highly sophisticated state of living but also helped to overcome the cultural constraints in the growth of civilization. Social and status mobility among the chieftain dominated, class based hill tribes is yet another remarkable achievement of education. A sail on the social scale of status and power became certainly possible with education which was at the mercy of chieftain in primitive days. Education acts as a passport for the salaried jobs melted a sigh of relief among the Mizos from their hard and wearisome toil on the hilly terrains. The younger generation enjoying the fruits of this transformation is definitely superior in creative thinking and imagination. The heightened political consciousness and the patent reform and radical movements against the moral and material exploitation can also be considered as the consciousness of justice among the masses.

1.3. Rationale and Significance of the Study:

Juvenile delinquents are usually referred to as 'minors' with major problems. They violate the law of the land and commit offences like theft, gambling, cheating, picking pockets, murder, robbery, dacoity, destruction of property, violence and assault, intoxication, vagrancy, kidnapping, abduction and sexual offences. Hereditary, constitutional, physiological, environmental and social factors are identified with delinquency. Recent researches, however, have brought substantial evidence to prove that delinquent behaviour as a learned reaction. They do not inherit delinquent characters from their parents or ancestors but are made so by the uncongenial familial, school or neighbourhood environment and social conditions. To quote Shanker (1988) 'delinquency is not inherited; it is the product of social and economic conditions due to the friction between the individual and the community. The most important causes of anti social behaviour are environmental and sociological in character'.

The growing incidence of delinquency is posing a problem of very serious nature in Mizoram. This complex social problem has been vexing parents, teachers, socio - political leaders and legal authorities. Delinquent acts were uncommon a few decades ago, simplicity in life of this well knitted society. Old values which once moulded the behaviour of the younger generation are gradually disappearing. Now with the increase in population the younger generation is faced with the evils of rapid urbanisation like competition for jobs and desire to get rich by any means, aimlessness and aspiration for money and power which has given rise to juvenile delinquency. Parents being in different services do not find enough time to look after the welfare of their children. The gap between the rich and the poor, which was almost absent in the Mizo society has become very wide today. Mass media encouraging violent and criminal themes through films

and cheap magazines may add to the causation of delinquency among the youth. Drugs addiction and AIDS have given another dimension to the pattern of delinquent acts committed by the youth. It is necessary to understand the environmental and sociological factors associated with juvenile delinquency. This will enable us to form a concrete understanding of the nature and dimensions of juvenile delinquency. The present research will also help to evolve and adopt curative measures to circumvate the phenomenon of juvenile delinquency in the state of Mizoram.

1.4. Statement of the Problem

The present research is planned to probe into the nature and dimensions of juvenile delinquency in Mizoram. The study investigates the factors that influence the youth to resort to delinquent behaviour. The study also attempts to analyse the family, socio-economic and educational backgrounds of the juvenile delinquents. Further, the educational and other remedial measures undertaken by the Government and voluntary agencies for the rehabilitation of the juvenile delinquents in the state have been examined. Suggestions for the preventive measures and educational strategies to circumvate the juvenile delinquency have been proposed on the basis of the findings of the research.

1.5. Title of the Study

‘A Study of the Juvenile Delinquency in Mizoram with Special Reference to Causative Factors and Curative Measures’.

1.6. Objectives

The objectives of the present research are the following :

1. to examine the nature and extent of juvenile delinquency
2. to establish the typology of juvenile delinquency
3. to analyse the educational and other socio - economic factors related to juvenile delinquency
4. to prepare educational profiles of juvenile delinquents
5. to survey the existing educational and other remedial measures for the rehabilitation of the delinquents in the state of Mizoram
6. to suggest suitable curative and preventive measures to circumvate the juvenile delinquency.

1.7. Definition of Terms

Delinquency :

Burt (1953) defines delinquency as occurring in a child 'when his antisocial tendencies appear so grave that he becomes or ought to become the subject of official action'. Delinquency refers to the behaviour of children which is not within the range of the culturally permissible, either at home, in the school or in the community.

Juvenile :

The dictionary meaning of juvenile is a young person or a child and generally refer to a person who has not attained his adulthood, thus the concept juveniles embrace both the children and the adolescents.

Juvenile delinquency :

Juvenile delinquency refers to an offender or a transgressor who is a child. The behaviour is non-normative or anti-social behaviour pattern at certain ages as specified in the law of the land.

Juvenile delinquent :

An individual is termed a juvenile delinquent who is in the age group of seven to eighteen years and is convicted by court for violating the Provisions of Children's Act, the Indian Penal Code (IPC) and the Criminal Procedures Code (Cr.PC).

Causative factors :

The factors which contribute for the formation or development of a phenomena can be termed as causative factor to juvenile delinquency. In this study the term causative designate the factors which are related to delinquent acts among juvenile delinquents. These may be personal, sociological and psychological factors.

Curative measures :

Curative measures refer to the control and rehabilitation programme and actions taken to circumvate the delinquent acts among the juveniles.

1.8. Organization of the Report

The report has been divided into six chapters. The first chapter, the introductory chapter presents the research theme along with a brief account of social life in Mizoram, the significance of the present study, the problem and its objectives. A review of the related researches conducted on juvenile delinquency in India and abroad has been depicted in Chapter II. A brief account of the measures undertaken for the rehabilitation and welfare of delinquents in India has also been given in this chapter. Chapter III is concerned with conceptual analysis and deals with the various dimensions of juvenile delinquency. The method of study is described in Chapter IV. The selection of the sample, the tools and techniques used for data collection and the mode of analysis of data are described in the method of study. Chapter V presents the details of the analysis of data under six sub sections. The summary of the study, its salient findings and suggestions are stated in the sixth and final chapter.

CHAPTER II

REVIEW OF RELATED RESEARCH

REVIEW OF RELATED RESEARCH

The present research is an attempt to investigate the phenomenon of juvenile delinquency in Mizoram. The study shall probe into causative factors of delinquency. Also it will assess the curative measures prevailing in the state of Mizoram for correcting it. In this connection, this research aims at finding the nature of delinquent acts committed in Mizoram and analyse the probable causes that has lead the young boys and girls in Mizoram to resort to delinquent behaviour. The study intends to analyse social, economic and educational backgrounds of the young delinquents and their parents. It also aims to assess the remedial measures and their efficacy in checking the delinquency in Mizoram. The research can recommend preventive measures, to the possible extend, in order to circumvate delinquency among the juveniles in Mizoram. It is, therefore, proposed to review the related studies in India and abroad with the intention of justifying the need and relevance of the present investigation.

The review has been carried out under the following heads:

- 1 .Studies conducted abroad
2. Studies conducted in India

2.1 Studies Conducted Abroad Reviewed

Berg, Goodwin and McQuire [1985] reported that antisocial children missed more classes in school than others. The comparison of children between relatively socially disadvantaged school and home backgrounds, the delinquents were off school on an average half a

day and work more. The boys and girls were absent to a similar extent that delinquents attended school less on average. Younger delinquents appeared to have been staying off school longer, possibly indicating that absenting from school preceeded delinquency and older delinquents were less persistent non-attenders. In general population, both the delinquent boys and girls absent from school to a similar extent. However a substantially greater proportion of boys commit offences and appear in court. According to Rantakallis, Moilanen and Mattisohanni (1994), delinquency does not involve an adjustment for perinatal events such as pre term birth, low birth weight, or prenatal brain damage, which were not found to be significantly associated with juvenile delinquency. Low socio-economic status and a non standard family are both associated with juvenile delinquency. They further stated that a higher than average incidence of delinquency occurs among youngsters of the poorest social standing and with the lowest performance at school. Inability to cope with the demands of society and the external stress affecting a child with a certain kind of incapacity might have increased the propensity for norm breaking behaviour in such cases. Poor school performance especially inability to pass through elementary school, and in a class appropriate for one's age could be seen as indicators that predict later social problems and delinquency, none of the subjects with moderate to severe mental retardation had committed an offence that lead to a criminal record.

Woodward (1963) showed that delinquents knew as well as non delinquents, what acts are socially acceptable. It is possible that low IQ children, having greater likelihood of detection, fully explains the relationship between low IQ and self report delinquency.

Cogner, Miller (1966) proposed that intelligence influences directly the amount of reward available to the child for performance in the school. Youths with lower I.Q. experience frustration in school, obtain fewer generalised rewards for conforming behaviour and go

on to engage in anti-social acts. Nevertheless, most delinquents are found to have average intelligence. In as much as the average intelligence (IQ), the difference between delinquents and non-delinquents is not larger and there is a great deal of overlap between the two groups, low intelligence in and of itself, cannot be considered a major factor in determining most cases of delinquency.

Kvaraceus (1958) mentioned that a delinquent's attitude towards school is commonly 'charged with hate and hostility'. Moreover, he and his fellow failure share their resentments when he and his peers like himself show their resentments at school they are in effect, making a counter attack against assaults that have been heaped on them as consequence of their own shortcomings. Delinquents are often exploited by adults. Exploitation which is most obvious and which aroused the greatest public indignation occur when vicious adults use teenagers for criminal purposes, such as prostitution and other form of traffic in sex, for the sale of dose or as accomplices in burglary, pick-pocketing, shop-lifting and other forms of theft. However, it is not just criminals who exploit delinquents. The exploiters may also be other members of the society who use delinquents to satisfy 'psychic needs'.

Simons (1976) suggested that many authors see poor performance on IQ tests as only one instance of the general difficulties with traditional education experienced by children from eventually deprived backgrounds; irrespective of their innate intellectual aptitudes. Children tend to experience problems in schools and score poorly in IQ tests. Such children are likely to become delinquents. The correlation between the intelligence of parents and that of the offspring is reported to be as low as +.49 by Conrad and +.3 by Wingfield (1928). Emotional immaturity and neurotic symptoms of parents are found to be correlated with excitability and emotional imbalance in children to the extend of .3 which does not support the view that

criminality is inherited. Tredgold (1915) stated that there are no such things as 'moral, imbecility' or 'innate lack of moral sense' which makes one absolutely irreformable. Slowson (1926) stated that intelligence of apprehended criminals and delinquents is found slightly lower than youthful offenders, there is a higher percentage of mentally defective and a small percentage of mentally superior individuals than in the general population. This is partly due to the fact that the dull offenders are easily apprehended and the bright ones are more apt to escape detection. A second explanation is the inferior social background of delinquents and criminals. Most offenders are poorly educated and come from poor cultural backgrounds. The intelligence of their law abiding associates and neighbours is also noted below average. When criminals were compared with the general population of comparable educational and cultural status, no significant difference in intelligence were observed between the two groups. The review of a number of studies established the existence of a relationship between low IQ and juvenile delinquency in British and American samples. Early reviews primarily reported the results of studies comparing the IQ of the delinquent youths with the standardised norms for IQ tests. Hirschi and Hindilang (1977) reviewed several studies in which the IQ of juvenile delinquents were found to be significantly lower than that of the IQ comparison control group of normal children.

Delinquency is found to be related to low socio economic status. This finding is reported in many studies. This research finding is mainly limited to studies with cases brought before the courts and remanded to custody in correctional institutions. This has however been questioned by many investigators working in the field of delinquency. Mays (1928) administered a number of paper and pencil tests to a large number of children (totalling over 11,000) studying in public and private schools. Among the many valuable results one which is relevant in the context of the present research is that the distribution of deception was equal in children belonging to both low and high socio-economic status.

Healy (1936) observed that more than the absence of one or both parents is the presence of unfavourable intra-familial tension and conflicts that produce psychological broken houses. As they noted, delinquents rarely come from happy homes with a wholesome emotional atmosphere. They usually are unloved, uncared and poorly supervised children whose parents are unstable and immoral in character. They are often over protected by one parent and excessively disciplined by the other. Many delinquents have step-parents or are reared in orphanage or foster homes. Illegitimate birth is not uncommon. The absence of sympathetic understanding and strong affection in the families of offenders is confirmed by the large number of delinquents and criminals who leave home at an early age.

Miller (1958) found an impressive account of cultural forces that are at work in a lower-class community which is a generating milieu of gang delinquency. According to him, the gang delinquency of adolescent street-corner groups in lower class communities differs from the delinquents of other sub-cultures. This has risen in areas where there is a conflict between middle class and lower class cultures and where the lower class members deliberately violate middle-class norms. Burt (1925) on the basis of evidence from his clinical data concluded that crime is not inherited. Delinquency is therefore not inherited but is essentially due to environmental friction between the individual and the community. Page (1970) further points out that no person is inevitably destined to become a criminal because of his heredity. In selected cases, however, the inheritance of infavourable physiological and mental traits may increase the probability that a person will engage in illegal acts if he is exposed to life situations that encourage criminality. The significance of heredity is most marked in cases of persistent criminality and in those cases where criminal tendencies are associated with personality defects. On the other hand, heredity is probably of negligible importance in most mild or isolated offences, especially when they are committed by persons having normal

personalities. Heredity plays a less important role in juvenile delinquency than in adult criminality. Only 20 to 25 percent of delinquents come from families having criminal records. Rosanoff and his associates (1974) observed that both members of a pair were delinquents in 93 percent of the cases involving fraternal twins. A high agreement in concordance rates between two types of twins favour environment as the main cause.

Goddard (1920) emphasised that the delinquency was a mental defect and emphasised that the greatest single cause of delinquency and crime was low grade mentality. It is mentioned that every mental defect was a potential delinquent as he wrote in 1919 that every investigation of the mentality of criminal, misdemeanants, delinquents and other anti social groups has moved beyond the possibility of contradiction.

Sheldon [1940] conducted a study on poor health, short or too big a structure or some physical deformity which rise to feelings of inferiority, dispose one to more aggression as a compensatory reaction for one's inadequacies. He stated that bravado, aggressive and anti social behaviour in them was only defense-mechanism against their more passive, afraid, dependent and insecure tendencies. Such delinquents are internally disturbed and their criminal activities, enterprising and adventurous spirit are mostly over-compensatory reactions. McCandle [1970] noted that the onset of adolescence is by definition marked by the addition to the sex drive to the organism. That the drive is sexual is from the prospective to learning theory, so important for explaining adolescence delinquency as that it augments the general level of drive intensity. It is this state of high drive that is at least in the first instance responsible for increased delinquent activities. Garrison [1948] found that immoralities, alcoholism, sexual irregularities in parents dispose the child towards these offences automatically and so criminality among parents is very powerful conditioning factor for juvenile delinquency.

Moodie [1940] and Rogers [1939] indicated that behaviour difficulties in children such as truancy, stealing and dishonesty were mainly due to the thwarting of the psychological needs of security and affection. Bandura and Walter [1959] noted that fathers of delinquents were rated cruel, neglecting and inclined to ridicule their children and less likely to be warm, affectionate and passive by independent observers. In both primitive and contemporary society, it has been observed that the stability of the social order is an important controlling factor. Shaw and other investigators [1929] have demonstrated the presence of differential crime and delinquency rates in various areas within the city. Empry and Raboro [1961] described the *Provo Experiment in delinquency rehabilitation*. The delinquent boys initial situation was purposely amorphous. They are left on their own to figure out why authorities are doing what they are doing and what they must do to get out of trouble. The new culprit soon discovered that the only avenue for release was through participation in the delinquent peer group, which was the primary source of pressure for change. The main interactions took place in daily group discussion sessions. In these group sessions, the essential ingredients of identity assault included confession of the past about one's former identities, with the aid of the peer group. Hirschi's [1969] theory does not encompass a conceptualization of control or social control; hence it appears that either term designates any condition that inhibits juvenile delinquency. The theory postulates four inhibitory conditions viz. commitment to conventional goals, attachment to conventional persons, involvement in conventional activities and beliefs in conventional norms. It is not a social control theory, but it suggested that the conditions may render a juvenile more subject to effective control by parents and other conventional persons. There is no evidence that Hirschi's four conditions are created consciously and deliberately, let alone to prevent juvenile delinquency. Schur [1971] in his study on 'role engulfment' opined that labelling the individual may affect the structure of the self concept, when the officially

certified label, instead of being one among many social identity elements becomes central of it. This idea holds that the deviant identity becomes of overwhelming importance to the individual. But if deviance affects the self concept, it is at least equally true that the self concept may influence deviant behaviour. Such an effect would be expected on grounds of the self consistency motive. Deviant behaviour may be a manifestation of the general principle that people behave in accordance with their conceptions of what they are like [Lecky 1945, Epstein 1980]. This appears to be the essential principle underlying the influential theory of the self concept as an 'insulator against delinquency' (Reckless et al 1956). One question that puzzled Reckless was why, in an environment in which delinquency was common, some boys became delinquent whereas others did not. In an attempt to answer this question, Reckless studied a sample of boys in a high delinquency area, who, according to their teacher's predictions, were or were not likely eventually to get into difficulty with the law. Reckless et al [1956] concluded whether the youngsters conceptualized themselves as delinquent or as 'good boys', subsequent researches revealed that these self concepts were predictive of delinquent behaviour.

In addition to self consistency, the self esteem motive may also underpin deviant behaviour. It has been suggested that the youngster may engage in delinquent behaviour in order to enhance his self esteem [Kaplan 1976; 1980; Rosenberg and Rosenberg 1978]. Delinquency may help to enhance his self-respect in several ways-first, it provides him with a peer group-the delinquent gang-who do value and respect him and the greater the deviance, the greater respect. Second, he may find that he has the ability to succeed in various forms of delinquent behaviour -in contrast to his failure as a student or a social leader. Third, in embracing delinquency, the youngster is likely to abandon the members of the straight society as his significant others. Although he may recognise the parents, teachers and classmates

deplore him more strongly than ever before. their views no longer count for him, his self esteem now rests on the opinion of other deviants. If he must behave in a way that commands their respect and approval i.e. behave in a deviant fashion.

2.2 Studies Conducted in India Reviewed

A number of studies have been conducted in India on juvenile delinquency. The studies were conducted mainly to examine causal factors of delinquency, personality pattern of juvenile delinquents and the psychological and familial correlates of delinquents and behavioural dynamics of juvenile delinquents

According to Natarajan [1974] one of the factors influencing juvenile delinquency is the low income of the parents with many children. It is further stated that conviction of the parents, brothers and sisters, carelessness of parents in bringing up the children, jealousy of the relatives over rich children who have lost their parents and misunderstanding among the public and police about the children who were delinquents once are probably causes leading to delinquency among the juveniles. Lahri [1977] found that the difference between normal and vagabonds were less compared to normals and delinquents. Normal adolescents, vagabond and delinquents differed more in personality patterns than pre-adolescents vagabonds. Delinquents had normal emotional stability and stronger super-ego strength and show a tendency of self sufficiency as normals. Vagabonds and delinquents had normal values to accept social norms. Bengalee [1979] reported school factors responsible for maladjustment among juvenile delinquents. The schools were found to be over crowded. Scholarship facilities for poor students were very limited, library and laboratory facilities were also found to be missing in many schools. There was no proper guidance and counselling and there was very

low close contact between the teachers and students. It was further stated that, school examination created a number of problems to the students where greater weightage to external assessment is given rather than internal. Co-curricular activities like hobbies, scouting, magazine writing, N.C.C. and students' welfare were lacking in schools. Sahney [1984] observed the delinquents have significant differences from non-delinquents in respect of extroversion-introversion, social maladjustment and antagonism and denial. They showed significantly poor adjustments on home, health, emotional, social and total adjustment. As regards to values, the delinquents differed in their preference of values as compared to non-delinquents. Marked differences were observed on values of 'broadminded', 'capable', 'clean', 'forgiving', 'honest', 'obedient', 'responsible' and 'self controlled' in case of delinquent. Shankar [1984] showed inverse relationship between socio-economic status and incidence of delinquent behaviour. The maximum incident of delinquent behaviour was found in the lowest socio-economic status groups. The urban environment was observed to be a potent factor in determining behaviours. Low intelligence level of the child was an important determinant of delinquency where more delinquents were found in the low I.Q. category. Lack of proper socialization in home environment, over leniency to children were observed to lead to faulty development of personality which led to a child to become delinquent. Shankar [1984] stated that about half of the incidence of delinquency is a rebellion against unreasonable or hard treatment of adults. The maltreatment in many cases was found to be by step - fathers, step-mothers, uncles, aunts or elder brothers of many orphans and by employers. There are so many similar cases of bullying, harsh treatment and beating on one pretext or another. The result is that the boy ran away from home and committed anti-social acts to take revenge on the world and fate which condemned them to such a sad plight. Many leaves the home because of jealousy towards the step brothers or sisters or towards their younger sister or brother as they feel

'dethroned' when the parents' interest, attention and affection become more centred on the new child. In a large percentage of delinquents, poverty is to be found the pre dominating factor as poor living conditions in the home among other factors dispose a child towards anti-social behaviour more than comfortable and well to do life, we usually find crime, disease, ignorance and vices associated with poverty more and these are conducive to the development of juvenile offenders. Sinha, Singh and Singh [1986] concluded from a study that delinquents as compared to non-delinquents were found to be more introversive, rigid, impulsive and stereo typical in their thinking. They showed less control over their emotions and expressed comparatively lesser degree of sociability. Contrary to the common view, delinquents showed a fair amount of conforming tendency. They were also found normal in intelligence and showed a marked degree of organising and analytical ability. According to Kabbur [1987] juvenile delinquents and non - delinquents did not differ significantly in emotional adjustment and total adjustment, but showed significant differences in their personality factors such as factor B [less intelligent], factor D [phlegmatic - excitable], factor Q3 [undiscipline, self conflict - controlled] and factor I [tough - tender minded]. The juvenile delinquents and non juvenile delinquents differed in parent-child relations, father's aggression towards subject, subject's aggression towards father, mother's aggression towards father, father's aggression towards mother, mother's competence, father's competence, father's affection, father's identification, mother's denial and father's denial. It was reported that the juvenile delinquents were less intelligent and had less ability to handle abstract problems. They were more prone to jealousy, more excitable than normal children. They were found to be less controlled, tender minded, sensitive, dependent, over protected and demanded attention. They also showed nervousness.

Imtisingba [1985] stated that the socio-cultural factors like broken home, presence of relative, maladjustment in school, influence of poor age group and gang, influence of seniors

and parents, low social criminals and immoral families were responsible for child's delinquency. He further stated from his study of juvenile delinquents in Nagaland that poverty and low socio - economic conditions, influence of cinema, parental deprivation, lack of motivation, laziness, situational and unconscious motivation were found to be the factors related with delinquency. Kshanika [1966] while investigating into parental conditions of the delinquents, it was understood that at sometime or other, some of the parents were separated and were widowed even before death, in more of the families, 20% of the cases, both the parents were dead. The study showed that they lived in wholesome families with a very poor standard of behaviour. There were cases of drunkenness, immorality, cheating, beating and more violations. Adherence to social values or consciousness of prestige or family pride was absent. He further found that temperamentally the delinquents appeared moody, often possessed of sadness and repentance. Quiet, dull and lethargic they appeared to be under a nervous tension, not having any ambition in life, remembered his mother with a sorrowful heart and used to even feel sad for not having a home.

Kanishka [1966] in his study of delinquents found that more than half of the total number of delinquents did not have any satisfactory dwelling houses. The research reported that 43 percent lived in mud houses and hutments, which were primarily built of mud and straw and consisted of only one room. More than low social status, the economic factor is usually emphasised everywhere as affecting delinquent behaviour. True, that conditions of distressing poverty were felt by 56 families. Although the general inference made from these studies has strengthened the already existing belief that poverty is found associated with delinquency, the large percentage of families belonging to the low income groups play the major cause of delinquent behaviour. The important thing is the way the individual reacts to this socio-economic condition. It was necessary to investigate the parental make up of these

boys, since it is commonly believed that broken homes contribute appreciably to delinquency. A rather abnormal structure of the home was found in 59 percent of the cases. It was seen that about 70 percent of the cases were deprived of parental affection at the most formative period of their life. More than one-third, 39 percent of the boys were separated when they were below 5, another one third between 5 and 9, only 13 percent between 10 and 14. The remaining 17 cases left home at or after the age of 25. This earlier deprivation of parental contact and affection might have had a graver effect on the lives of these boys.

Kundu [1966] acknowledged that low general intelligence was related significantly to delinquency of both tribal and non-tribal groups. It has been thought that children of low intelligence were unable to distinguish right from wrong. Kundu, in his study of 'differential personality traits in juvenile offenders' indicated that for the tribals, delinquency was related moderately to instability at home, less degree of satisfaction with self, poor health condition and power of observation. For the non-tribals the delinquency was related to a great extent with instability at home, unsatisfactory parent-child relationship, hostility from parents, absence of recreational avenues and destructive trends and to a moderate extent with desire to be away from home, constrained parent-child relationship, parent objecting to the kind of companion, permanence of residence, position in the family, level of general anxiety, feeling of resentment and depressive trends. Shanmugam [1980] mentioned multiple factors underlying juvenile delinquency. He studied 75 delinquent boys who had committed thefts and 75 delinquent girls who committed sex offences, and equal number of normal boys and girls matched for age and socio-economic status. The data were collected using a number of psychological tests and an interview schedule. The psychological factors of extroversion, neuroticism, psychocism, criminal propensity, creativity, low intelligence, low aspiration level, suggestibility and cognitive dissonance were

factors found related to delinquent behaviour. Low educational level of parents, broken home conditions and lack of emotional ties were also observed among the members of family of the delinquents. Ganguly and Maitra [1966] acknowledged that the majority of the investigator agree upon environmental factors such as poor home, over-crowding, rejecting and indiffererent parents, illegitimacy, lack of parental control are the determinants of delinquency. The delinquent acts committed by the juveniles, according to Swatanter (1977) were murder, theft, vagrancy, pick-pocketing, intoxication, various sex offences, violence and smuggling. The chief factor causing the delinquency were found to be maltreatment at home, broken homes, over protection, poverty, neglect, maladjustment in the school, bad company, revenge, exploitation, temptation, maltreatment by the employer and unemployment.

The absence of father figure in the early childhood upon personality functions are resulting criminal behaviours in a group of criminals with the help of biographical interview, Rorchach Rosenzweig P-F test and a personality inventory by Mukerjee et al (1969). Findings revealed that personality development depends more on the total personal-social situation rather than on any isolated variable such as father absence or presence.

Das (1975) analysed the causative factors of juvenile delinquency in Assam. The research revealed that the problem of delinquency was mostly related to current changes economic, social, cultural and normal life, rapid increase of population and depression rural economic growth and employment. The home of delinquents were characterized their defective family pattern, moral, cultural and material break down, the homes were found broken physically, socially and psychologically. The present educational system was found to be responsible to contribute partly and indirectly to the development of the delinquency pupils. The influence of adult criminals, bad companions, cinema and deteriorated places

and the young delinquents concentrated their operation of delinquency in urban areas. Delinquents possessed loose temperament, and they were hostile and aggressive, desperate, less self-controlled, impulsive and more frustrated, they were found to have less resistance to crime and were easily instigated to anti-social acts, and most of the delinquents showed early symptoms of delinquency, academic backwardness and had below average intelligence.

Raychaudhri et al [1968] examined the socio-environmental correlates of indisciplined behaviours. Variables such as crowding at home, uncomfortable home condition, poor family, discipline and parental discard were found to pre-dominate the early life of the indisciplined subjects.

Shanmugam [1956] obtained significant results in a series of studies on sex differences among juvenile delinquents. Delinquent girls fantasies were found to be characterised by themes of separation and rejection, altruism, anxiety and guilt. In yet another study the delinquents were found to react aggressively to stress situation as compared to normal boys. Delinquents generally manifested hatred, rebellion, violence, suicidal tendencies, insecurity as against the sense of hope, courage, confidence and faith among the normal boys. Shanmugam and Sundari [1960] compared delinquent boys with normal boys in 'inhibition and disinhibition' using a word association test. The study found delinquent boys to be lacking in disinhibition as compared to normal boys. In another study by Shanmugam and Govindarajan [1967] on 'motivational rigidity' found that delinquent boys were characterised by greater rigidity than the non-delinquent boys. Shanmugam [1980] investigated the psychological factors underlying juvenile delinquency and observed that delinquents are low in intelligence and more extrovert than non-delinquents, more suggestible, have a low level of aspiration but are more ideal self-incongenity and having unrealistic vocational ambition. Rajeswari [1967] analysed the level of aspiration pattern of delinquent boys using Rotter's

level of aspiration board and found no difference in the overall performance of the two groups. However, delinquents were found to have greater rigidity. Rajangan's [1957] studies of delinquent girls and prostitutes revealed that low intelligence, mal-adjustment in the areas of home, emotion, society and health are the main factors which influence the delinquency and prostitution. Shanmugam [1953] conducted a series of studies on the personality aspects of delinquents and stated delinquents to be more emotionally unstable than non-delinquents.

Walter [1971] and Bandura [1963] studied sociopathy and delinquency and reported that there is high incidence of sociopathic traits in parents of delinquents. Some of the sociopathic traits found among fathers are alcoholism, anti-social attitude, frequent and long absence from home etc. Even there were instances of sexual relationship with daughter. Thomas [1970] studied delinquency based on the Eysenck's theory that the dysthymic neurotics suffering from anxiety, reactive depression, obsessions, phobias and so on, would be found in the introversion neuroticism gradient. Marked differences had been identified between the delinquent and the normal, and orphans and the normal in family background. Delinquents outscored the normal and orphans in neuroticism and psychoticism and had lower intelligence than the normal group.

Hamid [1972] examined delinquency with reference to psycho - social conditions and personality characteristics of delinquents that would differentiate them from non-delinquents. The results revealed that there is a significant difference between the two groups concerning their environmental conditions and that community is another situation found to contribute to the delinquent acts. With regards to personal characteristics, no significant difference was noticed. Sheth [1957] observed the social background of the juvenile delinquents with poverty, crowded housing conditions, slackening of the family

control, broken homes, gang and peer influenced. Lack of recreational facilities at home and in the locality is another aspect found related to acts among the juveniles.

Studies conducted on juvenile delinquency and homeless children by Sheth [1957], Thomas [1970], Hamid [1972], Khatoon [1976], Chatterji [1974], Reddy [1979] and Shanmugam [1980] revealed that delinquents are lower in intelligence, poorer in performance, indifferent in interest patterns and unrealistic in vocational aspirations. The factors affecting are unsatisfactory relations between family members, broken homes, lack of parental interest and supervision, too lenient or too dominant parental behaviour, too many or too little recreational facilities at home and in the neighbourhood, congested and crowded home conditions, slum neighbourhood, frequent movie viewing and low achievement are found to be some of the factors associated with delinquency.

The causes and curative measures of juvenile delinquency in Bangalore city was studied by Reddy [1979]. His findings relating to causative factors included undesirable family conditions influenced by alcoholism and delinquency of parents, less literacy, neurological problems. With respect to the curative measures the study indicated that there are no special institution for juvenile delinquents.

Khatoon [1976] studied the social background of delinquent behaviour in Uttar Pradesh. The objectives of the study were to examine the social surroundings of the juvenile delinquents in which they reared and their living conditions. The study revealed that - death, divorce or separation of either of the parents, very lenient or over dominant behaviour of parents, incompatible relations between juvenile siblings, poor socio economic conditions, uncongenial employment, absence of recreational facilities, uncongenial or difficult school subjects resulting in poor achievement and undesirable living conditions are the reasons that contribute to juvenile delinquency.

2.3. Measures undertaken in India

In India, many measures have been taken by the Central and State Governments, Voluntary and religious Organizations to control and cure juvenile delinquency. According to Shukla (1987) 'Generally speaking, delinquents against whom the juvenile justice machinery particularly the police, initiates action are complex or residual cases where other modes of intervention do not succeed or informal agencies show their inability to handle them'. Thus, the police plays an important role in the control of juvenile delinquency. In 1952 the first Juvenile Aid Police Unit was established in Bombay. In establishing Juvenile Aid Police Unit/ Bureau Bombay was followed by Calcutta in 1956, Hyderabad in 1958, Madras in 1960, Patna and Ranchi in 1961, Poona, Sholapur and Nagpur in 1967, Calicut in 1970 and Indore, Bhilai and Jabalpur in 1974 (Srivastava,1989). The Juvenile Justice Act, 1986 broadly divides juveniles requiring care and protection into two categories : (1) delinquents and (2) non-delinquents like destitutes, orphans, unwanted etc. Police handles both the cases of delinquent juveniles, their cases are referred to the Juvenile court and to the Juvenile Welfare Board in the case of non-delinquent juveniles who need care and protection. The police may also release the juveniles after warning or admonition depending on the nature and seriousness of the offence he has committed. But in the case of serious offences the police takes the juvenile into the custody and hand over to the Remand Home or Observation Home. The police also conducts investigation of cases of juveniles for onward submission to the juvenile court or to the Child Welfare Board. Besides, the police plays an important role in the rehabilitation of released juvenile delinquents. According to Shukla (1981), the role of police in relation to the rehabilitation of the released juvenile delinquents are : "(a) helping and giving all possible assistance in the rehabilitation or released juvenile offenders (b) maintaining benevolent and unobtrusive supervision over the released juvenile offenders in cooperation with probation

officers, (c) affording protection to released juveniles, especially juvenile probationers, against threats and victimization by their erstwhile associates in crime". Therefore, the police not only apprehends the juveniles but also takes active part in their rehabilitation.

Institutional facilities: The main purpose of institutions are to provide for the care, protection, maintenance, welfare, education and rehabilitation of juvenile delinquents. The institutions are thus to act as reformatories where the delinquent children could be trained and prepared for a productive future. These institutions are established on the recommendations of the Indian Jail Committee (1919 - 1920). The Committee recommended separate machinery for the trial, conviction and treatment of juvenile offenders. Accordingly the Children Acts of Madras, Bengal and Bombay were enacted in 1920, 1922 and 1924 respectively. In order to bring about uniformity in the implementation of children acts, the Central Government passed the Children Act of 1960 for the centrally administered states and Union territories. According to these Acts, delinquent juveniles are to be sent to approved , certified or Special schools and the non delinquent juveniles to Children Homes or Fit Persons' institutions. The passing of Juvenile Justice Act 1986 replaces both the state Children Acts and the Central Children Act 1960. Section 10 of the Juvenile Justice Act 1986 empowers the state government to make the following provisions:

- (1) The State Government may establish and maintain as many as special homes as may be necessary for the reception of delinquent juveniles under this Act
- (2) Where the State Government is of opinion that any institution other than a home established or maintained under sub section- 1 is fit for the reception of the delinquent juveniles to be sent under this Act, it may certify such institution as a special home for the purpose of this Act

- (3) Every special home to which a delinquent juvenile is sent under this Act shall not only provide the juveniles with accomodation, maintenance and facilities for education, vocational training and rehabilitation but shall also provide him with facilities for the development of his character and abilities and give him necessary training for his reformation and shall also perform such other function as may be prescribed to ensure all round growth and development of his personality
- (4) The rules made under sub section - 4, may also provide for the classification and seperation of delinquent juveniles on the basis of age and the nature of offences committed by them.

Treatment of juvenile offenders, being the main objective, the institutions provide a continuum of professional services of case workers, psychologists, psychiatrists, vocational instructors etc. Institutionalization is a positive step for making the juvenile unlearn his negative values and learn other positive ones in the interest of his rehabilitation in the community. In other words, delinquent juveniles are given education, counselling, guidance, treatment, training and rehabilitation so that on their return to the society they would become a good citizen. However, institutions have been criticized that juveniles were exploited and abused, become more hardened and sophisticated in the ways of committing crimes. According to Carney (1977) “ There is ample evidence to indicate that our prisons and juvenile correctional institutions not only do not correct but contribute negatively to the very anti-thesis of reformation”.

Non-Institutional facilities: Due to its inadequacies, institutional measures of juvenile correction has been suggested only as a measure of last resort. Many status offenders are in need of care, protection and treatment but their needs should not be met by placing them in

the institutions designed for children involved in criminal acts. All such children should be kept out of institutional facilities but be placed in the non-institutional correctional settings. The obvious implication of this suggestion is that children should be saved from unnecessary institutionalization and consequent stigmatization, (Srivastava 1989). Community based correction has been found as reliable measures of delinquency control. The advocates of this idea hold that the best way to reform and rehabilitate the delinquent juveniles is to help them learn to cope with and adjust to the real world and not within the artificial environment of the institutions. The increasing incidence of crimes committed by juveniles and the social problems arising out of this, calls for immediate solutions. To control this problem, Children's Act and the Probation of Offender's Act have been implemented in the State of Mizoram. The Juvenile Justice Act 1986 has also been enforced in the state. Accordingly the Mizoram Juvenile Justice Rules 1988 has been passed by the state legislative Assembly. The Act primarily aims to the control and prevention of crimes committed by and against children upto the age of 18 years in the case of girls and 16 years in the case of boys. With a view to making them useful citizens, the Act aims at doing away with the evil practices of confining young offenders with adults and hardened criminals since such contacts and the jail atmosphere itself have considerably adverse effect on the development of the child.

Under the Juvenile Justice Act of 1986, it is mandatory to establish separate observation homes for neglected and delinquent juveniles. The Act also envisages provision for the establishment of Juvenile Court and Child Welfare Board. The Juvenile court set up under the Act is to deal with the cases of delinquent juveniles and the Child Welfare Board to deal with the problem of neglected children. In Mizoram, Juvenile court/Children's court has begun to function with effect from 1st September 1985. Under the Act, all criminal cases involving children are to be tried in the Children's Court or Juvenile Court only and

not in open Courts established under the Criminal Procedure Code. Observation Home (Remand Home) and Special Home (Certified School) have also been established. In addition to these, religious and voluntary organizations have set up various centres particularly for drug and alcohol addicts. Alcohol and drug addicts are mainly adults but some juveniles have also been rehabilitated in these centres. Some of these voluntary established centres are assisted by the State Government through the Social Welfare Department. However, Aftercare services is yet to be developed in the state of Mizoram.

2.4. CONCLUSION

It is fairly evident from the review of related research that while some attempts have been made to study the phenomenon in general, not much work seems to have been done to examine the nature and causes of juvenile delinquency. Particularly in a remote and fast developing state of Mizoram, studies of this kind are almost conspicuous by their absence. It is disappointing to note that in this highly literate North-Eastern State, no empirical study has been conducted to investigate the causes of juvenile delinquency and to look into the efficacy of the curative measures provided to the delinquent juveniles. As such, one can hardly find any study probing into the nature of the crimes committed by young boys and girls. The causes for their behaviour which may be the resultant of family and socio-economic background, child rearing practices, drop out from studies as found in many other places. The present study has solicited that the family plays a crucial role in character formation. Lack of smooth and healthy familial relationship begets stress and strain on the part of a young boy or girl and thus generates delinquent propensities. Naturally, family should be the focal point in devising preventive as well as reformatory measures of delinquency. Thus one worthy point to be considered is that as the incidence of delinquency

is increasing so one should not lay for weight either on preventive measures or on reformative measures. Both should go hand in hand. The present study assumes significance as it will examine the nature of crimes committed by the juvenile delinquents and examine the causes for such behaviour. The study also shall highlight the measures taken by the government and other agencies for circumvating the delinquent activities in the state.

CHAPTER III

JUVENILE DELINQUENCY : CONCEPT AND DIMENSIONS

JUVENILE DELINQUENCY : CONCEPT AND DIMENSIONS

3.1. Concept of Delinquency:

Criminal behaviour or tendency to commit crime is not only found among the adults, but minor children and adolescents do commit crimes. Juvenile or young delinquents, minor in age are usually referred to as minors concerned to major problems. The juvenile delinquents deviate seriously from the norms of his culture. Children who are guilty of offences such as stealing, burglary, violence, vagrancy, gambling, sexual offences and other anti - social behaviour are known as juvenile delinquents. The delinquent is one who has failed to internalise the primitive taboos and code of conduct set by the family and society. He has failed to identify with the values of his parents and seeks pleasure at the cost of sacrificing the principles of reality and morality. From a legal point of view, a young man or woman who is referred and convicted by the juvenile court is a juvenile delinquent. They do not extend the designation of the delinquent to those who do not come within the purview of the juvenile court eventhough their behaviour might have been referred in court. If a particular individual starts behaving in a way which is below the normal social standard and behaviour, then he is called a delinquent. Delinquency is a product of social environment and it is a rebellion and an expression of aggression aimed at breaking down or changing the norms. But this rebellion is mostly against the social conditions which deny the individual his basic rights. It is a sign of the frustration of ones' fundamental needs. It is a maladjustment and a sign of a disordered development. The delinquency is considered to be a multifactor phenomena caused by various genetic, physiological, psychological and sociological factors. The International Encyclopaedia of Education defines delinquency as ' law breaking behaviour on the part of those who by virtue of their being young are not yet considered fully responsible for their actions'. Juvenile delinquent or young delinquent is

a child or young [minor in age] who deviates seriously from the norms of his culture or society commits such acts, that if committed by adult would be punishable as crime. Levys [1943] emphasized that delinquency was mainly due to defective parent-child relationship that resulted in inner-psychological disturbance on the part of the child. The sociological school emphasizes situational and environmental factors responsible for behaviour formation and are accounted for crime causation theory. According to the sociological approach social behaviour is not something given in the individual psyche independently of his experience in society but produced in social groups and internalized within the individual as a result of his exposure to the pressures of these groups.

3.2. Delinquency : Certain Theoretical Dimensions

Different theories have been propounded to explain the etiology of juvenile delinquency.

3.2.1 Biological Theories:

The biological approach to the study of criminal behaviour marks the beginning of scientific understanding of the varied forms of criminal behaviour. Lombroso et al (1968) find the roots of criminal behaviour in bodily characteristics such as slanting forehead, large jaws, heavy brows etc. Glueck and Glueck (1950) who examined the relationship between body type and delinquency in their study of 500 institutionalised delinquents and other 500 non-delinquents came to the conclusion that 60 per cent of the delinquent as opposed to 31 per cent of the non-delinquents were mesomorphic. Another biological theory associating physical characteristics with criminal behaviour is the chromosome Theory. Though this abnormality was first discovered in 1961, the theory became popular only after papers were published by

Jacobs et al in Scotland (Reid 1979). According to this theory, a normal human beings males have XY and females have XX chromosomal combination. If a man gets extra Y in addition to XY, he is likely to be gigantic, turn violent and aggressive but the evidences are not conclusive. It may also be mentioned here that in his later works, Lombroso takes into account other factors like climate, race, alcoholism, education, wealth etc in his search for the cause of crime and delinquency. To sum up, the biological theories attempt to explain crime committed by juveniles primarily in terms of factors within the criminal or delinquent, that is, physical, biological etc. Though this approach to the study of juvenile delinquency or crime has been severely criticized, it contributes immensely to the development of scientific approach to the study of criminal behaviour and towards the reforms of the criminal laws.

3.2.2 Psychological Theories:

The psycho-dynamic explanations of juvenile delinquency are mainly derived from the theory of Freud, the father of the psycho-analysis. According to Freud, criminal or juvenile delinquent is one who is suffering from weak ego control over the id and obtaining psychic relief from being caught and punished. His idea was applied by Healy and Browner who emphasised personality and home environment as key factors in delinquent behaviour. Thus, the main principle which deals with juvenile delinquency can be traced to faulty relationship in the family during the first few years of a child's life; these faulty relationships result in inadequate ego and super ego development and these inadequacies in turn make it impossible for a child to control his later delinquent impulses (Finckenauer, 1984).

According to the approach of psychoanalysts, delinquency occurred due to deficiency and failure in the formation of super ego. Mowrer [1961] defined delinquency as moral deficiency because of weak conscience to proper teaching of the child in early years of life. Bandura and

Walters (1959) write that delinquency is the manifestation of the frustrated needs of the child ultimately leading to aggression. Some psychologists hold the views that delinquency is influenced by the activities of the central nervous system. The individuals have genetically - based inability to learn clear responses to secondary situations. The delinquent according to Quay (1965) then would be a person whose misbehaviour is relatively serious legal offences, which is in appropriate to his level of development, is not committed as a result of extremely low intellect and is alien to the culture in which he has been reared'. Merton's theory of anti-social behaviour emphasised that when an individual finds no avenue towards identification his goals, the individual is compelled by circumstances to reach his goal by anti-social methods. Thus delinquency is the result of unsuccessful efforts to achieve goals set by the society. The psycho analytical school highlights the role of unconscious in the individual behaviour. Jenkins [1956] marked two types of behaviour viz. 'adaptive' and 'maladaptive' that would be responsible for delinquency. Levy's [1943] emphasised that delinquency was mainly due to defective parent-child relationship that resulted in inner-psychological disturbance on the part of the child. Erikson [1956] advocates that feeling of insecurity and identity crisis play important role on the youth, these generate delinquent tendencies in his mind. According to Erikson, when a child is deprived of the basic needs he diversifies himself from adult control. Consequently the sociological school emphasizes situational or environmental factors are accounted for crime causation theory. According to the sociological approach social behaviour is not something given in the individual psyche independently of his experience in society but produced in social groups and internalized within the individual as a result of his exposure to the pressures of these groups.

There have also been attempts to explain the relationships between personality and deviant behaviour. Schuessler and Cressey (1950) attempted to measure the differences between personality traits of delinquents and non-delinquents and found that only 42 per cent

showed differences in the case of non-delinquent and the remaining 58 per cent shows no difference. Thus, the study did not produce sufficient evidence to show that personality trait is related to criminality. In his review of the literature Cortes also could not conclude that personality traits cause delinquency. Various studies had also been conducted to show that mental deficiency is related to criminality. While Goddard (1917) found mental deficiency in almost half of all the criminals; Goring (1913) found mental deficiency as the major cause of criminality except in the case of fraud. Thus, it may be stated that mental deficiency may not be directly responsible for the cause of criminality, but it may indirectly lead to deviant behaviour and criminality.

Mental hygienists' view is that delinquency is the expression of an individual's needs. The individual by means of anti-social behaviour attempts to gratify his needs by socially acceptable behaviour. When the individual fails to reach his goal by socially acceptable means because of his incompetence or socio-economic barrier, he attempts to reach the goal by anti-social activities which are termed it as delinquent act. Thus the delinquent behaviour of an individual is symptomatic of his needs, which have not been fulfilled by socially acceptable methods. The adolescent wants to reach his desired goal but may find the barrier insurmountable, and tries to gratify his demand by anti-social means. Juvenile delinquency constitutes a serious deviation from norms of any real change in the extend to which the relevant behaviour is occurring with the change of time, systems and pattern of culture are fast changing. Thus different nature under different culture define delinquency differently. The figure that appear in official statistics reflect not only what young people are doing but also the legal provisions in force, the activity of law enforcing agencies, and the organisation of the juvenile justice system. This makes it extremely difficult to compare the situation in different countries. Not only thus the actual coverage, in terms of acts prohibition differs from country to country but so does the age range of offenders who are seen as juvenile.

It is very difficult to reach unanimity regarding the definition of the term delinquency because the term is an umbrella for a wide variety of society disapproved behaviour that varies with the time, place and cultural variance in socio-economic and political conditions of a country. Every society prescribes a set of norms which it expects that all its members should follow, but those who violate the social norms and behave in anti-social manner are called delinquents under different names. Criminal and delinquent acts are anti-social conducts that violate established laws and varies with time and place. Thus by reasonable inference, it is unlikely that some form of behaviour in different countries or at different times which in the other case is not. There is no uniformity in defining the phenomenon of delinquency. There is no definite or fixed criteria to distinguish delinquent acts from non-delinquents. It is not possible to coin a definition which fits all cultures at all times. The factors that affect young adolescents also varies from place to place and time to time. Therefore, as there are variations in all aspects, it is difficult to have a proper fixed criteria. It may vary depending on the particular environment of the locality at present situation within the limits of the socio-cultural pattern and political set up. In our civilization, adultery is an anti-social act, but it would be inhospitable for an Eskimo to refuse to share wife with the guest. Treason, murder, incest and theft are almost universal crimes, but there are exceptions even in these regards. Killing and head hunting are crimes and against the laws of India but there were times when these kind of activities were only essential role and a sign of heroism and loyalty. According to religious view, in the general exercise of free will, man will seek pleasure and avoid pain. Seeking pleasure sometimes lead to delinquency. Delinquency refers to the behaviour which is not within the range of the culturally permissible, either at home, in the school, or in the community. The delinquent children creates problems in schools, destructive, quarrelsome and socially immature. They seek undesirable companions or be isolated become socially maladjusted, and drop out of schools.

Delinquents are mentally deficient that they have defective physique and defective intelligent [Lambroso 1968]. Some studies assert that the delinquents are not mental defective but are rather dull. Burt considered that the average I.Q. of delinquents was about 85. Merrill and Healey et al (1947) give figures of the average I.Q. ranging from 80-90. In a study conducted by the writer of 140 juvenile delinquents in the District Jail in Delhi, the average I.Q. of the group was found to be 83 ranging from 40-142 and a large majority of them fell between 70-90 I.Q.

Cavan [1968] defined a delinquent as ‘ only child or youth whose conduct deviates sufficiently from normal social usage to want his being considered a menace to himself, to his future interest, or to society itself. According to Burt [1925], ‘a child is to be regarded as technically delinquent when his anti-social tendencies appears so grave that he becomes or ought to become the subject of official attention.’ A delinquent child has repeated conflict with his siblings, parents, classmates, teachers and community. Parents call him a bad boy, teachers call him incorrigible, social workers say he is socially maladjusted. Psychiatrist and Psychologist may say he is emotionally disturbed. And if he comes in conflict with the law, the judge designate him delinquent.

3.2.3. Sociological Theories: The approaches that have been discussed earlier have focussed attention on the biological, psychological and other characteristics of the offenders to explain the causes of delinquent behaviour. The sociological theories attempt to explain the phenomenon of delinquent behaviour with reference to factors outside the personality of the delinquents. These are

3.2.3.1 Cultural Deviance Theory: The ecological studies conducted by Shaw and Mc Kay (1942) in Chicago reveal that the causes of delinquency are to be found in kinds of social condition and not the kind of people who live there. Rapid social change associated

with industrialization, urbanization, and immigration produce social disorganization which, in turn deteriorated the inner city neighborhood (Waegel, 1989). People who migrated to this industrial centre from rural areas with rural background and cultural setting couldn't adjust themselves to the new conditions of urban industrial life. Parents had to work long hours for low wages, having no time to attend to their children. Under these conditions, parents were unable to exert control over their children and many juveniles turned to delinquent ways of life.

According to Miller (1958) the lower class has a distinctive culture of its own. The lower class has certain "focal concerns" such as trouble, toughness, smartness, excitement, fate and autonomy. The street corner gang in their attempt to retain these focal concerns produce behaviour which may be regarded deviant behaviour. The six "focal concerns" which characterize the lower class way of life may be explained briefly here. (1) Trouble: Getting into and saying out a trouble, on the one hand, involves behaviour which include fighting, drinking, having sexual adventure and on the other hand, it means getting status in the peer's group or in the gang; (2) Toughness: It includes physical prowess, bravado and masculinity; (3) Smartness: This means the skill to outsmart the other fellow and the ability to keep oneself from being duped; (4) Excitement: This consists of seeking excitement through drinking, gambling and sexual adventuring, (5) Fate: This refers to a belief that one's life is guided by force over which man has little control. For example, winning or losing is attributed to destiny and not to their personal efforts; and (6) Autonomy: This means rejection of external control.

The main cause of delinquency is due to social disorganisation and the physical environment. It must, therefore, be recognized that social and physical environment as a powerful factor in the development of juvenile delinquency.

3.2.3.2 Strain Theories: Strain means frustration and discontent. Strain occurs when the society prohibits opportunities to achieve some goals or status in conventional ways. Durkheim (1964) used the term anomie to refer to a social condition in which normlessness prevails. According to him, anomie is likely to occur during period of rapid social change, when traditional norms have not been effective in regulating human conduct and when new modes have not yet been accepted. Merton (1938) elaborated and made anomie the central feature of the strain theory of crime. According to him, it is the social structure which produces a strain toward anomie and deviant behaviour. According to Cressey (1983) "Delinquent gangs are above all, important agencies for diffusion of the values that make up delinquent sub-cultures. The lower class youths reject the middle class virtues and values, and found the solution for their problem in the delinquency of the sub-culture of the gang. Some children of the lower class are denied status in the respectable society on the ground that they are unable to meet the criteria of the high status level. The delinquent sub-culture gives to the lower class status which was denied to them in the middle class world. Delinquent subculture is thus a logical response to their frustration. It is a way of dealing with the problem of adjustment which are mainly status problems. It can thus be stated that delinquency is a lower class phenomenon which is due to the dissatisfaction of the lower class children in their way of life.

Thrasher (1960) in his studies of juvenile delinquency focussed attention on the groups to which the delinquents belonged. He found the gang in what he called 'poverty belt' which is characterized by deteriorating neighbourhood, shifting population and high mobility. Thus, poverty and lower class may not necessarily cause delinquency, but their influence can directly lead to formation of juvenile gangs. The chances of formation of juvenile gangs are higher in areas inhabited largely by lower class people compared to neighbourhood of predominantly middle class socio-economic status.

3.2.3.3 Differential Association Theory: Sutherland (1939) believes that delinquency is learned while interaction with other people. His theory consists of nine postulates which may be summarized as: (1) Criminal behaviour is mainly learned (2) Criminal behaviour is learned in interaction with other persons in a process of communication (3) Criminal behaviour is mainly learned within intimate personal groups (4) when criminal behaviour is learned, the learning includes (a) techniques of committing the crime, which are sometimes very complicated and, sometimes very simple and (b) the specific direction of motives, drives, rationalization, and attitudes (5) the specific direction of motives and drives is learned from definitions of the legal codes as favourable or unfavourable (6) a person becomes delinquent because of an excess of definitions favourable to violation of law over definitions unfavourable to violation of law (7) the theory may vary in frequency duration, priority and intensity (8) the process of learning criminal behaviour by association with criminal and anti criminal patterns involves all of the mechanisms that are involved in any other learning and (9) while criminal behaviour is an expression of general needs and values, it is not explained by those general needs and values, since non-criminal behaviour is an expression of the same needs and values.

3.2.3. Control Theories: According to control theory, delinquency occurs when the natural tendency towards violation of law is not held in check. Control theory consists of Containment Theory of Reckless (1961), which emphasizes weak inner control as an explanation for the cause of juvenile delinquency. Sykes and Matza (1957) also developed control theory known as Neutralization Theory for the explanation of the juvenile delinquency. They enumerated five major strategies people use to avoid self blame and blame from others. The strategies known as techniques of neutralization are: (1) denial of injury (2) denial of the victim (3) denial of responsibility (4) condemnation of the condemners and (5) appeal to higher loyalties (Bartol and Bartol, 1989). Matza (1964) also developed "Drift Theory" which states that

juveniles engage in delinquent acts because their normal attachment to conventional forms is temporarily suspended by neutralization techniques. Hirschi's (1969) theory of social control known as "Social Bond Theory" emphasises weak ties between individual, conventional persons and institutions. Social Bond Theory is based on four basic elements: (1) attachment to parents, teachers and peers (2) commitment to conventional lines of activity like school activities (3) involvement refers to participation in conventional activities, such as, studying school works, joining boy scouts or church groups (4) belief means acceptance of the legitimacy and morality of the social rules and laws. In short, the theory states that the more a person or juvenile is bonded to the conventional society, the less he will be inclined to violate norms or commit a crime. It may be reiterated that the biological and psychological approaches to the study of juvenile delinquency attempt to explain the cause of delinquency primarily in terms of factors within the delinquents. Thus the biological, mental and other characteristics of the offenders are considered as the main factors in causing deviant behaviour in children. In contrast to biological and psychological explanations, the sociological approach provides explanations of juvenile delinquents. From the above discussion, it is clear that there can be no single theory to explain all the causes of juvenile delinquency. For example, various types of offences including thefts, murder and rape have different kinds of motives and all of them could not be explained by the same theory.

3.3. Nature of Delinquency:

The juvenile offences include stealing, burglary and arson, murder and suicide, gambling, assault and rape, sedomy and so on. The delinquent children roughly fall into two distinct groups. One group consists of delinquents who are energetic, active, restless etc. The second group consists of those juveniles who are generally shy, quiet, vindictive and highly selfish.

A juvenile delinquent is a minor but with a major problem and shall turn into a criminal if not handled properly. With the rapid social changes arising out of urbanization, industrialization, migration of rural masses to cities and towns, urbanization and consequences of social disorganization, delinquency is rising in all the developing countries like India. There is rebellion against the existing authority etc. Of course, not all are guilty of delinquent acts but number of crimes and delinquencies are increasing day by day. The crimes committed by the young students (student delinquency) inside the educational institutions against its laws, norms and outside are also on the rise. There are cognizable as well as non-cognizable offences committed by the school juveniles. Teenagers and youth are becoming more and problematic. Authorities, parents and teachers, who are interested in social welfare and responsible for shaping the personality of younger generation are faced with the phenomenon of delinquency. It is high time to take appropriate measures to check it. Students and youth unrest, their mal-practices, mal-adjustment, damage to public property, destruction to the welfare of peace of humanity are increasing making alarm to the authority. These delinquents become aimless, ill-adjusted, but stimulated to aggression, leading to hostility and rebellions against parents, teachers and other authority for the satisfaction of their urges and needs. They not only create trouble, and difficulties for others but blocks their own wholesome growth. They becomes rebellious to protect their own integrity and attack the threatening situation either by escape by taking revenge.

3.4. Type of Delinquency:

Delinquents can be classified as the extrovert and introvert. The extroverts are open, adventurous and uninhibited. The introverts are open, adventurous and uninhibited. The introvert are schemy, silent, repressed and cautious type. Extrovert became hardened

with punishment and are cured by love. Introvert are not so easily controllable, curable or divertable. Delinquent behaviour covers a wide range from murder to defying one's parents, from armed robbery to petty pilfering. Most instances of delinquency, however, seem to fall into four main categories; theft, violence towards property, controvention of status laws and unruly behaviour in groups, which has a high nuisance value for fellow citizens and which may appear menacing because of the noise and physical activities involved. It is possible to classify delinquents according to the offences. Some offences are found to be more in incidence than others. It is sometimes estimated that stealing, pilfering and burglary are the commonest of all the crimes. The delinquent acts may be classified as follows :

1. Acquisitive tendency:

Delinquent among the adolescents can be connected with the aim of satisfying acquisitive tendency and can be grouped as follows : Stealing, Robbery, Pilfering, Ordinary theft, Cattle theft, Drinking and Intoxication.

2. Forgery

Another delinquent form is forgery. Adolescents commit forgery of several types. They may forge the signatures of their parents and authorities cheating them.

3. Aggressive tendency

Many juvenile offences are due to aggressive tendencies in adolescent life. The aggression may be against intimate or animate objects of the environments. The mode of attack may be physical aggression or by less direct

method of mental cruelty such as : Damaging school/college property, Fighting, Bullying and Mockery, Cruelty, Torturing, Murder, Committing suicide, Dacoity, Destruction, House breaking, Violence, Riots, Assault and Man slaughter

4. The Sex delinquency:

Adolescents may also indulge in sex delinquencies as : Homo-sexuality / Sodomy, Exhibitionism, Making sexual suggestion, Sexual offences, Corruption by talk, Bestiality, Obscene drawing and writing, Kidnapping, Prostitution and Abducting and raping

5. Tendency to Escape

Truancy from School

Running away from home

Aimless wandering

Vagrancy

Non-support or neglect

Disobedient to parents or authority

For legal labelling, the persons between the age group of 7-18 who violate the provisions of the Children's Act, the Indian Penal Code [IPC] and the Criminal Procedure Code [Cr.PC] are considered as juvenile delinquents and the act of violation committed by the delinquents is called delinquency. The individuals between the age group of 18-21 who violate the provisions of IPC and Cr.PC are midway between criminals and delinquents and

are labelled as 'Young' or 'Youthful' offenders when convicted. After trial by the court, they are sent either to institutions or Borstal school or to prison depending on the seriousness or nature of the offence.

In a study of large group of delinquents, Ross (1954) encountered a type of lower-class delinquent youth who tended to become a stable family and who did appear particularly, troubled emotionally Ross found another type of lower-class delinquents who are not likely to be described as emotionally normal. This type, with the defective super ego delinquent, was apt to come from a lower-class background, and are not likely to be described as emotionally normal. This sort of boy typically grew up in a very unstable family marked by divorce, desertion, alcoholism and consistent lack of nurturance. In gang robberies and pocket-picking, young boys are invariably involved. Adult criminals keep a watch on young boys, drew them towards themselves initially, talking to them pleasantly, then tempt them with luxurios of life over a period of time ranging from three to six months, before training them in their trade. In house breaking, children are let through windows by removing a bar or two and are asked to open the main door inside to gain easy entry and easy escape. For carrying illicit liquour also young boys are often arrested. The adult criminals can influence their parents to pay seizable amount to bail them out or defend them through lawyers and get them released. In the Indian context both police and judiciary are very lenient towards offences committed by children and women. Delinquency tends to be a shared experience for both males and females.

3.5. Characteristics of Delinquents:

A number of characteristics have been observed on juvenile delinquents. A delinquent is a child who seiously or persistently misbehaves with cruel ways and indulged in riots in

playground, destroys school materials or properties and even projects temper tantrums in classroom. They have a feeling that they do not belong to the class or school and often stop going to school. According to Kvaraceus [1959], delinquency prone children show certain characteristics in school. The delinquents resent school routine and restrictions, dislike and are not interested in school programmes. The child fails in a number of subjects and repeats one or more grades. Frequent change of schools was also observed for the delinquent student. They intend to leave school as soon as possible. With limited academic ability, delinquents have vague academic and vocational plans.

3.6. Causative Factors

There has been a rising trend in the delinquent activities among the youth. This had become a problem faced by every society everywhere in the world. It is a complex social problem that has been vexing parents, teachers, social members and legal authorities alike. The growing incidents of delinquency are causing concern to every sensible citizen and caused great concern to the social scientists as well as reformers of different societies. The causative factors of juvenile delinquency may be many. That is why a comprehensive study of delinquency is essential in order to control the crime. Even a few decades ago, delinquent behaviour was not so common as it is today. Delinquency is a phenomenon effected by the growth of population. Tremendous increase in population in recent years bringing in its diverse social problems like congested living, erosion of age old values and growing unemployment among the youths has created in them a sense of aimlessness, helplessness and frustration. The recent spurt in delinquency may be a consequence of emotional upheaval of restlessness, of being unable to hold anything for certain by the young and the adolescent in the society. Delinquent acts are nothing but the manifestations of protest against the social order to which

the adolescents of today are unable to adjust. Delinquent behaviour in itself is the symptom of a deep malaise of a society. If left untreated, it will corrupt the whole social fabric. The youth today live in a world of crisis. Their hopes and aspirations, desires and demands seek fulfillment in ways which the older generation finds difficult to approve. The conflict that give rise to aggressive behaviour in the youth from which emanates the adolescents' desire to defy the existing social order to break all social norms. This leads youths towards social maladjustment. This is the reason why psychologists now consider adolescents socially maladjusted.

Juvenile delinquents usually tend to hail from broken homes, homes which are emotionally disturbed over the conditions of their lives. The children, who are slow in learning become frustrated with the requirements of the school and so on. In order to understand the nature of delinquents, it is necessary to discuss some of the factors associated with their behaviour deviations. This would enable to adopt social, emotional and educational programme for their control, rehabilitation and welfare.

The child who is played in a situation that does not satisfy their drives and motives lead to abnormal reactions with the prevailing environment as fighting, regressing, showing temper tantrums, etc. Shankar [1984] stated that "He is still forced down as a child as the parents or other superiors in the home thwart the adolescent desires of emancipation from the dependency of childhood, the child is frustrated and the conflicts lead to aggression, rebellion and anti-social acts. In this period when he feels independence of thought and action, has new outlook, and belief, which are often contrary to the social conventions, he comes in dash with the elders and is ill-adjusted." The situation in adolescence, in the words of Dollard et al [1939], " his sphere of activities is circumscribed, his efforts to assert himself are suppressed,

his positions are definitely limited, his economic independence is not tolerated, his status as an adult is unrecognised and many of the restrictions of his childhood remains in force. Since frustration stimulates aggression and as the adolescent feels many frustrations, he is likely to show greater degree of aggressive behaviour". The young offenders mostly begin their criminal activities in early adolescence which being an undeterminate stage of psychological development, presents various conflicting impulses and desires which make the difficulty for the youth in social adjustment very acute and that is why adjustment occurs at this period of adolescence than at any other time in the developmental history of the individual. It has been observed that internal factors in terms of unconscious motives as a cause of delinquency. Though the boy was brought up in a healthy social environment, he manifests anti-social activities like stealing, destructiveness, truancy and wandering. Psychoanalysis revealed that the delinquent had fixation in the oral and oedipal phase of psycho-sexual development. Several of these studies point out multiple causes, rather than any single cause for delinquency.

In contrast to the delinquency which is generated by a given sub-culture, much delinquency is an outgrowth of individual predicaments which might arise in any culture. Delinquency may be a form of problem - solving behaviour or a response to cumulative frustrations. Many delinquents are emotionally disturbed or have personality disorders (Glueck and Glueck 1940) which would make life a burden to them and to others even if they did not violate the law. However, most delinquents are emotionally disturbed children. They can openly express their aggressive impulses. In this respect, they have more of the vital spark and are more venturesome than disturbed youngsters who are entirely withdrawn and eventually are classified as mentally ill. Jersild (1978) found that delinquent acts frequently are aggressive acts springing from frustrations. All children however, meet innumerable frustrations without officially becoming delinquents. Many studies in the field of delinquency report low intelligence as related

to crime. Individuals with low intelligence are not able to understand social mores and cannot conform to them. They are also easily led away by adult criminals. Among girls, sex delinquency is an important category in which low intelligence becomes more suggestible. It is reported that five percent delinquents are mentally retarded. There are studies which report delinquents to be high in neuroticism and psychoticism [Shanmugam 1975]. The delinquent act in the case of individuals with neuroticism may take the form of compulsive act. Delinquency associated with psychoticism has a long history of stress and consequent emotional disturbance which express itself in violent outburst. Personality inventories and clinical observations indicate that delinquent and criminals are somewhat more neurotic than the general population, but the differences are not marked significantly.

Bengalee [1975] studied maladjustment among juveniles in Bombay observed that maladjustment was greater among boys than girls. About 50.9 % were socially maladjusted children due to low intellectual conditions showed considerably more symptoms of depression, hostility towards parents, and emotional tensions. The physically handicapped were more introvert and had neuroticism. According to the teachers' estimate, the maladjusted children were nervous, aggressive, and showed symptoms of psychosomatic nature. As for the home conditions, it was revealed that material deprivation was more likely to have ill effects. Under achievement occurred more frequently among children who have emotional problems and those who came from low socio-economic backgrounds and also from immigrant families. Booz [1968] made an intensive case study of juvenile delinquents and found to have more fantasies, Kalique [1966] found step children to be characterised by a greater amount of insecurity feeling and anxiety than children with mothers.

In the delinquent character, the ego or the self becomes weak and insignificant. It is mostly governed by the 'pleasure principle' or the momentary pleasure seeking impulses. The ego has to decide which of the impulses can find expression and it is to be guided and supported in his decision by the conscience or the super-ego. But since the system of values or the conscience of the potential delinquent is still in the rebellious and weak state due to lack of proper identification with weak and inconsistent parents, it has not acquired enough independence and strength to put a check on the impulse, the impulse have the upper hand. The weakness of the ego is also enhanced due to lack of sublimation in intellectual or social activities and the super-ego being inadequate gives no support to the ego. The result is that if the persons in authority are absent and if there is no outside forbidding force, the delinquent, find no checking force outside and having no inside restriction, is driven to committing the offence. Thus according to Friedlander (1967), the delinquent character formation, which finds itself unable to withstand and control impulses regardless of the consequences, results from three factors viz., the strength of unmodified instinctive urges, the weakness of the ego and the lack of independence and strength of the super-ego. But certain delinquencies are found to be neurotic symptoms, arising from the frustration of erotic impulses. Some delinquents are unstable psychotic individuals whose difficulties and delinquent behaviour are largely due to unconscious sexual problems. The psychoanalysts [Pearson 1956] attribute kleptomania and hence stealing in women, to an unconscious or repressed wish to possess the penis and arson or interest in destruction and flames, to the fixation to the anal and urethral stages of libidinal development. Shankar (1984) stated that with very strict, rigid and dominating parent or the super-ego of the child at first glance is good, polite, courteous, obedient and dependable but deeper still he is troubled, shy and rebellious.

His ego does not allow to develop and is very weak to check the upsurge of repressed and suppressed impulses, which find overt expression, though in a concealed and distorted form of neurotic symptoms, also, the super - ego, being too strict does not approve of their free and direct gratification.

The central Psycho-analytic proposition about delinquency is that the adolescent withdraws the erotic attachment from the parents and re-establish them with extra familial peers. In the transition entailed by this requirement the adolescent is especially prone to act for several reasons. According to Spiegel [1951] diminished attachments to parents weaken the internalised social control that has been established. In psycho-analytic terms, withdrawal of cathexis from psychological representatives of the parents weakens the force of the super-ego. This leaves the individual more free to express forbidden wishes of behaviour. According to Blos [1962] psychic disengagement from internalised objects of love and hate is experienced as a severe deprivation of stimulation, emotions are flattened and the fantasy of life is impoverished.

(i) Psycho-social factor

Psycho-social factors responsible for juvenile delinquency may be categorised into : early home experience and the social and economic aspects of the child' environment. Early home experience means certain unpleasant experiences faced by the child at home during his early childhood which leads to the deviation of behaviour. The second aspect of psycho-social factor is related to the poor social and economic life of the child which would lead to the practice of anti-social elements.

(ii) Physiological factor

In analysing the physiological factor, brain damage is considered to be the cause of delinquency. Brain damage may result from poor parental care, a difficult delivery, inadequate post-natal care, infant malnutrition and due to infections and diseases.

(iii) Learning disability

The delinquents are mostly drop outs of the school. Critchley [1964], a British authority in reading and language disorders, found 75 percent of the delinquents he studied, to be functionally illiterates. It is therefore, understood that learning disability may be one of the factors of delinquency. Those children are found to be slow learners, emotionally disturbed, mildly retarded and other belong to minority group.

3.6.1 Family Size and Birth Order :

Family size means the number of siblings in a family and Birth order refers to the ordinal position in the birth sequence among the siblings. Research findings reveal that family size and birth order are related to juvenile delinquency. Glueck and Glueck (1950) observed that compared to non-delinquent group, delinquent group was more likely to come from large families. This finding is further supported by Hirschi (1969) from his study of juvenile delinquency as children from large families are more likely than children from small families to have committed delinquent acts. Similar findings have been reported by West and Farrington (1973), Ernst and Angst (1983). On the other hand, Sarkar (1987) in his study of relation between size of family and delinquency found that medium size families are responsible for the causes of delinquency. Sharma (1989) reported that 80 per cent of the delinquent children come from large families consisting of 6 to 14 members of the household. The research evidence indicate that more delinquents are likely to come from larger families than from smaller.

3.6.2 Broken Home :

Broken home may be defined as a family where at least one parent is absent. This absence may be due to divorce, death or desertion. It is, thus, a family where only one parent is present. Many researchers use the term 'single parent' for broken home (Barker, 1987). Dornbusch, et al (1985) in their study of 'Single parents' extended household and control of adolescent found that the proportion of delinquency among the mother only household was greater than with the two natural parents even when social class and income were taken into account. The study also reveals that the finding was true not only for female but also for father only household. In the case of mother only household the presence of second adult could reduce the chances of delinquency. Adult may be anyone, grand mother, friend, aunt (other than step father). Juveniles living with step fathers are found to engage in delinquency in as much as those living with only mother. Presence of step-father also produces stronger negative impact on male than female juveniles. Steinberg (1987) in his Self Survey of 65 Adolescents in Modison and Wisconsin found that those living in step-parent families were as much at risk of becoming delinquents as their peers living in single parent family. Shukla (1977) in his study found that home structure and material facilities are related to delinquency. Pathak (1967) concluded from his study of "Social Background of the Delinquent Child" that the social and cultural background of the juveniles are the main causes of juvenile delinquency. Home condition, thus, plays an important part in the development of juvenile delinquency. Hence, children living in homes with both natural parents are much less likely to become involved in delinquent behaviour than children from broken homes.

In a broken family, a child is deprived of his basic needs to be loved, recognised and understood. Failure to meet these basic needs often result in dissatisfaction and violence in the child. The development of a child's personality is, thus, greatly moulded by what he learns during his early life.

3.6.3 Marital Conflict :

Marital conflict within the family also contributes to the causes of juvenile delinquency. Emery (1982) and Gove and Crutchfield (1982) concluded after conducting extensive literature reviews that it is parental conflict in the family rather than separation per se which results in delinquency. According to Chokalingam (1984) “the home conditions, particularly lack of harmonious relations between the parents gains importance in the normal development of the personality of the children”. Srivastava (1963) found that out of 123 cases, 94 cases are from families where parent engaged in regular quarrels. Sharma (1989) also states that parents’ quarrels or marital conflict play significant part in causing delinquent behaviour among the children.

Marital conflicts may occur due to disagreement of the married partners over basic goals or values. In a family where there is marital conflict, the child does not know what to do and which side to take. If the child takes the side of one parent, another parent may resent it. In this situation, it is very difficult for the child to stay close and show affection to both parents. Conflicting parent thus make home life distressing and create anti-social attitudes in the minds of the children. The child finds home life unattractive and miserable. Unless the child finds happiness and enjoys the home life, he tries to seek satisfaction outside the home. This attitude of the child results in run away from home etc. He may gradually expose himself to indecent film shows, gang influence, and lure of easy life. In this way, the conflicting parents model their children the ways of deviant behaviour. In short, the development of the child’s personality is greatly influenced by the family in which he lives. Marital conflict in the family often causes juvenile delinquency.

3.6.4 Faulty Parental Discipline and Supervision :

Family is the first training centre for the child. Faulty parental discipline and supervision may often cause delinquency among the children. According to Quay (1987) "Poor and erratic discipline practices contribute both directly and indirectly to the development of delinquent behaviour. Parents may contribute directly to the anti-social behaviour by failing adequately and consistently to label, track, and check delinquent behaviour, and by modelling and reinforcing aggressive anti-social modes of behaviour. Both in terms of opportunities and consequences the family provides the training ground for the child to become skilled in the use of coercive modes of dealing with other people. The resulting high frequency performance of anti-school aggressive behaviour contributes to delinquency directly by increasing the likelihood of rejection by normal peers and association with aggressive anti-social peers". According to Healy and Bonner (1926) 40 percent of their samples of 4000 juvenile delinquents came from homes where the parents did not exercise even a minimum amount of discipline. McCord and McCord (1975) in their study of the effects of parental role model found that (1) Boys reared by parent both of whom were loving were generally no criminal (2) Boys reared in families where only one parent was loving were strongly affected both by methods of discipline and by the parental role model (3) In families where neither parents was loving, the crime rate reached a high level regardless of the parental model and (4) Among subjects whose discipline has not been consistent, parental affection seemed to have a stronger influence on criminality. Wilson (1980) also found that parents who lacked in discipline and supervision were more likely to have delinquent children than those who were strict in discipline.

Sarkar (1987) stated from his study of the relation between discipline of father and delinquency that punitive type of discipline often causes juvenile delinquency. Thus, if the

parents were criminals, there is every chance that the children in most cases, turn out to be criminals or delinquents. It is because criminal parents failed to maintain proper control and supervision of their children. Harsh punishment may also turn the child to be more aggressive and violent. Similarly, lack in discipline may also cause delinquency. Some parents used to give their children more than enough to buy their daily needs. In this way, they unknowingly help their children to love money. Some parents also encourage their children to steal because of poverty, ignorance or as a profession. While some parents do too many things for their children, others do too little depriving them to the guidance they needed. Thus, in a family where there is strict supervision and constant love from the parents, the chance of delinquency is minimum. Contrary to this, where there is no parental love and proper supervision children are likely to become delinquents.

3.6.5 Economic Causes :

Study to the causes of criminal behaviour in terms of economic condition can be traced back to the writing of Marx. Marx believed that private ownership of property results in poverty and it distinguishes those who own the means of production from those whom they exploited for their economic benefits. As a result of their poverty, the exploited turn to crime. According to this view, economic system was the basic cause of crime and delinquency. The pioneer in the study of correlation between poverty and delinquency was an Italian Fornasari di Verce (Teeters and Reinemann, 1952). He pointed out that the poor class of Italy amounting to 60 percent of the total population contributed 85 to 90 percent of the convicted criminals. Burt (1938) in his studies came to the conclusion that over half of the total amount of juvenile delinquency of London came from poor and very poor families. Studies conducted in India also show similar findings. Sheth (1961) in her study of economic basis of delinquency, reveals poor economic

conditions as the main causes of delinquency. Shukla (1977) stated that poor economic conditions of the families were found related to delinquency. In India, where majority of the people live in poverty, delinquency is closely connected with poverty. An analysis of the statistics available with the national crime records bureau revealed that in the year 1991, 60.45 per cent of the juvenile delinquents came from the income group of below Rs. 501 per month, followed by the income group of Rs.501 to 1000 per annum (22.88%). This trend is an indication of the fact that poor economic condition contributes to the problem of juvenile delinquency. (Government of India,1991). Economic factors play a vital role in causing juvenile delinquency even in the state of Mizoram. The poor children see everyday the life of the rich people which they could not afford. Their inability to have certain amenity which they thought they deserve often cause children to resort to delinquent acts. Poverty may also cause undernourishment and poor physical health which, in turn, may also lead to lowered resistance to the temptations that confront them. Being human beings, their thoughts turn to self pity or envy. These feelings often result in frustration and bitterness which may lead to deviant behaviour.

3.6.6 Slum Neighbourhood :

Slum neighbourhood provides a good ground for the growth of juvenile delinquency. No juvenile is born delinquent and , thus, delinquent behaviour is learnt. In her study of disadvantaged inner city families in Britain, Wilson (1975) found that 62 per cent of the delinquent children came from 16 per cent of the families. Farington et al (1975) also found that 4 per cent of the families from a working class neighbourhood in London produced 47 per cent of the convicted delinquents. According to Basu (1984) the gambling, smoking, vagrancy, truancy, indecent film show, pornographic literature, immoral, and indecent way of life of the neighbours are the factors which promote delinquency. Battacharya (1976) states that deviant behaviour of a youth is often the reflection of his surrounding.

As delinquent behaviour is acquired while interaction with others, children could easily learn and imitate the way of life of those who indulged in gambling, crime etc. From the above, it appears that the children are exposed to different kinds of anti-social activities in the neighbourhood and once a child is lured by anti-social behaviour, it is very difficult to come out of it. Slum neighbourhood is, therefore, an important factor in the causation of delinquency.

3.6.7 Urbanization and Industrialization :

Urbanization and industrialization have been considered important factors in stimulating crime and delinquency. According to Singh and Khan (1983) (a) the process of urbanization stimulates the incidence of crime (b) the magnitude of the rate of urban growth in a geo-political unit finds to influence the nature and extent of crime in the constituent areas (c) a state having a high urban growth rate is likely to face a spurt in violent crimes and a state with lower urban growth in property offences and (d) while urbanization escalates violence it may lower the incidence of property offences. The urban growth has been greatly stimulated by the new method of production and is associated with industrial revolution. The factory system required a concentrated population rather than dispersed one. For the hope of getting jobs and of high wages in the new factories, many people abandoned their rural jobs and moved to the industrial centres. Immigration produced not only a great population, but also a population having diverse cultural background. They brought with them a language, a culture and a religious traditions different from those of established groups in the industrial centres (Waegel, 1989). Majority of these immigrants were poor and had only little formal education. Many workers in the industrial centres had work very hard to earn their daily bread. They had to work away from home and come back late at night. There is little time for them to teach their children the good way of life or to exert control over them. Under this condition, the children are free and may get into bad

companionship leading to delinquent behaviour. Friday and Hage (1976) state that increase in juvenile delinquency is due to industrialization in many countries of the world. Sheth (1961) from her study of 400 offenders and 180 non-offenders in Greater Bombay, Ahmedabad and Poona concluded that with rapid social change the coincidence of delinquency tend to increase. Industrialization entails residential mobility, workers particularly skilled, trained or professional are constantly on the move to get better and different jobs. High residential mobility lessens neighbourhood stability which is also considered an important factor for informal control of delinquent activity. In view of the above, it may rightly be stated that urbanization and industrialization are factors causing juvenile delinquency. In addition to the causes mentioned above, other factors, namely, social class, mass media, school etc. breed delinquency in one or the other way. The statistic on juvenile delinquency in India reveals that the lower the social class the greater is the likelihood of involvement in delinquent behaviour. Increased exposure to violence in television, video, cinema and pronographic literature also cause delinquency.

3.7 Rehabilitation and Remedial Measures

The Juvenile Justice Act contemplates three types of institutions such as: (1) Juvenile home which is intended for the reception of neglected juveniles (2) special homes which is meant for the reception of delinquent juveniles and (3) observation homes for juveniles and delinquent juveniles which are established for the temporary reception of juveniles during the pendency of any inquiry regarding them under this Act. "The professed purpose of institutions under the Children Acts is to provide for a protective and rehabilitative umdrella to chidren in conflict with law, as also for those found in situations of social maladjustment and vulnerability to crime. The more vocalized purposes of using the institutional apparatus of delinquency control are to provide for the care, protection, maintenance, welfare, training,

education rehabilitation and aftercare of delinquent children, as also for those living in situations of social marginality. The institutions are mainly intended to act as reformatories where the delinquent and the distressed children could be trained and prepared for a productive future.” (Srivastava,1989). From the above, it is abundantly clear that the Juveniles have to be looked after well in the institutions and should be given not only accomodation and maintenance but also care for their physical, educational and moral needs.

The first institution specifically created for the purpose of corrections of delinquent youths was Hospice of San Michele. It was opened by Pope Clement XI in 1703 in Rome. Youth below twenty years of age who were incorrigible and those who had been found to have committed offences by the Court were housed in this institution. The main aim of the institution was to teach them discipline as well as atrade. Discipline in the institution was very strict and severe (Teeters and Reinemann,1952). In Britain, the pioneer group to work for the unfortunate juveniles was the Philanthropic Society of London founded in 1788. In the United States, concern about the imprisonment of children along with the adults led to the creation of House of Refuge in New York in 1825. This was quickly followed by the Boston House of Reformation in 1826 and the Philadelphia House of Refuge in 1828. The first reformation school, the Lyman School for Boys was started in 1846 in Massachusset, followed by the Maine Boys Training School and the New York State Agricultural and Industrial Shool in 1853 and 1859 respectively. In the United States, most of the States had established Juvenile Training facility by the year 1900.

In India, the idea of juvenile correction was not known until the mid-nineteenth century. Juveniles were committed to adult penal institutions or jails even on minor offences. Only at the beginning of the twentieth century the need to separate juvenile offenders from

the adult offenders had been realised. The Indian Jails Committee (1919-20) criticized this method of treatment and laid the foundation of Juvenile Correction System in the country. Madras, Bengal and Bombay were the first three states to pass Children Acts in the country. The Central Children Act 1960 provided for the establishment of approved schools, Certified school or Special schools for the delinquent juvenile and children home or Fit persons Institutions for the non-delinquent juveniles like destitutes and orphans. The Juvenile Justice Act 1986 also provided more or less the same type of institutional facilities.

Juvenile institution may exist with different names in different parts of the world but the main aim and objectives of the institutions are the same, that is, to correct the delinquent. In the United States, adjudicated delinquents are sent to the training schools, Mental hospitals, Group Homes, Community based day treatment programme. Community based secured facility etc. While some institutions like training schools maintain high security levels, others function at lower security levels which provide a cottage type institution (Waegel,1989). In England, there are also different types of institutions dealing with juvenile delinquents. The juvenile institutions where the child or young persons are committed include (1) Probation Home (2) Remand Home (3) Approved Schools (4) Detention Centre (5) Probation Hostel (6) Attendance Centre and (7) Local authority as a “fit person” which may again send to a children Home (Attar, 1964).

There are also a number of institutions dealing with the problems of juvenile delinquency in the country. According to Singh (1993), all the institutions under the states are non-penal correctional institutions. These institutions blend control, protection, treatment, and rehabilitation in their programmes. In India there are three principal types of institutions:(i) government - run institutions (ii) semi-government institutions and (iii) voluntary organizations.

The government -run institutions are fully financed by the government. The semi-government organizations are partly financed by the government and partly by donations. In this case the salary of the employees and the establishment cost is met by the government. Voluntary institutions rely on personal contributions and occasional government aid. The main aims of these institutions are to provide educational, vocational, moral and spiritual training with a view to socialise and to develop skill in the juveniles. In other words, these institutions train and shape the juveniles for becoming good citizens of the country.

1) Government Institutions :

State Government sponsored institutions for juvenile delinquents are Observation Home or Remand Home and Certified School or Special Homes. These institutions are located in various parts of Aizawl.

a)Observation Home/Remand Home: Observation Home is a place where the juvenile is kept during the pendency of his trial in the juvenile court. Thus, as soon as juvenile accused is apprehended, he is sent to the Observation home or the Remand home till the case is decided by the juvenile court. It can be said as the first step in the method of juvenile correction. According to Section 11 (3) of the Juvenile Justice Act “Every observation home to which a juvenile is sent under this Act shall not only provide the juvenile with accomodation, maintenance and facilities for medical examination and treatment, but also provide him with facilities for useful occupation”. Every juvenile has been provided accomodation including clothing and bedding. Medical treatment is also given to the juveniles under observation. Each juvenile has to be examined by a certified medical officer within forty eight hours after admission to the home. An inmate who has been found or suspected to be suffering from an infectious disease is to be isolated from other inmates or to be sent to the Government

Hospital. Vocational training has also been imparted to the inmates mainly in tailoring, knitting, carpentry, cane works etc. Indoor and out door games are also provided for him. Thus, Observation Home not only provides for accomodation, maintenance and facilities for medical examination and treatment of the juvenile but also provides him facilities for useful occupation such as tailoring and carpentry and also takes care of the recreational aspects.

b) Certified Schools / Special Homes: Under the Juvenile Justice Act, there are various alternatives before the Juvenile Court processes the cases of delinquent juveniles. Juveniles may be restored to their parents or guardians, or released on probation supervision with or without surety, or sent to the certified school/special homes. Juveniles are brought to this institution for the period until they cease to be juveniles, that is, 16 years for boys and 18 years for girls. However, the juvenile court in exceptional circumstances can reduce or extend beyond the time when the juvenile attains the age of eighteen years in case of a boy, or twenty years, in the case of girl. Thus certified school/special home is an institution where delinquent juveniles are remanded for a longer period and where accomodation, maintainance, education, vocational training and rehabilitation etc., are provided for the juveniles. The institution is not a penal but correctional one where total reformation and development of the concerned delinquent is the primary aim. The institutional programmes also include provisions as:

- 1) The institution provides for physical exercise and recreational facilities. The recreational facilities include radio, television, musical instrument, library, indoor games like carrom, table tennis etc.
- 2) The institution organises activities and programmes for the socio-cultural uplift of the inmates, viz., cultural events, parents-inmates-staff meeting and visit to outside institutions.

- 3) The non-formal educational programme has been developed with emphasis on health, social, moral and ethical aspects. Since formal education was not possible, facilities are made for inmates to attend schools outside institution.

2) Non-governmental institutions :

Non-Governmental institutions which provide services to the Juvenile would further be divided into religious and non-religious institutions.

Institutions of Church : There are institutions which are established and run by different churches or group of evangelical team. These correctional institutes are under the denominations like Presbyterian, Baptist, Salvation Army, Roman Catholic and the United Pentecostal church of Mizoram. The church provides services to the juveniles, pre-delinquent and post-delinquent stages in Mizoram. According to Neumeier (1950) "Churches can provide spiritual guidance, help children gain a proper perspective of life and develop character, that enables them to overcome temptations and to face difficulties with confidence. They likewise can provide spiritual guidance by private counselling and through worship and instruction". The churches conduct seminar, conference, worship etc. on the prevention and control of social evils including juvenile delinquency. Local church leaders from each locality or village participate in these seminars, conference and workshops. They discuss the problems being faced in their respective areas and work out plan for their future course of action. Local church leaders then launch house to house campaigns in their respective areas on the role and importance of family in proper upbringing of children. As personality traits of human beings start early in childhood, parents must be very careful in handling with their children. In addition to these, the churches include sermons and fellowship programmes exclusively for the young children in the regular church services.

3.8 Conclusion

The growing incidence of delinquency is posing a problem of very serious nature in Mizoram. This complex social problem has been vexing parents, teachers, socio-political leaders and legal authorities. Delinquent acts were uncommon a few decades ago. Simplicity in life was respected in this well knitted society. Old values which once moulded the behaviour of the younger generation are gradually disappearing. Now with the increase in population the younger generation is faced with the evils of rapid urbanisation like competition for jobs and desire to get rich by any means, aimlessness and aspiration for money and power which has given rise to juvenile delinquency. Parents being in different services do not find enough time to look after the welfare of their children. The gap between the rich and the poor, which was almost absent in the Mizo society has become very wide today. Mass media encouraging violent and criminal themes through films and cheap magazines may add to the causation of delinquency among the youth. Drugs addiction and AIDS have given another dimension to the pattern of delinquent acts committed by the youth. It is necessary to understand the environmental and sociological factors associated with juvenile delinquency. This will enable us to form a concrete understanding of the nature and dimensions of juvenile delinquency. The research will also help to adopt and evolve curative measures and to circumvate the phenomenon of juvenile delinquency in the state of Mizoram.

CHAPTER IV

METHOD OF STUDY

METHOD OF STUDY

The present study is designed with a view to find out the causative factors related to juvenile delinquency in Mizoram. The rehabilitation and the remedial measures for the juvenile delinquents in the state of Mizoram have also been examined. It is a descriptive survey, and the research attempts to describe, record, analyze and interpret the existing conditions related to Juvenile delinquency in the state. The descriptive survey is used for gathering data regarding current conditions of juvenile delinquents in Mizoram. The aim of this survey is to obtain insights into the nature of the incidences and causes of juvenile delinquency. Case studies of select juvenile delinquents have been undertaken with a view to achieve greater insights and to supplement the qualitative data formally collected through the survey. The case study method is widely used in social science research. Odum (1929) states that the case study method is a technique by which individual factor whether it be an institution or just an episode in the life of an individual, or a group is analysed in its relationship to any other in the group. According to Young (1958), case study is a method of exploring and analysing the life of a social unit-be that a unit a person, a family, institution, culture group, or even an entire community. Case studies refer to indepth, qualitative studies of one or more illustrative cases (Becker,1978). It is thus a study in depth which deals with the process that take place and their interrelationships. The case study method is the study of human nature and behaviour pattern. It is used to deal with the various aspects of the life of the delinquent juvenile. It is the study which presents the life cycle from past to the present of the delinquent juvenile in detail. In other words, case study is a study of delinquents which lay emphasis on what he does and has done and the circumstances leading to his commission of such acts or offences. Healy (1915) was the first to use case study method in the study of juvenile

delinquents. In his study of a thousand juvenile delinquents he found the case study method to be a better method than the mere use of statistical data (Young, 1968). Case studies had also been done in the field of juvenile delinquency in India. Kochavara (1952) prepared case profiles of a large number of delinquent juveniles and found that delinquency is mainly due to the environmental factors. Sahni's (1979) study examined delinquents in relation to their home, school, police, child guidance clinic, probation officer, certified school etc. and found that broken family, lack of parental control and love are the main factors in the genesis of delinquency.

In the present study the aim of case study method is employed to locate the factors that account for the behaviour patterns of juvenile delinquents and its relationships with the environment. The case data has been gathered with a view to trace the natural history and problems of the juvenile delinquency and its relationships with the social factors, like the peers influence, the family background, educational, age and rehabilitation provided. By means of case study method the researcher has analysed the complex causative factors related to juvenile delinquency and also the curative measures to circumvate the phenomenon.

4.1 Population and Sample

The sample for the study consisted of 300 delinquents selected at random from the reported cases of 700 delinquents in Mizoram. These delinquents were identified and remanded by the Juvenile court of the Government of Mizoram. The age range of the delinquents in the sample is between 7 to 17 years and the sample consisted of 41 females and 259 males.

4.2 Tools and techniques

The data for this study have been collected through field surveys using a number of tools and techniques. The investigator personally visited the parents and other family members, teachers, peers, counsellors and rehabilitation workers for collecting the relevant information of the delinquents. Data regarding the delinquent activities and remedial measures have been obtained from the official case records kept in the juvenile courts and rehabilitation centres. The investigator also obtained necessary data from the institutions through non-participant observations. The investigator provided an affidavit for confidentiality.

The following tools were employed for collecting data from the juvenile delinquents and the rehabilitation centres, remand homes, etc :

1. Interview Schedule for eliciting information from juvenile delinquents (appendix 1)
2. Institutional Data Sheet (appendix 2)
3. Socio-economic Status Index (Lalrinkimi, 1988)
4. Case Study Format (appendix 3)

4.3 Procedure

A pilot study was done with a view to pre-test the tools of the study and also to find out the feasibility for undertaking the present study. The pre-testing was done with a sample of five juvenile delinquents. On the basis of the pilot study the interview schedule was finalised and the samples for the main study and the case study were also finalised. The

records kept at the Juvenile delinquent court of the clients remanded for violating Children Acts, the IPC and CrPC and Narcotic Drugs and Psychotropic Substances Acts were referred to identify the delinquent and the nature of crime committed by him. The investigator interviewed juvenile delinquents with the help of a schedule and collected the information relating to their family and socio economic background. The investigator also contacted the delinquents, parents(guardians), teachers, neighbours, counsellors and workers in the rehabilitation institutions in Mizoram. Institutional data from the rehabilitation and remand homes were collected with the help of a data blank devised for the same. For conducting case studies a case study format was used. Officials of Governmental and Non-governmental organizations have been approached to obtain data on the rehabilitative and referral measures. It took more than nine months for the investigator (Feb. to Nov. 1996) to complete the data collection.

4.4 Method of analysis

Descriptive qualitative method has been followed to analyse and interpret the data. Case history contained details on aspects, such as the development of the delinquency during childhood and adolescence. It also analysed the parental influences, peer - interaction and family conditions of the delinquent. The medical and socio - demographic and economic conditions were also examined. Frequency distributions and percentages have been used for the analysis of data to identify the causative factors. Graphical presentation of data has also been given through pie diagrams. Profiles of various institutions and agencies working for the rehabilitation and welfare of the delinquents have been prepared with the help of institutional data and the field report of the investigator.

CHAPTER V

ANALYSIS OF DATA AND INTERPRETATION

ANALYSIS OF DATA AND INTERPRETATION

The present chapter deals with the analysis and interpretation of the data collected from a sample of 300 juvenile delinquents of Mizoram and from the institutions and agencies working for the rehabilitation and welfare of the young delinquents in the state.

PLAN OF ANALYSIS

The analysis has been carried out in different phases. A write-up about perspectives and trends regarding juvenile delinquency and implementation of the Juvenile Justice Act in the state of Mizoram has been given in Section I of this Chapter. The Section II deals with the analysis of data relating to nature of crimes committed by the juvenile delinquents. This has been done by finding out the percentage distribution after identifying the crimes and classifying them into various categories. In the third Section, the causal factors leading to the delinquent acts among the juveniles have been examined. Percentages have been worked out to identify the causative factors. The profiles of the institutions and agencies offering remedial measures, rehabilitation and welfare measures have been brought out in Section IV. The case studies of select juvenile delinquents have been presented in Section V. The last part of this Chapter contains the findings of the present study arrived at on the basis of analysis of data and observations.

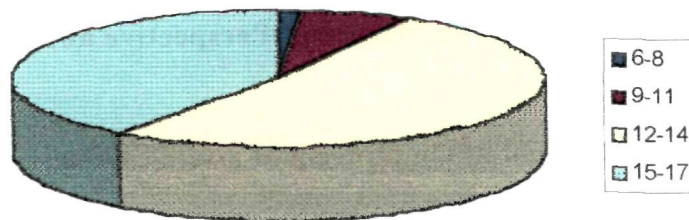
Section I : Juvenile Delinquency in Mizoram: Perspective and Trends.

As regards the extent of the problem of juvenile delinquency in Mizoram, it may be mentioned here that the actual volume of juvenile delinquency would be much higher than the statistics indicates. For instance, many cases of juvenile delinquents have been dealt with by voluntary organisations like Young Mizo Association, Village Defence Party or Village Council

Fig 1.2 Sex-wise breakup of the sample (N=300)



Fig 1.1 Age-wise breakup of the sample (N=300)



Court. Cases of juvenile delinquents are brought to the notice of Police or Juvenile Court only when the offences were serious in nature or when the parents are no longer able to control their delinquent boys and girls or when the two parties - the accused and the victims could not reach on an agreement in the matter. Therefore, whether cases of juvenile delinquents are settled by the voluntary organisations or the Village Council Courts, neither the Police nor the Juvenile Court were informed of the action taken. Because of non-reporting of cases of juvenile delinquents to the Police, the rate of offences committed by juveniles were much less than the actual figures. Table I presents the age-wise, sex-wise break-up of the sample chosen for the study. The data have also been presented graphically in Figure 1.1 and 1.2.

TABLE 1

Age wise and Sex wise break up of the Sample (N=300)

Age Group	Male	Female	Total
6 - 8	4 1.3 %	0	4 1.3 %
9 - 11	18 6 %	3 1.0 %	21 7 %
12 - 14	137 45.7 %	19 6.3 %	156 52 %
15 - 17	100 33.3 %	19 6.3 %	119 39.7 %
TOTAL	259	41	300

Section II : Nature of Crimes committed by Juvenile Delinquents

Juvenile delinquency is an age old social problem though it was rare in Mizoram a few decades ago. Juvenile delinquency comprises a broad range of anti-social and criminal activities such as murder, rape, robbery, assaults, burglary, larceny, motor vehicle thefts, marketing of defective products, gambling, criminal activities, riots, cheating, kidnapping and abduction and violation of ND & PS Act 1985, the Indian Penal Code (IPC) and Criminal Procedure Code (CrPC). In addition, juvenile delinquency includes violation of status offences such as habitual truancy from school, incorrigibility, running away from home and immoral or indecent conduct.

Fig 2 Nature of offence and delinquency

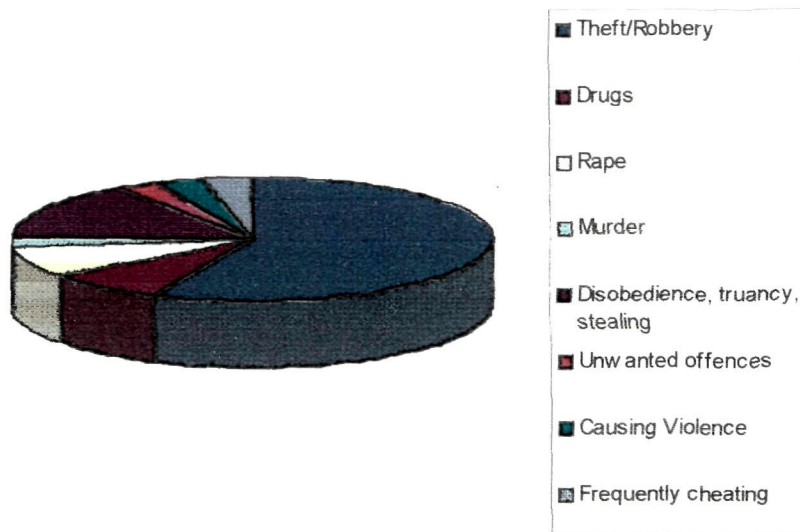


TABLE 2**Nature of Crimes committed by Juvenile Delinquents**

Age Group	Theft robbery	Drugs	Rape	Murder	Disobedience	Unwanted offences	Violence	Cheating
6 - 8	2 0.7 %				2 0.7 %			
9 - 11	9 3.0 %	1 0.3 %			12 4.0 %			
12-14	90 30.0 %	6 2.0 %	21 7.0%	7 2.3 %	21 7.0%	5 1.7%	3 1.0 %	3 1.0%
15-17	71 23.7 %	17 5.7 %	4 1.3%		11 3.7 %	4 1.3 %	7 2.3 %	7 2.3%
TOTAL	172 57.3 %	24 8.0 %	25 8.3%	7 2.3 %	46 15.3 %	9 3.0 %	10 3.3 %	10 3.3%

The nature of crimes (Table 2) committed by juvenile delinquents in Mizoram are as follows :

Theft/Robbery : Stealing either in cash or in kind has been put under this aspect. Breaking of houses, trespassing, pick pocketing etc. are included in this category. Theft/Robbery found to be highest among the age group of 12-14 (30 percent), followed by 23.7 percent at the age group of 15-17. The nature of offence among the juvenile delinquents has been presented in Figure 2.

Drugs : It has been reported that quite a number of juveniles in Mizoram indulge in taking drugs such as charas, ganja, opiates, analgesics, tranquillizers, cough syrup. Peddling and possessing of any kind of drugs are offences and the majority of the cases were found in the age group between 15-17 years.

Rape : Besides raping, an attempt to rape is also considered in this respect. There had been 25 cases of attempted rape reported among the juvenile delinquents.

Murder : Committing murder and an attempt to murder are taken together under one aspect and seven cases have been occurred among the age group 12-14 years (2.3 percent).

Disobedience : This offence includes truancy, telling lies, selling things, stealing.

Unwanted offences : includes those which are deviant acts like crime connecting with faulty currency notes, joined insurgency, harming others and ill treating others. This occurs in the age groups 12-14 and 15-17 years (1.7 percent respectively).

Violence : This includes threats to others, damaging properties, causing hurt to others, which is found mostly in the age group 15-17 years (2.3 percent) and in the age group 12-14 years is 1.0 percent but not found in the early two age group.

Cheating : Under this aspect are misuse of stamp seals, faulty currency, forgery of signatures, selling properties and books. This aspect is found to be occurred in the age group 15-17 years (2.0 percent) and between 12-14 years is 1.0 percent.

It has been observed that the type of crime mostly committed by the delinquents in Mizoram is theft/robbery. This occurs mostly among the age group of 12-14 years which is 30 percent of the sample followed by the age group of 15-17 which is 23.7 per cent of the sample. Theft/robbery includes stealing of money, scooter, vehicle, properties, goods, burglary. As had been observed through the study this is quite rare at the younger age group of 6-18 years (0.7 percent) and in 9-11 years age group the incidence is only 3.0 percent. The other delinquent acts observed are high incidence of drug addiction 5.7 percent in the age group 15-17 and 2.0 percent in the age group of 12-14 and trauncy among the 12-14 years of age. The delinquent children can be classified into two distinct groups. One group consists of delinquents who are energetic, active, restless etc. The second group consists of those juveniles who are generally shy, quiet, vindictive and highly selfish. These juvenile offences include stealing, burglary and arson, murder and suicide, gambling, assault and rape. The data on juvenile delinquents regarding this aspect are given in Table 3 and Figure 3 depicts the data graphically.

Fig 3 Type of activity and delinquency



TABLE 3

Delinquency on the basis of age and activity

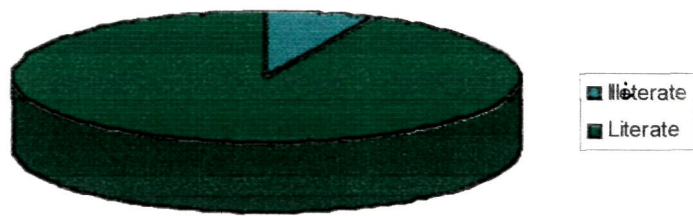
Age Group	Active	Mild
6 - 8	2 0.7 %	2 0.7 %
9 - 11	10 3.3 %	12 4.0 %
12 - 14	132 44.0 %	24 8.0 %
15 - 17	103 34.3 %	17 5.7 %

The data given in Table 3 reveal that juvenile delinquents are predominantly active especially among the age group 12-17 and engaged in crimes such as murder, rape, indulgence in drugs, theft, truancy, causing harm and violence to others, damaging properties, cheating, stealing etc.

Section III : Causative Factors of Juvenile Delinquency

Juvenile delinquents are usually referred to as 'minors with major problems'. They violate the law of the land and commit offence like theft, gambling, cheating, picking pockets,

Fig 4.1 Education and delinquency



murder, robbery, dacoity, destruction of property, violence and assault, intoxication, kidnaping, abduction and sexual offences. Hereditary, constitutional, physiological, environmental and social factors are identified with delinquency. Researches have brought substantial evidence to prove that delinquent behaviour is a learned reaction. The delinquent characters are not inherited from parents or ancestors but are made so by the uncongenial familial school or neighbourhood environmental and social conditions (Shanker, 1988). The present research probed into the nature and dimensions of juvenile delinquency in Mizoram. It also investigated the factors that influence the youth to resort to delinquent behaviour.

Factors related to juvenile delinquency are examined with the data obtained in the present research and the results are discussed below :

Education and Delinquency: The educational backgrounds of the sample of 300 delinquents were studied, and 15 of them were illiterate, 200 literates, 75 have studied upto Class IV and 10 studied upto Class X. None of the delinquents had passed Matriculation. (Table 4.1)

TABLE 4.1

Education and Delinquency

Illiterate	Literate	Upto Cl. IV	Cl. V-X
15	200	75	10
5.0 %	66.0 %	25.0 %	3.0 %

Fig 4.2 Reason for not attending school

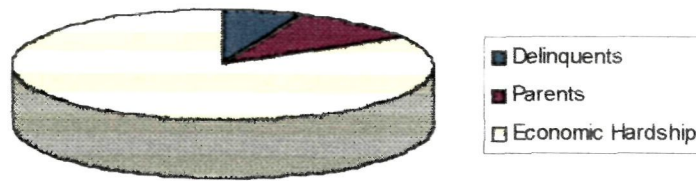


Fig 4.3 Cause of termination of school

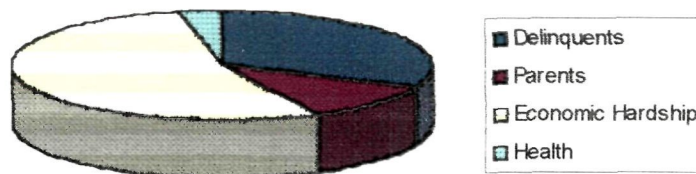


TABLE 4.2

Reason reported by juveniles for not attending school

Delinquents	Parents	Economic Hardship
13	22	180
6.0 %	10.2 %	83.7 %

When dealt with the reason why they are not attending school, poverty and economic hardship has been stated as the reason by majority of cases (83.7 percent). Parental neglect and the inability to study were the other reasons mentioned for the reasons given for not attending the schools by the juvenile delinquents.

The causes for terminating the schooling of the delinquents were analysed and the details are presented in Table 4.3.

TABLE 4.3

Reason reported by juveniles for Termination of School

Delinquents	Parents	Economic Hardship	Health
97	35	168	10
32.0 %	11.7 %	56.0 %	3.3 %

Fig 5 Parental education



Economic hardship was reported as the main reason (56 percent), however, the delinquent did not like the school was stated by 32 percent. Parents and health reasons were also given 11.7 percent and 3.3 percent respectively.

Parental Education and Delinquency

Parental Education of the juvenile delinquents were studied and the details are shown in Table 5. The Table 5 shows that the parents of 73 delinquents are illiterates while 227 delinquents reported their parents to be literates.

TABLE 5

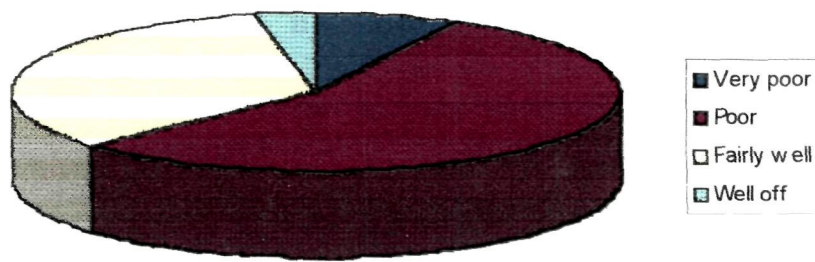
Parental Education and Delinquency

Illiterate	Literate
73	227
24.3 %	75.7 %

Age and Delinquency:

The sample included juvenile delinquents between the age 7 to 17 years. There were 4 delinquents in the age group 6-8 years. The nature of crime committed by this group includes theft, disobedience, trauncy from school and home. There were 21 in the age group between 9 to 11 of which 18 were male and 3 of female. The crime committed are theft (9 of them), indulgence in drugs (1) and 12 of them were found to be disobedient, trauncy from school and home. There were 156 juvenile delinquents in the age group between 12 to 14 years of which

Fig 6.1 Economic status and delinquency



137 were male and 19 were females. The crime connected at this stage are varying from theft (90 delinquents) to violence, (3 delinquents). There were 119 in the age group 15 to 17, out of which 100 were male and 19 being female. The crime committed even included murder. (Table 1 & 2) Delinquents acts were found to be mild during younger years when compared to later years.

Family and Delinquency:

Family is the primary institution in the life of human beings and influences the life of the individual significantly. Considering the strong influence that family is having on an individual the different aspects arising out of the family on delinquency were considered.

Economic status and Delinquency:

The sample of the 300 juvenile delinquents were classified into four categories, very poor (below 500/-), poor (500-1000/-), fairly well off (1000-2000/-) and well off (2000/- and above)

TABLE 6.1

Economic Status and Delinquency

Very Poor	Poor	Fairly Well	Well Off
23	167	100	10
7.7 %	55.7 %	33.3 %	3.3 %

Fig 6.2 Delinquency in the family



From the Table 6.1, it is observed that most of the juvenile delinquents hailed from poor family (167) and only 10 belonged to well to do families. The analysis shows that 23 juvenile delinquents hailed from very poor family and they are aided by the community and voluntary agencies. However, there were delinquents belonging to fairly well off families (100) and well off families (10 delinquents)

Record of Delinquency in the family

This has been tested with the data obtained in the present study and the details are presented in Table 6.2

TABLE 6.2

Record of Delinquency in the family

Non-delinquent Family	Delinquent Family
279	21
93.0 %	7.0 %

As indicated in Table 6.2 there were 21 delinquents belonging to families with delinquent history and the rest 279 (93%) came from non-delinquent families.

Size of Family

The size of the family was related to delinquency and results are given in Table 6.3

Fig 6.3 Size of family

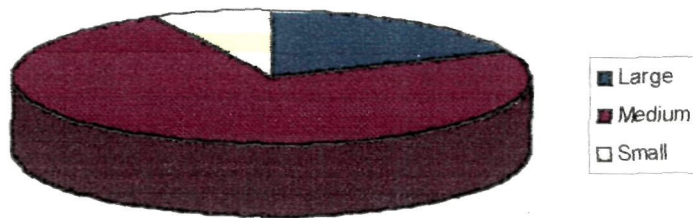


Fig 6.4 Structure of the family

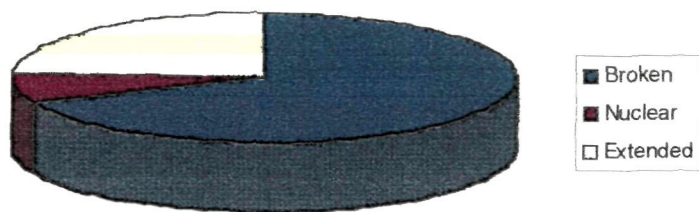


TABLE 6.3

Size of Family and Juvenile Delinquency

Large	Medium	Small
55	224	21
18.3 %	74.7 %	7.0 %

The juvenile delinquents are the product of large family resulting of poverty, undersirable crowded condition of living, negligence of parents etc. As indicated in Table 6.3 most of the delinquents in the sample belonged to medium size family and only 18.3 percent belonged to large family.

Structure of the Family;

The structure of the family is categorised into three - Broken family, the extended family and nuclear family. The structure of family and the incidences of delinquency were analysed in the present study and the details are shown in Table 6.4

TABLE 6.4.

Structure of the family

Broken	Nuclear	Extended
205	23	72
68.0 %	7.7 %	24.0 %

Fig 7 Moral training and delinquency



Most of the juvenile delinquents reported that they came from broken families (68%) as per the data given in Table 6.4.

Moral Training Imparted in childhood

It has been observed that majority of them 75.7 percent are not receiving proper moral training which may attribute to juvenile delinquency.

TABLE 7

Moral Training and Delinquency

Moral Training	No Moral Training
73	227
24.3 %	75.7 %

Reason Behind Delinquent Activity

The sample was divided into 3 groups on the basis of the reasons reported for delinquent acts. Table 8 presents the details of analysis.

Fig 8 Reason behind delinquent activity



TABLE 8

Reason Behind Delinquent Activity

Deliberate	Unconscious	Economic Need
95	15	190
32.7 %	5.0 %	63.3 %

Economic need was reported as the reason for most of the delinquent acts among juveniles as found from Table 8.

Family Background as a Factor of Delinquency;

Juvenile delinquents generally come from broken homes and especially from emotionally disturbed broken families. The family backgrounds of juvenile delinquents are given in Table 6.4. It is observed that majority of the juvenile delinquents come from economically poor family (55.7 percent). Further 24.3 percent of the parents of juvenile delinquents are illiterate. Most of the juvenile delinquents were not given any moral training at home during their childhood

Education and Delinquency

The data revealed that most of the delinquents were school drop-outs and the drop-out rate was found as high as 71.7 percent (215 out of 300) among the delinquents. It has been observed that 5 percent of the delinquents are illiterates, 66.7 percent are literate

but had studied for a few years only till Class I to III, 25 percent have studied upto Class IV and 3.3 percent have studied upto high school classes but none of delinquents passed matriculation. The parental education was considered as a contributing factor and it has been found that 24.3 percent of the parents were illiterates and 75.7 percent literates but with very low level of education. While 6 percent of the delinquents blamed themselves for not completing their education, 10.2 percent placed the blame on the parents and 83.7 percent stated economic hardship as the main reason. The reason for termination of studies as revealed from the responses of the delinquents is as follows: 32.3 percent due to failure in studies, 11.7 percent is due to parental compulsion, 56 percent as the result of poverty and family factors and 3.3 percent due to health factor.

Socio-Economic Status and Delinquency

The socio-economic data of the juvenile delinquents revealed that 7.7 percent are from very poor family, whose income was Rs 500 and below, 55.7 percent from poor families, monthly income between Rs 501 - Rs 1000, 33.3 percent from fairly well families, the monthly income is between Rs 1001 - Rs 2000 and 3.3 percent from well off families whose income are Rs 2001 and above. According to the size of the family, the data indicated that 7 percent were from small family - having two to three children, 74.7 percent from medium family - having three to five children while 18.3 percent belonged to families with more than six children. With respect to the structure of the family 68.3 percent of the juvenile delinquents came from broken homes with single parent families, 7.7 percent belonged to nuclear family with both the parents and 24 percent from extended family. The extend of moral training imparted in the early years has been taken into an account and 24.3 percent juvenile delinquents reported that they received either moral or religious education while 75.7 percent were devoid of it. On the basis

Fig 9 Rehabilitation and delinquency



of the mother's occupation there were 10.7 percent delinquents whose mothers are house wives and 72.3 percent are employed and the rest are underemployed.

Section IV : Correctional Measures for Juvenile Delinquency

TABLE 9

Rehabilitation Wise Distribution

Government	Voluntary Orgn	Private	Others
90	110	45	55
30.0 %	36.7 %	15.0 %	18.3 %

In the state of Mizoram, the correctional institutions for juvenile delinquents are run by Government, non-Government and private individuals. Their distribution is given in Table 9. The governmental institutions are Remand(Observation Home) and Certified School(Special Homes). Remand Home provides shelter to a juvenile while pending trial his case in the Juvenile Court or Juvenile Welfare Board and is meant for temporary reception. Certified School, on the other hand, aims at total treatment and rehabilitation of the juvenile offenders. Generally, juveniles stay in the Certified School until they attain full age. Non-governmental institutions consists of institutions run by Church and other voluntary organisations.

Remand Home: The first Remand Home in Mizoram for the juvenile delinquents was established in the year 1986. For the first four years Remand Home was situated in a rented private house. Since 1990 it has been shifted to its own complex, 8 kms. away from Aizawl town.

The compound of the Home has a cemented wall which is 10 feet high. Only male young criminals are housed in this Government Remand Home. The Remand Home can accommodate 50 delinquents at a time. The staff of Remand Home totalling 22 included one Superintendent and case workers with Master Degree in social work. The other staff members constituted warden and instructors in tailoring, gardening and carpentry. The Juvenile Delinquent Court remands the juveniles after the case hearing. The parents are allowed to visit the homes and find out the welfare of their wards. However, the young criminals are seldom allowed to go out or visit their families without the prior permission of the Juvenile Court.

Home for the Women in Distress:

The State Social Welfare Department has set up a home for women in distress. This home accommodates the female juvenile delinquents. The inmates are given training in knitting, tailoring and embroidery. Very few delinquents are admitted in this institution and most of them make use of this facility for learning trades to earn a certificate. There is a Protective Home meant for sex delinquents and women prostitutes in the state which is run by the Government. Spiritual counselling are provided for the inmates and they are tested for sexually transmitted diseases by Medical Board. The inmates are given vocational training in the protective home.

A De-Addiction and Rehabilitation Centre was established in 1990 under the Department of Health Services. However, the centre was taken over by the Social Welfare Department in 1994. It mainly caters to drug-addicts and street boys who get involved in violent acts. Medical attention is given to them besides providing personal and spiritual counselling for the inmates. The inmates are also allowed to attend the schools.

These homes do not receive enough financial assistance and the budget allocation for 1996-1997 was only 31 lakhs which includes staff salaries, maintenance, administration etc.

Voluntary Organisations:

The Salvation Army established homes for boys between the ages 5 to 18 years. These homes are located at Aizawl, Saiha and Kolasib with a seating capacity of 95. The juvenile delinquents are sent by the guardians or parents for remand to these homes. There were four homes for girls at Darlawn, Lunglei, Aizawl and Keifang but all these four homes are now shifted to Keifang and can accommodate 65 girls. The inmates are provided free boarding and are sent to schools. The school fees, uniforms and text books are also provided to them. The financial provision is very small as it is run mostly from the contribution made by the members in the Salvation Army Church. The institution received Central Government grant of 2.5 lakhs during 1995-1996 and has equipped the home with television, sewing machines and facilities for recreational activities. All these homes are under the care of Salvation Army officers and are given hygienic care, educational guidance and personal and spiritual counselling.

The Salvation Army is also running an AIDS project called Community Health Action Network (CHAN). This has been set up in September, 1991. The centre provides personal, psychological and spiritual counselling, self-healing and health care through a health clinic, and offers training in poultry, sericulture, tailoring, envelope making etc. The staff also undertakes programmes such as follow up, home visits and community counselling. It is a community based project and extends care to inmates of remand home, de-addiction centre and other institutions.

Private Rehabilitation Centres :

Apart from the above, there are a few privately run institutions for the rehabilitation of juvenile delinquents in the state. The delinquents are admitted to these homes with a monthly fees of Rs 500/- to 700/-. These institutions provide education and counselling to the inmates and also extend love and care to them. These institutions are mostly managed privately, however some receive financial assistance from the government of Mizoram.

Synod Rescue Centre: This Centre is established by the Presbyterian Church. The centre is mainly meant for drug-addicts and alcoholics. Juvenile delinquents who are addicted to drugs and are given treatment and counselling here. Sponsored by the Synod, the institution emphasises religious basis for the rehabilitation of the delinquent.

Rescue Centre: Established in the year 1987, the centre aims at treatment and rehabilitation of alcoholics and drug-addicts. Juvenile delinquents are also given counselling and treatment in this centre. It is maintained by Sinner's Friends, an Evangelical team.

Mercy Home; the Young Men Christian Association (YMCA) Mizoram Branch runs this home. The home provides accommodation, protection and treatment to alcoholic and drug-addicts and also takes care of juvenile delinquents.

Social Guidance Agency: This counselling and De-addiction Centre is mainly meant for alcoholic, drug addicts and sex workers. The male and female delinquent juveniles are also given guidance at this centre.

Faith Home: This home deals with the problems of drug and alcoholic abuses among the male and female and also address to the young delinquents.

Damna In: This centre is established by the Zoram Drivers' Union (ZDU) mainly for the treatment of alcoholic and drug addicts and delinquents.

Most of these private institutions were established mainly for alcoholic and drug addicts. However, the institutions extended the services to juvenile delinquents who face the problem of addiction. Though the percentage of juveniles who receive treatment in these institutions appears to be small which may be due to lack of reports, but their contribution to the prevention of delinquency and rehabilitation of the delinquents cannot be overlooked.

Policies and Measures

The enactment of Juvenile Justice Act, 1986 provides a uniform legal code for juvenile justice in India. To ensure that no juvenile is lodged in police lock up or jail, Juvenile Welfare Board and Juvenile Courts have been established in the state of Mizoram from 1986. Many institutions have been set up since then to provide care, protection, treatment, development and rehabilitation and aftercare of the various categories of juveniles. Separate homes for neglected juveniles and delinquents juveniles have been provided. The Act also provides for the appointment of Probation Officers and stress the need to have good coordination between the formal system of the Juvenile Justice and the various voluntary agencies engaged in the welfare of juvenile delinquents and destitute women.

Police plays an important role in Juvenile Justice system and are often called the 'gate keepers' of juvenile justice. Most of the juveniles cases brought before the court are referred by the police. The functions of police are to apprehend juvenile offenders; to conduct juvenile investigation; to assist field officers in matters relating to juveniles; to act as a liaison with other organization having interest in juvenile matters; to provide assistance to juvenile

who are neglected, abused, exploited or victimized; and to work for the prevention of delinquency

On apprehending juvenile the police may send back to his parents after advice take official action against the juvenile. In making decision, the police officer is often guided by his first impression about the juvenile. For example, if the juvenile is found co-operative and obedient, the police usually releases him after admonition or advice. In contrast, the juveniles who are non-cooperative and rebellious in their encounter with the police, they are usually apprehended and prosecuted. If the offence is for the first time, the police may also take a lenient view. Thus, the police takes action depending on the nature of the offences, and behaviour of the juvenile apprehended. The Probation Officer also plays an important part at all levels of the juvenile justice system. Section 57 (2) of the Juvenile Justice Act 1986 prescribes the duties of Probation Officer as (1) to inquire, in accordance with the direction of a competent authority, into the antecedents and family history of any juvenile accused of an offence, with a view to assist the authority in making the inquiry, (2) to visit neglected and delinquent juveniles at such intervals as the probation officer may think fit, (3) to report to the competent authority as to the behaviour of any neglected or delinquent juvenile, (4) to advise and assist neglected or delinquent juvenile and, if necessary, endeavour to find them suitable employment,(5) where a neglected or delinquent juvenile is placed under the care of any person or institution on certain conditions, to see whether such conditions are being complied with, and (6) to perform such other duties as may be prescribed.

As stated above, the Probation Officer inquires into the family background of the offender and suggest the best possible way of dealing with the juvenile offenders. He also supervises juveniles placed under his supervision and helps them to find jobs to avoid repetition

of the offences. He is available for consultation for the juveniles and for their parents. In short, he advises and helps the delinquents, or the released delinquents in planning their future and in solving their problems.

Juvenile Welfare Board: Juvenile Welfare Board is an agency to deal with the problem of destitute and neglected juveniles. When a juvenile is brought before the Board by the police or any other person authorized by the Government to do so, the Board conducts the proceeding in a simple manner and no unnecessary formality is observed. However, care is taken to ensure that the juvenile feels at home with the atmosphere during the proceeding. The parents or guardian of the juvenile is also allowed to conduct his defence including cross-examination of witnesses. Before deciding the case, the Board takes into consideration: (1) the age of the child (2) the circumstances in which the child is living (3) the report of the probation officer on the social conditions, family background and personality make up of the child etc. The Board then makes a judgement directing the juvenile to be sent to a juvenile home or such other institutions found suitable for the juvenile. The Board may also send the juvenile to his home after admonition, he may be placed under the supervision of Probation Officer. In the case of uncontrollable child reported to the Board by the parents or guardian, the parents or guardian may also be asked to contribute to the maintenance of the child, which would vary according to their financial position.

Juvenile Court: The Juvenile Court consist of a Judicial Magistrate assisted by a panel of two honorary social workers appointed by the State Government and a social worker/case worker who has been directly engaged in child welfare.

When a juvenile is found to have committed an offence, the court after taking into consideration the report of the Probation Officer, may opt for anyone of the following alternatives as :

- (1) allows the juvenile to go home after advice or admonition.
- (2) directs the juvenile to be released on probation of good conduct under the care of any parent, guardian or other fit persons executing a bond with or without surety for a period not exceeding three years
- (3) makes an order for sending the juvenile to a special home until he or she reaches maturity
- (4) Place under the supervision of Probation Officer
- (5) order the juvenile to pay a fine if he is over fourteen years of age and earn money

The court may, however, increase the period of stay for special reasons. But in no case the period of extension should be beyond attaining 20 years for girls and 18 years for boys. No juvenile can be charged for any offence together with a person who is not a juvenile. No report in the newspaper, magazine on the proceeding of the court which might lead to the identification of the juvenile is allowed, except if prior permission is obtained from the competent authority to do so.

Section V : Case study of Juvenile Delinquents

The case study method is employed for exploring and analyzing factors related to juvenile delinquency. According to Goode and Hatt (1986) case study is a comprehensive study of a social unit-be that unit a person or a group. Case data is gathered exhaustively almost in entire life cycle of a social unit or a definite section of it. An account of the genetic development of a person or group, or whatever constitutes the social unit revealing the factors that moulded the life of the unit within its cultural setting. Because of its aid in studying behaviour in specific, Burgess (1949) termed the case study method 'the social

microscope' Case study method is not, however, without limitation and only a few cases of individuals may reflect only the personal traits of a few persons and not the common characteristics of human beings. Despite these shortcomings, case study method has been used widely for the studies of juvenile delinquency. In the present study, attempt has been made to prepare case records of the juvenile delinquents to find out the major factors responsible for delinquent behaviours.

Case No 1 (Robbery)

Thanga, a boy of 15, hails from a village and studied upto class II. He has two elder sisters who are both married. He is the only son. His parents stay together and there does not seem to be anything wrong in the family. The family is fairly well off. Thanga in his childhood has been spoiled by the members of the family as he being the only son and the youngest in the family. He never helped in the household chores and at the same time found to be very lazy and stubborn. According to a former teacher. Thus, the boy left the school mainly because of indiscipline and failure in studies due to laziness. He wants to be away from the constraints of parents and frequently stays away from home 'just to be free'. He was caught by the police in 1995 when along with his friend, they sold some valuable properties of his friends' family. He was bailed out by his family and was found to roam around, started drinking and again was arrested this year for suspicion of robbery U/S 457/380 I.P.C.

Case No 2 (Theft)

The history of Rama was narrated by his neighbour. Rama is closely attached to this neighbour. He is 14 years old and has a younger sister by two years. He studied

upto class IV. While in school, he used to be a bright student holding 1st or 2nd position in their class. Rama was forced to drop his studies due to the frequent transfer of his step father and financial problems. His step father served in Assam. His real father was a Santali tribal and the parents had separated while he was very young. The reason for parental separation was father's infidelity and his real father died three years back. Mother got married again, Rama started drinking and keeps bad company when the step father is away on duty. The step-father who is not in the habit of drinking or smoking used to beat his wife which makes Rama turned away from his step father. He started mixing around with boys from the streets and stole water pipe from go-down and sold them and was arrested. His neighbour who had soft corner for Rama bailed him out and is trying to mould him back to normalcy.

Case No 3 (Rape)

Chhana, a boy of 14, comes from a village in Mizoram bordering Cachar district of Assam. He has three brothers and two sisters. He is the second youngest studying in class VI. He is arrested for raping a girl of 8 years old. In their family history, the victim's father attempted to rape the sister of the client. Chhana is admitted to Remand Home where he continues his education. According to the case worker in the Remand Home revenge is the reason behind the rape turning the boy into a delinquent.

Case No 4 (Possessing Fake Currency)

The girl Puii, 13 years hails from Salem Veng in Aizawl town where families following a typical doctrine are staying together. She is a student of class VII and is arrested

for possessing and spending fake currency note of Rs 500. According to her she knew Leta from Burma who used to stay in their neighbourhood. The fake currency was given to her by Leta telling her it is a fake one but she can use it. She is charged with the case U/S 437(i) Cr. PC under the custody of her father.

Case No 5 (Drug Peddling)

Liana, a boy of 15 years old is a school drop out. He studied up to class VII and dropped due to drug addiction. His parents are separated because the father is influenced by the doctrine of Mizo Kohhran who believes that nothing need to be done on this earth as the second coming of Christ is near and there is no need for schooling or earning. His mother thinks differently and so they were separated on mutual understanding. The children stayed with his father and the client missed his mother very much. His father is busy in building their temple and hardly stayed at home. The boy started mixing with other boys who are already hard on drugs in order to avoid loneliness and have company. Slowly he started taking drugs and injected himself with proxyvon and addicted to it now. Suspicion of AIDS from the peers make him loss of hope out of being scare to be infected as they share needles and syringes. He was found on the street with tablets like nitrosun and proxyvon, needles and syringes and was charged with case U/S 27 ND & PS Act. He is now admitted to De-Addiction and Rehabilitation Centre.

Case No 6 (Stealing Money)

Zauvi is aged 15, she studied upto class V and dropped out being a slow learner. Hailing from Burma, the girl migrated to Mizoram when she was 6 years. She has two

brothers and one sister. According to her, their family is a happy one and are fairly well off. She is the one who caused problem in the family. She was suspected of stealing Rs. 1500/-. She is leading the life of sex worker and sleeps around especially when she is high. She has experienced alcoholics and drugs-hard and soft. She takes phensydil, ganja, chasing No 4 since she was 14 years of age. Her dose is 3 to 4 times a day. She is a drug peddler and earns from it. According to her, she also steals from her own mother and from others to buy her doze. According to her own version she wanted to marry a boy but rebelled after the parental objection to it and started an unsaved life after that.

Case No 7 (Murder)

Lala aged 14 is arrested for raping and murdering his own maternal grandmother aged 80 years. He lost his father when he was a young boy of 3 years. The boy did not go to school and is illeterate. He stayed in an extended family and the main occupation is 'jhuming'. The family lacked moral education. His mother has 6 children - 4 from client' father and two from her own brother. It may be possible to say that incest is prevalent in the family. While the client was travelling on foot together with his maternal grandmother, he struck her with wooden stick and raped while she was struggling with her life. He said he did not have any pre-plan and acted on the spur of a moment and has no regret over his action. However regretted afterwards when the police apprehended him.

Section F : Some Salient Findings and Interpretation

The rise in the trend of crime among the youth is certainly a discouraging aspect in the highly literate tribal state of Mizoram. The present study has brought out the possible

causative factors of Juvenile delinquency in the state. Broken homes and parental neglect seems to be the primary cause. Drug addiction among the youth is another factor which promotes crime among the youths. Lack of moral and religious training has also been observed to be a factor leading the juveniles into criminal tendencies. Another significant finding was that most of the delinquents were school drop outs and they reported economic hardships as the cause for the termination of their studies. The case studies of the young criminals reflected that the lack of guidance, lack of law and order, and failure in studies have a combined effect leading them to crime. The peer pressures, parental neglect and excessive freedom were other factors found related to delinquency among the juveniles.

In Mizoram, there are both Governmental and non-Governmental institutions. The governmental institutions are Remand/Observation Home and Certified School/Special Homes. The State Remand Home set up in 1986 provides shelter to a juvenile while pending trial of his case in the Juvenile Court, or Juvenile Welfare Board, and is meant for temporary reception. Certified School, on the other hand, aims at total treatment and rehabilitation of the juvenile offenders. Generally, juveniles stay in the Certified School until they attain full age. The home for the Women in Distress houses the female juvenile delinquents. The sex criminals among the women are kept in the Protective Home for Women. Juvenile delinquents involved in drugs are sent to De-Addiction and Rehabilitation Centre. The non-governmental institutions set up under religious and Voluntary Organisations also extend care to Juvenile delinquents. However, aftercare centres to encourage and to guide the released delinquents in making satisfactory adjustment with his family, neighbourhood and community are yet to be established in the state of Mizoram. Thus, institutionalisation of juvenile delinquents continues to be the most commonly followed practice in the state.

The institutional treatment programmes of juvenile delinquents is adequately implemented in the country. However, it is to be noted that a large number of neglected, victimized, abused and exploited children need guidance, care and shelter. This is largely because their parents are not in a position to provide the basic necessities owing to poverty. In these circumstances there is a need for children's centres which can provide basic facilities and these institutions are not by choice but by compulsion. It is expected that these centres and institutional care will give more attention and provide facilities and amenities to juveniles as envisaged in the Juvenile Justice Act, 1986.

CHAPTER VI

SUMMARY, CONCLUSION AND SUGGESTIONS

SUMMARY, CONCLUSION AND SUGGESTIONS

There has been a rising trend in the delinquent activities among the youth. This has become a problem of serious concern faced by the third world nations. This growing incidence of delinquency is causing concern to every sensible citizen. The recent spurt in delinquency may be the consequence of emotional upheaval of restlessness of being unable to hold anything for certain by the youth. Delinquent acts can be the manifestations of protest against the social order to which the adolescents today are unable to adjust. The hopes and aspirations, desires and demands of youth seek fulfilment in ways which the older generation finds difficult to approve. The conflict gives rise to aggressive behaviour in the youth to defy the existing social order and to break the social norms leading to social maladjustment. In other words, the delinquent behaviour in itself is the symptom of a deep malaise of a society. If left untreated, it will corrupt the whole social fabric and ruin the individual initiative. Burt (1973) defines delinquency as occurring in a child 'when his antisocial tendencies appear so grave that he becomes or ought to become the subject of official action'. The International Encyclopedia of Education enunciated delinquency as 'law breaking behaviour on the part of those who by virtue of their being young are not yet considered fully responsible for their actions'. Juvenile delinquent is a child or youth, minor in age, who deviates seriously from the norms of his culture or society and commits such acts, that, if committed by an adult should be punishable as crime. Cohen (1952) considers a delinquent as 'any child or youth whose conduct deviates sufficiently from normal social usage to warrant his being considered a menace to himself, to his future interest, or to society itself. Crime and delinquency are legal terms and their meanings varies from country to country. In India, any person 21 years or more of age convicted by a court for violating the provisions of Indian Penal Code (IPC) and the Criminal Procedures Code (GPC) is termed as a criminal. A juvenile delinquent, then, is in

the age group of seven to eighteen years and is convicted by a court for violating the provisions of Children's Act, the IPC and the Cr PC.

6.1 Rationale and Significance of the Study.

Delinquency poses a problem of a very grave nature in all societies today. Delinquent acts among the young was almost unknown a few decades ago in the closely-knit Mizo society. This was due to sparse population, life of simplicity in rural settings, absence of unwanted needs and above all, the presence of love, sympathy and fellow-feeling among people. But now with the increase in population the younger generation is faced with the evils of rapid urbanisation like congested living condition, intense competition in job situations and a desire to get rich by fair or foul means. Old values which once moulded the behaviour of the younger generation are gradually disappearing. This has given rise to certain delinquent tendencies in the behaviour pattern of many adolescents. Demands for better living conditions keep both the parents busy outside home. They do not find enough time to look after the welfare of their children. The gap between the rich and the poor, which was almost absent previously in this egalitarian society has become very wide today. Children from the lower strata do not have the minimum amenities of food, clothes, etc. They leave school early only to be a potential addition to the growing number of delinquents. Mass media encouraging violent and criminal themes and cheap magazines may add to the causation of delinquency among the youth. Drug addiction has added a new dimension to the pattern of delinquent acts committed by the young. Easy availability of drugs coming from across the border of the country, illicit use of drugs meant for pain killers, cough syrup etc. are contributing to the alarming increase in drug addiction and lead to menace delinquency.

Juvenile delinquents are usually referred to as 'minors' with major problems. They violate the law of the land and commit offences like theft, gambling, cheating, picking pockets murder, robbery, dacoity, destruction of property, violence and assault, intoxication, vagrancy, kidnapping, abduction and sexual offences. Hereditary, constitutional, physiological environmental and social factors are indentified with delinquency. Recent researchers, however, have brought substantial evidence to prove that delinquent behaviour is a learned reaction. They do not inherit delinquent characteristics from their parents or ancestors but are made so by the uncongenial family, school, neighbourhood or family environment and social conditions. To quote Shanker (1988) "delinquency is not inherited; it is the product of social and economic conditions due to the friction between the individual and the community. The most important causes of antisocial behaviour are environmental and sociological in character".

6.1.1 Statement of the Problem

The present research is planned to probe into the nature and dimensions of juvenile delinquency in Mizoram. It investigated the factors that influence the youth to resort to delinquent behaviour. The study also analyses the family, socio-economic and educational backgrounds of the juvenile delinquents. Further, the educational and other remedial measures undertaken by the Government for the rehabilitation of the juvenile delinquents in the state have been assessed. Suggestions for the preventive measures and educational strategies to circumvate the social problem of juvenile delinquency have been drawn based on the findings of the research.

6.1.2 Title of the Study:

“A Study of the Juvenile Delinquency in Mizoram with Sepcial Reference to Causative Factors and Curative Measures”.

6.1.3 Terminology

Delinquency :

Burt (1953) defined delinquency as occurring in a child ‘when his antisocial tendencies appear so grave that he becomes or ought to become the subject of official action’. Delinquency refers to the behaviour of children which is not within the range of the culturally permissible, either at home, in the school or in the community.

Juvenile:

The dictionary meaning of juvenile is a young person or a child and generally refer to a person who has not attained his adulthood, thus the concept juveniles embrace both the children and the adolescents.

Juvenile delinquency:

Juvenile delinquency refers to the phenomenon of non-formative criminal offences and antisocial behaviour pattern at certain ages as specified in the law of the land.

Juvenile delinquent:

An individual is termed a juvenile delinquent who is in the age group of seven to eighteen years and is convicted by court for violating the provisions of

children's Act, the Indian penal Code (IPC) and the Crimina Procedures Code (Cr.PC)

Causative factors:

The factors which contribute for the formation or development of a phenomena can be termed as causative factor to juvenile delinquency. In this study the term causative designate the factor which are related to delinquent acts among juvenile delinquents. These factors may be personal, sociological and psychological, educational or socio-economic conditions.

Curative Measures:

Curative measures refer to the control and rehabilitation programme and actions taken by the Governmental and non-Governmental agencies to circumvate the delinqueny among the juveniles.

6.1.4 Objectives.

The following were the main objects of the study :

1. to examine the nature and extent of juvenile delinquency.
2. to establish the typology of juvenile delinquency.
3. to analyse the educational and other socio-economic factors related to juvenile delinquency.
4. to prepare case profiles of juvenile delinquents

5. to survey the existing educational and other remedial measures for the rehabilitation of the delinquents in the state of Mizoram.
6. to suggest suitable curative and preventive measures to circumvate the juvenile delinquency.

6.2 METHOD OF STUDY

6.2.1 Sample:

The sample for the study consisted of 300 delinquents selected at random from the reported cases of about 700 delinquents in Mizoram. These delinquents were identified and remanded by the Juvenile Court of the Government of Mizoram.

6.2.2 Tools and Techniques:

The data for this study have been collected through field surveys using a number of tools and techniques. The investigator personally visited the parents and other family members, teachers, peers, counsellors and rehabilitation workers for collecting the relevant information of the delinquents. Data regarding the delinquents activities and remedial measures have been obtained from the official case records kept in the juvenile courts and rehabilitation centres. Also, the investigator collected the necessary data from the Governmental and non-governmental institutions as Remand Homes, Rehabilitation Centres through non-participant observation. The investigator provided affidavit for confidentiality. Case studies of select juvenile delinquents were conducted in the study.

The following specific tools have been employed for gathering data:

1. An interview schedule for collecting information from the counsellors, parents, peers, rehabilitation workers and the delinquent himself.
2. Institutional data sheet. A questionnaire to elicit the personal, social, educational and the criminal data of the delinquents devised specifically for the study.
3. Socio-economic status Index (Lalrinkimi 1988).
4. Case-study format.

6.3 Method of Analysis

Descriptive qualitative analysis was followed while analysing the data. Frequency distribution, percentages and pie diagrams were used to describe the data and to find all the factors related to delinquency. Graphical presentations are also given.

6.4 Major Findings

6.4.1. The juvenile delinquency, the anti-social acts among the youths have shown a sudden spurt during the last few years in the state. It was almost non-existent a few decades ago. When Mizoram became a state in 1986, the records showed that there were only 73 reported cases of juvenile delinquents in the state. There were 150 in the year 1990 and during 1990 to 1995 the reported cases went up to 900. However, in between 1995 and 1996 there were 700 cases remanded to custody by the Juvenile Court of the Government of Mizoram.

6.4.2 The Juvenile Delinquent Court and the Delinquent Welfare Board and the Remand Homes were established in 1986 in Mizoram. The juvenile offences included stealing, buglarly, murder, rape, assault, cheating and trauncy. The most prominent crimes detected among the juveniles were theft and robbery (57.3 percent) and was observed among delinquents of all ages from seven to seventeen. Murder although is found to be rare but there were incidences (7 percent). Disobedience and trauncy figured 15.3 percent followed by drug-peddling, and rape amounts to 8 percent among the juvenile sample. Violence and cheating were also reported as delinquent acts among the juveniles (3 percent).

6.4.3 The extent of delinquency in the age range of seven to seventeen years were examined. Majority of them (52.2 percent) were found to be in the age group of twelve to fourteen years while 39.7 percent were between fifteen to seventeen years. The representation in the age group seven to eight years was only 1.3 percent and of the age group nine to eleven years had only seven percent of the sample.

6.4.4 Male delinquents were much more when compared to females in the sample. In accordance with the age-wise division, there were four male juvenile delinquents between ages seven and eight. Between the ages of nine and eleven the male and female cases were 18 and 3 and that between twelve and fifteen, there were 137 males (45.7%) and 19 females (6.3%). The fifteen and seventeen age group had 100 males (33.37%) and 19 females (6.3%). The sample shows comparatively less number of juvenile delinquents among females compared to males.

6.4.5 The research revealed that most of the delinquents were school drop outs and the drop out rate is as high as 71.7 percent (215 out of 300) and the juvenile delinquents. It has been observed that 5 percent of the delinquents were illiterates, while 66.7 percent were literate and had studied upto Classes I to III, 25 percent have studied upto Class IV and 3.3 percent have

upto high school education but none of them passed matriculation. The parental education was considered as a contributing factor and it has been found that 24.3 percent of the parents were illiterates and 75.7 percent literates but with very low level of education. While 6 percent of the delinquents blamed themselves for not completing their education, 10.2 percent placed the blame on the parents and 83.7 percent stated economic hardship as the main reason. The reason for termination of studies as reported by the delinquents were 32.3 percent due to failure in studies, 11.7 percent due to parental compulsion, 56 percent as the result of poverty and family factors and 3.3 percent due to health factor.

6.4.6 The socio-economic data of the juvenile delinquents revealed that 7.7 percent came from very poor family, 55.7 percent from poor families, 33.3 percent from fairly well off families and 3.3 percent from well off families. According to the size of the family, the data indicated that 7 percent belongs to small family with two to three children, 74.7 percent from medium family with three to five children and 18.3 percent from families with more than six children. With respect to the structure of family 68.3 percent of the juvenile delinquents came from broken homes with single parent families, 7.7 percent belonged to nuclear family with both the parents, 24 percent belonged to extended family. 75% of the juvenile sample reported that they have not received any religious or moral during the childhood.

6.4.7 Regarding the family backgrounds of the delinquents, it has been observed that only 7 percent are reported to be from families with criminal history. It has observed that most of the delinquents hailed from broken families (68.3 percent). The parental education and occupation were also found to be a significant factors related to delinquency among the juveniles. The parental education was also found to be very low with respect to the delinquents. However, there is not much difference

in the socio-economic backgrounds of the delinquents as they belonged to all the categories, high and low on socio-economic status.

6.5 Measures to deal with delinquency among juveniles in Mizoram

The rise in the trend of crime among the youth is certainly a discouraging aspect in the highly literate tribal state of Mizoram. The present study has brought out the possible causative factors of Juvenile delinquency in the state. Broken homes and parental neglect seem to be the primary causes. Drug addiction among the youths, lack of moral and religious training have also been observed as factors leading the young into criminal tendencies. Another significant finding was that most of the delinquents were school drop-outs and they reported economic hardships as the cause for the termination for their studies. The case studies of the young criminals reflected that the lack of guidance, lack of law and order, and failure in studies have a combined effect leading them to crime. The peer pressures, parental neglect and excessive freedom were other factors found related to delinquency among the juveniles.

The Remand Homes for the rehabilitation of the juvenile delinquents and the certification body the Juvenile Court were set up in the state in 1986. The state Government's Remand Home can accommodate about 50 inmates. There is a home for the women in distress which houses the female juvenile delinquents. The sex criminals among the women are kept in the protective Home. Women Juvenile delinquents involved in drug abuse are sent to De-addiction and Rehabilitation Centre. Besides the Governmental institutions, there are homes set up by the Salvation Army and other private agencies. The findings of the present research and the investigator's personal experience in the field have helped to suggest the following measures to circumvate the problem of Juvenile Delinquency in the state of Mizoram.

6.5.1 The community and the parents should be made aware of the rise in crime among the youth by organizing campaigns.

6.5.2 The factors related with Juvenile Delinquents should be discussed in various forums and strategies should be evolved to control the crime.

6.5.3 Guidance and Counselling Centres should be set up in schools and colleges and students should be properly guided and the criminal tendencies should be detected early in order to take steps to prevent them.

6.5.4 The law and order should be maintained at any cost and the police patrol and other forces should be strengthened to prevent the crimes.

6.5.5 Youth associations such as Young Mizo Association (YMA), YMCA, YWCA, Women's organisations and Church should be involved to influence and prevent the youth from indulging in criminal activities.

6.5.6 Government should take immediate steps to prevent drug abuse and drug peddling which is found to be a major factor for promoting crime among the youth.

6.5.7 There is a need for introducing religious and moral instruction in the educational institutions as per the findings of the study which is found to be lacking in the state.

6.5.8 Drop-outs from schools should be checked as it turned out to be a factor related to juvenile delinquency.

6.5.9 Teachers and educational administrators should be oriented to the psychological, and social basis of delinquent behaviour and should be oriented to spot criminal tendencies among the youth and correct them at the appropriate time.

6.5.10 Institutional care should be correctional and directed to denature the criminal tendencies among the juveniles. The correctional efforts should be made to bring them to the right type of behaviour and lead good life rather than punishment and just care at home.

6.5.11 It is a sin to place the juvenile delinquents with adult criminals. The practice is quite unethical and should not be allowed as the study observed incidences of such practices in preventive homes for women. Immediate steps should be taken to correct this practice.

6.5.12. A youth development programme should be launched through the mutual co-operation of governmental and non-governmental agencies with the involvement of public.

6.5.13 A multi-pronged approach is needed to maintain a healthy environment at home, school and neighbourhood community.

6.5.14 Legal steps for the detection and dealing with the delinquents should be clearly specified and strictly followed.

6.5.15 Juvenile Justice Act, 1986 provisions for the creation of ameliorative and welfare services should be imparted.

6.6 Limitations of the study and suggestions for further research

The present research, although designed scientifically and carried out systematically using appropriate methods and techniques, is not free from certain limitations. The psycho-social analysis was conducted with a limited sample of 300 juvenile delinquents in general. Intensive investigations with particular categories of juvenile delinquents such as thieves, vagrants, murderers, rapists and arsonists would have been ideal to trace the causative factors and to prescribe curative measures. Similarly, indepth analysis of male and female juvenile delinquents would have undertaken seperately. It is also necessary to investigate differential effects of socio-economic conditions by designing studies on juvenile delinquents belonging to upper, middle and lower socio-economic status and also those belonging to broken nuclear and extended families. The adjustment behaviour of the juveniles need to be asserted while studying the drop out problem and low educational achievement among the juvenile delinquents. The investigator faced ample difficulties in getting the case records of the juvenile delinquents. It is also to be mentioned that the records were not maintained properly in the remand homes and rehabilitation centres. There had been a lack of co-operation and coordination among the various agencies and welfare organizations. Therefore, further research is required to study the attitudes and involvement of the public, the welfare workers and the authopritics towards the control and prevention of delinquency in the tribal state of Mizoram.

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LIST OF CORRECTIONAL INSTITUTIONS

Governmental Institutions :

1. Remand Home, Durtlang, Mizoram
2. Protective Home, Maumual, Mizoram
3. Home for Women in Distress, Ramhlun, Aizawl, Mizoram
4. De-Addiction and Rehabilitation Centre, Armed Veng, Aizawl, Mizoram

Non-Governmental Institutions :

1. Muanna In, Mualpui, Aizawl, Mizoram
2. Boys' Home, Lunglei, Mizoram
3. Girls' Home, Keifang, Mizoram
4. Community Health Action Network, Tuikual 'A', Aizawl, Mizoram
5. Synod Rescue Home, Durtlang, Mizoram
6. Rescue Centre, Sihphir, Mizoram
7. Mercy Home, Hmawngkawn, Mizoram
8. Social Guidance Agency, Aizawl
9. Faith Home, Chhingchhip, Mizoram
10. Damna In, Zuangtui, Mizoram

APPENDIX I

North-Eastern Hill University, Department of Education, Shillong

INTERVIEW SCHEDULE FOR JUVENILE DELINQUENTS

1. Name : _____
2. Age : _____
3. Sex : _____
4. Religion : _____
5. Education : _____
6. Occupation : _____

Family background:

- (a) Who all are there in your family

- (b) Father's name : _____
Occupation : _____
Income per month : _____
- (c) Mother's name : _____
Occupation : _____
Income per month : _____

1. Who brought you to the Remand Home ?
 - (a) Police
 - (b) Parents
 - (c) Voluntary Agency

2. Why were you apprehended ?
 - (a) For thefts
 - (b) Robbery
 - (c) Rape
 - (d) Murder
 - (e) Uncontrollable behaviour

3. When you were apprehended by the police, how did they treat you ?
 - (a) Leniently
 - (b) Harshly
 - (c) Cannot say

4. After apprehension where did the police take you ?
 - (a) Police Station
 - (b) Remand Home
 - (c) Any other police

5. How much time did you take to reach the place mentioned above ?
 - (a) 1 - 5 hours
 - (b) 6 - 11 hours
 - (c) 11 and above

6. Where did the police keep you when they brought you to the police station?
 - (a) Lock up
 - (b) Side Room
 - (c) Any other room (please specify)

7. When you were brought to the Remand Home were you examined by the Medical Officer ?
 - (a) Yes
 - (b) No

8. Was there any medical treatment given to you in the Remand Home ?
 - (a) Yes
 - (b) No

9. Do you think the vocational training facilities provided in the Certified School will enable you to get an employment after you left ?
 - (a) Yes
 - (b) No

10. Do you think your stay in the institution will benefit you for your future settlement ?
 - (a) Yes
 - (b) No

11. Do you have trained instructors to impart training in the institution ?
- (a) Yes
 - (b) No
12. Did the Juvenile Court give you good advice when you appeared before it?
- (a) Yes
 - (b) No
13. Did the Juvenile Court ask you as to how you come to the Remand Home ?
- (a) Yes
 - (b) No
14. Do you think that the Juvenile Court has done good things by sending you to the Remand Home ?
- (a) Yes
 - (b) No
15. Do you think that the Juvenile Court is fair enough in their decisions about you ?
- (a) Yes
 - (b) No
16. Do you think that the Juvenile Court is doing good work for the benefit of the children in your area ?
- (a) Yes
 - (b) No

17. Are you satisfied with the method used by the Juvenile Court in dealing with the children ?

(a) Yes

(b) No

18. Is there any positive change in your life after you have been admitted to the institution ?

(a) Yes

(b) No

APPENDIX II

North - Eastern Hill University Department of Education, Shillong

INSTITUTIONAL BLANK SHEET

1. Name of the Institution .
2. Year of establishment :
3. No. of seats available :
4. No. of Inmates :
5. No. of Workers .
6. Types of treatment given
7. Major problems faced by delinquents
8. Who usually brought delinquents to the institution?
9. Do the inmates find any problem in living with other inmates?
10. In what ways are the vocational training classes and education beneficial to the juvenile delinquents?
11. What are the main difficulties faced by the inmates in their adjustment to the institutional life?
12. How far is it possible to do follow up programme?

APPENDIX III

North - Eastern Hill University Department of Education, Shillong

CASE STUDY FORMAT.

Part I (To be filled up from official record)

1. Ref. No/Name :
2. Pattern of Crime :
3. Whether this is first offence :
(1) Yes (2) No
(3) If yes
 (a) at what age (b) why
4. How long has the offender been staying in the institution :

Part II (To be filled up through interview)

Block I: Personal Identity

1. Name :
2. Residence :
3. Age :
4. Religion :

5. Community :
6. Sex :
7. Health Condition :
(a) Poor (b) Medium (c) Good.
8. Education :
(a) Illiterate (b) Just literate (c) Primary (I to IV)
(d) Secondary (V to VIII) (e) Above VIII (Specify).
- 8.1. If illiterate, why did you not have any education :
- 8.2. Do you like school :
(a) Interested (b) not interested (c) Indifferent.
- 8.3. If you had left your school, why did you do so ?
(a) lack of interest (b) financial compulsion
(c) lack of interest on the part of the parents (d) others
9. What did you do before coming to the institution :
(a) schooling (b) household work (c) employed
(d) casual work (e) stealing (f) doing nothing.
10. What is your nature of offence :
11. Whether this is your first offence :
(a) Yes (b) No
- 11.1. If not, then
(a) Age (b) Why
- 11.2. Did you visit any correctional institute before:
(a) Yes (b) No (c) not applicable.

12. Did you commit the offence :
(a) on your own (b) under anybody's suggestion

12.1 If the latter, specify the relation :
(a) relative (b) friend (c) others

12.2 Have you committed the offence :
(a) deliberately (b) without knowing (c) to solve economic needs.

Block II: Family Background

1. Type of family
(a) nuclear (b) joint (c) broken
2. Kin members
3. No. of members in the family
4. No. of earning members in the family
5. Economic Level :
(a) very poor (b) poor (c) fairly well (d) well off
6. Locality of the family
(a) rural (b) urban
7. Whether migrated from any other place
(a) Yes (b) No
- 7.1 If yes, specify
8. How many rooms are there in the family
9. With whom did you sleep at night

10. Education of Father
11. Education of Mother
12. Education of Guardian
13. Occupation of Father
14. Occupation of Mother
15. Occupation of Guardian
16. Are your parents alive:
 - 16.1. If not, then when did you lose him/her or both
17. Are/Were the relations between your parents harmonious.
 - (a) Yes
 - (b) No.
18. Are the parents separated
 - (a) Yes
 - (b) No
 - (c) not known
19. Whether you have been grown up in your own family
 - (a) Yes
 - (b) No
 - 19.1 If yes, up to which age
 - 19.2 If not, then
 - (a) where have you been brought up
 - (b) upto which age
20. How did you spend your time
 - (a) Most of the time within the family
 - (b) Most of the time with friends outside the family
 - (c) Others

21. Whether you had left home at your early age :
- (a) Yes (b) No
22. *Treatment of Father* :
- (a) strict (b) weak (c) indifferent (d) unwanted
- 22.1 *Treatment of Mother* :
- (a) strict (b) weak (c) indifferent (d) unwanted
- 22.2 *Treatment of guardian other than parents*
- (a) strict (b) weak (c) indifferent (d) unwanted
23. Your attitude towards your father:
- (a) respectful (b) hostile (c) indifferent (d) others
- 23.1 Your attitude towards your mother:
- (a) respectful (b) hostile (c) indifferent (d) others
- 23.2 Your attitude towards your guardian other than parents
- (a) respectful (b) hostile (c) indifferent (d) others
24. Your attitude towards sibling:
- (a) friendly (b) hostile (c) indifferent
25. Attitude of sibling towards you
- (a) friendly (b) hostile (c) indifferent
26. No. of siblings
27. According to birth order, what is your position
28. Is there any record of delinquency in your own family or in the family where you have grown up
- (a) Yes (b) No

- 28.1 If yes, what is your relation with the delinquent
- 28.2 If no, why are you motivated for the first time in the family
29. What was your father's treatment when you had committed the offence
- 29.1 what was your mother's treatment when you had committed the offence
- 29.2 what was your guardian's treatment when you had committed the offence
30. If any body advised you not to do this, then why did you not obey
31. Have you got any moral training from your mother/father/ guardian
32. Did you get two square meals a day at your family
33. What was the standard diet at your family
(a) good (b) moderate (c) poor (d) very poor
34. Did your parents/guardian satisfy your wishes as regards food, clothing etc
(a) Yes (b) not at all (c) partly
35. What did you do with the money/things you got by stealing/by other means.

Block III: Environment outside the family

1. What was the type of locality in which you lived.
2. What was your relation with neighbours
(a) good (b) fair (c) bad (d) no relation
3. Is there any delinquent among your neighbours
- 3.1 If yes, how many
4. Did you have any relationship with him/her/them

4.1 Did you like to live with your neighbours

(a) Yes (b) No

4.2 If yes, state reason

4.3 If not, state reason

5. How many friends you have

6. Do you have any best friend

7. What is his/her activity

8. Whether any of your friends are delinquents

9. How did you spend your time with your friends

Block IV: Attitude testing

1. What is your aim now?

2. What was your aim before the committment of the crime?

3. Don't you think that you have done a mistake

(a) Yes (b) No

3.1 If not, then why?

4. Do you want to enroll yourself in any educational institution

5. Suppose you have got sufficient money, how would you spend it

6. Is there any greatman whom you want to follow

(a) Yes (b) No

7. What attract you most
(a) Cinema (b) sports (c) reading (d) others(specify)

- 7.1 If it is cinema
(a)what type of picture do you like to see
(b)Why

8. Being free. will you go back to your earlier group
(a) Yes (b) No

Block V: Environmental situation in correctional institute

1. How long are you living here *
2. What is the type of treatment you are getting here
(a)very strict (b)strict (c)sympathetic
3. Do you get sufficient food
(a)Yes (b) No
4. Is authority affectionate to you
(a)Yes (b) No
5. Do you like the school here
(a) Yes (b) no

- 5.1 If not, then why

6. What kind of vocational training are you getting here
7. Do you think this will solve your future problem
8. Do you like your peers
9. Do you have any best friend among them

10. Are you the leader of your peers
- 10.1 If not, is there any leader
11. Why has he become your leader
12. Do you have any recreational facility
13. What type of talk do you have with your friend living here
14. Do the authorities impart any moral training
15. Do you think that life here is better/worse than your life outside the home
16. Are you satisfied with the decision of the authority in what you do
17. Briefly indicate your daily routine.

CANDIDATE'S BRIEF BIO - DATA

1. Name : Smt. I althansangi
2. Father's Name : Shri. I alropara (L)
3. Husband's Name : Shri. V.I. I inbiaka
4. Date of Birth : 16 - 7 - 1959
5. Present Address : A/29, Mission Veng, Aizawl - 796001 Mizoram
6. Occupation : Lecturer, Department of Education
Govt. Aizawl College
Aizawl, Mizoram
7. Experience : 16 years
8. Educational Qualifications : (i) HSI C. 1973
: (ii) P.U.C. 1975
: (iii) B.A.(Hons) 1977
: (iv) M.A.(Fdn) 1979
: (v) M.A.(Psy) 1985
: (vi) D.E.V.G. 1986
9. Area of Research
Work/Specialization : Educational Psychology
10. Published Work,
if any : (a) Effective HIV/AIDS Activities :-
NGO work in developing countries :
A Collaborative Study
: (b) Presented Seminar/Workshop papers on Drugs and
HIV/AIDS
11. Other Activities : (a) Additional responsibility given by the Govt. of
Mizoram as Superintendent, Mizoram Collegiate
Girls' Hostel, Aizawl
: (b) Volunteer to Community Health Action Network,
The Salvation Army as Counsellor for Drugs and
AIDS

12. Participation in

- : 1. Refresher Course in Educational Technology
Organised by The Department of Education, NEHU
29th October to 7th November, 1984
2. Orientation Training in Teaching Methodologies,
Pedagogy, Educational Psychology, etc.
Organised by National Institute of Educational
Planning and Administration (NIEPA),
7th to 31st October, 1987
3. Refresher Course in Education
Organised by The Department of Education,
Pachhunga University College (NEHU)
1st December to 21st December, 1993
4. Refresher Course in Education
Organised by The Department of Education, NEHU
8th to 28th March, 1995

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