UNIT 15 : JUVENILE DELINQUENCY

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15.1 LEARNING OBJECTIVES

After going through this unit, you will be able to-

- explain the meaning and concept of delinquency
- identify the characteristics and activities of delinquents
- analyze the causes and treatment for Juvenile delinquency.

15.2 INTRODUCTION

In the present society we often find many crimes committed by teen-agers almost every day. These incidents are on increase due to negative role played by mass media especially T.V or Internet. The offence or crimes committed by these teenagers is termed as delinquency. Delinquency at present is a major social issue. It is a violating tendency of children towards accepted social rules and norms. In this unit, we are going to learn about the meaning of delinquency and how they act in the society and besides this how we can treat this problem by means of education.

15.3 MEANING OF JUVENILE DELINQUENCY

Delinquent children are those children which belong to the category of exceptional children and exhibit considerable deviation in terms of social adjustment. They are therefore law breaking and possess criminal tendencies whose attitude and behaviour are not acceptable by the society. They basically indulge in antisocial activities. In delinquents, the instinctive and biological urges appear to be over active whereas their conscience remains weak. As such they are easily prone to violence. A delinquent child derives the sense of compensation or revenge through his activities. Delinquency is, therefore, a revelation of the emotionally disturbed and troubled mind.

We can find this tendency of delinquent generally among the adolescent boys and girls. These adolescent boys and girls are of those categories who actually possess a sense of frustration in their personal and social life. The criminal act of their immature mind below the age of 18 years is known as ***Juvenile Delinquency.*** Their cases of criminality are judged separately in a court of law called Juvenile Court. In simple words, the term '***Juvenile Delinquent'*** or '***Young Delinquent'*** means a child or minor who deviates seriously from the norms of his culture or society and commits murder and robbery or other offences that are strictly age related.

From legal standpoint, delinquency consists of those behaviours that are prohibited by the family or juvenile code of the state and that subject minors (i.e., persons not legally adults) to the jurisdiction of the juvenile court. Behaviours prohibited by juvenile codes can be grouped into two categories: (1) behaviors that would be defined as criminal offenses if committed by adults (malicious destruction of property, larceny, robbery, motor vehicle theft, etc.), and (2) behaviors that are prohibited only for minors, which are called status offenses(school truancy, running away from home, incorrigibility, etc.).

The nature of their act of crime and offence are also quite significant. They indulge in activities like theft, robbery, assault, sex offences, narcotics, smoking, gambling, pick-pocketing etc. In school the nature of their violating

tendency finds expression through irregularity, inattention, indiscipline, disobedience, obstinacy, truancy and assault.

According to data released by the government for 2014, juveniles continue to constitute 1.2 per cent of the total cognizable crime rate in the country, a trend that has remained unchanged since 2012. In that year, a total of 33,526 cases (under IPC) were registered against minors, as against an overall total number of 28,51,563 cases registered in the country. When cases that were filed under Special Local Law were added to the IPC data, the total number of cases against juveniles shot up to 48,230. About 75 per cent of those accused in these cases were in the age group of 16-18 years. (Source for statistical data: *https://www.ojjdp.gov/ojstatbb/nr2014/downloads/NR2014.pdf)*

15.3.1 Definitions of Delinquency

- According to **Johnson and Szurek**, "Delinquency is actually a deficiency in the formation of superego. Delinquent child fails to internalize the primitive taboos and code of conduct set by the family and the society and works on either pleasure principle or he is guided by his ego. Delinquency is actually holes in the superego of man."
- **Bandura and Walters** are of the view that delinquency is the manifestation of frustrated needs of the child which lead him to behave aggressively.
- According to **New Meyer** a delinquent is a person under age who is guilty of anti-social act and whose misconduct is an infraction of the law.
- **Richard A Cloward** has defined delinquency in the following words, "Delinquent act is a behaviour that violates norms of the society and when officially known it evokes a judgement by agent of criminal justice that such norms have been violated.
- **Herbert Quay** in his book 'Juvenile Delinquency' has defined the concept in the following words, "Delinquent would be a person whose misbehaviour is relatively a serious legal offence

which is inappropriate to his level of development and is alien to the culture in which he has been reared."

- According to **C. Burt,** "A child is to be regarded as technically delinquent when his antisocial tendencies appear so grave that he becomes or ought to become the subject of official action."
- **Ohio code of the USA** defines the term in the following ways, "A Juvenile Delinquent is one who breaks the law, is a vagrant, persists in disobeying orders, whose behaviour endangers his own moral life as well as the moral life of others."
- Delinquency in the view of the Coleman (1981) refers to **"behaviour of youths under 18 years of age which is not acceptable to society and is generally regarded as calling for some kind of admonishment punishment or corrective actions".**

It is clear from the above definitions that unless a young man is brought to the court and his delinquency is not proved, he is not delinquent. As far as age for delinquency being a delinquent is concerned, it varies from country-to-country ranging from 16-20. According to Juvenile Justice (Care and Protection of Children) Act 2015 passed by Parliament of India which came into force from 15 January 2016, the age group for Juvenile Delinquents include from 16-18 so that juveniles in conflict with law and involved in Heinous Offences can be tried as adults.



LET US KNOW

Though delinquent activities are termed as crime or criminal activities, yet there is a difference between crime and delinquency. These are as follows:

- Difference in age: Both of them indulge in antisocial activities but a delinquent is one who is in the age group of 15-20 while a criminal is above this age level.

- Difference in activities: Many activities of delinquents do not require legal action such as cruelty, obstinacy etc. but activities of criminals always require legal action.



CHECK YOUR PROGRESS

Q 1: Who is Juvenile Delinquent?

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Q 2: Mention the age group of Juvenile Delinquents according to Juvenile Justice (Care and Protection of Children) Act 2015.

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Q 3: Define Delinquency.

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15.3.2 Characteristics of Delinquents

Some of the typical characteristics that may be observed in delinquent children may be presented below:

- The IQ for the delinquent children is below average in general.
- Almost all delinquent children does not prefer reading, writing and other school activities.
- Delinquent children are mostly weak in using their verbal and visual form of symbols.
- Socially, these children are undemocratic, destructive and possess a sense of violence from very early stage of life.
- They are emotionally mal-adjusted, feel frustrated, rejected, unloved and guilty.
- Delinquent children always suffer from the lack of sense of emotional security.
- Their personality traits appear to be suspicious, sadistic and revengeful.
- Their hobbies and leisure time activities seem to be very

unhealthy like smoking, drinking, drug related activities etc.

- They are by nature thoughtless, desperate and obstinate in their behaviour.
- Their id remains more powerful whereas super-ego or spiritual sense is very weak.

Besides the above mentioned characteristics we can also highlight some important characteristics of Juvenile Delinquents identified by **Sheldon and Gluecks.** They are as follows:

- ***Physical:*** Mesomorphic in constitution, muscular, energetic and bold.
- ***Temperamental:*** Restless, impulsive, extroverted, aggressive and destructive.
- ***Attitudinal:*** Hostile, defiant, resentful, suspicious, unconventional and non-submissive to authority.
- ***Psychological:*** Direct and concrete intellectual expression, less methodical in their approach to the problem, and disregard to elders.
- ***Socio-cultural:*** Lack of affection and stability and low moral standard of parents and elders.



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Many psychologists hold the view that crime or delinquency is inherited from parents and ancestors. These are examples of some of the studies done by some eminent psychologists in this regard-

- Studies of family trees of **Kallikak and Edward** families have shown that crimes as well as intelligence are inherited from generation to generation.
- **Goring** established the facts that intelligence was more associated with criminal tendencies as compared to physical characteristics of the subject. Low intellectual ability of the person may be an important cause of delinquency.
- **Goddard** in his book, “Mental efficiency and levels of intelligence”

has stated that the greatest single cause of delinquency is mental weakness.

- **Smith** found that thief and murderer suffered from the disturbance of gland cells and central nervous system.

15.3.3 Activities of Delinquents

Types of delinquents' acts are many because of socio-economic and cultural variations. Some common delinquent acts are listed below:

- Delinquents always want to satisfy their immediate social and biological needs as a result they indulge in activities like stealing, sexual harassment and so on.
- Another activity found to be common among delinquents is the act of forgery. They may forge the signature of parents and teachers and indulge in illegal activities.
- They behave very aggressively. They show aggression against animate and inanimate objects of the environment.
- Sexual crimes are very commonly created by the delinquents.
- One of the extreme forms of delinquency is murder or robbery. They involved in these kinds of activities when they are irritated by others.
- Delinquents mostly become truants and escape from the place. Some such acts are truancy from the school, running from home, leaving the place immediately after committing crime.



CHECK YOUR PROGRESS

Q 4: Mention some activities of delinquents.

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Q 5: List out the characteristics of delinquents identified by Sheldon and Glueks.

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15.4 CAUSES OF DELINQUENCY

The mal-adjusted and defective growth of child's personality in the early years may result in delinquency. Cyril Burt who made an objective study of delinquency had observed that parental criminality is not dominating factor for children's crime. There are typical environmental situations that give incentive to criminal senses in mind. Inappropriate home, school and social environment are largely responsible for delinquency. The causes of and conditions for juvenile crime are usually found at each level of the social structure, including society as a whole, social institutions, social groups and organizations, and interpersonal relations. Juveniles' choice of delinquent careers and the consequent perpetuation of delinquency are fostered by a wide range of factors, the most important of which are described below.

- One of the vital causes of delinquency in children is lack of parental love.
- Lacks of discipline at home, lack of parental control, broken family are the contributory factors to delinquency.
- Another factor responsible for delinquency of children is lack of planned family system and also lack of family prestige.
- Unfavourable school environment may also lead to delinquency of children. Ineffective academic and theoretical nature of school programme, lack of co-curricular facility and the teacher insisting too much on educational activity may lead to such situation in school.
- Moreover, teachers' unfriendly and hostile attitude towards children may also worsen the situation to make delinquency in school.
- Due to poverty basically children are prone to be delinquent as their parents are unable to fulfill the legitimate needs of the children.
- Media is also one of the reasons behind growing delinquent activities. Adult crime, prostitution, drug trafficking, lack marketing etc shown in movies are responsible to create delinquents.
- At the present situation, educated unemployment, craze for earning easy money, black money and degradation of moral values are the

reasons for growth of delinquency.

- Absence of healthy recreational facilities may also lead to delinquency among children.
- Political unrest, communal violence, social injustice, misuse of power are some of the adverse effect of our society which causes delinquency.

Thus, these are some of the causes of delinquency, but delinquency is the result of cumulative factors of social problems.

15.5 REMEDIAL MEASURES FOR DELINQUENCY

While treating a juvenile delinquent, the welfare of the child is given foremost importance. The purpose should not to punish the delinquent, but to correct his criminal tendencies and to make him a productive citizen of the country. The Children's Act of 1960 passed by our parliament seeks to provide for the care, protection, maintenance, welfare training, trial and rehabilitation of delinquents and neglected children.

The home is the natural environment of any child, and all efforts should be made to help him to continue in the home as far as possible. When a delinquent child is taken under custody, he is brought to remand home. His parents/ guardians are contacted, and he is discharged with a warning. He is kept in the institution only when he is a destitute. A juvenile offender's case is tried in a juvenile court which is not a regular court, but an informal place of trial set up occasionally to decide about such cases. The entire procedure is very informal and only those people are allowed to be present in the juvenile court who are directly associated with the child. If the child needs institutionalization, he is sent to special correctional institutions like reformatories, certified schools. In all these institutions, the child is provided with proper lodging, boarding, facilities for education and vocational training, recreation and moral training. The problem of juvenile delinquency can be controlled or remedied by creating better social institutions and healthy environment in our society. Better homes, better economic conditions, better education, recreation and better political situation can go a long way in this connection. Thus, in regard to this we can highlight some preventative measures which may be effective to handle the problem

of delinquency among children. These are as follows:

- **Congenial home environment:** A favourable and suitable home environment should be created so they the children feel emotionally secure and can gain trust and confidence of the family members. Parents should develop positive attitude towards their children.
- **Child's Company:** Every child should be given maximum company by their parents at home. Parents and even school authorities should keep a close watch on the activities and social environment in which they are being reared so that they do not fall into the bad company in their mere future.
- **Teach Social rules and norms:** It is the duty of the parents as well as teachers to teach or to train children to be loyal, faithful and to abide by the rules and norms of the society.
- **Proper school environment:** Teacher in school should be sympathetic and appreciative of the students' problems. A teacher should be competent enough to guide the children appropriately.
- **Flexibility of school curriculum:** Children should not be burdened with heavy educational work in school. Their interest should be directed to co-curricular activities.
- **Inclusion of Special Courses:** Provision should be made for sex education and moral education besides the regular course of study. Moreover, provision should be made for Vocationalisation of Secondary Education should be emphasized so that children can engage themselves in fruitful activities.
- **Healthy Recreational Facilities:** Provision should be made for organization of healthy recreational facilities in home and school. Besides, government should also take special initiative in this regard. Steps should be taken to train children in good taste and aptitude.
- **Scope for employability:** Enough employment and self-employment avenues for children should be created by the government. A sense of work-culture should be developed in society.
- **Effective legalization:** Effective legalization should be undertaken by the government to stop delinquent tendency of a certain section of

people in society such as gambling, drinking, black marketing etc.

- **Removal of socio-economic and political problems:** Political leaders, administrators and the social workers should come forward to solve socio-economic and political problems of the society which often lead to delinquency tendency among children.
- **Establishment of special schools:** Inorder to rectify the behaviour of delinquents, they are admitted in special schools meant for them. They are taught special curriculum by special teachers and they are evaluated in special manners also.

Besides, the above mentioned preventive measures, ***The Children's Young Person's Act of Britain*** has also suggest some curative measures with some modifications for India for removal of Juvenile Delinquency in India. These are as follows:

- Establishment of special Juvenile courts with trained magistrates to deal with Juvenile Delinquents.
- Appointment of trained social workers or probation officers for taking charge of delinquent cases.
- Taking the help of clinical psychologists and psychiatrists for understanding the delinquent behaviour of children.
- Establishment of special schools where special education, correction and rehabilitation is possible.
- Provision of keeping the children in the custody of responsible persons or social agencies.
- Establishment of remand homes where delinquent children may be lodged while awaiting trial or placement in an approved school or in the custody of a responsible person, or if so directed by a probation officer prior to employment or on discharge from an approved school.

It has been observed that at present children and their problems are receiving attention from government as well as members of our society. But still it has been found that these problems are seems to be never ending which results in the degradation of moral values and rise of conflict and crimes in society. The social, economic and other factors which have been the root causes of Juvenile Delinquency need to be dealt with at the very

initial stage. Every society must, therefore, devote full attention to ensure that children are properly cared for and brought up in a proper atmosphere, where they could receive adequate training, education and guidance in order that they may be able to have their rightful place in the society when they grow up.



ACTIVITY-15.1

Narrate an incident you have come across in your life which you feel is an activity of a delinquent.



15.6 LET US SUM UP

- Delinquent children are those children which belong to the category of exceptional children and exhibit considerable deviation in terms of social adjustment. They are therefore law breaking and possess criminal tendencies whose attitude and behaviour are not acceptable by the society.
- The criminal act of their immature mind below the age of 18 years is known as ***Juvenile Delinquency.***
- In simple words, the term '***Juvenile Delinquent'*** or '***Young Delinquent'*** means a child or minor who deviates seriously from the norms of his culture or society and commits murder and robbery or other offences that are strictly age related.
- The nature of the act of crime and offence of delinquents are also quite significant. They indulge in activities like theft, robbery, assault, sex offences, narcotics, smoking, gambling, pick-pocketing etc. In school the nature of their violating tendency finds expression through irregularity, inattention, indiscipline, disobedience, obstinacy, truancy and assault.
- Some of the important causes of delinquency are broken families, poverty, lack of discipline, lack of recreational facilities, lack of moral

code, lack of discipline in school, ineffective curriculum etc.

- Some of the preventive measures for delinquency are- congenial home and school environment, providing maximum time to child, training on social rules and norms, flexibility of school curriculum, inclusion of special courses, establishment of special schools, effective legalization, scope for employment etc.



15.7 FURTHER READING

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2) Mangal, S.K (2008): Advanced Educational Psychology, PHI Learning Private Limited, New Delhi.
3) Chauhan, S.S (2007): Advanced Educational Psychology, Vikas Publishing House.



15.8 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: '***Juvenile Delinquent'*** or '***Young Delinquent'*** means a child or minor who deviates seriously from the norms of his culture or society and commits murder and robbery or other offences that are strictly age related.

Ans to Q No 2: According to Juvenile Justice (Care and Protection of Children) Act 2015 passed by Parliament of India which came into force from 15 January 2016, the age group for Juvenile Delinquents include from 16-18.

Ans to Q No 3: Ohio code of the USA defines the term in the following ways, "A Juvenile Delinquent is one who breaks the law, is a vagrant, persists in disobeying orders, whose behaviour endangers his own

moral life as well as the moral life of others."

Ans to Q No 4: Delinquents indulge in activities like theft, robbery, assault, sex offences, narcotics, smoking, gambling, pick-pocketing etc. In school the nature of their violating tendency finds expression through irregularity, inattention, indiscipline, disobedience, obstinacy, truancy and assault.

Ans to Q No 5: Some important characteristics of Juvenile Delinquents identified by **Sheldon and Gluecks** are as follows:

- ***Physical:*** Mesomorphic in constitution, muscular, energetic and bold.
- ***Temperamental:*** Restless, impulsive, extroverted, aggressive and destructive.
- ***Attitudinal:*** Hostile, defiant, resentful, suspicious, unconventional and non-submissive to authority.
- ***Psychological:*** Direct and concrete intellectual expression, less methodical in their approach to the problem, and disregard to elders.
- ***Socio-cultural:*** Lack of affection and stability and low moral standard of parents and elders.



15.9 POSSIBLE QUESTIONS

A) Short Questions (Answer within 150 words)

Q 1: Write a short note on Juvenile Delinquency.

Q 2: How you can identify delinquents?

Q 3: Mention the characteristics of Juvenile Delinquents.

B) Long Questions (Answer within 300-500 words)

Q 1: Discuss in brief the activities of delinquents.

Q 2: Elaborate the main causes of delinquency. Discuss its preventive and curative measures.

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