



Social Background Patterns and Juvenile Delinquency: an Analysis

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ABSTRACT

In recent time, juvenile delinquency and its associated problems pose serious threat to the countries and across the globe. This includes actions and inactions of children below the age of sixteen, of which the child is subject to conviction by the state. This study investigated the social background patterns of juvenile delinquents to ascertain their contributions to juvenile delinquencies in India. Relevant data were collected through the use of secondary data. The results in the main corroborated what exists in literature that most delinquents come from broken homes; most delinquents are males; delinquency is at a higher rate in urban areas compared to the rural areas and that most delinquents are part of peer groups who engage in delinquent behaviours. Precisely, with highest rates of juvenile delinquency. The most committed offence across the country was theft. The high rates of robbery, housebreaking and stock theft indicate that poverty may be the factor behind the scene in India, which requires urgent attention from the government to tackle and eradicate poverty.

KEYWORDS

Crime, Delinquency, Juvenile Justice Act, Poverty

INTRODUCTION

The concept of juvenile delinquency was relatively unknown as a distinct area of academic interest to most scholars in sociology and related disciplines until late in the nineteenth century. Prior to that time, juvenile offenders were considered culpable of certain crimes or were punished like adults in the criminal justice system without any special consideration of their age. Lauer (1998: 138) quotes Platt (1969) who states that the concept began to change in the nineteenth century when a group of reformers set out to redeem the nation's wayward youth in the United States of America. Following this was an establishment of a juvenile court system in the United States. Consequently juveniles were treated differently from adults, and certain acts that were ignored or treated informally came under the jurisdiction of a government agency (Lauer 1998: 138).

Juvenile delinquency means bad or criminal behaviour, usually of young people. However, behaviours considered as delinquent vary across countries and is culturally relative. In this regard, what may be treated as delinquent behaviour in one country or state may not necessarily be treated as such in another, so is the age at which a child may be held legally responsible for his or her actions. Cweba (1992) quotes from Davis (1970: 197) that the legal meaning of juvenile delinquency varies a great deal with respect to place, time, social category and circumstances. She sums up that juvenile delinquency refers to acts that are committed by minors (person under eighteen years of age, or sixteen or seventeen) as each country's law stipulates, which are regarded as crimes when committed by persons over the respective ages. Under the juvenile law in India, juveniles are children below the age of eighteen. Juvenile delinquency is the behaviour of children which under the juvenile law may subject children to juvenile court procedures (Cweba 1992: 6). Against this background, Mangold (1948: 368) in Hlabana (2004: 3) argues that a juvenile delinquent does not necessarily mean an individual who is guilty of some certain offence, but it may include someone who has developed an anti-social attitude or who is characteristic of behaviour that will, if unchecked, lead to conduct that the public cannot tolerate. Juvenile delinquency is significant in India as in other parts of the world. It is significant in India because just as children's problems in the nineteenth century triggered a chain reaction of social improvement, it was often the complications of handling effectively the young person's coming before courts in the urban areas which led to the appointment of probation officers (Hlabana 2004: 3). In India,

the first juvenile court system was established in 1986, which has led to the numerous juvenile courts in respective districts within the country. From the above, it is apparent that juvenile delinquency does exist in India. The children held in this observation, remand homes, centre committed different sorts of crime and are assumed to have hailed from diverse social and economic background. At present time, there is a clear indication that the population of the Juvenile Centre seems to fluctuate because of persistent detention in remand facility, which points to the fact that children are increasingly being involved in various types of anti-social behaviours in India. Even though the fluctuating number of juveniles into this facility is a source of worry, the most important issue that needs to be revealed is the predominant social backgrounds characteristics or the types of social background that produce most of this category of children. This study, therefore, delved into the investigation of the social background factors that are most commonly associated with juvenile delinquency in India, which has high positive potential and implication for their adjustment under rehabilitation.

The study specifically investigated a group of social background which include juvenile delinquents' family background characteristics, their residential or location background and environment, beliefs and attitudes towards education, and the nature of juveniles' peer network system of juveniles. This current study is important because since juvenile delinquency is a social problem, the results may be useful in identifying major contributing factors to the incidence of delinquency. When the delinquent is convicted of an offence, and taken into a correctional centre, the chances of engaging into further delinquent acts after the release are high if the contributing factors to the delinquency are not tracked or known. Therefore the search for a holistic knowledge of the social background patterns of delinquents in India motivated this study.

Theoretical Explication and Analysis of Juvenile Delinquency:

Some sociologists have propounded deviance theories that explain the foundations of general crime, which also accommodate explanations for juvenile delinquencies. The deviance theoretical approach regards juvenile delinquency like adult crimes as social problems that result from particular violations of the norms rather than a general breakdown (Lauer 1998: 17). For the purpose of this study, the following theories are variations of deviance perspective that are applicable in explaining juvenile delinquency in India, namely differential op-

portunity theory, sub-cultural theory, differential association theory and social disorganisation theory. In line with Merton (1957)'s anomie theory, is the **differential opportunity theory** of Cloward and Ohlin (1960), which was first developed by Cloward in 1959. According to this theory, there are other than one way in which juveniles reach their aspirations, which may be either through a legitimate or illegitimate means. In the urban lower class areas where there are few legitimate opportunities, it is easy for other individuals to find opportunities of a different kind, mainly through illegitimate route. They argue that the opportunities are just as well established and access is just as limited as in the legitimate structure. Thus position in society dictates the ability to participate in both conventional and criminal avenues of success (Williams and McShane 2004: 122). Practically, in line with their proposition, different individuals have unequal access and opportunities to achieve their life goals. This implies that children from more affluent homes with better education and wealthier parents are opportune with greater life chances and means to achieve their life aspirations through culturally defined ways, compared to their counterparts from less privileged families with little or no life chances to depend on. In response to the imminent lack of opportunity due to lack of resources, the less privileged children tend to device other opportunities, which may not be legitimate but descriptively delinquent towards meeting their life goals.

Human beings are invariably products of their environment and social background. Albert Cohen propounded the **sub-culture theory**, in which lower class boys reject the standards of achieving set by the middle class. They form their own values, which in most cases lead to delinquent behaviour. Cohen's theoretical explication of root of delinquency is akin to the differential opportunity of Cloward and Ohlin (1960). However, while Cloward and Ohlin (1960) were more interested in explaining the root towards achieving life goals quantified in standard culturally accepted success of individuals, Cohen(1955) differ remarkably in his focus on achieving popularity and fame in the society. Presumably, all societies measure the behaviour of their members based on the society's acceptable values, norms and standards. In practice, being in conformity with these values becomes a question of what position and access that an individual possesses in the society. While those from high resource base families exhibit values that are the acceptable standard, those from low class families invariably get involved in other activities and behaviours that earn them acceptance and popularity in their specific sub-culture. In other words, instead of behaving in conformity to the societal standard, those individuals behave according to the standard of their contra-culture or sub-culture which is in disharmony with the mainstream societal values. For instance even though, the mainstream societal values condemn violence and aggression, these behaviours are permissible in many lower class sub-cultures as a means of survival. From a different perspective, Sutherland (1939) formulated the **Differential Association Theory**. While the theory has been modified over time, initially it argued that criminal behaviour is learned through social interaction, especially within primary groups. Primary groups are people with whom an individual has an intimate and frequent face-to-face interaction. They include the individual's parents, spouse, children, close peers, colleagues, and most significant others. Sutherland argues that every human being is exposed to various and contradictory ideas of right and wrong behaviour. Even those who consider themselves and their acquaintances major examples of law-abiding citizens share some ideas that are deviant with some other people. Sutherland emphasized that children and other individuals usually tend to accept those definitions of behaviour that they encounter most often in our primary group interaction, irrespective of whether the behaviour is legal or not. The theory clearly assumes that deviance is acquired through a learning process, where the potential delinquent is in constant interaction with deviant groups compared with his or her less interaction with non deviant groups. It further argues that individuals learn to be deviant through exposure to more definitions of what behaviour is acceptable

though illegal than to those that conform to the law (Lauer 1998: 20). However, the exposure must be frequent, prolonged, intense, and must start early in life. Furthermore, an individual will not become deviant without an opportunity to practice the deviant behaviour. **Ecological approach** of Shaw and McKay (1942) indicates that the nearer one lives to the central business district, the greater the rate of delinquency and the farther one lives from the centre of the city the lower the rate of delinquency.

This emanates from the assumption that the decline in efficiency of institutional and informal social control increases with the fast changes in industrialisation or urbanisation (Bezuidenhout 2004: 88). Shaw and McKay confined their ecological approach to the concept of social disorganisation. **The Social Disorganization Theory** developed by the Chicago School asserts that mapping can show spatial distributions of delinquency and crime.

Shaw and McKay (1942) demonstrated that social disorganization is prevalent in the urban areas, specifically the slum and areas of transition, where the poor migrants can only afford to live. Slum urban areas and areas in transition are characterised by a high rate of population turnover and ethnic diversity. In their analysis, Shaw and McKay established among other facts, that 1) there is consistency in the spatial pattern pertaining to rate of juvenile delinquency, with the highest rates in the inner-city areas and declining with distance from the city centre, and 2) the spatial pattern of delinquency rates showed noteworthy long-term stability although the population structure in the inner city areas changed to a great extent throughout the decades. Most researchers, mainly criminologists and sociologists maintained that social disorganisation manifests in value inconsistencies, normlessness that characterise neighbourhoods with diverse cultural backgrounds and orientations. Children that are brought up in such contradictory value environment will tend towards exhibiting a high level of confusion and delinquency.

The purpose of the United Nations Convention on the Rights of the Child (UNCRC) is to outline the basic human rights that should be accorded to children. There are four broad classifications of these rights. These four categories cover all civil, political, social, economic and cultural rights of every child. i. Right to Survival: A child's right to survival begins before a child is born. According to Govt. of India, a child life begins after twenty weeks of conception. Hence the right to survival is inclusive of the child rights to be born, right to minimum standards of food, shelter and clothing and the right to live with dignity. ii. Right to Development: Children have the right to all forms of development: Emotional, mental and physical. Emotional development is fulfilled by proper care and love of a support system, mental development through education and learning and physical development through recreation, play and nutrition. iii. Right to Protection: A Child has the right to be protected from neglect, exploitation and abuse at home and elsewhere. iv. Right to Participation: A child has a right to participate in any decision making that involves him/her directly or indirectly. There are varying degrees of participation as per the age and maturity of the child.

CONCLUSION:

It is evident from this study that there are some social background patterns that are correlated with juvenile delinquencies. Even though some of the findings of this study are consistent with what exist in previous literature in criminology and sociology, there are some findings that appear to be at variant with already accepted notions. In-depth understanding of the pathways of these factors will lead to dealing with some of the problems and delinquencies that emanate from them. Besides, meaningful and expected outcome based rehabilitation and training of the juveniles will be achieved by instituting appropriate intervention programmes that are tailored according to the prevalent background factors or attributes of these juveniles. In other words, the ongoing social engineering process should target towards altering the social background.

REFERENCES

1. Babbie E 2001. *The Practice of Social Research*. Wadsworth: Thompson Learning Inc.
2. Bezuidenhout FJ 2004. *A Reader in Selected Social Issues*. Pretoria: Van Schaik Publishers.
3. Cloward R 1959. Illegitimate means, anomie, and deviant behavior. *American Sociological Review*, 24(2): 164- 176.
4. Cloward R, Ohlin L 1960. *Delinquency and Opportunity: A Theory of Delinquent Gangs*. Glencoe, IL: Free Press.
5. Cohen AK 1955. *Delinquent Boys: The Culture of the Gang*, Glencoe. IL: Free Press.
6. Cweba ES 1992. *A Review of Literature: The Nature of Juvenile Delinquency, its Causes, Measurement and the Theories*. Roma: National University of Lesotho.
7. Emeke E, Obioha1 and Mapholoana A. Nthabi **2011: Social Background Patterns and Juvenile Delinquency Nexus in Lesotho: A Case Study of Juvenile Delinquents in Juvenile Training Centre (JTC), Maser**. J Soc Sci, 27(3): 165-177
8. Hlabana EM 2004. *Causes of Delinquent Behaviour among Youth*. B.A. Project, Unpublished. Roma: National University of Lesotho.
9. Hirschi T 1969. *Causes of Delinquency*. Berkley: University of California Press.
10. Kirby M. 1997. *Sociology in Perspective*. Great Britain: The Bath Press.
11. Kolvin F, Miller FJW, Fleeting M, Kolvin PA 1988. Social and parenting factors affecting criminal offence rates: Findings from the New Castle thousand family study.(1947 – 1980). *British Journal of Psychology*, 152:80 – 90.
12. Lauer RH 1998. *Social Problems and the Quality of Life*. McGraw-Hill.
13. Merton RK 1957. *Social Theory and Social Structure*. New York: Free Press of Glencoe
14. Obioha EE 2002. *Drug Addiction and Social Rehabilitation: A Case Study of Lagos Nigeria*. Ph.D Thesis, Unpublished. Ibadan: University of Ibadan.
15. Obioha EE 2008. Social impact of substance abuse on family subsystem in Nigeria: Provoking the moral question of trust in the family and society. *BOLESWA: Journal of Theology, Religion and Philosophy*, 2 (2) 94 -117.
16. Shaw CR, McKay HD 1942. *Juvenile Delinquency in Urban Areas*. Chicago: University of Chicago Press,
17. Sutherland E 1939. *Principles of Criminology*. Philadelphia:
18. J.B. Lippincott. Williams PF, McShane DM 2004. *Criminological Theory*. United States of America: Pearson Education Inc.
19. Zastrow C 1984. *Social Problems*. Chicago: Nelson-Hall Inc.
20. The Juvenile Justice (Care and Protection of Children) Act, 2000, Bare Act, (2009), Universal law publishing Co. Pvt. Ltd. New Delhi
21. Ministry of Women and Child Development (2007) : A Study on Chil Abuse.