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**YOUTH CRIME IN INDIA: FACETS AND SOCIAL WORK
IMPLICATIONS**

ARUN KUMAR*
Dr. J.M.ARUL KAMARAJ**

Abstract:

In recent years we have been witnessing an unprecedented increase in youth crime all around the nation which has shaken the very roots of the nation building. Youth crime refers to harmful behaviors that can start early and continue into adulthood. The young person can be a victim, offender, or a witness to the crime. Preventing Youth Crime in a multicultural society emphasizes the need for creating culturally compatible interventions to prevent crime among the youngest members of the diverse populations. The goal for the youth crime preventions is to stop youth crime from happening in the first place. Effective prevention strategies are necessary to promote awareness about youth crime and to foster the commitment to social change. A comprehensive and coordinated crime prevention strategy involving from Public Health, Education, Justice, Public safety, and Human service systems and along with the support of Government, Political and Community leaders, Businesses, and Non-Governmental organizations is the need of the hour. Social Workers have a great responsibility in combating Youth Crime. India has a substantial number of energetic Youth force. This energy has to be channelized and utilized appropriately in the nation building. This paper is envisaged to set the stage for such happening.

Key words: Youth, Youth Crime, Interventions, Nation Building, Preventing Youth Crime, Social Worker, Social change, Victim

** M.Phil Scholar,
Department of Social Work,
Loyola College, Chennai – 34
** Assistant Professor,
Department of Social Work,
Loyola College, Chennai - 34*

INTRODUCTION

Crime is a natural occurrence which is constantly changing and has closed proximity with socio-economic growth of the society. Crime has been an impenetrable problem ever since the dawn of human civilisation and man's efforts to tackle it have not succeeded so far there is no society which is not afflicted by the problem of crime and criminality. Criminal behaviours are an integral part of social behaviour. It can be understood only about the personal social situation and social circumstances. The personality of the offender, the social world in which he lives and the previous experiences are growing because of interaction between the individual and the environment play a vital role in the social process leading to criminal behaviour. The habitual criminality is undoubtedly a crucial problem for penologists in the control of crime and rehabilitation of the offenders. The issue of habitual criminality is also serious in India like other countries. Every year in India, the crimes are repeatedly committed by the recidivists and habitual criminals.

YOUTH CRIME IN INDIA

There has been a troubling increase in criminal happenings involving young people in India in the past few years. The tendency is not limited to the poorer quarters of our cities and towns but even affects well-to-do sections of society. Violent behavior can have several causes. Parental conflict, broken families, child abuse, poor parental supervision and delinquent peers, coupled with the

carefree attitude of youth in schools and colleges are often the ancestors to youth participation in crime. Social anthropologist Ashis Nandy strikes a note of attention. "Youth crime is an unavoidable part of urban evolution," he says. "The giant evacuating in the name of improvement has led to a interruption of community ties and as a consequence results in strengthening crime." The discontinuation between aim and opportunity causes social disturbances that eventually lead to youth turning to crime.

SOCIOLOGICAL PERSPECTIVE OF YOUTH CRIME

This has two approaches, the structural and the processual. Then structural viewpoint studies crime as it relates to the social structure of the society. It is primarily concerned with discovering conditions within a society that cause criminal behaviour. Adherents to this view usually consider demographic, ecological, and economic characteristics of the criminal groups. The processual approach is concerned with how people become criminals. They emphasise that individuals learn criminal tendencies and behaviour in society. Alternatively, other individuals don't become criminals because they bond with people in conventional society who prevent them from breaking the law. Procession theorists also emphasise the reactions of society that help maintain the criminal act. According to Sutherland's principle of differential association criminal behaviour is learnt because an individual acquires more favourable than unfavourable

'definitions' or normative meanings regarding violations of law in intimate personal groups. They have reformulated this theory to dovetail it with Skinnerian and social learning perspectives in his theory of Differential Association – Reinforcement. The criminals see criminal behaviour as part of their social role. Their self-concept, self-presentation, reference group, and interpersonal competence, all contribute to their social identity as a criminal. The sociological viewpoint of crime can also be explained according to two different approaches, i.e. the functional and conflict approaches.

PSYCHOLOGICAL PERSPECTIVE OF YOUTH CRIME

Psychology has been highly immersed in the Darwinian and Newtonian perspectives of human nature since the turn of the century. These two perspectives of mankind strongly influenced Freud and Skinner. Initially, psychologists assumed they could best understand human behaviour by searching for stable and consistent personality dispositions or traits that exert widely generalised effects on behaviour. Many psychologists studying crime, therefore, assumed they should search for the personality variables or traits underlying criminal behaviour. They paid little attention to the person's environment or situation. They assumed that once personality variables were identified, it would be possible to determine and predict which individual was most likely to engage in criminal behaviour. But, more recently there has

been a notable shift towards cognitive and social learning approaches which are less deterministic, i.e. they pay due attention to person's environment and situational factors also instead of relying purely on personality traits. Psychology plays an important role in supporting the causes of crime. Psychology is nothing but, the study of individual qualities such as perception, memory, thinking, learning, intelligence, creativity, and personality.

According to the theory of genetic transmission, hold that crime is a product of heredity-a criminal is born not made. Lombroso (1836-1909) of the Italian School of thought, was the first criminologist who attempted to understand the personality of offenders in physical terms and employed scientific methods in explaining criminal behaviour and shifted the emphasis from crime to criminal. Lombroso, an Italian psychiatrist, attempted to study the criminals, on the anthropological basis. After an intensive study of physical traits of his patients and later on of criminals, he concluded that criminals were physically inferior in the standard of growth and therefore, develops a tendency for inferior acts. Thus Lombroso through his biological and anthropological experiments on criminals justified the involvement of Darwin's theory of biological determinism in criminal behaviour. So Lombroso classified criminals into three categories

- Hereditary criminals or born criminals
- Insane criminals

- Crinoids

Hereditary criminals or born criminals: According to Lombroso, born criminals were of a distinct type who could not abstain from indulging in criminality and environment had no relevance whatsoever to the crimes committed by the Atavists. The second category is of insane criminals, who resorted to criminality on account of certain mental depravity or disorder. The third category, according to him, was those of crinoids who were physical criminal type and had a tendency to commit a crime to overcome their inferiority to fulfil their needs. The above criminal category explains that criminals were the product of genetic constitution, unlike that found in the non-criminal population.

ECONOMIC PERSPECTIVES OF YOUTH CRIME

The oldest theories advanced for the economic cause of crime is poverty. Ettore Fomasari diverse, who as early as 1894, pointed out that the poor classes of Italy, amounting to 6% of the total population, gave 85 to 90% of the convicted criminals. The economic factor which influences the nature and form of all social patterns and controls all other aspects of human life. "The economic explanation of crime in whatever sense they are understood and interpreted did not contribute substantially to the advancement of modern criminology". Some attempts have been made to explain criminal behaviour in terms of economic conditions from the time of Xenophon, Plato, Aristotle; Vergil and

Horace. Karl Marx (1818-83) proposed 'economic determinism' and argued that private ownership of property resulted in poverty. As a result, the exploited class of society turns to crime owing to their property. Marx believed that the sole reason for crime was the then-existing economic system. Marx internationally did not propose a theory of crime causation, yet he saw the mode of production as the causative element in all social, political, religious, ethical, psychical, and material life. Marx says, "The mode of production in material life determines the general character of the social, political and spiritual processes of life. It is not the realization of men that determine their existence, but on the contrary, their social existence determines their consciousness." Just like any other social phenomena, crime too, the Marxists believe, is the result of the economic system.

CRIMINAL JUSTICE SYSTEM IN INDIA

The Indian criminal justice system is an entity with a legal *structure* as well as *functionality* (Jose, 2014). The Constitution of India {including the Constitution (One-Hundredth Amendment) Act, 2015} contains 22 parts, 395 articles and 12 schedules. The fundamental rights of protection in respect of conviction for offences and protection against arrest and detention in some instances are ensured in Article 20 and Article 22, respectively. The 7th schedule, 2nd List (State List), 4th item pertains to Prisons and other correctional institutions. The Indian Penal Code, 1860 containing 511 sections whereby every person shall be liable to punishment

under this Code and not otherwise for every act or omission contrary to the provisions thereof, of which he shall be guilty within (India) (Government of India, 2013). The Code of Criminal Procedure, 1973 containing 37 chapters, 484 sections, two schedules and 56 forms, is the primary legislation for the administration of substantive criminal laws in India (Government of India, 2014). The Indian Evidence Act 1872, containing a set of rules governing the admissibility of evidence in Indian courts of law in 11 chapters and 167 sections (Government of India, 2005).

The legislative power is vested in the Union Parliament and the state legislatures. The law-making functions are divided into laws under the Union List which is under the purview of the Parliament alone, regulations under the State List which are made by the state legislatures alone; both the parliament and the state legislatures are authorized to make laws under the Concurrent List. Apart from the two principal criminal codes, namely, IPC and Cr. PC, there are Special Local Laws (SLL) and Special Laws enacted to deal with new types of crimes. For functional purposes, the Indian Criminal Justice System comprises the Legislature (law-making body), the Police (law enforcement body), courts (law adjudication body) and corrections including correctional institutions such as prisons and observation homes as well as non-institutional corrections such as probation.

THE REFORMATION AND REHABILITATION

The goals of punishment have been undergoing radical changes along with the growing awareness about the rights of even wrongdoer. The trend in modern countries has been towards humanizing punishment and towards the reduction of brutalities. The emphasis is on the decreased use of capital punishment, the introduction of amenities into the modern prison by enlightened penology and the increasing emphasis on non-punitive and individualised methods of dealing with prisoners, e.g., probation, parole, psychotherapy. It is widely believed that the object of punishment is to bring about the reformation of the offender, to prevent him from committing a crime again, and to prevent other persons from committing crimes. It is widely perceived that the crime is the outcome of a diseased mind, and the prison must have an environment of the hospital for treatment and care of mental disease. This approach rejects the deterrent and retributive elements of punishment and strongly advocates the reformatory approach. According to this school of thought, punishment cannot work through repressive methods, for repression does not root out the criminal desire and repression merely checks the wrongdoing for something, but that which is repressed will rebound with as much vigour as it was repressed and produced some unanticipated consequences. Punishment, thus with detention involves a re-educating process and not a bare tormenting process. The offenders, while being punished by detention, should be put to educative and healthy or ameliorative influences. He should be

reeducated, and his character trails reshaped and put once again in the furnace for being moulded.

SOCIAL WORK IMPLICATIONS

Social Work is based on the respect for the inherent worth and dignity of every human person. It is to help people to help themselves for the well-being of oneself and others in every aspect of life such as physical, psychological, social, financial, cultural, political and spiritual dimensions. In spite of many pieces of training, schemes both from government and Non-government organisation, interventions through Social movements, accessibility, and development regarding education and employment still there exists atrocities, discrimination, exploitation, and exclusion. Youth criminality continues to face challenges in combating discrimination and enhancing a simple and normal livelihood. Social work consists of organised and systematic efforts to secure the highest personal and social satisfaction for individuals, groups, and communities. It auspices may be voluntary, Governmental or combination of both.

Social Case Work

Through Social Casework, every individual who faces trauma due to discriminatory practices in the society can be helped to understand the historical blunders of discrimination and focus on the struggles and its outcome. It is concerned with the individual to accept the situation and move ahead with others without losing the interest in achieving a healthy life. Individual guidance through

creating healthy self-esteem and self-concept. To help every individual to develop coping mechanisms, networking skills to get help in job opportunities, awareness regarding quality of life and importantly help individuals to evolve strategies for economic betterment.

Social Group Work

Social worker aims at the improved functioning of the group members through the greater ability for a mature relationship, self-awareness, belongingness as a group for a common cause towards achieving a just society where everyone is respected with dignity. Social Group Work is a method to bring about the desired change in social functioning to get organised and develop a strong bond to face the challenges of caste discrimination against the oppressors with a genuine need for inclusion.

- Helping individuals to recognise the worth of everyone in the group
- To appreciate differences of opinions
- Team building to achieve the target
- Enhancing relationship skills with one another in the group
- Focused Group discussions to understand various problems and evolve strategies

Community Organization

Community organisation helps in identifying the problem and setting a specific objective to achieve in solving the problems of the community through

joint involvement, decision-making, and collective action. Field visits, group discussion, community participation in identifying the problem, need and evolving strategies to combat the issues which are faced by habitual offenders. Training programmes on social analysis to understand the evolution of problems and the need for respect for individuals. Training programmes on life skills and positive behaviour to develop moral behaviour for youth crimes. Youth power is robust, dynamic and vibrant. Harness the youth energy positively for achieving the community need and solving societal problems so that everyone could live with respect and dignity.

Social Action

In this research, the researcher emphasises the need for social movements, government institutions and NGOs that help the habitual offenders to evolve strategies together and to fight against human activities. Actions give an identity to transgender as a group to fight for their rights. The following are the social action strategies that will help transgender to engage in social action meaningfully.

- Fact-finding teams to find the actual details of the humiliation, violence or the event.
- Human Rights awareness.
- Leadership and team-building training
- Legal knowledge through awareness programmes
- Accessibility, availability, and affordability.

- Create awareness campaigns through multimedia.
- Communicate the facts and voice out objection through folk arts, banners, and documentaries
- Street play, mimes and awareness songs that could bring out the problem to create awareness and strategies to combat the issues.

Social Welfare Administration

Social Welfare administration is planning, organising directing, budgeting, collaborating and networking for the sake of the community or the needy. It aims at the systematic approach of management of the whole process of the administration. Training centres could be started or strengthened for conducting awareness camps, leadership camps, skill training and counselling.

Social Work Research

Social Work Research is a systematic method of discovering the ways and means of describing, evaluating or exploring new avenues of intervention and strategies of any social problem or issue that affects human persons especially the vulnerable, marginalised and disadvantaged sections of the society. This helps the researcher to develop a scientific way of approaching a problem with a meeting of the affected persons and analysing them from different perspectives and to propose strategies and means to solve them.

CONCLUSION

Today, social workers serve as youth justice non-profit leaders, advocates,

juvenile justice agency leaders, facility and community counsellors, crisis responders, researchers, and direct support to youth in public defender offices. Social workers play a key role in keeping youth out of the adult criminal justice system. Social workers are critical innovators of community interventions for youth and young adults who come into contact with the system. Young people who obligate offences are dealt with as quickly as possible. This is in keeping with people's sense of justice. Early intervention plays a significant role in keeping minors from embarking on a life of crime. Swift and consistent punishment for offences can help reduce the incidence of crime. After serving their sentence, young offenders receive support aimed at preventing re-offending. For this to become a reality, we need to build effective linkages between districts and states, among various government agencies in association with youth rights groups, along with effective legal services for the youth and their families.

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