

# THE ADOLESCENT CRIMINAL\*

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A criminal is the product of his environments. In the following article, Dr. Mehendale analyses the various factors of environment which are responsible for making a criminal of an individual and suggests suitable measures to counteract such environmental influences.

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The present investigation is concerned with 4,500 offenders who were between 16 and 25 years of age and were received into the Yeravada Central Prison, Poona, during the period 1931—41. The Main purpose of the study is to examine the nature, circumstances, apparent motives and other causal factors which, within the limits prescribed, contributed to adolescent criminality.

It cannot be claimed that all the factors associated with crime have been considered; but it may fairly be said that a reasonably accurate picture has been presented of the offenders and their environment. The conditions brought to light so far, in most cases, in accounting for their crime, and there is strong presumptive evidence that it is the influence of environment that brings most of these boys into court.

A reader who carefully examines the many different crimes committed by them cannot fail to be struck by the fact that, although criminality may be, in its essence, the same all over the world, there are certain crimes which are typically Indian. They can be committed only in the peculiar social atmosphere of this country. The motives of these crimes spring from the established relations and traditional taboos of the Indian society. In other words, they are to be traced not to human nature but to Indian nature which is the product of the Indian mode of living and is dominated by the Indian way of thinking, cultural traditions, habits and

customs. Thus, for example, Indian dacoits are not like American gangsters. They are not bred out of the corrupt background of ill-gotten wealth, but are a result of brutal poverty. Again, compared to the dark and complicated wickedness of European murders, compared to the fundamental savagery of the actions of such men as Palmer or Orsini, most of the crimes of murder and homicide in India appear almost accidental. In some cases, the culprit regards himself as an executioner rather than a murderer. He believes his act to be entirely justified. In others, simple and unsophisticated youths, unable to make their cause understood in the courts, which use another language and whose ways and outlook are so different from theirs, take the law into their own hands. Few of the offenders under study would be fit heroes or villains of a detective story.

It may now be asked whether there is any principle of causation in these crimes. When one considers the problem of crime dispassionately, one will find in it the fact of a multiple determination. Crime is assignable to no single cause, nor yet to two or three; it springs from a wide variety of causes, usually from a multiplicity of alternative and converging influences.

Yet in any given case, amid the tangle of necessary factors, some single circumstance not infrequently stands out as the most prominent or the most influential. This may

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be termed the immediate cause or influence. For purposes of exposition, the various causal factors have been grouped and dealt with under different headings.

*Home Conditions*—(a) Ill-adapted husband-wife relationship is obviously the most serious factor in the causation of violent crime. This is evidenced by the fact that the largest number of cases under investigation have the background of a home in which husbands killed their wives. The following factors have been found to be responsible for the husband-wife maladjustment:

(i) *Wife's Adultery*.—Evidently this is the most frequent and grave cause of marital conflict. The conception of adultery is very elastic and is determined by certain notions, often mistaken, existing among the people. Thus, for example, the wife is regarded as the property of the husband, who must be subservient to him in everything. Even if the husband contracts extra-marital relations, the wife must remain faithful to him. Since the husband's personal and family honour is associated with the chastity of the wife, a woman who commits adultery is held to bring shame to her husband and his family and hence is severely punished.

(ii) *Wife's Running away to Parental Home*.—Another very important cause for friction between the husband and wife is her frequent return to her parents' house and her stout refusal to return to her husband. Not infrequently, the parents of the wife too side her, which usually leads to trouble. Crimes springing from such social situations are a reflection on the dualism of cultural patterns existing between the families of the bride and the bridegroom.

(iii) *Wife's Refusal to Sexual Intercourse*.—Sometimes, a rare cause of disharmony between the husband and wife is the wife's refusal to sexual intercourse. Crimes arising

out of such situations are rooted in the sense of sexual ownership which, the husband thinks, he has over his wife.

Besides, there arise some situations which prove to be the last in the chain of events and give rise to criminal outbursts, for which however, personal factors, such as, high irritability, fatigue, etc., must be held responsible rather than the social ones.

(b) *Irresponsible Behaviour of Adolescents*.—The growing adolescents fail to realize the importance of their new responsibilities and duties. Instead of assisting their parents in their agricultural work or other occupations, they spend time in idle gossips and are very often addicted to harmful and vicious habits, such as, keeping mistresses, visiting prostitutes, drinking, smoking, gambling and the like. Such an irresponsible behaviour creates occasions for frequent quarrels with elders leading some day to violent assault.

(c) *Harsh and Cold Treatment by the Father*.—This is noted as an important factor leading to patricide and attempts to commit suicide.

(d) *Loose Parental Control*.—This is a factor of some significance, especially in cases of theft. The offenders usually start committing theft in their own homes. Strikingly enough their parents do not complain and allow their sons to lead an unruly and unrestrained life. The unpleasant result is that the boys come under the influence of gang leaders, habituals and other criminals who exploit them and initiate them in the art of thieving and housebreaking.

(e) *Poverty*.—The significance of the poor home is greatest in crimes against property. In several cases, the youths, being considered an economic burden, had to leave their homes in search of employment, chiefly, in cities, where bad company and unwholesome occupations soon made them yield to low

pleasures and deviate into paths of crime. In cases where the offenders were faced with financial embarrassments due to unemployment, indebtedness and fear of starvation, crimes against property were committed as a last and desperate attempt to get money. There are a few cases where unemployment drove the disappointed boys to commit suicide.

(2) *Companionship*.—A remarkable feature of adolescent criminality is that not a small amount of crime is ascribed to the influence of persons with whom the offenders were associated.

Outside the family, caste is the next immediate social circle into which one gets absorbed. The influence of caste members is apparent in the majority of crimes connected with factional and land disputes. Companionship is found to be one of the most dominant factors in the crimes against property, where the youths, most of whom were without any previous conviction, were conveniently used as fitting instruments for carrying out criminal operations. It is bewildering to note that there are also cases where the police patels engineered and plotted the crime and induced the simple and innocent lads to commit theft and house-breaking.

Women, especially of a loose moral character, were responsible for not a few crimes against person. Thus, in some cases wives abetted the young offenders to kill their own husbands, in order that they might be able to gratify their lust without hindrance. In several cases of sexual crimes, they either took the initiative or offered no real resistance when being taken away for illicit purposes. In a few other cases, women helped young men to elope with girl victims. In yet other cases, mothers through fear of social ostracism instigated their adolescent paramours to do away with their illegitimate offspring.

(3) *Jealousy and Revenge*.—Jealousy and the desire for revenge is probably the third most important cause of crimes against person. Most of the crimes connected with family feuds, abuses, imputations and social ostracism, and dismissal from service were motivated by revenge. Sexual jealousy led the offenders to kill the persons who came in the way of satisfaction of their sex impulse, whereas sexual revenge culminated in murders of those lovers who misbehaved with the offenders' kinswomen. There are a few cases of property crimes which must be attributed to no other motive than revenge. Obviously where revenge or jealousy was the motive, the crimes were very well planned and the murders were characterized by the thoroughness of a method.

(4) *Intoxication*.—Not a few crimes of violence are due to intoxication. Curiously enough, the victims were offenders' own friends, co-workers and even kinsmen, most of whom were, at the time of the crime, themselves under the influence of liquor. There was no ill-will between the parties and no adequate motive to explain the commission of the crime. This leads to the finding that nothing but intoxication operated as a contributory factor.

(5) *Adolescent Disturbances*.—The offenders under investigation were aged between 16 and 25 years. That is to say, they were passing through a period when the rate of physical and mental growth is often most uneven, the emotions are most unstable and experience uncertain. Again it is during this period that the inborn and instinctive tendencies, namely, those of sex, acquisition, aggression and assertion become more direct, commanding and importunate. The criminogenic significance of these tendencies has been brought to light in crimes connected with (i) sexual motive, (ii) robbery, (iii) land disputes, (iv) money quarrels,

- (v) exceeding right of self-defence, and
- (vi) revolt against police authority.

(6) *Crime, A Social Heritage.*—Perhaps the most striking feature of crime against property is that there are certain castes which regard crime as a duty and right sanctioned by descent, with elaborate rules of discipline and code of conduct amongst themselves, according to which they would, for instance, commit only crimes of a specific nature and would 'never attempt to encroach upon the thieving rights of other criminal castes. Quite a large number of adolescent offenders convicted of housebreaking and theft, robbery, dacoity and counterfeiting belonged to the so-called criminal tribes and castes.

*Prevention of Adolescent Crime.*—After this brief review of the main causal factors, it may now be asked: What is the future of adolescent crime? Can it be cured? If so, how? Can the environment be so changed as to make it adjustable to each individual?

It must be confessed that questions like these are more easily asked than answered, perhaps none of them can be satisfactorily answered. It is a common obsession that every evil must have a remedy; that if it cannot be cured to-day it can be tomorrow; that man is a creature of infinite potentialities and possibilities, and all that is needed is time and patience.

Although one may not be convinced that every evil can be cured, that all trouble can be banished, or that every maladjustment can be corrected, yet one may reasonably hope that perhaps here and there society can be made to run a little more smoothly; perhaps some of the chief frictions incident to life may be avoided; perhaps a little higher social order may be developed; perhaps it may be possible to get rid of some of the cruelty incident to social organization. But how?

An attempt has been made here to suggest some remedies for the prevention of adolescent crime.

(i) *Improve Home Conditions.*—Since many a crime is rooted in the defective, unwholesome and inadequate family life, the first and foremost task is to improve the family. On its social and moral side, the family must breed and cultivate a higher social and moral character, develop mutual forbearance, exercise a decent control and maintain a proper discipline among the various members who are related to one another either by blood or by marriage.

The husband-wife relationship calls for special attention. Wives ought to improve their moral character. They must remain faithful to their marital bed; they must respect their husbands; they must endeavour to keep their husbands in comfort and happiness. On the other hand, husbands must change their traditional attitude towards wives. They must not look upon them as property, a slave or as a mere object of sexual gratification, but must give due respect to them. There should not only be love and affection, but also a sense of equality between the husband and the wife. Finally the husband must recognize that killing his wife is certainly not a method of correction.

A radical change in the attitude of parents-in-law towards sons-in-law is also necessary. The parents-in-law must treat their sons-in-law with due respect and consideration. They must see that their daughters return to their husbands' houses, without giving occasion to any untoward action; they must also hold their daughters in proper check, because there is every probability that, in the absence of any proper and adequate parental control, what the daughters call freedom may become licence to do whatever they please.

When one looks back at the relationship between parents and sons, one feels that there is also an urgent need for change in the parental control and treatment. The parents should not be excessively harsh, absolutely unsympathetic and awfully cruel towards their sons. They should not, at the same time, allow their sons to go out of control. They must understand the peculiar significance and handicaps of adolescence and must help and encourage their growing sons to develop their own personality.

Similarly the relationships between youths and other members of the family should be so regulated as to make the home wholesome, adequate and well-adjusted.

Since poverty, unemployment, indebtedness and other financial embarrassments frequently lead one to crime, the crying need of the moment is to secure economic security for the family. It means, among other things, the planning of a better economy, based on the Russian system.

It means increasing opportunities for employment and regularising existing employment. It means the introduction of fair wages and such legislative measures as will fully safeguard the interests of the industrial worker. It means protecting the family against accidents and disease which result in so much suspension of employment, loss of income and family breakdown. It means a genuine interest in housing and in carefully conceived programmes of slum clearance.

Just as defective home conditions contribute to criminality, so a satisfying family life is one of the greatest safeguards against antisocial behaviour. Hence it is essential that the State and Society should strengthen and stabilise the home.

(ii) *Spread of Education.*—Another crying need of the moment seems to be intro-

duction of compulsory education. Indeed, figures are not required to prove that India is one of the countries with the largest percentage of illiterates. By far the largest number of offenders were illiterate; they had received absolutely no education. Very few could read and sign only, and an extremely small number could be called literate. The ideal would be compulsory free education upto sixteen years of age for all boys; but if that is not possible, it should be upto fourteen years at least, and compulsory attendance at special or night schools for two years more for boys who have to work.

The education imparted in schools will have to be such as to serve the requirements of the society, giving scope for various kinds of talent. Besides schools for literary education, there should also be schools for technical and agricultural education as well as schools for education in forestry for boys of the hill tribes, etc.

However, what seems more important and urgent is the need for moral and cultural education. It is through such education that individuals should be taught that they are part and parcel of society and hence are duty bound to help in the achievement of social good; that social institutions are for their good and hence they must be respected; and that life and property are fundamental to all social progress and hence must be valued most. In fact, the aim of such education should be social rather than individual good.

(iii) *Provide wholesome facilities for recreation.*—Since crime is to some extent the result of excessive and unhealthy recreational habits, a plan of prevention must provide facilities for healthy and wholesome recreation.

In areas where it is not practicable to clear any space, unfrequented streets could be closed to traffic at certain hours and workers

could organise play in the streets under the control of trained and able play-supervisors or directors of recreation. The cost of maintaining a corps of such play-supervisors will be much less than the cost of maintaining prisons and Borstal schools. Though play cannot by itself solve the problem of crime, it has a recognized place in every programme of crime prevention.

Closely allied to supervised play or recreation is the formation of boys clubs and boy scouts movements. Adolescence is a period when the youth longs for adventure and for wider social contacts. An adolescent youth seeks to satisfy these cravings in the larger group—generally the neighbourhood in which he lives or the caste group to which he belongs. There should be organized clubs for various age groups to meet the specific needs of the neighbourhood. The aim of these clubs should be to assist the youth to steer clear of all unhealthy influences of the neighbourhood.

(iv) *Make Police Supervision More Effective.*—Absence of, or lax supervision by the police is a condition most favourable to pickpockets, robbers and pilferers. A really careful watch by the police at crowded and busy places, such as, markets, weekly bazaars, railway stations, banks, post offices, busy streets, temples, cinema theatres, bus stands and the like, will certainly act as a deterrent to the potential offenders who are ready to catch every opportunity offered by the crowd. Similarly the police should also keep a sharp look-out for persons who harbour criminals, brothel keepers, gamblers habitually, local bad characters and other vicious persons who use young lads as fitting tools for their criminal activities.

(v) *Improve the Penal System.*—When one glances back at the relatively high incidence of recidivism as also the frequent recurrence of violent crimes connected with factional disputes, land disputes and family

feuds, one cannot but doubt the efficacy of punishment as a deterrent measure. Even capital punishment does not seem to deter criminals. When a man commits murder, he often does it under some obsession or on sudden and serious provocation. At such time, he can hardly be deterred by the probable consequences of his action. In the several cases of murder, under review, the murderers, knowing as they did that they would be hanged, committed a murder or a series of murders and readily gave themselves up to the police. Under such circumstances, one cannot venture an opinion. But it may be thought that if the death penalty is to be given at all, it should be given consistently, and that wherever a premeditated murder has been proved, it should follow as a matter of course.

It has been noticed in some cases that the real authors of the crime, remaining as they do in the background, go unpunished. The arm of the law fails to catch them. This escape from law and punishment gives them a faulty sense of pride and chivalry, with the unhappy result that they become more and more lawless and violent. If crime which is instigated by such persons is to be checked, it is necessary that they should be brought to book and punished adequately.

In several other cases it has been found that the receivers of stolen property appeared in courts as witnesses and not accused, in spite of the fact that it is a cognisable offence to receive, or assist in concealing, stolen property (sections 411-14 I.P.C.). These 'receivers' of stolen property must be severely dealt with, if the indirect exploitation of adolescents by them is to be stopped.

Punishment, it may be further suggested, must be such as to suit the offender and not the offence only. To dole out the same punishment in each case, taking only the offence into consideration, is neither fit nor just.

Since criminals in India come from different cultural backgrounds, the court should endeavour to investigate into the sociological setting of each offender, paying due attention to caste, educational and economic status, region, etc., lest it should become inclined to give a disproportionate value to certain phenomena which are described in books based on experience in western countries. Wife-beating may be taken as a case. In European families and modern Indian middle class families, wife-beating is very rare. The scene of the father beating the mother would make a very grave impression on the lad. But the same phenomenon may not be such a rare occurrence in other classes and it would hardly have the same psychological effect. It is not unknown in orthodox Hindu families, even amongst the higher castes. Amongst the lower castes, it is very common. Curiously enough, wives, too, do not resent very greatly an occasional beating from their husbands. In fact they may think their husbands lacking in manly qualities if their sauciness goes unpunished. Similarly among certain castes certain types of property crimes are treated as socially approved practices.

Therefore, it follows that a careful study of all the factors is very necessary, to judge an offender accurately. It is unnecessary to add that under existing conditions, the courts have neither the time nor the means of

carrying out any such investigation. The court judges crime fairly accurately, but not at all the criminal. There is, therefore, the need for a department of experts, specially trained in criminology. Such a department can function in co-ordination with the law department.

(vi) *Make Justice Cheap, Speedy and Fair.*—It has been noticed earlier that the complicated nature of criminal law and procedure, the delay and uncertainties of the courts, the costliness of justice and the prodigal waste of time and energy which lawsuits involve react unfavourably on the poor, unsophisticated rural people. If law and justice are to be respected, and the temptation to take the law into one's own hands is to be removed, then it is essential that the courts must be made easily and readily accessible to every one, and that justice must be cheap and really helpful to those who, being helpless, run to courts to get immediate redress.

These are some of the important and urgent measures for the prevention of adolescent crime. How these measures are to be implemented is beyond the scope of this enquiry; but until such time, the present methods of dealing with crime and the criminal can only hope to patch things on the surface while their root causes lie underground, unexplored and untreated.