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## **NAVIGATING FROM THE WHY AND HOW'S OF CRIMES TO POSITIVE YOUTH DEVELOPMENT PERSPECTIVES**

**Gouri Srivastava\***

\*Professor,

Department of Education in Social Sciences,  
National Council of Educational Research and Training,  
Sri Aurobindo Marg, New Delhi, INDIA  
Email id: gourisrivastava7@gmail.com

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### **ABSTRACT**

*The emerging crimes among adolescent is a worrisome concern for all stakeholders especially in contemporary society. Relentless efforts have been made by policymakers, educationists and members of civil society to unravel the factors that give rise to this phenomenon. In this regard, workable strategies for its prevention have been evolved from time to time to address its occurrences through positive reinforcement strategies. Additionally, several theoretical models have been formulated by educationists who have attempted to provide the most plausible explanations for the occurrence of conflicts that sometimes lead to the commitment of heinous crimes. There is a general consensus among all, that no single approach, can explain the whys and hows of crimes that are committed by children mostly in the transient phase. The legal term generally used to classify children in conflict with the law is juveniles, referring to those are under the age of eighteen. The present paper would attempt to discuss different theoretical models as well as deliberate upon the shift towards the positive youth development perspective. This perspective envisions youth not as problematic but as an important asset to their respective countries. Their potential have to be nurtured for being an asset and responsible citizen to the family, community and society. Efforts will also be made to discuss youth as the movers of the Sustainable Development Goals (SDG's).*

**KEYWORDS:** Youth, Juvenile, Stakeholders, Sociological Theory, Sub-Cultural Mode, Ecological Theory.

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### **INTRODUCTION:**

In contemporary times societies across the world, in their onward journey of development have experienced greater connectivity amongst individuals and people as a result of technological innovations. The digital world has not only bridged the divide but has led to the explosion of a plethora of information in all fields be it science or social sciences. While it is a positive phenomenon, there is another side to it that is, it has also led to the eruption of variety of challenges that have plagued the humanity across the world. The plethora of knowledge dissemination through several social media sites has exposed the young mind to information that are very often not age appropriate. Also, the failure to decode media messages especially those that are sensitive has led to unhealthy explorations of information that are unacceptable by the norms and values the society. They often lead children particularly adolescents engage in

behaviour patterns that are not in tandem with the existing ethics and moral belief of the society. This leads to conflict and violence of different types, that sometimes acquire serious dimensions. Very often the viewership of some serials, social sights showcasing criminal acts promotes intake of drugs, substance misuse, use of firearms for self-destruction and other harmful products. The regular viewership of undesirable sites and its subsequent internalization often leads to perpetuation of unhealthy practices in permutation and combinations. This affects healthy relationship with peers, siblings and others. It also affects family relationships and relation with peers. Such kind of emergent situations have been studied by researcher the world over and theories have been evolved from time to time to explain these deviant situations occurring in spaces like the family, school, community and others also during social interactions and communication. The theories on understanding what and the whys of crimes are mentioned in the para given below:

### **What and Why of Crimes**

As has been stated earlier, the occurrences of crimes cover nearly all stages of growth and development of the child falling in the age group of 10 to 13, i.e. early adolescence, 14 to 16, middle adolescence, followed by late adolescence i.e. 17 to 19 years. While, the coverage of the age group subsumes all the stages of growing up, it is also important to note that children in conflict with the law and children needing protection, belong to heterogeneous backgrounds with regard to their social-economic origins. In addition, cultural practices, livelihoods of parents or guardians, location of residence and faith are some of the important variables that provide an explanation with regard to the causation of the juvenile crimes.

Generally, it is an accepted fact, that no child is born a criminal, they become, due to several cumulative factors, circumstance, few of which are mentioned in the earlier para. Additionally, criminology or nurturance of deviant feeling has a long gestation period. It evolves gradually in the mindset of persons and erupts when the situation is at variance with the thought process of the perpetrator. Few scholars, have mentioned that social stigma, violent family background, peer pressure, media's negative influence and so on go into the making of juvenile in conflict with law. Given below are some of the theoretical models that attempt to provide an explanation to the occurrences of crimes that are not in tune with the well laid out norms and values of the society.

### **The Indian Text on Crimes: Past and Present**

The Indian text *Manu Smriti*, *Nyaya Mimamsa* and the Kautilya's *Arthashastra* contain exhaustive mention of crimes and criminals. These texts also mention on according respect to the ethical and the moral values of the society. The *Arthashastra* of Kautilya is a comprehensive work dealing with law. The *Kantaka Sodhana* deals with Criminal Laws. The details are mentioned in Book IV. In connection with criminal cases the punishment awarded in ancient India was imposition of whipping, physical torture, banishment, condemnation to work in the mines and death. This document also contains greater details about jail and jail regulation.

In the contemporary times the enactment of the New Criminal Laws, 2023 has attempted to undo the colonial laws and ensure to the citizens of the country justice, equity and inclusiveness. The *Bharatiya Nyaya Sanhita*, *Bharatiya Nagrik Suraksha Sanhita* and the *Bharatiya Sakshya Adhiniyam*, 2023 have attempted to address the needs of the society and aligns itself with the contemporary social realities. It attempts to establish a robust system of justice for ensuring

safety and security for all citizens by introducing mechanism for victims' assistance, protection, provision of counselors and shelter. It particularly strengthens security measure against terrorism and organised crimes and other anti-national forces that threaten peace and harmony of the country. Moving further is a discussion on the model that discuss crimes through different theoretical models

### **The Earlier Theoretical Models:**

The earlier classical school laid focus on crimes rather than on the criminals. The neo-classical approach attributed criminality to the mental condition of the offender which makes them difficult to distinguish between what is right and what is the right conduct. The positivist laid greater focus on the persona of the law breaker and the process that leads to the commitment of crimes. Moving further, in decoding crimes Donald Taft states that the criminals or the non-criminals are product of the culture and environment that vary from society to society. In order to address crimes laws are enacted from time to time that may or may not lead to social change or initiate changes in in the short span of time, but they do act as a deterrent. The other theoretical perspective propounded by Shaw and Mc Kay was the Cultural Transmission approach. According to this model the tradition of delinquency is inter-generational. They are transmitted through successive generation of the same region. Sutherland has termed this phenomenon as differential social disorganisation. According to him the three sources of social dis-organisation are-residential instability, ethnic heterogeneity and poverty. They often individually or cumulatively promote crimes of different types. Shaw and Sutherland mention the 3Ds i.e. Disease, Deterioration and Demoralisation are also causative factors that promote crimes.

### **Social Disorganization Theory of Crimes**

This theoretical model was developed by Park and Burgers. They define crime as a cause of inability of a group to engage in self-regulation. According to them delinquency is the result of weak bond with regard to attachment,commitment, involvement and shared values with family and the others. The theory of Sutherland ofdifferent association of criminal behaviour is based on social dis organisation. This theory is later discussed in the present paper. Another criminologist Healy, attributed emotional imbalance leading to the perpetuation of crimes of different nature.

### **The Sociological Theory**

This model highlights that the causative factors that lead to the occurrence of crimes needs to be examined beyond the legal framework. According to this model, the study of criminal tendencies among adolescent and youth highlights that it is rooted in attitude and behaviour pattern of adolescent moving on to youth and adults. The behaviour overtly reflected are very often not socially accepted by the society. The socializationpractices transmitted by the primary agencies e.g., families of different type impact gender relations, class, and location. Conflict and violence in family affect behaviour patterns and socio-emotional well-being of child in their critical stage of growth and development.Infact, deviant behaviour deviates from the established standards laid by the society. In this regard, the eminent American jurist Rose Pound, treated jurisprudence as a science of social engineering. According to him, crimes highlight actions that are antagonistic to the solidarity of group to which the individual belongs to. Moving further,sutherland and cressey, in their work on Principles of criminology, have identified several factors giving rise to this phenomenon, they include the socio-economic background of the perpetrator of violence or conflict, population density, livelihoods, poverty of the household,

wealth distribution that perpetrates behaviour among children in their impressionable years. This leads to the commitment of crimes of different sought. Similarly, Dr. Walter, also added to this analogy by stating that by examining the nature of crimes it would necessitate studying the age, sex, race, occupation, social status and residence of persons to know the diagnostic factors leading to the commitment of crime. These causative factors may vary from society to society in variation and combinations. According to this theory crimes are integral to the society and that the criminals are the product of the society or the existing social milieu.

This perspective studies the dynamic interactions of social factors that creates conditions for committing crimes. It is not only due to the socio-economic factors that are responsible for harboring of criminal tendencies, but adding on, are certain circumstances that further promote its existence. The few identified ones are. mobility of individuals or families due to several reasons e.g. natural calamities, epidemics, search for livelihoods to meet survival needs etc. Movements of temporary nature or permanent creates conflicting conditions where in the migrant families or individuals find it difficult to adjust. This could be due to several reasons and the phenomenon of maladjustment with the new emergent situations that often provides fertile grounds for perpetuation of crimes of varying nature. Thus, mobility serves as an important reason and potential cause of social dis-organisation which may result in giving rise to deviant behaviour due to lack of family control. Additionally, variety of undesirable exposure that takes place in the alien context of locations also helps in nurturing behaviour patterns that are very often not acceptable to the members of the civil society.

Moreover, situations in different place of location and experiences encountered individually such as peer pressure, conflict between lived situation and having aspiration and hope for better live, media influences, parental expectations and not been able to stress, depressive disorder and suicidal tendencies. It also leads to nurturing criminal tendencies. In other words, the match factors are sometime not in favor with the existing circumstances especially with the persons on the move. All this creates conditions for commitment of different sorts of crimes. Infact, few crimes committed in the present times can be explained through this model.

The other contributing factors promoting delinquency is the viewership of some of the serials available on the social media platforms, such as those propagating criminology or the commitment of crimes of various sought. This may also encourage viewers to engage in the commitment of crimes or practice the same. Further, such kind of situation may go a long way in strengthening deviant behaviour among the youth. Children with unstable mind and psychopaths are easily attracted towards such news items. It is also found that at times the frequency of crime reporting makes people lose confidence with the law enforcement agencies for mitigating undesirable actions committed that harms the self and the society at large. Thus, the internalization of crimes viewed through internet makes the deviant learn new technique and ways of committing crimes. (for details see Barnes and Teeters, New Horizon of Criminology).

The other theoretical perspective on studying crimes is the one on the Differential Association.

### **Theory of Differential Association**

This model, briefly mentioned earlier was propagated by Edwin H. Sutherland as early as 1939. According to this theoretical premise while studying crimes it is the association with others that contributes in facilitating its occurrences. This approach has been critiqued by others. The main reason being, that crimes does not always occurs due to association with others but in

several cases, crimes are learnt in association with those who may or may not have any kind of criminal backgrounds.

### **Theory of Multiple factors**

William Healey with regard to the multiple factors cited reasons for occurrence of the socially deviant act by individuals or by other or in combination of the two. Professor Haley observed that one or two factors may may not make a person delinquent but a combination of say eight or ten factors may lead to commitment of crimes at a particular point of time. He however added that not all factors may have equal importance for the occurrence of crimes in. They may vary from person to person and from situation to situation. The Theory of Multiple factors has been reflected in his work on '*The individual Delinquent*'. The multiple factors model was also critically analyzed. It has suffered from several limitations as it failed to pin point the exact causative factor that has led to the occurrence of crimes. Very many times critiques have also found that the model fails to differentiate between causes and factors that leads to crimes and its occurrences.

### **The Sub-Cultural Theory**

This model gives centrality to non-conformity to the set patterns of norms and values of the society. They are deviant in nature and give rise to phenomena of mal-adjustment. Many juveniles in conflict with law indulge in behaviour patterns that are socially and culturally not acceptable to all the stakeholders. Some of the actions that are not acceptable by any society are being part of groups that indulge in anti-social activities, associating with gang having criminal backgrounds and so on. The other being taking part in drug peddling, trafficking and being engaged with substance misuse. All these activities are not part of the sub-cultures and come under the ambit of criminal activities.

### **The Ecological Model**

This theory focusses on topographical factors such as location that may facilitate in the occurrence of different types of crimes. In this regard isolated spaces in neighborhood, uninhabited places dense forest become vulnerable sites for different types of crimes to occur. The criminals are often on the lookout of such spaces where they feel confident to commit acts that are unacceptable to the civil society. In the dacoit infested forest regions and in the ravines of Rajasthan, parts of Madhya Pradesh e.g. the Chambal valley provide grounds for the occurrences of crimes. Further, the data related to crimes across different states also highlight that to some extent, spaces also provide grounds for commitment of such act which are in violation to human right.

The other cited reasons with regard to occurrences of crimes is due to political and ideological differences. These leads to conflicts that sometime add on to the wish list of causative factors encouraging violence. Different perspectives in envisioning any particular social happenings may escalate to violence that may lead to annihilation of life or mortality.

### **The Shifts from Challenge to Investment in Youth as an Agency of Change**

While, the theoretical models do help in providing an insight especially with regard to unraveling the reasons for the commitment of crimes, however in order to get a holistic picture, no single theoretical model can provide a substantial explanation or a solution. Infact, the contributing factors is very often addressed partially by all the theoretical models. The scholar's working on



this subject have to deduce the most probable reason from them. Further, criminality in contemporary times is part of all the societies and therefore there is a need to address them in an important concentrated manner by all the stakeholders in a collective manner. In this very context several Asian countries including India have formulated Youth Policies that derive its genesis from the Positive Youth Development Approach (PYD). This approach focuses on identifying the strength and potential in the adolescent transitioning to youth and later to adulthood. The Positive Youth Development is based on building on the positive experiences and traits of the youth and harnessing their creative potentials. Infact, governments across the globe have laid emphasis on working on the strengths of the children navigating to adulthood. This approach supports the youth and facilitates such as youth clubs or associations in carving multifarious pathways in developing their talents and potentials.

The earlier dominant approach in the 90's was to view the development phase as problematic and full of challenges including the harboring of criminal tendencies. This phenomenon could also lead to commitment of crimes, or nurture suicidal tendencies. Thus, the broad concern of the stakeholders was to address the challenges and crisis of adolescent later youth to avoid negative outcome in the transient phase of development. The shift presently to positive youth development perspective is to study issues and concern of adolescent and youth along with exploring their positive attributes and strengths and invest on the same. The primary task of this development phase according to Erik Erikson is to resolve the crisis of identity versus role confusion. Implicit in this crisis is finding connection with the social world that can assist in helping the adolescent and youth navigate through this stage of development.

Thus, the positive youth development brings in a balanced approach in working on the creative potentials of the youth thereby weaning them away from negative self-imaging or behaviour traits that are often termed as anti-social or not in harmony with society. As per this model the youth are seen as assets that have to be encouraged for betterment of self, society and the nation. The model depicts strengthening competence, confidence, character, care and share of the youth. It also lays emphasis on building positive relationship beginning with family, siblings, peers and with the community members.

### **Policy Initiatives and Commitment**

Many of the countries with regard to the policies on youth have embossed footprint for their holistic development. They have adopted multipronged approaches to identify and bring out the hidden talent of each individual to the optimum. In this regard a multisectoral approach has been adopted for shaping a better tomorrow, for youth in their development stages. In this regard, the Government of India has formulated the National Youth Policy 2021. This policy takes into cognisance the holistic development of the child into consideration. The policy aligns with the Sustainable Development Goals and is built on youth development by 2030. Effort would be made to strengthen critical, communication, coping methods, develop negotiation skills to harness innovation and leadership skill among youth as change makers of tomorrow. The priority area identified in this connection are education, employment, skilling the youth from all context with the aim of empowering them to face challenges of life successfully. The other areas wherein investment would be made is health, fitness and sports including social justice for bridging all divides for achieving the goals of equity and inclusiveness. All effort will be made to instil in the youth the skills of the 21<sup>st</sup> century and at the same time encouraging them to be rooted in the cultural context of the country. The National Education Policy 2020 highlights that,

“The vision of the Policy is to instil among the learners a deep-rooted pride in being Indian, not only in thought, but also in spirit, intellect and deeds as well as to develop knowledge, skills, values and dispositions that support responsible commitment to human rights, sustainable development and living, and global well-being, thereby reflecting a truly global citizen.” (National Education Policy 2020).

Thus, the vision of the National Youth Policy 2021 is to unlock the potential of the youth and make them productive person for the family and society In this context some of the significant initiatives undertaken by the Government are-Samagra Shiksha Abhiyan, Rashtriya Uchchatar Shiksha Abhiyan, Beti Bachao Beti Padhao, Pradhan Mantri Kaushal Vikas Yojana, Deen Dayal Upadhyaya Grameen Kaushal Yojana and the Skill India Campaign. These initiatives have expanded to reach the un-reached. The other programmes conceptualised are the organisation of the Youth Parliaments, Youth Conventions and festivals to bring out the best in youth as a visionary working for the betterment of the society and the nation. In the domain of Health, the significant programme undertaken is the School Health Programme under the Aegis of Ayushman Bharat aiming at inclusive, equitable and wellbeing of all with quality inputs. The National Yoga Olympiad is a step in this direction for promoting overall well-being of adolescent children with regard to physical and emotional well-being. The National Mental Health Policy 2019 is also an important initiative in this direction. This policy attempts to address emerging concerns related to stress, depression, suicidal tendencies and aggression among children in their transient phase of development.

### **Concluding remarks**

Therefore, the different theoretical perspectives highlight the pathways of understanding criminology, however what is needed is to explore each case by its merit. Further, in-depth fact finding and collection of evidences for its authentication is the most appropriate methodology to identify the causative factors. This would help in addressing the occurrences in a very substantial manner. As has been rightly stated that ebbing the bud of negativity and conflict is the need of the hour. Parenting and thrust on therapeutic ways can help in building confidence and coping ways to deal with challenges of life, in the child, in the growing years. In this regard collective approaches engaging the government and the civil society can be undertaken to invest in the potentials of the youth and nurture their creativity. Concluding efforts would help in weaning the adolescent and youth from falling into the trap of depressive disorder, suicidal tendencies, criminology and being involved in other anti-social activities that disrupts growth and development of self, society and the nation. A multi-pronged strategy can be envisioned for making adolescent and youth the agency of social change. This would go a long way in shaping a tomorrow based on their dream and aspirations. In this context mentorship, sharing of motivational case studies, messages, talks by eminent persons from different field can be thought of. While the efforts in the form of attempting to work on youth potential is in place, what is needed, is to cascade such initiatives in a more focused manner in those places where the data highlights greater deviance and the occurrence of different types of crime.

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