

Juvenile Delinquency: Its Causes and Moral Solutions

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Abstract

The present paper attempts to provide an in-depth exploration of juvenile delinquency, delving into its underlying causes and ethical or moral solutions to mitigate this pressing issue. Focusing on rehabilitation, education, and social support, it examines the complex interplay of factors contributing to delinquent behaviour, including the profound impact of family dynamics, peer influences, socioeconomic conditions, and limited access to opportunities. Through a comprehensive approach, this paper proposes ethical interventions that not only address the root causes of juvenile delinquency but also guide young individuals toward positive development, accountability and successful reintegration into society, ultimately fostering a brighter future for them.

Keywords: *Delinquency, Juvenile, Rehabilitation*

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Introduction

Before delving into the problem, it is essential to understand *what juvenile delinquency actually is*. Juvenile delinquency refers to crimes committed by teenagers, encompassing a range of offenses from vandalism and theft to violent crimes. Unfortunately, such incidents are becoming increasingly common, sparking widespread concern among parents, educators and law enforcement agencies. It is worth noting that the mass media, particularly TV and the internet, often play a significant role in this rise as exposure to violent or explicit content can desensitize young minds and influence their behaviour. Delinquency is a major issue or a serious social problem, where young individuals disregard established rules and norms, often resulting in harm to themselves and others. Delinquency stems from inadequate superego development, leading to a lack of internalized moral codes and societal norms. This deficiency manifests as antisocial behaviour driven by pleasure or ego-driven desires. According to Siegel and Welsh, juvenile delinquency involves “the participation by a minor child, usually between the ages of 10 and 17, in illegal behaviour or activities.”¹ Furthermore, delinquency can be seen as an expression of unmet needs, resulting in aggressive tendencies, and consequently, minors engage in acts that warrant legal intervention.

Objectives

The main objectives of this paper are as follows:

- (i) To define juvenile delinquency and its implications as a crime.
- (ii) To explain the causes of juvenile delinquency.
- (iii) To focus on ethical solutions and remedial measures to overcome this pressing issue.

Methodology

This paper employs a qualitative approach, conducting a comprehensive review of existing literature to examine the causes and consequences of juvenile delinquency and identify effective ethical solutions and remedial measures.

Discussion and findings

Juvenile delinquency refers to minors (under 18) breaking the law or behaving badly, such as stealing, fighting, skipping school, or hurting themselves or others. This often results from problems at home, peer pressure, or lack of opportunities. Delinquent kids struggle to fit in and behave well. They engage in behaviour that society doesn't accept. They might be more prone to violence due to emotional struggles, acting out to feel better or seek revenge. Typically, delinquent tendencies manifest in adolescent boys and girls, characterized by frustration in

their personal and social lives. Accordingly, it follows that delinquent children are a category of exceptional children. They have significant deviations in social adjustment and often exhibit criminal tendencies and antisocial behaviour. They are often labelled as “socially deviant or socially handicapped.”²² When individuals below 18 commit crimes like murder, robbery, or other offenses, it is considered *juvenile delinquency*. Their cases are judged separately in *juvenile court*. Thus, this defines a juvenile delinquent as a child or minor who seriously deviates from societal norms and commits illegal or harmful or unacceptable acts.

It is important to note here that delinquent children exhibit problematic behaviour similar to criminals. However, in legal terms, they are referred to as delinquents, not criminals. This raises a question: *What is the distinction between delinquency and crime?* The answer is that crime and delinquency are legal terms with varying definitions across countries and states. In India, individuals 21 years or older convicted under the Indian Penal Code (IPC) and Criminal Procedure Code (CrPC) are considered criminals, while minors between 7 and 18 years old convicted under the Children’s Act, the IPC and the CrPC are labelled delinquents. Those between 18 and 21 years old who violate IPC and CrPC provisions are considered ‘young’ or ‘youthful’ offenders, falling between criminal and delinquent classifications. Also, State laws vary from state to state; for example, the legal drinking age differs across states, and liquor consumption is legal for adults in some states but prohibited in others. Children under 7 aren’t held accountable due to lack of maturity and are termed ‘problem children’ rather than delinquents. Young offenders are punished based on the seriousness of their crimes, with punishments ranging from institutionalization to imprisonment.

The most pertinent question that needs to be addressed is: *Who are juvenile delinquents?* As pointed out earlier, criminal behaviour isn’t just seen in adults; minors also exhibit such tendencies. These minors, known as juvenile delinquents, are typically between 7 and 18 years old and are often called “minors with major problems.”²³ They engage in law-violating activities such as theft, gambling, cheating, violent crimes, destruction of property, and serious offenses like murder, robbery, and sexual misconduct. Thus, the term ‘juvenile delinquent’ refers to a child or minor who seriously deviates from societal norms by committing crimes or age-related offenses. Consequently, juvenile delinquency poses a significant challenge to societal well-being, and if these young delinquents aren’t handled properly and developed morally, they can become a serious concern, highlighting the need for effective intervention and support. In other words, juvenile delinquency is a significant moral issue that affects society’s values, such as kindness, responsibility,

and fairness. Without proper guidance and moral development, these young individuals may stray, emphasizing the need for support and nurturing for their growth and rehabilitation. Thus, juvenile delinquency is a significant research area in criminology, as serious offenses by young people can threaten social order and stability, leading to unrest and a decline in moral values. Notably, the term 'delinquency' originates from the Latin 'delinquere,' meaning 'to depart or abandon,' initially describing neglectful parents, but now referring to minors engaging in harmful and illegal activities. This makes sense when defining a delinquent as typically a minor who commits a serious offense that is not typical for their age and background, warranting official attention. In India, the Juvenile Justice Act of 2015 allows children between 16 and 18 who commit serious crimes to be tried as adults. Such individuals may engage in law-breaking activities, persistent disobedience, or behaviour that endangers their own and others' well-being.

Thus, it follows that exploring the underlying causes of juvenile delinquency is crucial. The question now arises: *What are the causes of delinquency?* The answer lies in a child's upbringing and environment. Growing up in a difficult or unhealthy environment can lead children to turn to delinquency, influenced by both parental behaviour and their surroundings. Challenging home, school, or social environments can contribute to delinquent behaviour. The causes of juvenile crime are multifaceted, involving family and relationships, schools, social groups, and the community. Let's explore some of these factors below.

(a) *Hereditary factors or Genetic factors*: In his book *Advanced Educational Psychology*, S.K. Mangal states that early research implicated heredity as a primary cause of delinquency, but this claim was later disputed by researchers such as William Healey, Cyril Burt, Conrad and Jones, Wingfield, and Sandiford, who tested the assertions of hereditarians like Henry, Maudsley, Tredgold, and Dugdale and concluded that delinquency is not inherited, thereby rendering heredity an unjustified scapegoat for delinquent behaviour.⁴

(b) *Constitutional or physiological factors*: Some researchers believed that physical factors, such as a defective constitution or glandular issues, contribute to delinquent behaviour. Uday Shanker notes that physical attributes like poor health or deformities can lead to feelings of inferiority, prompting aggressive behaviour as a form of compensation. He states, "Poor health, too short or too big stature or some deformity which gives rise to feelings of inferiority, disposes one to more aggression, as a compensatory reaction for his inadequacies."⁵ However, Shanker emphasizes that this theory lacks sufficient scientific evidence to be conclusively proven.

(c) *Intelligence factor*: The relationship between intelligence and delinquency is a debated topic. Some early researchers, like Lombroso and Goddard, believed that low intelligence is a main reason for crime and delinquency. However, others, such as Burt, Healey, Bronner, and Merrill, disagree. They argue that delinquents aren't necessarily less intelligent. Research shows that intelligent people can also engage in delinquent behaviour, and some even lead criminal groups. Moreover, less intelligent individuals might get caught more often, while smarter ones may evade detection. Intelligence affects delinquency differently in various situations, and low intelligence doesn't always lead to delinquency. Therefore, it is wrong to say that low intelligence alone causes delinquency, as the relationship is complex and influenced by many factors.

(d) *Socio-Environmental factors*: Delinquent behaviour is learned from one's environment, not inherited. According to Shanker, "Delinquency is not inherited; it is the product of social and economic conditions... The most important causes of antisocial behaviour are environmental and sociological in character."⁶ This reveals that a child's surroundings, especially family dynamics, play a significant role in shaping their behaviour. Unfavourable home conditions, such as broken families, parental conflicts, neglect, or abuse, can lead to emotional issues, thereby making a child more prone to delinquency. In a nutshell, it can be said that a troubled home environment is a breeding ground for juvenile delinquency and is the root cause of delinquent behaviour.

(e) *Hostile environment beyond the family or home*: A hostile environment beyond the family or home plays a significant role in fostering delinquent behaviour. This is because unfavourable home conditions lay the foundation for delinquent behaviour. Truly speaking, outside the home, social environments such as peer groups or gangs can provide a sense of belonging, recognition, and independence that may be lacking in a child's life, drawing them into delinquent activities. For instance, peer groups may offer a substitute for family love and acceptance while providing opportunities for adventure and self-expression. Moreover, exposure to antisocial elements in the neighbourhood, such as seniors engaging in illicit activities, or the portrayal of immoral and antisocial acts in mass media like newspapers, books, magazines, and cinema, can further tempt youngsters to indulge in delinquent behaviour, ultimately leading them down a path of deviance.

(f) *School maladjustment issues*: School maladjustment issues can be a significant contributing factor to delinquency, often stemming from an uncongenial school environment that fosters serious maladjustment and increases the likelihood of delinquent character formation. Such an environment may be characterized by

various elements, including a defective curriculum that fails to engage students, improper teaching methods that neglect individual needs, a lack of curricular activities that would otherwise provide outlets for creativity and energy, inadequate discipline and control, slackness in administration and organization, antisocial or undesirable behaviour from teachers, maltreatment and injustice towards children, and repeated failure or backwardness that can erode a student's confidence and motivation, thereby pushing them towards delinquent behaviour.

In view of the above, it is clear that delinquency is a psycho-social problem, not just a legal one. Delinquents are maladjusted due to faulty upbringing and maltreatment, so preventive and curative measures are needed, as outlined below.

Preventive measures

Preventive measures involve improving social and environmental conditions that hinder the satisfaction of an individual's basic needs. From psychological, philosophical, and ethical perspectives, the following suggestions may be effective.

- i.* An amicable measure to prevent delinquency is for parents to understand the psychology of their children's delinquency. It is their responsibility to provide a nurturing environment that fulfils their children's fundamental needs. Nobody can deny that educating parents through guidance services, clinics, and social organizations can prevent delinquency and reinforce this moral obligation.
- ii.* To overcome or prevent the problem of juvenile delinquency, parents should spend quality time with their children and monitor their activities and social interactions. Moreover, it is crucial for parents, family members, and schools to work together to protect children from negative influences and educate them on *how to stay safe and make positive choices*, as they are often targeted by antisocial elements.
- iii.* If a child's home or neighbourhood is having a bad influence or is unhealthy, removing them from that environment might be necessary. Placing them in a foster home or a well-run reform school can not only provide a supportive setting for their emotional and social growth but also help prevent delinquency problems.
- iv.* To prevent delinquency, schools should provide a healthy and supportive atmosphere by updating the curriculum and teaching methodologies, promoting positive discipline and classroom behaviour, and ensuring teachers understand and support students' emotional needs while recognizing individual differences. This approach, combined with teachers focusing on

guiding students rather than using authoritarian methods, can help prevent problems and foster overall development.

- v. To reduce and control juvenile delinquency, we need to empower juveniles with positive skills and behaviours through comprehensive skill development programs, including education, vocational training, and counselling, thereby equipping them for a brighter future.

Besides focusing on prevention, we must address adolescent delinquency with *therapeutic approaches* or *curative measures*. Rather than punishing young offenders, we should emphasize rehabilitation and education. This entails providing special assistance and legal provisions to aid in their reform and reintegration into society. Many countries have already shifted their focus from punishment to rehabilitation. If this view holds good, India can adopt the *UK's Children's and Young Persons Act* with adjustments to meet our country's specific needs and requirements. The main features of this act are:

1. Specialized juvenile courts staffed by trained magistrates.
2. Trained social workers or probation officers to oversee cases.
3. Expert input from psychologists and psychiatrists to understand delinquent behaviour.
4. Specialized educational institutions for correction, rehabilitation and education.
5. Placement with responsible individuals or organizations.
6. Temporary detention facilities (remand homes) for children awaiting trial or placement.

It is important to note here that special schools or institutions play a vital role, offering tailored education, trained staff, flexible curricula, opportunities for creative expression and skill development, as well as holistic support for social and emotional growth, thereby enabling young offenders to overcome delinquent tendencies and develop positive life skills.

Conclusion

From the above discussion, it becomes clear that delinquency is a problem that stems from the environment and society around us. It is caused by a lack of positive values and perpetuates over time. It is worth noting that children aren't born delinquents, but they learn to behave this way from their surroundings. Delinquents are just normal kids with normal needs and desires. They want to be loved, feel safe, and be recognized. However, when these needs aren't met, they grow upset and may become hostile or rebellious. Thus, their bad or negative behavior

is a reaction to the difficult situations they are in and a protest against parents, teachers, or society for not giving them what they need to feel happy and fulfilled. Importantly, our country is shifting its approach, recognizing that children who act out are often struggling to fit in, and many states have introduced laws and initiatives to help young offenders, such as child welfare boards, approved schools, and rehabilitation programs. Some states even partner with voluntary organizations to care for delinquent kids and provide foster care programs, while efforts are also being made to support neglected and destitute children. Nevertheless, more needs to be done to raise public awareness and encourage community involvement. To truly address delinquency, we need to tackle its root causes, like social and economic issues, and ensure that all children receive proper care, education, and guidance. Thus, from an ethical standpoint, it is imperative that every society prioritizes providing children with a supportive environment, fostering a change in our attitude towards delinquents, to facilitate their readjustment and rehabilitation.

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