



## **BOOK REVIEWS**

Violence, Delinquency and Rehabilitation. By B.K. Bhattacharya. 1977. N.M. Tripathi Pvt. Ltd., Bombay. Pp. viii + 125. Rs. 20.

THE PROBLEM of crime and delinquency is as old as civilisation. Nor is it easily soluble. In fact it is perennial. The attitude of the people towards crime and the criminal, however, has witnessed a marked change. Amongst the earliest theories of crime, an offender was considered to be diabolically possessed and thus dangerous and incorrigible. He, therefore, deserved nothing but condemnation. The classical theorists advocated the theory of free will. A man according to them is a free moral agent who chooses to do wrong. He is, therefore, morally guilty and responsible for the act. However, with the advancement of social sciences and the rise of humanitarianism it came to be recognised that not every person is possessed of free will and that his act is conditioned by a number of factors. It has been quite popular to attribute deviant behaviour to a single cause or factor. For instance, theories of Gall, Lombroso and Hooton, laying stress on physical defect and other peculiarities, Goddard's emphasis on feeble mindedness, Goring's stress on hereditary transmission, Bonger's emphasis on economic factors, *etc.* However, it has now come to be generally recognised and accepted that crime is the outcome of certain reactions to the situation a person is placed in. Two and two will always make four but an individual in a particular adverse situation may not mathematically or essentially become a delinquent. A multiplicity of forces and factors go to make a man deviant. A number of studies have been made in the field of penology and corrections but, in view of the importance of the subject, any contribution in the field would be a welcome addition. And so is this work. Bhattacharya is no novice in the field. His earlier works *Insanity and Criminal Law*, *Prisons*, and *Juvenile Delinquency and Borstals* bear testimony to this fact. The present work which is under review is another feather in his cap.

The book is divided into two parts—one dealing with various aspects of delinquency and the other with violence. In the first part which consists of ten chapters, the author has dealt with various subjects as drug addiction, sex in prison, probation, after-care, *etc.* The second part, comprising two chapters, is a short study of rising violence and the role of the police in crime prevention.

The premise on which Bhattacharya proceeds is that "crime is rooted in the fabric of society. It is to society itself, therefore, that one must turn

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1. B.K. Bhattacharya, *Violence, Delinquency and Rehabilitation* (1977).



in order to formulate effective programmes of crime prevention.”<sup>2</sup> The loosening of family control and the lowering of standards of school discipline according to him play a very important part in contributing to delinquency. Among other factors he mentions low ethical standards, rationing of food supplies, immigration, urbanisation and industrialisation. He suggests some measures of delinquency prevention, for instance, services of child guidance clinics to discover pre-delinquents and guide them, setting up of foster homes, encouraging healthy leisure time activities, *etc.* While admitting the need of prisons in the case of desperate and dangerous delinquents he suggests certain non-institutional methods of treatment also, *viz.*, admonition, absolute discharge, conditional discharge, binding over, fines, costs, restitution or damages. His suggestion of putting convicted persons to some constructive work in default of payment of fines is worth notice.<sup>3</sup> In fact, as it is, a large number of convicted persons are put into prison in default of fines. This results in unnecessary overcrowding of the institutions which are already short of sufficient accommodation.

In the second chapter the author again dwells on the causes of increase in delinquency rate and suggests measures to combat it. The reviewer, however, does not agree with Bhattacharya when the latter says that: “With emancipation of women crime will spread more noticeably amongst them.”<sup>4</sup> Moreover, at another place, he says: “Economic and social emancipation of women in developed countries has not been attended with corresponding increase in female delinquency.”<sup>5</sup> Is he contradicting himself or does he mean to convey that only in India which is a developing country the emancipation of women would have an adverse effect? One wonders how and why? However, the author has rightly pointed out the inadequacy of penal institutions for women. Besides, the problem of women with very young children has also not escaped his attention.

Drug addiction is a menace to society and unfortunately the evil has permeated our society as well. According to the author: “Turmoil of modern life and affluence mainly account for this unfortunate state of things.”<sup>6</sup> It cannot be denied that many anti-social and immoral acts are committed under the influence of drugs. The reviewer happened to visit a girls borstal in Wellington (Newzealand) a few months back and to her utter dismay found that over seventy per cent of the girls—all in the age group 14-18— were drug addicts. They had no inhibitions and on being asked as to what pleasure they derive out of it, quick came the reply. “Try and you will know it.”

The institution of open prisons is of recent origin in India. The author

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2. *Id.* at 3.

3. *Id.* at 10.

4. *Id.* at 25.

5. *Id.* at 37.

6. *Id.* at 27.



has made a critical study of open prisons existing in the country. A comparative study of probationary services in India, U.K. and U.S.A. has also been made.

The importance of after-care services in rehabilitation is too obvious. The author, however, hastily skips over the problem after giving a brief account of the same. He could have devoted more space to this as institutionalisation, and specially if it is for a long period, almost cuts off a person from the outside world. It is, therefore, very essential that a person should be prepared for community life while he is still in the prison. This would be done by having resident social workers and welfare officers in the prison. A mention may be made here of agencies such as the ones which exist in New Zealand. The Prisoners Aid and Rehabilitation Society with its establishment all over the country aids the prisoners while they are still in the prison and even after release. The welfare officers go to the institutions periodically and explain to the inmates the new traffic rules, laws and also keep them apprised with other developments. They also serve as a link between the inmate and his family. When the inmate is released, job and accommodation is arranged for him. Quite often, depending on the resources of the society, financial assistance is also given. Besides there are post release hostels for those released and have no proper place to go. Such hostels exist in other countries as well. However, with the limited financial resources in our country, one wonders whether we could adopt such measures in the near future. A very delicate and baffling problem that stems out of imprisonment is the regulation and channelisation of physical and emotional needs of the inmates. "The natural heterosexual outlet is totally denied in the unisexual world of prison."<sup>7</sup> This gives rise to certain behaviour problems too. An example of conjugal visiting in prisons is Sweden. Granting home leave after a specified period of stay in the prison is a way of solving the problem. However, this too may not be very effective since not all prisoners could be reliable enough to deserve leave. Their release, even for a short period, may not be without danger to them as well as to society. The author has made reference to the Swatantarpur prison in Maharashtra and the Durgapur open prison in Rajasthan where a beginning has been made of giving some sort of family life to the convicts.

In part two of the book, the author has discussed the causes and extent of violence in India as well as in other countries. Special mention has been made of violence amongst the students. Lack of job-oriented education frustrates students and leads to violence.

The role of the police in preventing and controlling crime has been emphasized. However, with the traditional attitude of the people towards police as harsh and heartless people, it will take long to really win over

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7. *Id.* at 96.



their confidence and view them as sympathetic and understanding officers. There is a need for special training to equip the police for this role. We are heading towards it by introducing special courses and training for police personnel.

The book, in short, with its attractive get-up, makes an interesting and informative reading.

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