

SECTION-II

Q#1. Explain juvenile delinquency.

What are the socio-economic / demographic and environmental factors that lead to juvenile delinquency?

INTRODUCTION: Juvenile Delinquency

Juvenile Delinquency includes actions that violates law, committed by a person who is not old enough.

In ancient times, juveniles were also treated as adult offenders. Romans were

the first who draw a strict line between adults offenders and juvenile offenders.

Juvenile delinquency is fueled by number of causes: social, demographic, economic and environmental factors. Socio-

economic disparities, lack of parents control, ^{delinquent} peer groups foster the criminal tendencies in a child.

Environmental factors have loom large

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impact on children development. It is well explained by Judge Lindsey who highlighted the juvenile offenders in the following way:

“A child who is delinquent is not a criminal, but a child in need of help, guidance and direction.”

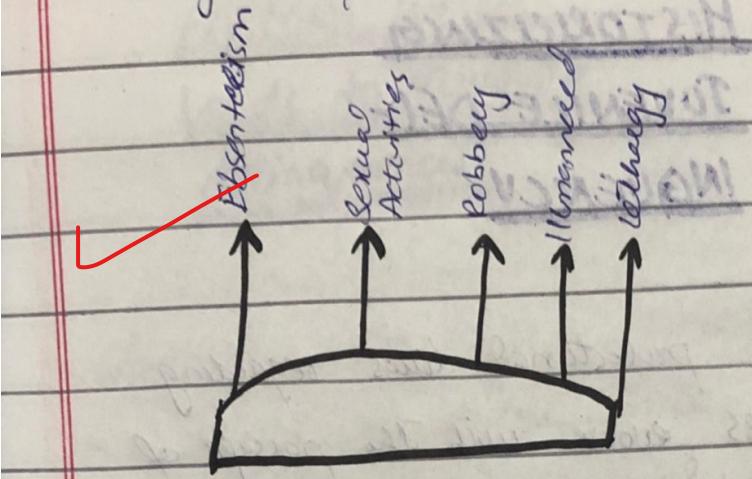
He pointed out that there are other root causes of delinquent behavior.

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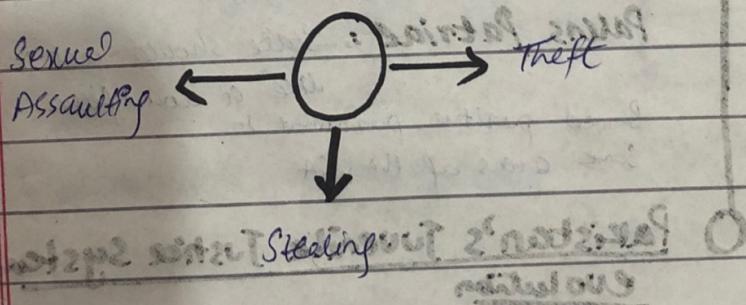
LEGAL AND BEHAVIORAL DEFINITION OF JUVENILE DELINQUENCY

According to the behavioral definition of juvenile delinquency, it is an antisocial behavior that

is beyond parents control.



According to the legal definition of Juvenile delinquency, it includes violation of law.



Larry J. Siegel has defined it in the following words.

It is the act of participating in lawful behavior as a minor

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HISTORICIZING JUVENILE DEL INQUENCY

The protective laws regarding juveniles evolve with the passage of time.

o During Britain Colonial Tim

Child trafficking, labour, child sexual assault were at peak in the USA.



o After colonial Era

Movements started to safeguard children.

Patens Patriae: State should act

like a ~~strong father~~
Banned punitive punishment in
Some areas of the USA



Pakistan's Juvenile Justice System evolution

Before partition.

Article 82 of Juvenile ordinance deals with juveniles.

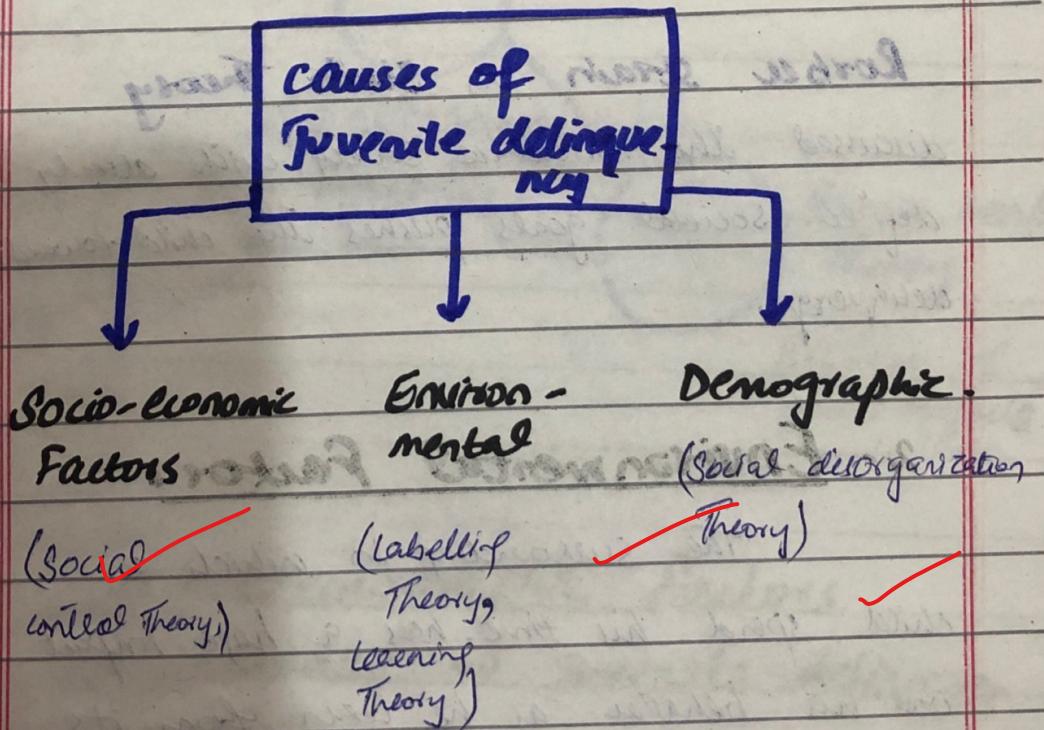
Juvenile Justice Ordinance - 2000

Juvenile Justice Act - 2018

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FACTORS which leads to juvenile delinquency

Juvenile delinquency is exacerbated by number of factors. These factors are social, economical, demographic and others.



1- Socio-economic factors
Leading to juvenile delinquency

Socio-economic disparities in one of the major cause which push a child towards criminal behavior. In order to meet the standards of society while absence of resources is a leading factor. Poverty is a root cause as stated by Aristotle,

— 66 —

Poverty is the parent of revolution and

crime

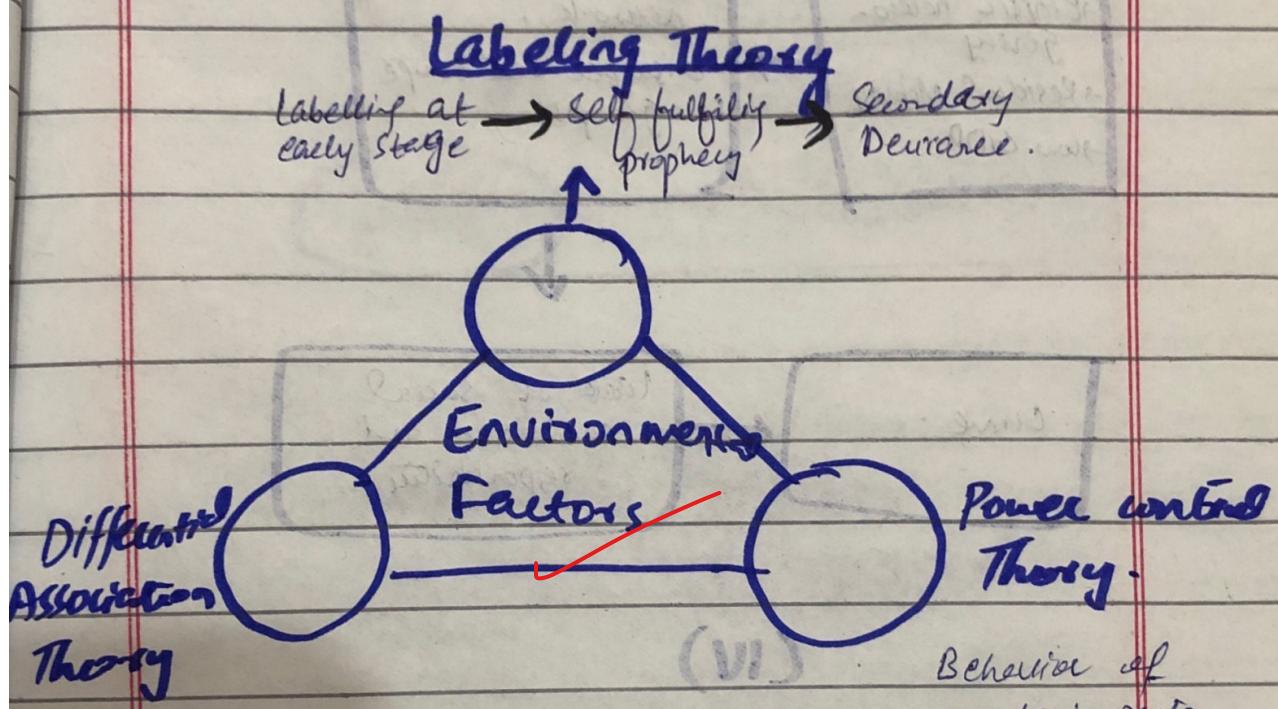
Roscoe Strain in Strain Theory

discussed the imbalance society with already defined societal goals pushes the child towards delinquency.

2. Environmental Factors.

The surrounding in which a child spend his time has a huge impact in his behavior as he learn from its surrounding. Negative behaviors are learned the same way as the skills or good

behaviors are learned. **Albert Bandura** in his work, **Learning Theory**, stated how the human brain retain information and repeat the same patterns. Similarly child learn from his/her surround as illustrated by famous **Bobo Doll's experiment**.

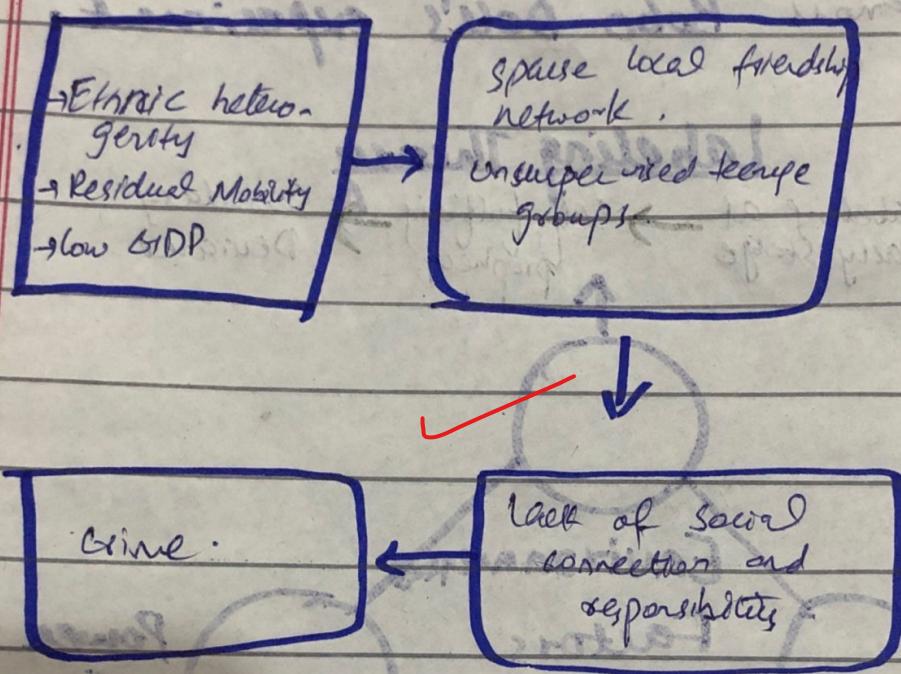


Peer groups shape the personality.

3 - Demographic factors Leading to juvenile delinquency

Demographic factors include the structure of place in which a child lives. It comprise of school, society, peer group

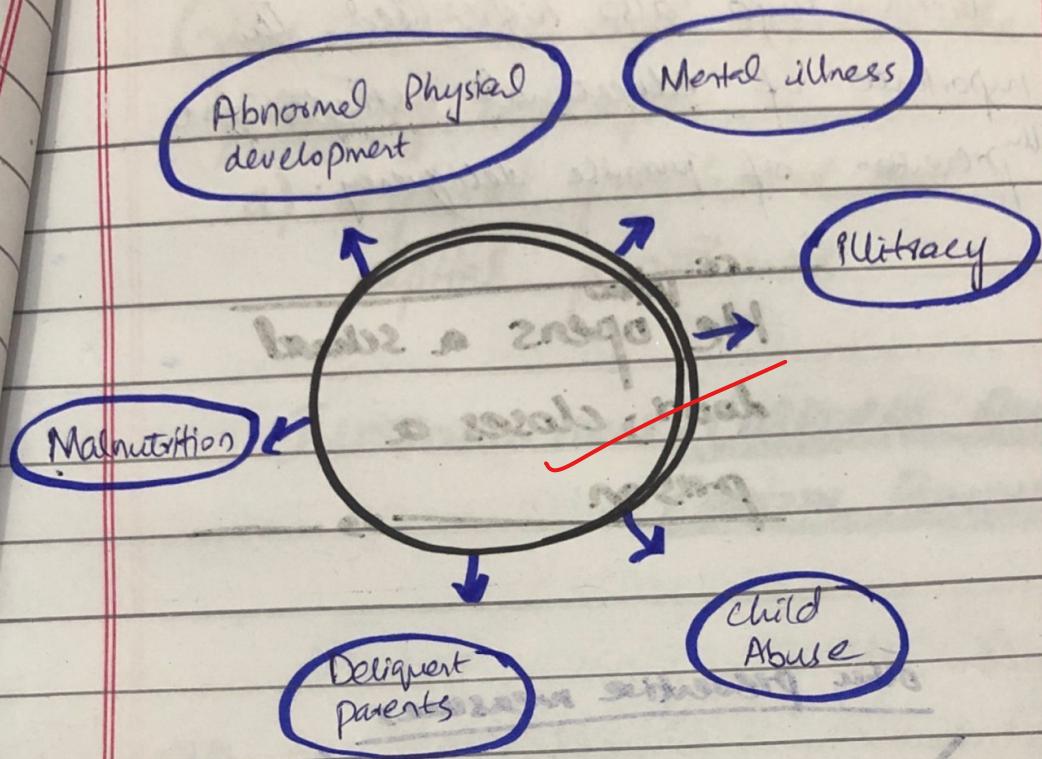
and the place - Shaw and McKay ~~have~~
pointed out some demographic characteristics
of place which foster delinquent behavior
in children.



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OTHER GENERAL REASONS

Other general reasons of
child delinquency is listed below.



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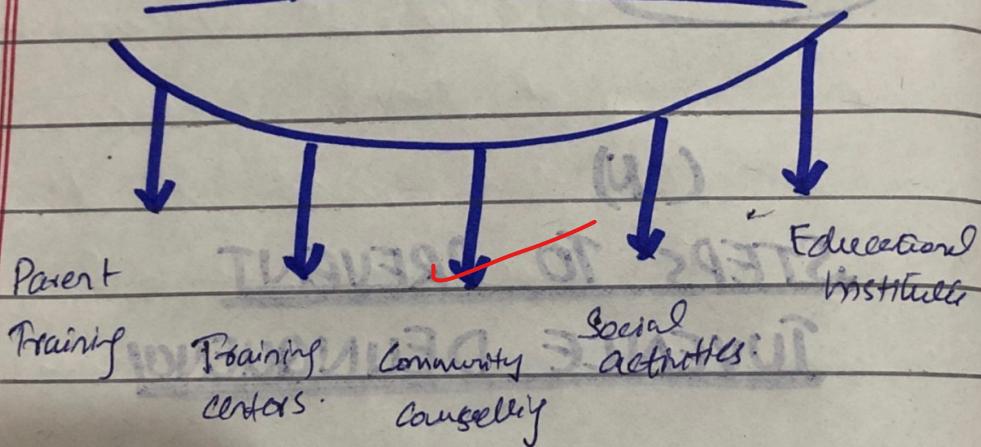
STEPS TO PREVENT JUVENILE DELINQUENCY

Juveniles did not take rational decisions, so they should be guided by others institutions instead of punishment - Some preventive measures should be taken down. There is a need to establish training and counseling centers to empower them.

Victor Hugo also highlighted the importance of educational institutes for the prevention of juvenile delinquency.

~~He also~~
He opens a school
door, closes a
prison

Other preventive measures



Conclusion:

The number of juvenile delinquents are increasing. ~~At~~ Childhood experiences shape the personality of children. Hence, preventive measures should be taken to empower juveniles.

satisfactory work on presentation skills

10/20

Q No 2. Define and explain the following concept.

a) corporal punishment and capital punishment.

INTRODUCTION: CORPORAL AND CAPITAL PUNISHMENT

Punishment includes any physical pain which is unpleasant. In contemporary era, two kinds of punishments are

given to offenders based on the severity of their crimes. Corporal

punishment is physical pain which includes flogging, branding or

mutilation. It is banned in some

countries of world as it is against

human dignity. Capital punishment is

giving the death penalty to offender.

Both concepts are under debate.

corporal punishments are often

discussed in the context of children.

who faces violence from caregivers.
The number of such cases are rising
as stated by: UN.

“
60% of the children
between age 2-14
faces violence by
caregivers ”

-UN-

Such kind of behavior is observed
in underdeveloped or developing countries.
This is being linked with the societal
norms.

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CORPORAL PUNISH- MENTS

Corporal punishments are the
physical punishments given to offender
by a legal authority. United Nations
committee on the Rights of children
has defined this in the following
words.

Definition by UNCRC

— 66 —

Any punishment
in which physical
force is used to
cause some degree
of discomfort

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STATUS QUO OF CORPORAL PUNISH- MENTS

Severe corporal punishments were
practiced in ancient time period. In these
20th century, these punishments
are being removed by developed
countries

Case study: Sweden - first
country - banned all
forms of corporal
punishments

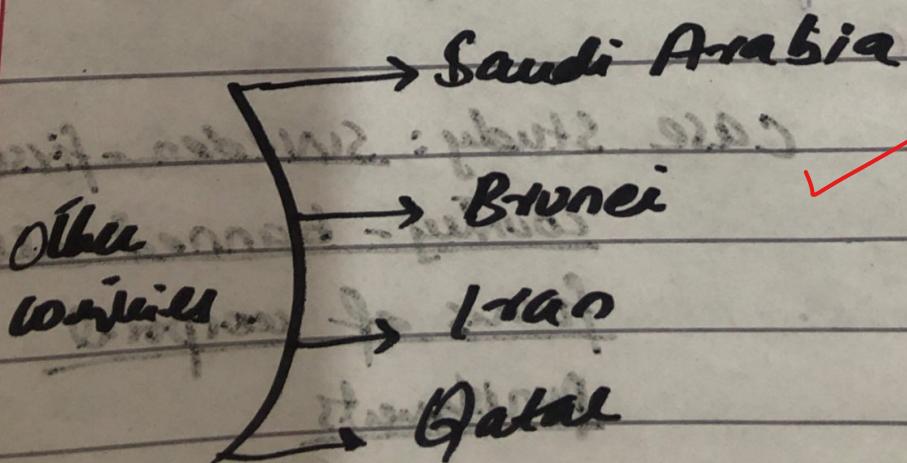
Sweden has banned all kinds of punishment from their state. Recently - A shortfall in child abuse has been observed these. ✓

Around 35 countries are still practicing it. A report by SPARC is submitted in which the condition of Pakistan is discussed -

81% children bear violence in home
35% children faces abuse in schools

A report by SPARC

In Pakistan, it is being part of the Sauratul Nolous.



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CRITICAL ANALYSIS

Such punishments are being ~~being~~ ^{gathered} to following reasons.

o Against the human dignity

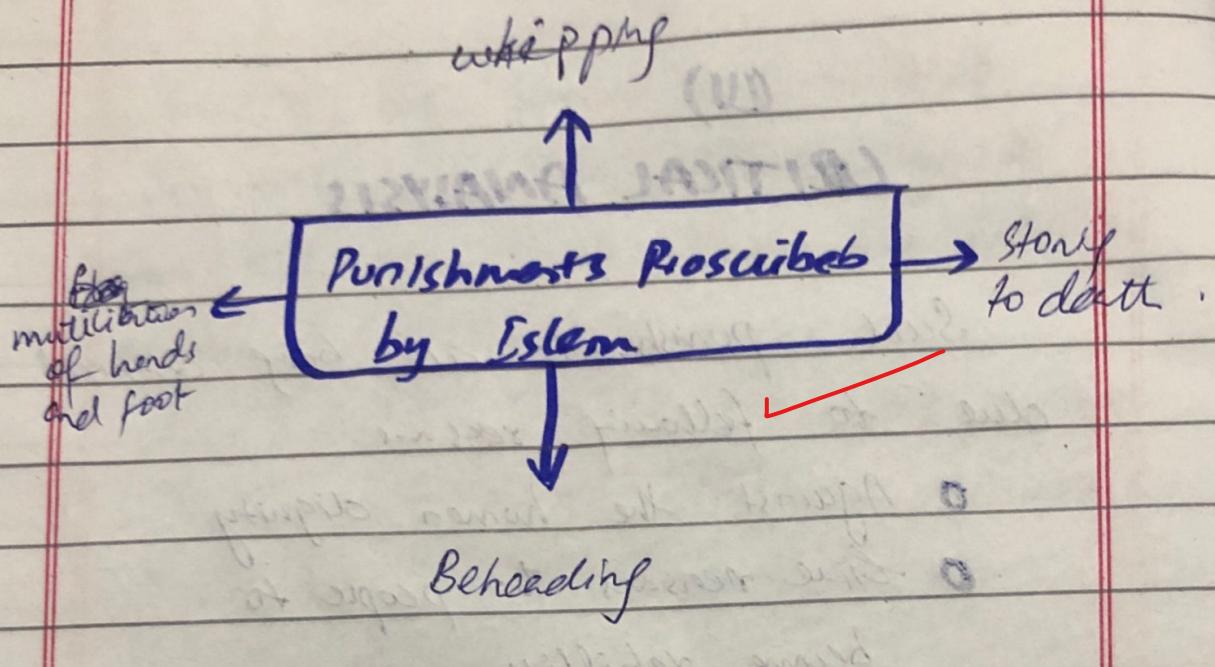
o Give reasons to people to become rebellion.

o Vicious cycle of violence

o Violation of UN convention

o Against modern standards of civilization.

Though it has been gathered due to following reasons but some deterrence should be provided in society by government to ensure peace and prosperity. Some punishments are prescribed by ~~law~~ as well.



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CORPORAL PUNISHMENTS

UNDER THE CONSTITUTION

OF PAKISTAN

Corporal punishments should be given to offenders under section 89 of PDC - It should be given by correctional officers - the corporal punishment should be given according to severity of offence

CAPITAL PUNISHMENT

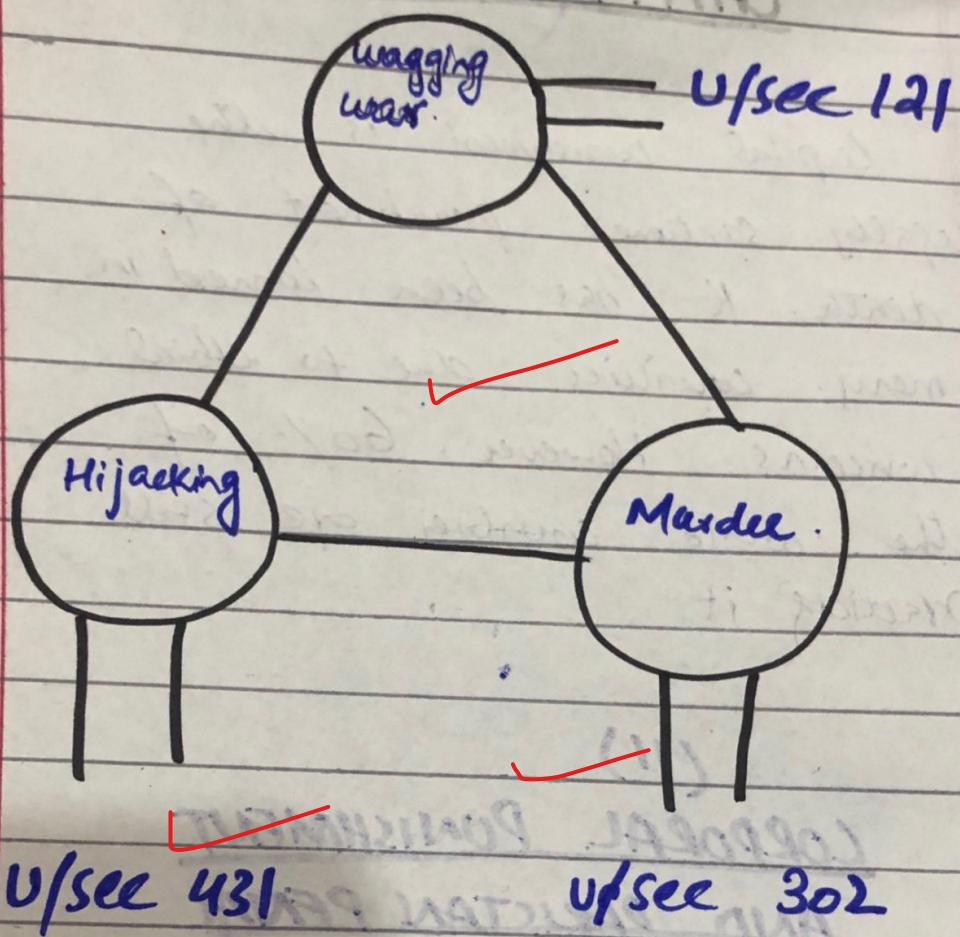
Capital punishment is the legally sanctioned punishment of death. It has been banned in many countries due to ethical concerns. However, 60% of the world countries are still practicing it.

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CORPORAL PUNISHMENT AND PAKISTAN PENAL CODE



Corporal punishment can be given to the member due to below mentioned reasons.



The sole purpose of capital punishment is creating deterrence and sending message to the other members of society, to not commit such mistakes.

In the contemporary era 106 countries have abrogated the law.

Draw backs
of corporal
punishment

→ Encourage Violence

→ Disturbs Mental
Health

→ Fuel Rebellion
groups

→ Creates fear,
not respect

Conclusion :-

Punishment is given to offender
to transform his/her behavior, if there is
no other way of ~~done~~ it. However,
severe punishments are against
human rights and modern
standards of civilization.

satisfactory

9/20