



## **DEVELOPMENTAL CRIMINOLOGY AND ‘SAMSKARAS’: NEED OF COLLABORATIVE APPROACH IN ADDRESSING CRIMINALITY**

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### **ABSTRACT:**

The intersection of *Samskaras*, the ingrained habits and mental impressions shaped by experiences, and developmental criminology offers a profound perspective to thoroughly examine the development of criminal behaviour and a way to thwart it. A collaborative approach integrating the philosophy of *Samskara* with the science of developmental criminology can be effective in addressing the complexities of criminality. *Samskaras* are foundational in Hindu philosophy, encompassing a range of cultural practices that influence individual behaviours, while developmental criminology focuses on understanding how various life stages, environmental factors, and social interactions contribute to criminal behaviour over time. The interplay between *Samskaras* and criminality is significant. From a developmental perspective, early childhood experiences, familial relationships, and community environments shape the *Samskaras* that inform future behaviours.

This paper proposes for a collaborative leading to the development of comprehensive intervention programs based on the philosophy of *Samskaras* that account for the social, and cultural dimensions of individuals. This aligns with the principles of developmental criminology, which emphasize early intervention and the importance of supportive relationships throughout an individual's life course. Furthermore, this collaborative framework can enhance community engagement and participation, empowering local actors to play an active role in shaping positive *Samskaras*. Communities that actively promote pro-social behaviours through *Samskaras*, can help instill obedience that deter criminal behaviour. By focusing on the root causes of criminality rather than merely its symptoms, this approach encourages a restoration and reformation in social justice system and enable the stakeholders to design interventions that are more nuanced, culturally sensitive, and more effective.



By recognizing the role of *Samskaras*, practitioners and researchers can better understand the idea of practicing reinforcement on compliant behaviours as a counter of formation of criminal behaviour, moving with the simple explanation of shaping the unbaked clay and transforming it into a beautiful masterpiece that adds value to the society instead of creating criminal disturbance.

**KEYWORDS:** Developmental Criminology, *Samskara*, Criminality, Restorative justice, Reformative Justice, Theory of Differential Association.

## **INTRODUCTION**

Developmental criminology scrutinizes the factors, actions and occurrences that ensue in the course of life, influencing the conduct and behaviour of a human being, including his disciplined civil behaviours and the criminal conducts. It integrates the insights from various disciplines, including psychology, law and sociology, to provide a comprehensive understanding about etiology behind the engagement of an individual in delinquencies and criminal activities and how this behaviour shapes and changes over the time. One of the foundational perspectives in developmental criminology comes from the Life Course Theory articulated by scholars such as Glen Elder<sup>1</sup> and Robert Sampson<sup>2</sup>. The theory emphasizes that individuals develop under a great influence of a complex interplay of social, environmental and economic factors and their variation and blends throughout a person's life.

Elders concept of length the life asserts that individuals are inherently social beings and hence cannot be judged in isolation rather their behaviours are the reflection of their experiences shaped by their relationship, social networks and experiences in life. The perspective signifies the importance of family peer influence and socioeconomic condition in shaping a person's criminal profile and behaviour. Sutherland's 'Theory of Differential Association'<sup>3</sup> attributes criminal behaviour to the process of learning throughout the life of a person including the influencers of the people, who he came in contact with during his course of lives. The theory is

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<sup>1</sup>Elder, G. H., Johnson, M. K., & Crosnoe, R. (2004). "The Emergence and Development of Life Course Theory." In Handbook of the Life Course (pp. 3-19). New York: Springer

<sup>2</sup>Sampson, R. J. (2012). "Great American City: Chicago and the Enduring Neighbourhood Effect." Chicago: University of Chicago Press.

<sup>3</sup> Sutherland, E. H. (1939). Principles of Criminology (4th ed.). Philadelphia: J.B. Lippincott Company.



called “Theory of Differential Contact” the term “association” however, rationalizes this idea, by recognizing that it is not simply, the exposure to various people but the contact must also successfully convert into an association, which reflects a deeper inter-personal coalition, wherein the attitudes and the definitions of wrong and right including the criminal behaviours, are also, part of. Sutherland says that the criminal behaviour is learned when a person gets inclined to prove violent attitudes more than anti violent attitudes. Learning criminal motives attitudes and definitions are more likely to occur in people who are associated with those people and groups for whom violation of law is not bothersome. To sum this up it would not be wrong to say that contact with the criminals lead to criminal behaviour and less contact to criminals leads to non-criminals. A rehabilitative ideal can be derived from Sutherlands theory of differential association it is reasonable to conclude that since criminal attitudes and activities can be learned it is logical to deduce and unlearn them with the efforts in right direction.

Theoretically it is the decisive imbalance between associated attitudes that triggers violation of law and the attitudes that pacifies the idea of violation of law and therefore the goal of the justice delivery system and society at large, must be not to surround the non-criminals with the criminals and to create social spaces that are dominated by people with correct motives and patterns of action in life<sup>4</sup>. Sutherland gave following nine basic postulates to rationalize his theory:

1. Criminal behaviour is not inherited and is learned.
2. It is the interaction with other person that in process of communication, verbal or nonverbal that the criminal behaviour is learned.
3. The core learning of criminal behaviour happens within the intimate personal groups.
4. The learning of criminal behaviour includes techniques of committing a crime and motives, along with drives and rationalization.
5. Legal codes as favourable or unfavourable define the specific motives and drives which are learned there from.

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<sup>4</sup> Sutherland, E. H. (1940). "The Professional Thief." *The American Journal of Sociology*, 46(4), 461-474.



6. It is the excess and association with the definitions, favourable to violation of law over definitions unfavourable to violation of law that makes a person delinquent. This is the core principle of differential association.
7. Differential associations cannot be uniformly formulated and may vary in duration frequency intensity and priority.
8. The process of acquiring and learning the criminal behaviour by the association with criminal and anti-criminal patterns includes all the mechanisms involved in any other form of learning.
9. Criminal behaviour usually is an expression of a person's general needs and values, and these general needs and values are same in noncriminal behaviours also.

Childhood experiences play pivotal role in shaping the future behaviour of the child making it a crucial aspect of developmental criminology. Abuse, neglect, family instability and early exposure to deviant practices are called adverse childhood experiences (ACE)<sup>5</sup>, which creates a negative mental impression in a child and increases the possibility of his engagement in criminal behaviours at the later stages of his life. Researchers like Felitti<sup>6</sup> correlates childhood trauma with deviant adult behaviours. Perspective aligns with the understanding of how negative experience during the formative years of a child can establish those patterns of behaviour which are difficult to break and can lead to criminal dispositions.

In addition to the childhood experiences as propounded by Sutherland, it is the social environment that plays a significant role in the development of any criminal behaviour the same idea is propounded by Albert Bandura<sup>7</sup> in his theory of social learning. The theory posits that behaviours, non-criminal as well as criminal learnt throughout the interactions, observations and imitation of others who socially surround us. The theory clearly highlights the influence of

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<sup>5</sup> Felitti, V. J., Anda, R. F., Nordenberg, D., Williamson, D. F., Spitz, A. M., Edwards, V., ... & Marks, J. S. (1998). "Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experiences (ACE) Study." *American Journal of Preventive Medicine*, 14(4), 245-258. doi:10.1016/S0749-3797(98)00017-8.

<sup>6</sup>Felitti, V. J., Anda, R. F., Nordenberg, D., Williamson, D. F., Spitz, A. M., Edwards, V., ... & Marks, J. S. (1998). "Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experiences (ACE) Study." *American Journal of Preventive Medicine*, 14(4), 245-258.

<sup>7</sup>Bandura, A. (1986). *Social Foundations of Thought and Action: A Social Cognitive Theory*. Englewood Cliffs, NJ: Prentice Hall.



family and peers on an individual's propensity to commit crime. For example; a child who saw his father violating the traffic signal and also enjoying and boasting about his act of violation of law, would never find it to be something that is questionable and gradually would adapt this in his behaviour.

The concept of social control as articulated by Travis Hirschi<sup>8</sup> provides ground to understand developmental criminology. The theory talks about low self-control as a significant predictor of the potential of development of criminal behaviour. It is the low self-control, that often is result of inadequate parenting during the childhood, that in long terms fails to instill the necessary self-regulatory mechanism. Gottfredson<sup>9</sup>, also argues that people with low self-control act impulsively seek immediate gratification and are usually engaged in risky behaviours which might include crank.

Developmental criminology also highlights the influence of socioeconomic factors and consonants with the Strain theory. Strain theory as propounded by Robert Melton<sup>10</sup> rebounds that social pressures and structural inequalities can lead individuals to commit crimes specifically in situations where the legitimate means to achieve success seems to be difficult or blocked.

Merton's typology of adaptation to strain like; conformity, ritualism, innovation, retreatism and rebellion provides an insight into how an individual's response to the pressure of societal expectations sometimes can be in the form of crimes. For instances people who are under the tremendous pressure to prove themselves sometimes resort to criminal behaviour as a mean to achieve quick financial success specifically when the conventional parts are either unavailable, long or difficult to conquer. Moffitt's<sup>11</sup> developmental taxonomy distinguishes between the two types of offenders; life-course persistent offenders and adolescent-limited offenders making it an integral part of the study of developmental criminologists. The life-course persistent offenders

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<sup>8</sup>Hirschi, T. (1969). *Causes of Delinquency*. Berkeley: University of California Press.

<sup>9</sup>Gottfredson, M. R., & Hirschi, T. (1995). "Control Theory and the Life Course Perspective." In *The Life Course: A Sociological Perspective* (pp. 141-157). New York: Academic Press.

<sup>10</sup>Merton, R. K. (1976). "The Unanticipated Consequences of Purposive Social Action." *American Sociological Review*, 1(1), 894-904

<sup>11</sup>Moffitt, T. E. (1993). "Adolescence-Limited and Life-Course-Persistent Antisocial Behavior: A Developmental Taxonomy." *Psychological Review*, 100(4), 674-701.



begin exhibiting their anti-social behaviour very early in their life and continue doing that during their adulthood, which is often a result of cumulative disadvantage and negative life experiences. However adolescent limited offenders engage in criminal activities primarily during their teenage years influenced by peer dynamics and the transition to the adult hood.

Emile Durkheim<sup>12</sup> furthermore, establishes the role of resilience and protective factors as part of developmental criminology by emphasizing the significance of fostering resilience. It is indicated that positive experiences such as strong family bonds, supportive peer relationship and effective educational intervention might mitigate the risk of criminal behaviour even in the presence of adverse circumstances.

Developmental criminology as it focuses on the evolution of criminal behaviour in the individuals and their life circumstances, ponders more upon the childhood and youth of a person, while scrutinizing it with the questions of continuity and change in behaviour, including the onset of and resistance from offending while understanding the patterns of the offending, over the period of time. Developmental criminology has its roots in mainstream criminology as positivist criminology, social studies, biology and studies of the relationship between biology, psychology and social factors, which are responsible for creating pattern in person's life during the course of life, from conception to the death of a human being. While understanding the deviant patterns and the etiology behind them, it is reasonable to take cognizance of the baggage people carry from the past which might be in the form of continuing effect of earlier experiences like domestic violence or sexual abuse that led to the current pattern and choices of behaviours.

Developmental Criminology is dominated with the quantitative methods to measure relationship between delinquencies and development processes while focusing upon the correlation between the risk factors as abuse, bad experiences or poverty and subsequent offending. Cyril Burt<sup>13</sup> was amongst the pioneers in the field of developmental criminology with specific emphasis on adolescent deviation in 1920. Since then, the developmental processes have been an interesting

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<sup>12</sup>Durkheim, É. (1897). *Suicide: A Study in Sociology*. Translated by J. A. Spaulding and G. Simpson. Glencoe, IL: Free Press, 1951.

<sup>13</sup>Burt, C. (1921). *The Young Delinquent*. London: University of London Press.



field of study, specifically, for people having interest in study of criminal justice processes and systems. However, the relationship between age and criminality came in focus in 1980s, when it was argued that some people are more prone to commit crime than others and a common factor which might be root cause was expected to be the fact that their family-socialization, in their early formative years was such that they could not build a strong sense of self control in them.

In 1990s<sup>14</sup> developmental criminology took cognizance of the idea of risk factors, the factors which were associated with an increased probability of anti-social or negative outcomes. Developmental criminology has used this paradigm to explore many problems, including the relationship in the early life, self-esteem, attention and confidence issues. Although a general formula of the underlying factors behind criminality is impossible to derive, as the pathways are complex and intersecting with the individual level problems as individual sensitivity levels, external intervention and healing processes.

Developmental Criminology is a study that leads to a conclusion that criminality, deviations or delinquencies are the display of the symptoms, and might be helpful in deriving a mechanism wherein the scientists, socio-scientist, by studying beyond the symptoms and focusing on the causes instead of the behaviours which are mere symptoms at display. The relationship between society, psychology, upbringing, reformatory approaches, medicinal intervention and education etc.<sup>15</sup> can give a comprehensive overview about the reasons behind a behaviour, which is the core idea behind developmental criminology.

## **THEORIES OF CRIMINOLOGY AND SOCIAL OBLIGATIONS**

A deeper understanding of the theory of differential association as propounded by Sutherland, a counter understanding, can be created, that as much as the wrong influence determines the wrong behaviours and a person's association with them; equally the right influence, if created by the society and the family, might break the vicious circle and can correct the criminality. This

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<sup>14</sup> Moffitt, T. E. (1990). "Adolescence-Limited and Life-Course-Persistent Antisocial Behavior: A Developmental Taxonomy." *Psychological Review*, 100(4), 674-701.

<sup>15</sup> Farrington, D. P. (1994). "Youthful Aggression and Adult Violence." In *Violence and the Family* (pp. 165-188). Thousand Oaks, CA: Sage Publications.



definitely, requires a lot of unlearning, in which the developmental criminology can play a vital role, by providing a real understanding of the cause and a more defined technique of unlearning only the particular problematic, criminal aspects of the behaviour can be derived. Hirschi Also focuses upon intervention and preventive strategies suggesting that through effective parenting and educational programs self-control can be enhanced and risk of criminal behaviour can be mitigated and in future criminality can be tamed. Merton highlights the importance of addressing systematic issues such as inequality and poor parenting to reduce the crime rates. A targeted intervention based on certain specific developmental trajectories of the individuals after recognizing that different pathways of crying require different preventive and interventional strategies was suggested by Moffitt as an effective way to deal with criminality.

Emile in her research, indicates that positive experiences like strong family bonds encouraging peer relationship effective educational intervention can mitigate the risk of criminal behaviours even when the adverse circumstances are prevalent<sup>16</sup>. Developmental criminology in itself emphasizes upon the significance of fostering resilience to crime. Is more focused approach is adopted to understand the cause and target the criminality in a personalized way using social skills enhanced emotional intervention and mentorship criminality can be addressed to a greater degree<sup>17</sup>.

Sutherland promulgates two paradoxes; one: talks about the wrong impact of the society, creating differential association and criminality and two: the rightful reinforcement of the correct behaviour by the society, which might mitigate the chances of creating criminality or can be an effective tool to reform and unlearn the differential association. As much as the wrong influences create scope to breed criminality; the right influences might create a scope of mitigating them; making it even more important for all the key players of the society, to come together and create an environment, wherein, there is no scope for the criminality to flourish from early formative years, to adolescent, to adulthood and so on. If society collectively works on creating a

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<sup>16</sup>Moffitt, T. E. (1993). "Adolescence-Limited and Life-Course-Persistent Antisocial Behavior: A Developmental Taxonomy." *Psychological Review*, 100(4), 674-701. doi:10.1037/0033-295X.100.4.674.

<sup>17</sup> Sampson, R. J., & Laub, J. H. (1993). "Crime in the Making: Pathways and Turning Points Through Life." Cambridge, MA: Harvard University Press.





productive, prolific, inclusive and positive environment for everyone, there won't be any peer group, which would assert any wrong pressure or chance of differential association leading to diminish ideas of criminality in anybody's mind.

## **SOCIAL STRUCTURE IN INDIA AND ITS CRIMINOLOGICAL IMPLICATIONS**

In countries like India where the society is very closely knit and the family structure is very strong developmental criminology is even more important for understanding the developmental science and its correlation with the criminal behaviours. Unlike western countries in India families are still involved in each other's lives creating a very strong support system and a very vigilant and watchful society for everyone. This social setup of India in its conventional character incorporated all the counter arguments in context of Differential Association theory of Sutherland<sup>18</sup>. It is not because of the contact with criminal patterns, that people become criminals but it is equally because of isolation from the anti-criminal patterns<sup>19</sup>. This means that as much as the criminal associations leave a criminal impact, the associations that are neutral or correct in nature, if reinforced, can leave an anti-criminal impact. Also, because the learning of the criminal behaviour is not limited to the process of imitation and a person might be induced into criminality, pulling back such person from this association by the mainstream society while playing the role of a mentor and ensuring his reintegration in the correct path might reduce criminality<sup>20</sup>.

Creating role models for correct imitation can be an effective method to achieve unlearning of criminal behaviour and learning of anti-criminal behaviours. As it is propounded that criminal behaviour is an expression of needs and values similarly a non-criminal behaviour can also be created as an expression of same needs and values provided the correct behaviour is reinforced and rightly glorified amongst the people.

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<sup>18</sup> Basu, A. (2012). *Crime and Society in India*. New Delhi: Oxford University Press.

<sup>19</sup> Ghosh, S. (2013). "Criminal Justice System in India: A Review." *Journal of Indian Law Institute*, 55(1), 1-25. Also see; Sharma, K. (2016). "The Sociology of Crime in India: An Overview." *Indian Journal of Criminology*, 44(2), 85-100. Chatterjee, P. (2011). "Society and Crime in India: A Sociological Perspective." *Asian Journal of Criminology*, 6(3), 227-242.

<sup>20</sup> Singh, A. (2008). "Crime in India: The Role of Social Structure." *The International Journal of Indian Psychology*, 5(2), 12-20.



## **SAMSKARA: REINFORCEMENT OF COMPLAINT BEHAVIOURS**

In Hindu religion this process of reinforcement of the correct behaviour so that there is no scope left for criminality to breed was incorporated in form of the rituals of the sixteen *Samskaras*<sup>21</sup>. One key area that creates contemporary significance of the sixteen *Samskaras* in a rapidly changing world is the science of developmental criminology. As modernity, materialism and globalization continues to influence societal norms and values in India, drifting the families away from the idea of building a virtuous society for all, it is important to understand how important these rituals are, in order to continue creating a culturally enriched and sustainable society, wherein, everybody is shown the correct path and the concept of does and don'ts is reinforced, time and again as per the development of the person as he grows till the time of his death<sup>22</sup>.

These *Samskaras* are influenced by social-economic factors impacting the ability of individuals and communities to adhere to the social norms influencing behaviours of the individuals and their association with the virtue of righteousness of the society<sup>23</sup>.

*Samskaras* in Hindi religion shed lights on the evolving nature of a human being in the contemporary society and are seen as formative influencers on an individual's journey of life.

If although *Samskaras* have been part of Hindu culture from time in memorial yet it is realistic to recognize that while the core significance remains unchanged the practices have undergone certain adaptations and modifications to suit the evolving social landscapes. In Hindus *Samskaras* are the way of life and as humanity pursued for self-improvement, it always includes physical, mental and spiritual well-being in context of the idea of prolific life in Hindu ideology.

Vedic seers called a series of rites as *Samskaras* (also pronounced to *Sanskaras* and is a *Sanskrit* word) an analogous term for which in English can be found as "Sacrament" that is "rite of

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<sup>21</sup> Rao, K. C. (2009). "*Samskaras: The Foundations of the Indian Mind.*" *The Indian Journal of Psychology*, 84(2), 19-29.

<sup>22</sup> Chatterjee, A. (2007). "Understanding *Samskaras: A Study of Cultural Practices in India.*" *Cultural Studies Review*, 13(2), 83-99.

<sup>23</sup> Radhakrishnan, S. (1956). *Indian Philosophy*. Vol. 1. Delhi: Oxford University Press



passage”<sup>24</sup>. In Sanskrit text like; *Raghuvamsha*, *Kumarsambhava*, *Abhijnan-Shakuntal*, *Hitopadesha*, and *Manu Smruti* etc., *Samskara* embodies various meanings including; education, refinement, consecration purification, effect of Karmas and many more. It, however the understood as the act of refining something while removing its undesirable attributes which, in context of developmental criminology might be an act of refining a behaviour which is anti-criminal or neutral while removing any criminal attribute.

Culturally, the concept of *Samskaras* contribute to personality formation and development. But Parashar Smriti compares character formation as a conscious molding of individual’s character and spiritually they elevate life’s sanctity by purifying not only the body but also the mind and soul by creating a process of ridded for the evil thoughts or bad intentions. The *Samskara*’s are a form of spiritual endeavour that is sadhana, combining the internal spiritual edification with the external behaviour of discipline and compliances with the social norm. Although there is a total of sixteen *Samskaras* but they are further divided into sub categories, based on the stage of life, at which they are performed. These categories are prenatal childhood, childhood, educational, marriage, death *Samskaras*. The list of these categories along with the Sanskaras are<sup>25</sup>:

- **Pre-natal Samskaras:** *Garbhadan* (Conception), *Pumsavana* (Ensuring the birth of a male child), *Simantonayana* (Parting of the hair)
- **Childhood Samskaras:** *Jatakarma* (Rituals after birth), *Namakarana* (Naming ceremony), *Nishkrama* (First outing), *Annaprashana* (First feeding of solid food), *Chudakarma* (Shaving the head), *Karnavedha* (Piercing the earlobes)
- **Educational Samskaras:** *Vidyarambha* (Initiation into education), *Upanayana* (Sacred thread Ceremony), *Vedarambha* (Beginning Vedic studies), *Keshant (Godaan)* (First shaving of beard), *Samavartan* (Completion of studies)
- **Marriage Samskara:** *Vivaha* (Marriage ceremony)
- **Death Samskara:** *Antyeshti* (Funeral rites)

<sup>24</sup> Dasgupta, S. (1922). A History of Indian Philosophy. Vol. 1. Cambridge: Cambridge University Press.

<sup>25</sup> K. S. Murti, M. (1987). The Central Philosophy of Buddhism: A Study of the Madhyamika System. Delhi: Motilal Banarsidass. Also see; Radhakrishnan, S. (1956). Indian Philosophy. Vol. 1. Delhi: Oxford University Press, Dasgupta, S. (1922). A History of Indian Philosophy. Vol. 1. Cambridge: Cambridge University Press.



The first *Samskara* of *Garbhadhan* that is conception signifies the act of conceiving a child. The importance of right mindset, nutritional food and indulgence in the anti-criminal activities and righteous behaviours, while drifting away from the habits of smoking cigarettes, chewing tobacco or having liquor etc., in prenatal times signifies the importance of the *Samskara*. It reinforces the concept of correct parenthood and asserts that it begins from the very time of conception of the child, while reaffirming the importance of progeny and by forbidding the act of termination of pregnancy without any reasonable justification to do so.

*Pumsavana* and *Simantonayana* (desired child), is performed during the women's first pregnancy only in the third or fourth month symbolizing the desire of a healthy child while *Simantonayana* (Hair-parting) Is a ritual that is believed to bring prosperity to the mother ensuring long life of the unborn child. A sociological perspective of this *Samskara* is that it is believed and asserted by Sushrut<sup>26</sup> that the mind of foetus is formed by fifth month of the pregnancy and hence Samskar reminds the pregnant mother to take utmost care avoiding any bad thoughts or apprehensions.

*Jatakarma* (Birth rituals) Andrew is performed at the birth of the child focusing upon giving blessings to the child so that the positive manifestation of his mental and physical well-being can be made from the very beginning of his life. However, *Namkaran* (Name-giving) Is a ritual wherein the child is named and it is believed that names must reflect and manifest the virtues, which the parents want to inculcate in their child. *Nishkrama* (First outing) is a *Samskara* done in the third month, when the child is allowed to go out of the house with his father and this is the time of his first interface with the out-side world, other than his home and family and again the correct values are reinforced as his father leads him to the openair world.

*Annaprashan* (First feeding) marks the child's first feeding of solid food creating a sense of gratitude in him and making him aware about the importance of the food and correct kind of nutrition. *Chudakarma/Chaul* (Shaving of head) is an act of shaving the head of the child, which

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<sup>26</sup>Sushruta. (2003). *Sushruta Samhita: Text with English Translation and Commentary*. Translated by K. R. R. Rao. Varanasi: Chaukhambha Orientalia.



according to Sushrut<sup>27</sup>, along with nail cutting, is believed to bring comfort delight and a sense of cleanliness in the child, inculcating the first small sense of discipline in him. *Karnavedh* (Piercing the earlobes) involves piercing of the child's ear and as per Sushrut ear piercing protects him from hydrocele and hernia disease. *Vidyarambh* (Learning the alphabet) is also known as Akshara-Rambha, performed at the age of five, before commencing the Vedic study<sup>28</sup>. The act is marked as the beginning of formal education when the primitive understanding of a child about discipline, right actions and wrongful actions begins.

*Upanayan (Yagnopavit)* (Sacred thread initiation), performed at the age of 8 and marks as the initiation of celebrate student life of the child, here he receives a sacred thread *Yagno-Pavit* and vows to remain disciplined and dedicated towards his pursuit of knowledge without any deviation in worldly pleasure and petty indulgences, again reinforcing the correct social and personal values in the child as per his physical and mental growth at the age of Eight. However, *Vedarambh* (Beginning Vedic study), is marked as a separate *Samskara* to ensure that now the child is ready for his advance wedding study.

*Keshant (Godaan)* (Shaving the beard) Involves the first shaving of the beard by the student at the age of sixteen symbolizing the end of childhood and entry into the manhood. It is then that the man is again told about the discipline expected out of him and his vow of Brahmacharya is reiterated as he is still in his student life, the end of which is marked by *Samavartan* (End of Studentship) with which the vow of Brahmacharya also ends. These *Samskaras* clearly reinforce their new responsibilities bestowed upon a grown-up man and the expected anti-criminal behaviour from him in the direction of the welfare of the society and not only for his own benefit.

Once the pledge of Brahmacharya ends after marriage Sankara, *Vivaha* is performed and the man is clearly made aware about the sanctity of this religious sacrament along with his social

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<sup>27</sup> Rao, K. R. (2010). "Sushruta: The Father of Surgery." *Indian Journal of Surgery*, 72(3), 226-229.

<sup>28</sup> Sharma, P. V. (1992). *Sushruta Samhita: A Comprehensive Guide*. Delhi: Chaukhambha Vishwabharati.



responsibility towards creating stability in this social institution in order to make a strong family and a solid building block for a happy society<sup>29</sup>.

Death *Samskara*, *Antyeshti* (Funeral rites) Are considered to be the final *Samskara* in a Hindu person's life they are meticulously performed by the deceased persons relative to ensure that the departed soul smoothly transitions into the next world the *Samskara* once again reiterates and reestablishes the fact that life has to be meaningful and it is too worthy to be wasted in sins or crimes<sup>30</sup>. It is a reminder of utilizing the life for good and for not indulging into criminal acts.

There is a profound significance of Hindu *Samskara* in resonating the role of society in, inculcating and re-inculcating correct behaviours in the people, by strategically planning the process of reinforcement as per their mental and physical growth, so that they have the capability and mental acumen to comprehend the real essence of the teaching and stay in tune with societal cohesion<sup>31</sup>. These rituals place, the individual at the center boasting his self-esteem and also by bringing him again and again in societal solidity. The communal celebration of the rites also strengthens the family bond contributing to the resilience of a person's cultural identity and traditional value within the Hindu society leaving a very little or no scope for any criminal thought or idea to seep in the mind of a person, curbing the chances of criminal delinquencies to a substantive level.

## **DEVELOPMENTAL CRIMINOLOGY AND THE CONCEPT OF SAMSKARAS: A PROPOSED COMPOSITE APPROACH**

As Sutherland says that when people become criminals they do so not only because they are in contact with their criminal patterns but also because they are in isolation with anti-criminal patterns, which means that associations that criminal will have very little impact on no effect if the anti-criminal association is strong and work within the close proximity with a person. This

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<sup>29</sup>Kumar, R. (2006). "Marriage in Hinduism: The *Samskara* Perspective." *International Journal of Hindu Studies*, 10(2), 201-220.

<sup>30</sup> Parasher, H. (2010). "Understanding Death in Hinduism: A Study of *Samskaras*." *Journal of Indian Philosophy*, 38(1), 1-20

<sup>31</sup> Rao, K. C. (2009). "*Samskaras*: The Foundations of the Indian Mind." *The Indian Journal of Psychology*, 84(2), 19-29.



seems to be an achievable agenda if the concept of *Samskaras* is once again made popular in the society. If, imitation is what makes the learning of criminal behaviour, the *Samskaras*, can help to create a perfect paragon, imitation of which would only generate a law-abiding mindset.

The implications of developmental criminology extend into the realm of law and society. Standing of the underlying cause of criminal behaviour using the perspective of development can inform more effective approaches to crime prevention and intervention. The developmental criminologists indulge into evidence based studies which can be helpful in understanding the causes of deviation however the concept of *Samskara* can be a mechanism if implemented a property properly can help in reducing recidivism particularly among the youth and can also help in restorative judicial practices aligning well with the principle of overall development of the society while focusing working on every individual building block that is the human being who is part of the society *Samskara*'s can be an effective way of addressing the Root Causeway of criminal behaviour by the way of promoting positive life changes in a very organic and effortless manner.

However, *Samskaras* are the integral part of Hindu ideology, its wide integration in the studies of criminal behaviours and corrections, thereof, might the jurists to find out, how the development of mind particularly during the adolescence, impacts the decision making, impulse control and how *Samskaras* can be a mechanism to discipline the behaviours in sync with mental, physical development and ability of comprehension in a specific and targeted way, according to the development in the life stages of a human being.

Development criminology offers a comprehensive framework for understanding the complexities of criminal behaviour across the life span which justifies the idea of synchronization of the concept of *Samskaras* with the reformative and restorative concept of justice, as propounded by Marshall<sup>32</sup>. By integrating the insights from various disciplines including psychology sociology and law this approach highlights the significance of social influence which can be converted into a positive one if *Samskaras* are strategically incorporated in the process of shaping an individual

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<sup>32</sup> Marshall, T. (1999). "Restorative Justice: An Overview." *Crime and Justice*, 25, 1-22.



behaviour, by fostering resilience, addressing socio-economic disparities, and implementing targeted prevention strategies, a more just and rehabilitative society can be formed, ultimately reducing crime and its associated harms.

## **CONCLUSION**

While developmental criminology dwells deep into the scientific idea of, how the formative years of a person and the experiences he goes through, generates his reason and display of criminal or non-criminal behaviours and patterns, *Samskaras* can be an effective way of transforming these formative years of a person, converting him into a contented and law-abiding, dutiful human being, whose only way of life is to be one with the society, without any deviation from the correct ideas and to live for a bigger virtue and upliftment of self and all. It is high time that this Hindu tradition is practiced globally with sincerity and reverence and is studied as part of criminology to understand how positive affirmations can create and abiding existence with profound spiritual essence.

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