

Labeled or Learned? Youth in Indo-Nepal Cross-Border Crime

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Abstract

The purpose of this paper is to examine that the youths learned crime and labeled as offenders in Nepal's Tarai, bordering Northern Indian States Bihar and Uttar Pradesh. Various studies, Government and media reports have demonstrated the overwhelming involvement of Tarai-youths in Indo-Nepal cross-border crime as a threat to the security of the Border Society. However, youths learned crime and labeled as criminals in the Indo-Nepal border areas. Youths, especially from 'backward' social class and caste, have their limitation and their young age and suppression by the state and oligarch portray them as the vulnerable is crime. Regard to the Indo-Nepal cross-border crime, social and political factors contribute to the environment viable for learning crime.

Keywords: Youth, Learning, Labeling, Cross-border crime, Gun culture

Introduction

The central purpose of this paper is to challenge some traditionally held sociological and political assumptions about the fact of the youth involvement in the cross-border crime, especially in Indo-Nepal areas. Those assumptions urged that open and porous border as a prime cause of youth in Indo-Nepal cross-border crime (Gupte and



Bogati 2014, p. 8; Miklian 2008, p. 14). To challenge the traditional assumption, the researcher has utilized qualitative data. The research work has attempted to analyse the previous findings critically which concluded that overwhelming higher numbers of young people resided in the borderline areas involved in the Indo-Nepal cross-border crime. The paper started with the cross-border crime discourse and analyzes the uniqueness of Indo-Nepal border as well as youth crisis in the region which contributes to criminal activities.

Youths are always present as the vulnerable age groups to the crime. Levitt and Lochner (2001) argued that an eighteen-year-old is five times more likely to be arrested for a property crime than is a thirty-five-year-old; for violent crime, the corresponding ratio is two to one, sheds of the light about the youth vulnerability considering the crime. Regarding the youth's status of Nepal, MoHP (2012, p. xxiv) discovered that almost one in every five adolescent and youth are towards delinquency. The social environment also is a prime factor which influences the behavior of youth which Davis (1999, p. 35) explained that jobs are unpredictable and youths are not intended to sustain life, much less a decent standard of living.

Criminals are not born, not only become criminals in the available social settings but also primarily tagged as criminals in the vested interest of particular groups of people. The state is blamed in a maneuver of tagging underprivileged community and age groups as criminals. However, those manipulation inhibit the power of state and that of the person at office who target ordinary people in tagging criminal. Regarding the findings of KC (2016, p. 227), border-youths are victimized of the state's biasness towards them. Media prejudices also contribute to the criminalization of the youth resided in the border areas. On the other hand, members of upper-class and elites also tagged as criminals during their internal conflict (KC, 2016, p.237). Luitel et al. (2010) mention that rapid, massive and coercive mobilisation of youth by political parties to achieve vested interests has posed a serious challenge to the Nepali society. Similarly, border-youth are manipulated by political groups for their vested interest and blocking them from rehabilitation and transformed from crime. The researcher primarily attempts to examine tagging youth as criminals in the border areas and exaggerating their offenses. Particular people from underprivileged caste/ethnicity, class, region, religion and

sex are targeted in such cases. KC (2016, p. 369) mentioned Tarai youth, especially belonged to lower caste, class and marginalized communities are victimized and in several cases tagged as criminals for the vested interests of interest groups or institutions as well as the state. Furthermore, the research work noted women, who are tagged as criminals, from backward communities sentenced to prison.

Youth in Cross-Border Crime

Cross-border crime is the twenty-first century's booming industry, challenging the security of the more globalized world. According to Devetak (2008, p. 2), goods, capital, people, information and principle beliefs, as well as arms, drugs, criminals, terrorists and pollutants, now appear to traverse nation-state borders with greater ease and speed and in larger volume than ever before which brings further global security challenges. Thachuk (2007, p. 3) stated that smuggling and trafficking have become the booming industries. Organized criminal groups have enhanced and extended their networks throughout the world, weakening borders of the nation-state. Illicit goods are smuggled and proliferated across the border in which social members on their edges of the border are highly misused or affected. In general, there seems a presumption that border has its privilege on crime. Millets (2007) referred border as significant for a homogeneous society and culture whereas it is marginalized from the central area, and thus criminal gangs can conduct criminal activities. Organized criminal groups can get local support due to vulnerability of the communities, both geographically and socially, and they misuse sentiments of the people for their vested interests. The Indo-Nepal border is significance due to its uniqueness where people to people cross-border contact is stronger. According to Das (2008, pp. 879-900) and Yadav (1992, p. 166), Indo-Nepal border is an open border or no barricading on the border evolution and sustenance because of the contribution of both geographical compulsions and historical developments in the two countries. Thapaliyal (1999, pp. 777-789) noted that open border is a political system enforced only after 1950 treaty which was continuous throughout the history due to close socio-cultural practices rather than at a course of a time. Nepali and Indian citizens cross the 1850 km open border without

formal identification. It is outlined as a porous enabling cross-border crime (Luitel et al., 2010; Basnet, 2010). On the contrary, Baral and Pyakurel (2013, p. 6) argued that India-Nepal border as an "open border" not "porous border". An open border practice throughout the history is the uniqueness of the border which is regarded as one of the causes of cross-border crime; however, it cannot be tagged as the prime factor. The border crime has its uniqueness which is increasing and changing its form because it is gaining certain advantages.

People of Indo-Nepal border region can aptly be called transnational and better to introduce them as people practicing similar culture in two nations. According to Bista (1967, p. 130), social and kinship ties have much more importance to people of the Indo-Nepal border than political boundaries. Societies in the edges of the border are similar due to similar socio-cultural practices throughout the history. Consequently, such similarities enhance social and geographical mobility in the Indo-Nepal border, where the open border has been in operation throughout the history contributing the increment of cross-border criminal activities. KC (2016, p. 107) mentioned about the people in Indo-Nepal border practiced the cross-border crime as a way of life for both survival or lavish life.

The geographical similarities provide the adequate opportunities for cross-border crime and there forms cross-border sub-culture. According to Dixit and Ramachandran (2002, p. 12), close cultural, economic and kinship ties across the border helped the Madhesi population in general to resist assimilation into the dominant Nepali culture. Youths of the regions have close contact with the youths of another side of the border. Moreover, criminal gangs are getting chances of cross-border connections and active in committing the crime; also, they get opportunities to hide on any sides of the edges. According to Miklian (2008, p.14), Tarai is engulfed in a porous international border, easy access to weapons, financial incentives for criminality, and groups using violence to compete for territorial supremacy. KC (2016, pp. 112 and 115) demonstrated the data that police arrests and the types of crime that shows the involvement of excessive numbers of youth in Indo-Nepal cross-border crime. Upreti (2010, pp. 249-250) argued that open border, political protection, connection with the criminal groups from the bordering states of India, weak law and order

situation and impunity have provided a conducive environment to the armed groups and criminal gangs. Baral and Pyakurel (2013, p. 6) outlined that border is also used for criminal activities including smugglings arms, currencies, drug and trafficking women and girls. According to Luitel (2010, p. 199), due to the open border to India, small arms are easily available to the youth of Tarai. The majority of youth prisoners are serving the prisons sentence on the cross-border crime related to arms smuggling cases (KC, 2016, p. 14). Moreover, THRDA (2011, pp. 23-24) demonstrated that four-fifths of youth prisoners among the total detainees in the prisons of eight districts of Tarai were related to smuggling arms.

Theoretical Nexus

Age as a variable is important to extract social concept of crime in which the capability of facing problems and its challenge can be identified. Agnew (1997, p. 123) suggested that teens have poorer problem-solving and social skills than adults. Unskilled, lack of social support and powerlessness are disadvantages of youth in comparison to adults. It is sufficient to understand that youth are in the vulnerable zone, but it does not mean that they join crime immediately. Their vulnerability compels them towards crime when their aspirations, either positive or negative, are blocked. The vulnerability of young is higher than adults, who not only learn fast but also act the learned behave to achieve a better place in society.

Becoming a criminal is a learning process and learning is a social phenomenon (Larson & Garrett, 1996, p. 187). Social learning theory maintains that criminal behavior is more likely to result when an individual associate more with those who engage in and approve of crime than with others who do not (Sellers & Winfree, 2010, p. 22). The assumption of Locke (1975, p.2), who described the mind as a "white paper devoid all characters, without any ideas" and the view of individuals as blank slates has a close association with the social learning and differential theorists. Social learning theorists focus on the manner in which social members learn to engage in crime (Agnew, 2011, p. 8). Sutherland et al. (1992, p. 90) explained crime in terms of the learning process, not in terms of poverty, stress, personality and any kinds of abnormality.

Moreover, Tarde (1968, p. 322) outlined all social phenomena as a product of imitation. Sutherland (1955) analyzed crime as a learning phenomenon, whereas, sub-culture is also the result of learned behavior. Social learning maintains that criminal behavior is more likely to result when individual associates more with those who engage in and approve of crime than with others who do not.

On the contrary, society labels or tags specific individual, groups, community, and caste as criminals. According to Becker (1963, p. 9), "social groups create deviance by making the rules whose infraction constitutes deviance, and by applying those rules to particular people and labeling them as outsiders." Becker's theoretical approach does not accept a definition of a crime or a criminal act as an absolute but rather to explore the criminal justice system processes and the constructions of the definition of deviance. Social member of more powerful groups is rarely or less labeled and punished than those from less powerful groups (KC, 2016, p. 61). Hence, one's age, class, caste, ethnicity, race, status, and other social characteristics determined the probability of arrest, conviction, and imprison. Becker (1963) maintained that the formation of the individual's identity is a reflection of other's definition of those individuals. Such reflection also contributes to determining the labeling one's a criminal. Hence, labeling theorist mentions that criminal identity is a very likely outcome of labeling and the persons also act from their identity.

An individual's self-concept is derived from how others define the individual that provides the basis for labeling theory (Mead, 1934). The theory argues that certain social members and groups are labeled as criminal rather than whether they are themselves criminal. Labeling theory focuses on the reaction of society to illegal behavior, rather than the causes of illegal behavior. Beckers (1963) dealt with the question why society label some people as criminal or deviant suggesting that certain groups do not have political power and, therefore, cannot put pressure on officials for not enforcing the law, groups that are seen to threaten persons in power, and groups.. Particular members of social groups labeled youth, rebellious in character, as well as isolated belonged to lower class and caste, and region. Dusadhs, the tribe inhabitant in Indo-Nepal border areas, perceived as criminal tribes (Dhungel, 1977, pp.58-61). In British era, certain tribes were tagged as criminal tribes (Reckless,

1967). Social members from the lower class are more likely than individuals from middle and upper class to be officially labeled them criminals. On the other hand, labeling itself is contingent.

Methods

The researcher has applied the strategies based on document analysis, a qualitative research technique with an efficient and effective way of gathering data. The documents published from 1977 to 2016 were reviewed and interpreted by the researcher to give meaning around the title of the study. Those documents have provided information and broad coverage of data contributed to the contextualizing the research within its subject. Furthermore, it has pointed out the question raised around the topic of labeled and learned crime by the youth in Tarai region. The documents are public records, personal documents and physical evidence made accessible through the books, libraries, government offices, e-libraries and online search engine.

The researcher has collected the data from documents such as newspapers, official reports of Security Forces, reports, journals, research works and books related to the youth and crime as well as the Tarai regions. Paper presented at the seminar, unpublished papers, newspapers' reports have also been used and studied. The researcher relied on the previous research work including the government and non-government data. It also reflects the previous work of the researcher who focused on the youth in the Indo-Nepal cross-border crime.

The study has included a detailed description of the Tarai youths and text analysis. The study addresses the broad range of issues regarding the title, including social and personal characteristics of youth in the areas. It analyses the issues related to the social and economic characteristics of the youth in the Tarai. It has attempted to acknowledge and addresses biases of the research work. The study has considered strategies for ensuring credibility and considers ethical issues, e.g. confidential documents. The researcher has acknowledged the limitation of the necessary information required to answer the research questions which is the disadvantage of the document analysis.

Labeled and Learned 'Criminal': Evidences from Nepali Tarai

Most of the previous research have concluded Tarai as the most unstable and troubled region in Nepal. Houdson (2009) highlighted that the Tarai is the deeply troubled region of Nepal with the pervasive lawlessness. The Government of Nepal outlines the Tarai region as a sensitive region in terms of security and national integration (KC, 2013, p. 12). The mindsets in the Nepali state reflect the negative perception towards the Tarai region and its people. The rise in criminal activities and the illegal arms-related activities in the country enforce the government to launch the law enforcement programs in which youths are primarily targeted. The studies of KC (2016) and Lal (2002) show the bias perception of state towards the Tarai region. In some stances, the Tarai is portrayed as a crime zone.

The Tarai has confronted with crime and there seems an increment on challenges of security. Activities of non-state groups in the Tarai are attempting to attract the youths entail both learning and labeling of youths towards crime. Besides, gun-related crime has been developed in several regions of Tarai (Kharel, 2011). Furthermore, gun culture related to power and prestige accustomed in the region rather than the consequence of youth's rising frustration (Sapkota, 2011). According to KC (2013, p. 50), learning gun culture is also to achieve aims and meet their ambitious goals which are in practice among Tarai-youths. Moreover, the post-conflict society of Nepal, especially Tarai, upgrades the gun culture which establishes the value of carrying and utilizing as a form of prestige and power. Youths are also learning and developing the gun culture to meet their ambition.

Cross-border smuggling is widespread in the border areas, especially around the cities on both sides. According to Gaige (2009, p. 50), smuggling has been undertaken with little risk and it has been practiced by many people living along the border. Regarding the Tarai, adjoining region of Northern Indian States, smuggling become a way of life for some people. The youths of Tarai are forming criminal groups in Tarai regions to ensure a good source of income and self-protection from other such groups (KC, 2013, p. 104). Furthermore, Mishra (2006) outlined that smuggling of arms, electronic goods and narcotics have become a way of life among the Nepal's Tarai and its adjoining region of India. According to KC (2016, p.157), gun culture and cross-border smuggling have been practiced in several

border societies as a way of life as well as the means of livelihood.

The caste based society of Tarai has social exclusion due to the social minority, which likely motivates them towards illegal activities (KC, 2013, pp. 99-100). Similarly, Houdson (2009, p. 17) argued that historic exclusion from politics and economic under development which have left adrift and with minimal choices and opportunities of marginalized groups of Tarai motivate them towards crime. According to THRDA (2011, p. 22), the majority of youth detained under the Arms and Ammunition Act, are from backward communities who are marginalized by both state and their society. The question arises that why youths belonged to 'backward' caste, class and suppressed communities are detained and "upper" caste, class and privileged communities are rarely detained. The responsible government officers misuse the Arms and Ammunition Act for the monetary benefit and influential political leaders get an advantage to maintain their power (THRDA, 2011, p. 3). Furthermore, the report revealed the cases in which police have labeled Tarai youths as criminals. KC (2016, p. 204) has identified suppression based on religion, region, caste, and class in Tarai, which entail the youths belonged to such categories likely labeled as criminals. Regarding the population of Birgunj prison in Tarai, most of the prisoners are from working class community including the labeled criminals (KC, 2016, p. 208). Police sometimes detain innocent people and inflict torture and use wrong means of interrogation on them so to make them confess. According to Advocacy Forum (2010), youths are intensely affected by the extrajudicial execution in the Tarai. Moreover, media biases have enforced law enforcement to label innocent and sentenced to prison.

The findings of Indo-Nepal cross-border crime, where youth involvement and their labeling as criminals overwhelmingly high, reflect the rise of organized crime in the border (KC, 2016, p.335). Youths are the most vulnerable group of the society regarding victims and offenders. On one hand, youths from the underprivileged community are labeled as criminals, on the other hand, border areas are labeled as the crime zone (KC, 2016, p. 343). Gupte and Bogati (2014, p. 8) highlighted the context that small arms possession amongst the youth increased, with organized gangs selling locally and internationally manufactured pistols, most of the seized are from

Bihar/India. Dixit and Ramachandaran (2002, p. 12) argued that the Madhesi population posed a serious problem for the state and the ruling elites, especially because of Nepal's economic and political dependence on India and the open border between the two countries. People from borders especially the youth who are from marginalized communities and backward castes have immensely suffered (KC, 2016, p. 74). Furthermore, their portrayal as being vulnerable to crime has been a problem leading to further crime and their tag as criminals.

Rapid, massive and coercive mobilisation of youth by political parties to achieve vested interests has posed a serious challenge to the Nepali society (Luitel et al, 2010). Politicians victimized youths during the conflict between themselves. Moreover, criminalization of youth accounts widespread among the border youth, who are the victim of such activities both by the Center regions and those holding their power in those areas. Regarding the social structure of Tarai and its surroundings including another side of the border, the feudalistic system is still under practice whereas such societies are still under the clutch of handful landlords. KC (2016, pp. 370-371) concluded that influential social members in Tarai misused the state mechanism by manipulating bureaucrats and police that they tagged youths from marginalized communities; as a result, visible data of police detention and prison has a higher population of people from lower class and backward caste overwhelmingly.

Learning Crime

Youths are learning the crime in their social milieu where their society accepts such crimes. In Indo-Nepal border areas, various societies practiced gun culture (IRIN, 2006). Gun is also a symbol of power and prestige (Cooke and Puddifoot, 2000, pp. 423-433). According to THRDA (2011, p. 7), the young and even minors of Madhes carrying small firearms, in a belief that it would uplift their status in society. Gun culture enhances the illegal flow of small arms across the border; meanwhile, easy access to small arms upgraded the gun culture, encourage people, at present, even used arms due to personal animosity seem to be used in minor quarrels. The proliferation of small arms is a serious issue that the presence of weapons in school has been reported (UNICEF, 2009, p. 9); furthermore, it revealed the

estimation that in some places every one in five households owns a gun. Youths are learning and developing the gun culture to meet their ambition for the monetary benefit as well as power and prestige.

Youths in Tarai, who are in a more vulnerable zone, can learn gun culture from notorious criminals. Kharel (2011) reported that the majority of the users of small arms are youths in the age group 17-30 years. Most prisoners serving time under the arms and ammunition act are the youths who are at risk inside the prison, with possibilities of becoming professional criminals by learning from other professional prisoners. THRDA (2011, p. 26) outlined that minor offenses have a chance to imitate the notorious criminals in the prison, which is going to aggravate the problem further. The prisons of Nepal, especially in Tarai, are termed as the school of crime (KC, 2016, p. 350). Besides, the lingering of the process in court is extending the jail term of the young detainees who can get more opportunities to mix up with notorious criminals and learn new forms of crime leads to motivate to commit risky crimes.

Childhood, and particularly youth, is a dangerous period of life. Young people are considered vulnerable, but also rebellious and potentially delinquent (Bray, 2003, p. 7). The research work of KC (2016, p. 381) demonstrated the high numbers of youth involve in crime than other age groups due to their vulnerability which is formed by social isolation. UNICEF (2009, p. 11) mentioned that armed groups recruit individuals with promises of a better future, improvement in conditions for deprived communities, good jobs, and more power to dominant ethnic groups. Youths in socially and economically vulnerable zone are attracted with a cheap promise by armed groups whose intention is to use them in criminal activities (Gupte and Bogati, 2014, p. 14). Enthusiastic in nature, youth, who have better knowledge of the region and society can be easily attracted than other age groups.

The porous Indo-Nepal border is giving a sense of impunity to many criminals, as they can easily cross the border, outside the reach of justice. In particular, there are concerns that it has fuelled the rise of Indian criminal gangs taking advantage of the situation of insecurity on the Nepalese side of the border (IAFP, 2008, p. 10). Youths, who are recruited by the organized criminal gangs active in the cross-border areas, can easily hide on both sides. Locals having

similar culture and social relations across the border are targeted by such gangs to run their activities safe and efficient. KC (2016, p. 205) has outlined the arrest of youth gangs, possess the gun, with cross-border interrelationship in Tarai district adjoining with India's Bihar State. Moreover, rebellious in nature and socially relevant across the border is an advantage, thus organized criminal gangs motivate youth in the Indo-Nepal border in their criminal activities.

Labeled Youth 'Offenders'

The youths of Tarai are not safe from contemporary social challenges such as unemployment, discrimination, identity crisis, etc. Nepali Youth in Figures (2014, p. 157) showed that Tarai has the highest rate of youth unemployment in comparison to Mountain and Hill. The report of UNCTAD (2013, p. 46) estimated that new entrants to the labor force numbered 465, 000 in 2005 and expected to peak at 633,000 by 2020. Nayak (2011) explored the economic vulnerability of youth interlink with unemployment in the Tarai region of Nepal. Amarasuriya et al. (2009, p. 7) stressed to view unemployed youth as “at risk” but it has influential factors. ILO (2011, p. 1) outlined Youth unemployment is also associated with crime. The unemployed and underemployed youth of the region are at high risk internally and externally contributing to the increment of the serious crimes. Lacks of opportunities for survival lead youth to opt for alternative opportunities which may be illegal activities as well such as crime.

Socio-economic crisis leads to the limitation of opportunities which directly affect youth is better explained in the way that limitation blockage goals of youth and have to face strain which increases the probability of deviance towards crime. The disjunction between high expectation and limitation to meet it brings strain among the youths, who are compelled to commit criminal activities to meet their expectation. Houdson (2009, p. 17) explained that the involvement of most marginalized groups of Tarai in criminal activities due to their historical exclusions from politics and economic underdevelopment have left adrift and with minimal choices and opportunities. In Tarai region of Nepal, the majority of youth detained in arms-related crimes are from backward communities who are marginalized both by state and the society. THADA (2011, p. 22) explored the

detainees in prisons of Central Tarai, tried under the Arms and Ammunition Act, are mostly from backward caste and groups. There is a dominance of youth in the exclusive use of small arms among the detainees. It is hard to make the socio-economic adjustment in the border only by legal ways due to barriers established by the law.

Madhesi communities have continuously faced marginalization and isolation both from Tarai and mainstream politics. However, internal marginalization and suppression towards backward people cannot be overlooked. ICG (2007, p. 3) reported the inequality in Tarai regions, especially majority inhabitants, Madhesi communities, are also divided along class lines. The caste system is rooted in Indo-Nepal border areas. The ascribed system, caste based discriminatory system, certain groups of people, based exclusively on their birth into a particular social group, have always been branded as inferior. According to Nepal Human Development Report 2014 (NPC and UNDP, 2014), HDI value of all Tarai/Madhesi groups is 0.454 whereas Muslim is 0.422. HDI value of all Dalits is 0.434 whereas the value is 0.400 for Madhesi Dalit. It suggested that Dalits are far more vulnerable to the prevailing economic, social, political and educational conditions in comparison to other excluded communities in caste based system in Nepal, where the situation of Tarai Dalits is socially and economically vulnerable. The youth of such communities are at high risk and are forming or joining subculture to indulge in crime. Moreover, (THRDA, 2013) mentioned security forces deploy in Tarai target the youth gangs in comparison to other age groups and individuals.

In order to curb the growing sense of insecurity, the government had launched the special security program (Kusum, 2011). The policy was implemented targeting Southern districts of the country in Tarai, where there are records of extrajudicial executions (OHCHR, 2010). Youths are profoundly affected i.e. they are killed, detained and tortured (Advocacy Forum, 2010, p. 30). They are insecure in their areas due to the strict law imposed by the country. Counter-production of the security operation has deepened the problems because youths are at high risk and the situation creates terrain for their deviance. According to THRDA (2011, p. 5-6), the Government of Nepal has launched 'Arms and Ammunition Act' to tackle the growing arms activities in Tarai. Furthermore, the report

has demonstrated that the number of people arrested under the Act has increased proportionally to the number of people released by the Chief District Officer using his/her semi-judiciary rights. On the other hand, people from the backward caste, classes, and ethnic groups are more likely to be tortured by security forces during the operation (Advocacy Forum, 2010, p. 34). Such actions have challenged their personal in turns leads to criminal activities. THRDA (2011) further explored that the act has proved to be counterproductive, as it was used as a convenient means for victimizing youth. And it goes without saying that these youths are socially vulnerable and have faced several challenges. Youth empowerment programs are not in priority and not properly implemented. IAFP (2007, p. 5) reported the case of Nepal where the failure of government and political parties to address youth issues. It was felt that neither the Government nor political parties have any clear 'vision' for young people. Political parties, in particular, provide no constructive role for youth, instead using them as pawns in an attempt to enforce their influence at the local level. Criminalization of politics and politicization of crime are challenges, weakening crime remedy programs (KC, 2013, p. 135). According to KC (2016, p. 220-21), youths are misused by political parties for their vested-interest and in some contexts, influential political leaders manipulated bureaucrats and labeled them criminal. Furthermore, youths are manipulated by political groups for their vested interest and blocking them from rehabilitation and transformed from crime related activities.

Conclusion

Cross-border crime is one of the serious problems of the 21st century that Indo-Nepal border areas have been confronted continuously. Though Nepal and India practiced open border with free flow of citizens, youth involvement in Indo-Nepal cross-border crime is not limited to its 'open' status. Youths seem most vulnerable to the cross-border criminal activities in which those belonged to backward communities are most vulnerable to such crimes. Interestingly, their involvement and detainees also have a close association with learning crime and labeling youth as criminals.

The social and economic environment is viable in Indo-

Nepal border areas for learning cross-border crime such as smuggling which seems accustomed by several regions and members of those societies. Cross-border smuggling becomes a way of life for some border people and youths can get better chance to learn such crimes. On one hand, their society accepts such activities, on the other hand, encourage learning such illegal activities for their livelihood means. Youths are learning such activities within their societies. Similarly, youths are learning gun culture which is widely under the practice in Indo-Nepal border areas. Youths in Tarai learn the gun culture, which has its historical root, to uplift power and prestige. Police have detained scores of youths and adolescents involved in gun-related activities that school boys have been identified for possessing guns.

The criminal justice system represents the interests of influential social groups in Tarai regions that they misused the law to achieve their vested-interest. Consequently, innocent youths prey to the interest groups that underprivileged community, as well as age groups, are tagged as criminals. Police actions and criminal justice activities reflect the biases of state mechanism. In general, injustice is primarily towards youth from marginalized caste/ethnicity, class, regions, etc. Youths in Indo-Nepal cross-border crime are likely to prey of the criminal justice approach in an attempt of curbing crime. Their marginalization is a disadvantage which victimized them by the police prejudices. Youths from lower working class family are tortured to confess the crime. It shows that the state mechanism played a negative role in a maneuver of tagging underprivileged community, especially young and adolescents. Moreover, their offenses seem exaggerated to achieve the vested interest of certain influential leaders and government staffs.

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