

# CRIMINOLOGY

How does deviance varies from time to time and place to place? Substantiate with examples by keeping Pakistan in perspective.

Answer:

Deviance varies from time to time and place to place. But to understand how and why it varies from time to time and place to place, it is important to understand the concept and characteristics of deviance and how it is different from crime because usually the crimes are universal, they don't mostly vary from place to place or time to time.

## Concept and Characteristics of Deviance:

Deviance is a twentieth century sociological concept that is focused on the behaviours, practices, attitudes and beliefs of the people which are believed to be deviated from the norms, ethics, standards and expectations of the society. When a person's behaviour is opposite to the expectation of the society and it exceeds the limit of their toleration it is called deviant behaviour and opposite to deviance is



conformity, which means to do what society expects from a person.

Deviance is condemned because society considers it as a threat to the society and violation of the norms. But it is not a crime to be punished by law. All crimes are deviance but all deviances are not crime.

### Deviance is not a crime:

Deviance varies from society to society or time to time. Unlike crime, as crimes are usually universal, they are often same at all the places for example murder or robbery they are crime where ever they are committed but if we take wearing shorts as an example of deviance it is not favored in some places like KPK or Punjab so wearing shorts in these areas will be considered deviance but in other areas it is not a deviance like in the capital territory of Pakistan it is normal. So unlike crime deviance varies from place to place. Even though there are a few crimes too which vary from place to place and time to time but usually they are universal.

Some other differences between crime and deviance are that deviance does not break any law, it is related to the



Date: \_\_\_\_\_  
Societal norms and ethics. Where as crime is committed by breaking the laws.

Also the agents of control are the police in crime but society itself handles the deviants.

## Deviance Varies from time to time and place to place:

There are many reasons for the deviance to vary from time to time and place to place and chief among which are the cultural difference between the societies even if they are societies of a same country. It will be as if <sup>either</sup> they are two different societies with cultural, ethical difference or it is the same society where the culture changed after period of time. But this change matters in case of deviance.

### Time to time:

Deviance varies from time to time means that with the change of time in the societies people change, their cultures and ethics change. They adopt new culture by learning them from different sources. The youth is gaining knowledge, getting educated, the literacy rate increases in the societies with the passage of time and they break the superstitions and myths, change the conservative rules set



by their elders and their generations then follow their foot steps and the behaviours their great-grand parents considered norms and breaking them was called deviance, were normalised as they are not breaking the laws. So the deviance varies from time to time.

### Place to Place:

Deviance varies from place to place is because of the societal and cultural differences. In this case the societies are different. Some societies are of conservative school of thought and some have modernised, some are illiterate and others literacy rate is high in comparison to the first one. In some societies majority population are aged people but other have youth in majority. So these societal difference causes the deviance to vary from place to place.

### Examples for the variation of deviance Keeping Pakistan in perspective:

To make this stance more clear that the deviance vary from place to place and time to time examples will be helpful. As the societies in Pakistan have huge differences some are extremely conservative and few are overly modernised so their ethics, norms, cultures every



are different which even includes the food, dress code, education system, Jobs for girls and many more.

If we take dress code as an example: In many simple living villages and or backward areas of KPK or Punjab or even GB the girl or a woman leaving the house without proper headcover and dress is not acceptable. And going out wearing jeans and shirt is almost prohibited and punishable in backward areas by the family members but on the other hand in the modern cities like Islamabad or Lahore wearing western is normal and society does not care.

Same goes for the education of girls, some societies do not allow the girls to join co-education system and many don't even support their education at all where as other societies encourage the female education and same is the case with women working in offices or outside the houses.

With the passage of time the norms changes. Like in 20th century the schools for boys and girls were separate, but <sup>or co-education was not supported</sup> now in 21st century it is very normal especially in cities like Islamabad every other educational institute is co. system.



There are a lot more examples beside dress code, education and jobs like if we take example of marriages of the widows, it is still norm in many backward areas of Pakistan but with the passage of times the cities with educated youth & high literacy rate have accepted and normalised it.

### Conclusion:

So, deviance is not breaking of the laws set by the state but the norms & ethics set by the society. The behavioural change which exceeds the limit of tolerance of society. There are different types, form & causes of deviance. Family conflicts, child abuse, violation, drug addiction these are all the forms of deviance. Societies does not accept such behaviours as it affects the youth or coming generations. Deviance varies from place to place and time to time due to the norms & ethics that change with passage of time or change in area.



Write a comprehensive note on the Juvenile Justice System of Pakistan. Suggest measures for the improvement of Juvenile Justice System of Pakistan.

Answer:

Juvenile Justice System is part of criminal legal system that deals with the offenses or crimes committed by the minors, who are the children usually under the age of 18 years. But the maximum age limit varies from country to country it is set in accordance with the juvenile law between 10 years to 18 years. Juvenile crime is any crime that can be committed by an adult but is committed by the child under age of 18 years. The laws of the system ensure that the child offender is kept away from the adult offender so that he does not get involved into further offenses by being in the company of the regular offenders. The tendency of violence will increase and result into making that person <sup>child</sup> a criminal. The offenses which are referred as crime for adults are called delinquency when referred to the offenses or harms done by children.

History:

Few movements for children were started in 19th century in England



One was *Parens Patriae* which means "state shall act like a loving father of a child" and the other was *Doli Incaepex* means that "No offense is crime committed by a child of age under 10." These focus was on having a separate <sup>justice</sup> system for children. They created awareness among people in case of juveniles as they shall not be treated as normal criminals (regular adult).

First juvenile law was founded in Chicago, then other countries also started making the laws for Juvenile as they need special care. Other countries like Canada, England, France, Russia, Japan & Germany.

### Laws in Pakistan:

The very relevant and applied laws in Pakistan are:

- 1- PPC - Pakistan Penal Code. It is substantive law.
- 2- CrPc - Criminal Procedural Code. It is a procedural law.
- 3- Juvenile Justice System Ordinance (JJSO) 2000.

This was the law made for Juvenile for the first time. It was very relevant but then some changes were made & new act was introduced:

- 4- JJSA - Juvenile Justice System Act 2018. This deals with juvenile delinquency.



## Juvenile Justice System Act, 2018.

Juvenile Justice system Act JJSA was introduced in 2018. It provides much better laws for juvenile than the Ordinance of 2000. The age limit for juvenile is 18 maximum which is decided by United Nations forum. It is also decided 18 years in Juvenile Justice system Act. It classifies the offenses in three categories:

- i - Minor Crime
- ii - Major Crime
- iii - Heinous Crime.

### Defining three categories of crime:

**Minor Crime:** It is a crime on which the maximum punishment mentioned in PPC is 0-3 years of imprisonment and bail shall be granted.

**Major Crime:** It is a crime on which the punishment is 3-7 years of imprisonment and Bail shall be granted.

**Heinous crime:** It is a crime in which the punishment is either death or life imprisonment or above 7 years imprisonment. If juvenile is under 16 years bail shall be given otherwise no bail.

The punishment will be given according to the offenses committed by the juvenile.



## Aims and objectives of JJSA:

- 1- To keep the public safe from further offenses and keep the child in rehabilitation if the offense is severe.
- 2- To keep the juvenile away from the adult and regular offenders so they don't get more involved in it.
- 3- To prevent the labelling of parents, family or the society.
- 4- For better development of juvenile and rehabilitate them rather than punishing them.

## Features of JJSA:

- 1- Separate trial of Juvenile
- 2- Age limit should be properly confirmed.
- 3- Kept under observation
- 4- Rehabilitation rather than punishment
- 5- Probation officer instantly appointed
- 6- Not sent to the prison if first-time offender.
- 7- Separate Juvenile Courts
- 8- Can have a lawyer for the case.
- 9- Can not have a trial combined with an adult if both were involved in a crime. Both will have separate trials.



## Juvenile courts:

### The Judge of Juvenile Court:

The Judge should be an expert in Juvenile and family law. The responsibilities of the judge are complex. He should have influence on the probation officers, law enforcement officers and other members of court. In many countries a Juvenile Judge is a female Judge they can deal with the juveniles better.

### The Prosecutor:

Prosecutor is the lawyer of state. He is responsible for bringing the state's case. & He is selected by state and works at federal & provincial level.

### Probation officer:

In probation period the juvenile is supervised by the probation officer, he notices the child performances and give report to the judge. He plays a big role in returning the juvenile back to a normal life. Juvenile can be released after probation.

### Correctional Institutes:

For the better development of the juvenile the institutes are required for their training. Teach them new skills and do psychological rehabilitation.



## Measures for improvement:

- 1- Protection of a Juvenile is very important so people should get awareness of Juvenile laws so the children don't end up spending 11 years in jail just for stealing a penion.
- 2- More rehabilitation centres should be built because punishments and prison will destroy youths future and Youth are the future of any country they should be the priority, secured and protected.
- 3- The police officers handling the juvenile case should be properly trained and behave well with the children. As well as probation officer should be polite and focused on helping the youth out of this situation.
- 4- Parents should get training <sup>on how</sup> to train children.

## Conclusion:

The Juvenile Justice System is very important for the & better development of the juveniles who get into the criminals acts under the influence of the bad company or abusive family members. All the steps should be taken to make this system even better.