

## PART-II

### SECTION-1

#### ANSWER:3

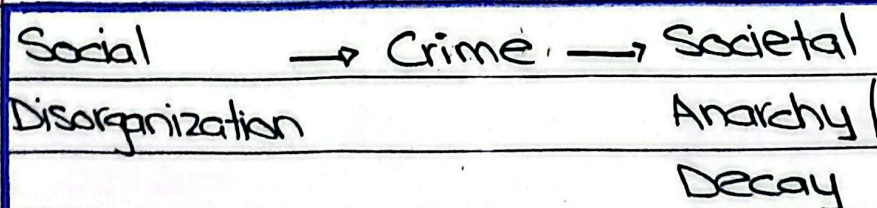
## SOCIAL DISORGANIZATION THEORY

### (1) Origin of Theory:

Social Disorganization Theory was proposed by Edwin Sutherland. It is a sociological explanation of why and how a crime occurs.

### (2) What is social disorganisation- An explanation:

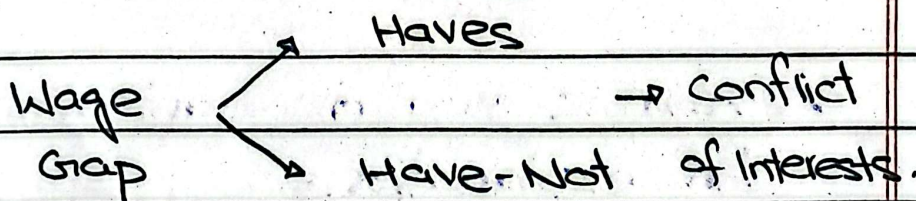
Crime occurs in societies. One of the deadliest impact of crime is that it leads to societal decay and anarchy. Such a disorganized community further reiterates the ideas of criminality.



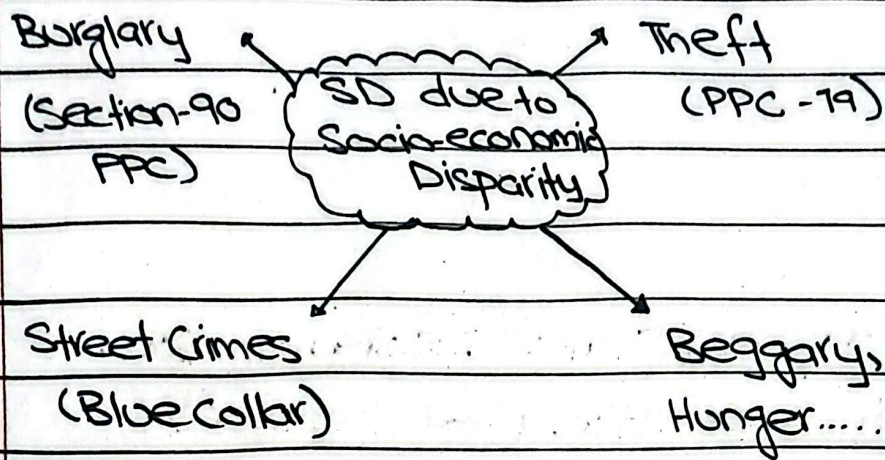
### (3) Three Core Tenets of Social Disorganization Theory:

#### (3.1) Socio-Economic Disparity:

Socioeconomic heterogeneity derives sentiments of deprivation in the masses. The enhance gap between rich and poor creates an anarchy. This rectifies core beliefs of Marxist Criminality.



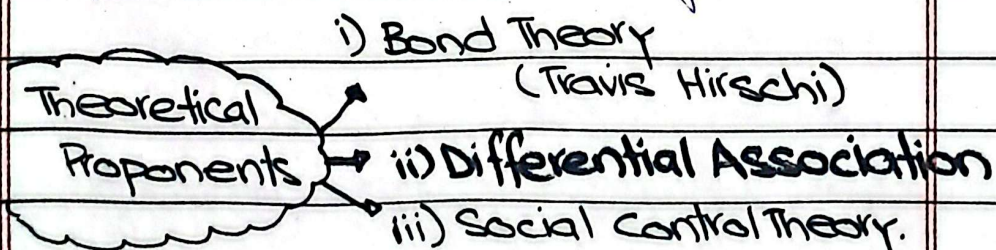
The poor, in quest of achieving more and balancing the economic situation, resort to crimes particularly blue-collar crimes like robbery, theft and beggary.



Such crimes result in a **Distorted Social Fabric** and evaporates the sentiments of cohesion.

### (3.2) Residential Mobility.

The movement of people within and across cities result in increased crime rates. This is due to lack of societal bonds and control. Moreover, different network of people differently impact one's rationality.



Children are most vulnerable to ~~ethnic~~ mobility. The change of schools, peers and societal norms impact their standards of morality.

### European States Disorganization- A case study of Residential Mobility:

In contemporary International Society, European States have been providing immigration incentives to Developing world. This has caused massive level mobility of citizens with EU as well. The crime rates are shooting, people of Europe feel alienated towards their own nationals and what not.

Psychopathology also validates the idea that introverts are more like to not interact, leading to mobile social groups and more inclination to unconventional activities.

### (3.3) Ethnic Heterogeneity:

'There is unity in  
diversity, and  
diversity in unity.'

- Henry Tullidge

Ethnic Heterogeneity refers to multiple ethnic groups, races, ideologies co-existing in the same society. It is very rare, only in countries/societies where civic sense is exemplar that it is a blessing. Otherwise, ethnic heterogeneity is a liability.

Rural communities are usually peaceful and organized because of ethnic homogeneity. Similarly, ethnically unified countries - Europeans, Poland, Balkan states are all devoid of social disorganization.

The Pakistan society is a victim of recurrent ethnic rifts; particularly in tribal belt.

## (4) Rising Crime Rate in Pakistan and SDT:

Pakistan is a country where urbanization is a fast-occurring phenomena. Surprisingly, crime rate also increases at great pace. The all three core tenets of Social Disorganization Theory are widespread in Pakistan.

### Case Study of Karachi:

Crime, particularly blue crimes are linked to Pakistan's largest metropolitan Karachi. It is a society where residential mobility is maximum, so is crime.

People from rural Sindh, Balochistan and FATA migrate to Karachi for jobs and education. This creates ethnic heterogeneity in the social status of that city. There is prevalent lack of social bonding and interaction between these mobilized community. It explains the crime ratio.

**Zone-Centric Model** explains the high street crime rate of vicinities like Lyari and Nazimabad. The elites have migrated to far-flung residential colonies.

**Broken Windows Theory** is also applicable to the social disorganization. Issues like wall-chalking, particularly Gutka-stains, broken manholes, bumpy roads: all are indicators of lack of will (public and political) to organize the city.

### • Islamabad:

Other Urban centres like Lahore, Islamabad have also been effected. The capital witnesses excessive influx of migrants, mainly from RP and upper Punjab. The crime rate is extensively high now. Central complexes are crime breeding areas from snatching to Rape in F-9 Park, the city is disorganized.

## SECTION-II

### ANSWER: 5

### REHABILITATION CENTRES

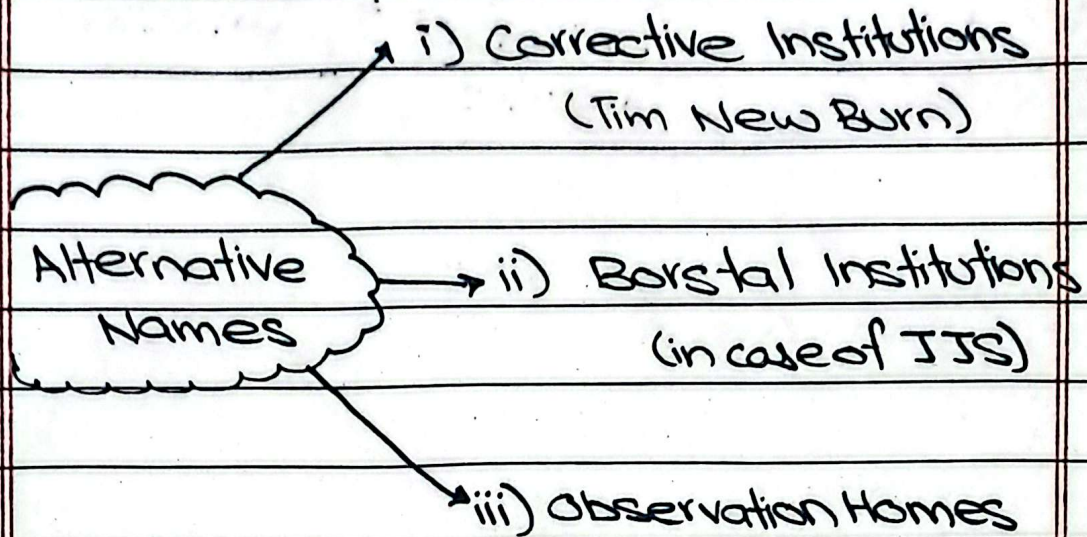
#### Introduction:

In Reformative Treatment of Criminals, role of CJS is not confined to courts and trials. It extends to rehabilitation of criminals and their re-integration into the society. These centres isolate the criminal - after his tenure in prison is over - in order to avoid social learning and labelling. Moreover, it focuses on strengthening the penalised economically so they do not revert back to crime due to Economic Strain.

#### (1) Rehabilitation Centres are Corrective Spaces:

Rehabilitation centres are necessary care-giving and nourishing environments that focus on reforming the impact of the

entire due process from previously charged criminals.



## (2) Better Alternative to Prisons:

Prisons are breeding grounds for immorality and injustice. Specifically in punitive JJS where all accused are confined and capacitated to develop deterrence. Criminals of heinous crimes induced immorality in others, validate their wrong by justifying the acts.

In case of reformative justice, rehabilitation centres can morally educate the offender about evils of crime and how to

focus on growth and better future



In such rehabilitation

Set-up, the Differential Association

of reformist with others may help

in positive social learning

A person out of prison is

labelled ex-convict and

bullied in most societies. The

rehabilitation shall

have to tolerate

In subject to handle this

### (3) Reformative Treatment of Criminal:

Such institutions do not penalize excessive as in punitive CJs. Instead, they educate and uplift through skill-training and capacity building. Provide moral basis to hate crime. They also eradicate actus reus from convicted.

In case of a child, they are morally and socially educated.

Then, the offender is employed (ideally under observation) back into the society so that he gradually re-integrates back into the social fabric.

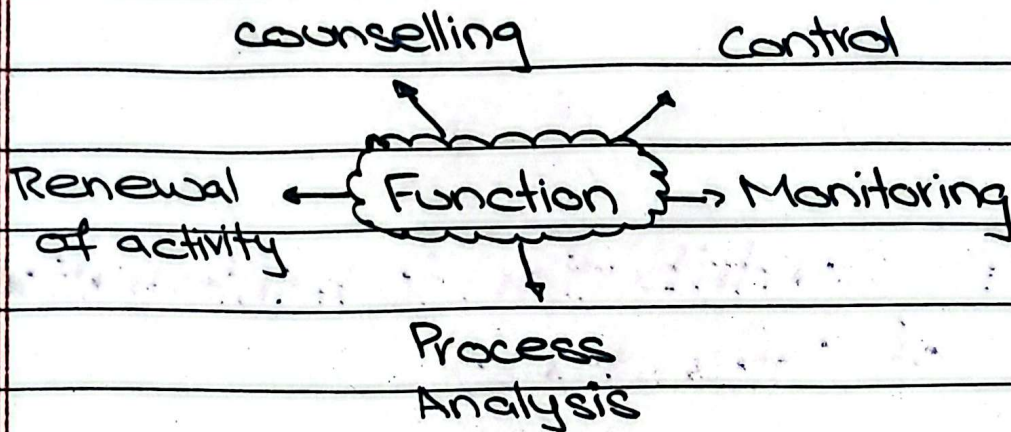
#### (4) Contribution to Reintegration of Offenders:

Such Rehabilitation centres ensure that the offender does not incline back into same peer group or same vicinity where criminality is widespread. Instead, the focus is centred upon employment, schooling (in case of a juvenile).

#### Case Study of Drug Addicts:

The most common rehabilitation is for victims of drug abuse. The rehabilitation centre focus on control of drugs; gradually

decreasing dependency, there exists a constant monitoring of person under rehabilitation, the progress is analysed at regular intervals



#### (4) Elements of Rehabilitation:

Such institutes guarantee that all elements of rehabilitation process are managed.

- 1- Respect
- 2- Responsibility
- 3- Restrain
- 4- Restrict
- 5- Re-integrate.

## SECTION-III

### ANSWER: 7

#### Introduction:

Juvenile Crimes require special care and provisions under juvenile justice systems. Juveniles require legal protection by provision of prosecution by state, timely hearing of case and special stay at observation homes. The ethical guidelines are based on privacy and intactment of identity and integrity.

As far as the investigation is concerned, they must be dealt with care; no use of torture is allowed against them and a trained Investigative Officer must be allocated.

#### (1) Legal Guidelines:

Children's rights remain protected at all levels. As victims or offenders they are provided care.

## • No Use of Torture:

The child under investigation can't be hit or raised voice at. He must remain under peaceful situations during investigation activities.

UN Convention of Rights of Child (UNCRC) grants this care to all juveniles.

**Doli**

**Incapex**

- No crime is a crime if committed by a child.

**Parens**

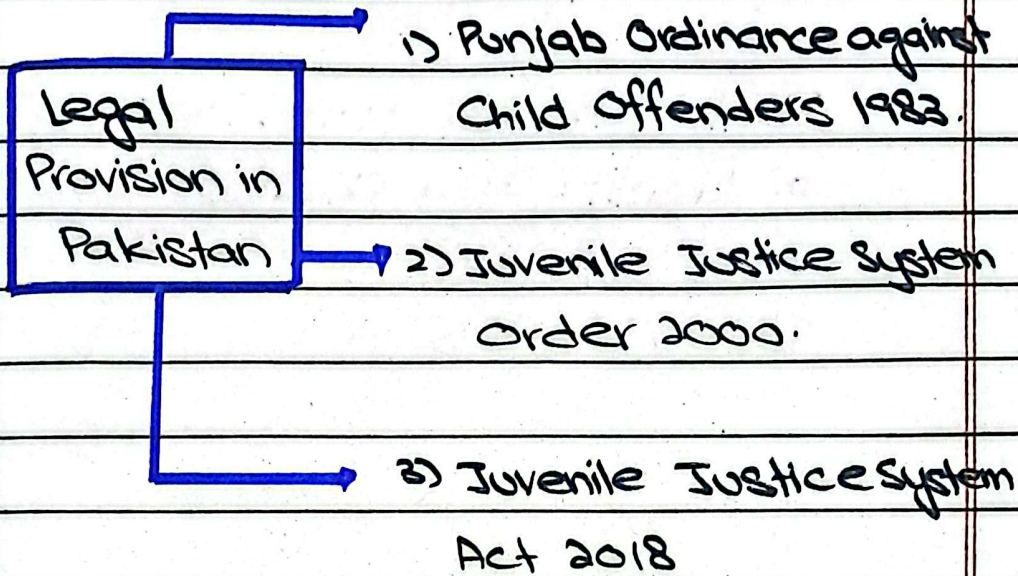
**Patria**

- The state must act as parents towards juvenile.

All these exempt a child, even under investigation, to be hit by hand or any object or use

## • Use of Handcuffs:

In case of complex crimes, investigator can not handcuff the child.



∴ The minor can get traumatised due to torture, high-voices, pin-shot interviewing or offensive elicitation.

In truest sense, Pakistan's JJS fails to provide these legal grounds to Juveniles.

## (2) Ethical Guidelines:

Certain ethical provisions must be used to:

### - Right to Privacy / Non-Disclosure of Identity of a Child:

It is of great importance to protect the dignity of a child by non-revelation of their identity when under interrogation.

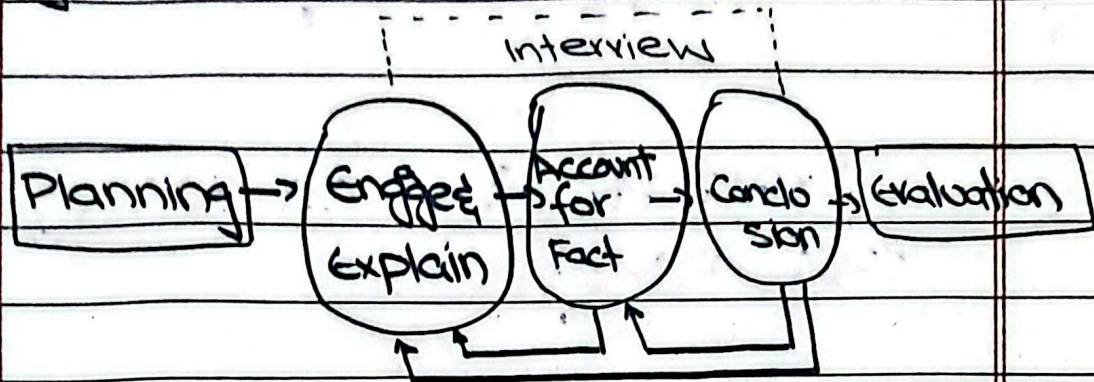
### - No Deceptive Tact:

Techniques like 'good cop badcop' can leave lifetime trust issues in the juvenile and not be used.

### - Provision of Benefit of Doubt:

The juvenile must be provided the benefit of doubt that all information provided by them is considered to be true and

accurate. The UK-based, PEACE Model could be used in juvenile cases.



### - Peace Model

#### Reality in Pakistan:

Unfortunately, police constables handcuff children, particularly beggar mafias that force groups of juveniles to beg, chain-cuff them all together and make them sit in police stations until the desired investigation officer arrives. Sometimes, they are beaten up brutally for making noise or crying. Other times, they witness offenders of heinous crimes come and go. It leaves a bad impact on their brain as per "Social Learning Theory".

## SECTION-IV

ANSWER: 9

(1)

### CYBERSPACE & YOUTH CRIMES

#### CYBERCRIME:

"Crimes involving the use of digital platforms are called cyber crimes."

#### CYBERSPACE:

Such crimes do not have a root/ground hub but operate on a complex web spread throughout the world. This is called **Cyber Space**. Other terms like dark web, underground network are also used for cyber space.

#### LINK TO YOUTH:

There are proper mafias that instigate young users of internet social media

And provides them economic incentives to divert them towards cybercrimes that involve gambling, pornography, betting and money frauds in the cyber space.

For instance,

various gambling ideas of crypto sites are operated on children accounts.

There is a complex inter-link between cyber spaces (its rising impermeability) and youth crimes.

The involvement of youth in sexual crimes is a stark result of overly easy access to the cyberspace.

The mindsets of young children, who are unable to distinguish between right and wrong are corrupted with cyber-space.

Children are vulnerable to deviations towards criminality. The recent controversial case of

NCCIA (Pakistan) against the famous 'routerber Saad-ur-Rehman aka 'Ducky Bhai' was based on this very link between cyberspace and youth crimes.

### Analysis:



As per these five elements, there exists no practicable & effect legal law regarding this nexus of youth crime to cyberspace put harm incurred is often beyond repair. Strict legal penalty is urgently needed.

### • Power Control Theory and Link to Youth Crime:

Power control theory

suggests that youth belonging to Egalitarian Families are more prone to be exposed to cyberspaces that are age restricted. This is because of lack of parental control and financial provision / ability to access restricted sites.

(2)

## Smuggling and Transnational Crime

The nature of crime has also evolved alongside the intensity of it. Crime now, in its globalized form penetrates across-borders.

"Crimes that are conducted against two or more state or adversely effect them are called

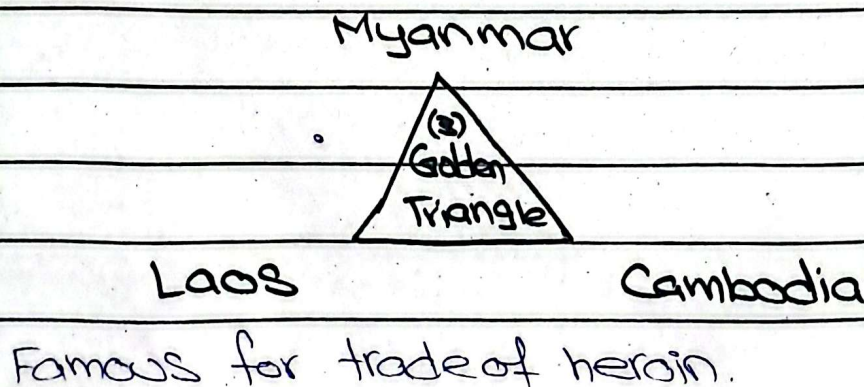
Transnational Crimes "

Common Examples include  
Terrorism, Money Laundering,  
Drug and Human Trafficking  
and Smuggling.

"Smuggling is defined  
as illicit trade of  
goods (banned and  
unbanned both) across  
porous state borders  
for economic benefits."

For example,

- petrol is smuggled  
across Pak-Iran border.
- Opium smuggling  
across US-Cuba border is  
common. (Pak-Afghan too).



## Smuggling as Crime:

- It impacts the legitimate markets of both host and recipient country.

- **Spill-over effect:**

The practice of smuggling spills-over from next to next neighbour and crime becomes transnational.

Demand of smuggled goods rises and crime mafia gains economic & influential strength.

The Afghan borders with Pakistan, particularly Chaman and Torkham have been involved in smuggling of all sorts of home appliances (stoves, ovens, pots) even solar plates smuggling was reported.

It is transnational because the nexus doesn't stop it grows stronger & expands further