

Causes of Crime Reflections of a Police Officer

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Abstract

This is the age of the criminological theory. Every criminological theory tries to find the cause of crime and mitigate those crimes. A consensus on causes and mitigation has yet to be reached by criminologists or criminal justice practitioners. The views of the practitioners, however, differ from theoreticians. The experience of the field officers, from the law-enforcement, who are the first responders to any breach of the law, is more helpful for students and scholars conducting research in criminology and criminal justice. This paper is a reflection of my own field experience, as police officer, on the causes of crimes in KPK, a province of Pakistan.

Keywords

Causes, Crime, Rule of Law, Frustration, Customs and Traditions, Justice, Criminal Justice System

Introduction

No society is crime free. Wherever, there is a human society, crimes are present there. From murder, rape, assault, kidnapping, to car lifting, Dacoity, robbery, burglary, theft, and the terrorist activities of today, crimes of a vast variety are found in all human societies. Pushed by various factors, the nature of crimes and the rate of crime can vary from society to society. Examining the crime rate of Khyber Pakhtunkhwa Province (KPK) and comparing it with that of England and Wales, Scotland, and Chicago reveals a surprising statistic – a lower recorded rate of crime in KPK. The prison population in KPK was 109,475 during 2007¹ compared with 4,950,671² in England and Wales, and 104,946³ in Ireland for the same year (Prison Population in Europe, 2007). In the city of London during 2007 there were 30,674⁴ recorded crimes while California experienced 2,599,370⁵ recorded crimes in 2007. There were 2896 murder cases in KPK in the year 2008 (Fasihuddin, 2009)⁶ while it was 2,142 murders in California for the same year (California Crime Rates 1960-2009).⁷ Similarly, there were 184 robbery cases in KPK in 2008 while it was 69,385 cases for California in the same year.⁸ This comparison forcefully demonstrates that no society, however developed it may be, can claim that it has completely excised the menace of crime. Even with vast financial resources and state of the art technology, these modern societies have not been able to fully weed out such crimes as murder, robbery and car theft. Furthermore, the detection rate of crimes in these more developed societies is not better than ours. This does not mean however that we should rest on our laurels, our crusade against crime must continue unabated.

“Truth emerges more readily from error than from chaos, remarked Voltaire.”⁹ It is therefore always helpful to understand the nature and origins of problems before solutions are devised or suggested. This piece will therefore seek to understand the determinants of crime in the socio-economic parameter of Khyber Pakhtunkhwa. Note that the recent terrorist activities are a total new brand of crimes. This paper does not take into account the terrorist activities. Ethnographic method of inquiry has been used to answer the following questions: What breed's crime? How does it spread? What are the problems faced by the KPK police in tackling these crimes? Ethnography relies heavily on up-close, personal experience and possible participation, not just observation, by researchers and is a powerful means of investigating local points of view in any given organization (Moll and Greenberg, 1990).¹⁰

Crime: Definition

Crime is an act of a person, which is regarded as a deviation from the established norms of a society, disrupting its very fabric. In legal parlance, it is an intentional violation of the penal code, punishable in a court of law.¹¹

No society in the history of civilization can boast of a complete absence of crime. Be it a society of nomads, or present day modern nation-states, man has tended to deviate from moral values and social norms. As society has developed into a more complex setup of human groups, the nature of crime has also undergone tremendous changes. Every State is endeavoring tirelessly to combat such crimes, keeping in line with the available resources and their specific localized conditions. Khyber Pakhtunkhwa is a province well known for its own traditions, norms and ways of life. The crimes in this province depict the individuality of the area and hence they must be dealt with more thoughtfully.

Causes of Crimes

There can be numerous factors leading to the commission of a crime. Based on my ethnographic study covering a period of more than 20 years the following determinants are important in the case of KP. Some factors are purely human factors and apply to all societies but some are particular to the social norms of KP.

1. Psychological Factors

Some psychologists are of the view that a normal sane person cannot commit a crime. They attribute commission of a crime to behavioral anomaly. But the question remains what causes such behavioural anomalies. Psychologists differ in answering this question. Some sociologists like A Prins and Durkheim (Seamus, 2002)¹² state that criminality proceeds from the very nature of humanity itself, it is not transcendent but immanent (Philip, 2005).¹³ Thus we

may say that crime is a normal phenomenon that is historically as old as the human race itself is. But it is equally true that all societies have considered crime to be a menace that needs to be curbed and reduced to the minimum possible level.

2. Rising Hopes and Frustration

Be it the work of Dostoevsky, like *Crime and Punishment* or Ghulam Abbas' short story *Overcoat*,¹⁴ it is a well-established fact that man's actions are primarily shaped and governed by his unfulfilled desires and ambitions. The revolution in the arena of mass communication has resulted in the shrinkage of the world. Today, thanks to television and satellite receivers, all homes are exposed to the glittering world of developed societies and the ways of life of the rich and affluent. This has resulted in opening the floodgates of ambitions and dreams in the hearts of every household. But these dreams often remain unfulfilled. Either the dreams are far from reality or the social norms are not just and equitable to let these ambitions become reality. As a result huge glaciers of frustrations melt down and cause havoc.

A well-qualified student deprived of a job on merit; a laborer not receiving wages in time; a complainant not receiving a compassionate hearing can all hardly be expected to believe strongly in upholding the supremacy of law. Broken mirrors cause wounds and frustrated hearts can cause more grievous wounds to the body of the society.

3. Rule of Law

The rule of law, though often considered to be an important feature of English jurisprudence, has undeniably become the basic canon of administration of justice in all civilized and developed societies. It espouses two basic concepts:

- a. Everybody is equal before law – any commission of crime results in similar legal actions by the law enforcement agencies, irrespective of who commits the crime.
- b. Every person, irrespective of status, enjoys similar protection of the law against infringement of his/her rights.

Where there is rule of law, people retain confidence in the ability of the state to provide justice and security. This naturally brings down the tendency of taking the law in one's own hands. The institutions entrusted with the administration of justice become independent of external influence, on one hand and are subject to law on the other. Unfortunately, the rule of law has failed to establish itself on a sound footing in our country. As a result our institutions are ruthless and unrestrained by law and their operations are also

jeopardized by externalities like political influence and social pressure. Since this situation lowers peoples confidence in the administration of justice, they tend more to start settling scores themselves.

4. Customs and Traditions

Social norms and taboos mostly influence a man's actions. Words like “*ghairat*”¹⁵, “*pakhto*”¹⁶, “*badal*”¹⁷, and “*paighor*”¹⁸ may depict abstract ideas but their presence can be very strongly felt in the commission of many crimes in our society. If someone's brother is murdered, others continuously taunt him for his failure in settling the score. He is derided as incapable of exhibiting *ghairat* and *pakhto*. He is thus forced to go for *badal* (revenge) and hence another crime is committed. This also explains the deep-rooted custom of revenge and feuds in this society. Additionally, the criminal administration justice system also crawls slowly in the provision of justice. This further encourages committing crimes in the name of social traditions.

5. Delay of Justice

As already mentioned, when justice is delayed, it encourages commission of many more crimes. The society is, therefore, gripped with the spiral of crime. A complainant, when exhausted by an unending array of hearing dates and fattening fees, feels that he/she is being pushed against the wall, and is thus encouraged to take law into his/her own hands.

6. Criminalization of Politics

Political parties represent the free will of the voters. But unfortunately as has been seen, some political parties employ the use of force in ensuring victory in elections. Criminals are employed to keep opponents in awe and muster support. At times, people with criminal records are able to get on a ticket, and sadly find their way to the assemblies. This evidences the inability of the system to filter out such elements on one hand and the insensitivity of the society to the importance of law making and dignity of such houses, on the other. This criminalization of politics not only patronizes criminal gangs but also encourages the spread of crime in the society. Such criminals on acquiring political power become an unending source of conflict between law enforcement and the supremacy of law.

7. Physical/Topographical Factors

Geographical factors like mountains, rivers, ravine and '*Belajat*'¹⁹ (villages and towns) have their impact upon crime. The commission of crime is facilitated by topographical factors, as terrain may provide hideouts to criminals. We see a higher crime rates in areas close to the river Indus and surrounded by mountains and *belajats* than elsewhere.

8. Seasonal Factors

Crime rate is often seen influenced by seasonal changes. For instance, criminal activity surges in the sugarcane season, as the standing crops provide a good hideout to the offenders. Similarly in tobacco season an increase in the crime rate has been observed in the areas of Mardan, Charsadda and Swabi, as the growers start receiving payments.

9. Tribal Area

Since offenders can find an easy refuge in the tribal area, we see greater crime rate in areas adjacent to tribal belts. The tribal *malik* system²⁰ has historically been instrumental in ensuring that fugitives, who are given shelter in accordance with the local traditions, are restrained from committing crime in settled areas. But owing to the ever-increasing pressures of money and economy, this system has ceased to operate in an effective manner. Criminals have started operating from the tribal areas and we see that many incidents of car snatching and other heinous offences originate or culminate in tribal areas. Over the years, the simple and peaceful tribal belt has degenerated into becoming a sanctuary for all sorts of criminals. The criminals not only find refuge in the tribal areas but also find it convenient to dispose off stolen or looted property in the tribal areas.

10. Three Tiered Administration

Owing to the peculiar, geographical and socioeconomic factors, law enforcement in Khyber Pakhtunkhwa is based upon a three-tiered structure. The police are responsible for maintaining law and order in the settled areas, the Frontier Constabulary polices the tribal settled frontiers and law enforcement in the tribal areas is managed by the political authorities through the indigenous systems of *jirga*²¹ and *maliks* based upon collective, territorial responsibility of the tribe. These three arrangements have to work in unison in order to yield desirable results. If the borders are not effectively guarded due to pre occupation of the Frontier Constabulary or the tribal collective responsibility fails to work, commission of crime is encouraged.

11. Over-engagement of Police

Police have to perform multifarious duties round the clock. Over the years, the burden of dealing with the political unrest in the form of strikes and processions has increased manifold. For instance, the police remained busy in regulating 466 roadblocks and 668 processions in 1997. The preoccupation of police in handling these troubles reduces the time and energy which otherwise would have been available against the perpetrators of crime.

12. Frequent Compromises

Some grievous crimes are often swept under the carpet by striking deals and compromises with the criminals. When expediencies replace justice, crime flourishes.

13. Lack of Resources and Mobility

The situation may not be that deplorable. But it is equally true that the task before the police is gigantic while resources are quite meager. Lack of proper resources, vehicles and hi-tech gadgets clearly limits the capability of police in combating crime.

14. Economic Pressures

The average income of the common household has failed to keep up with rising inflation. The economic pressure has grown to be too strong and many become susceptible to criminal pressures.

15. Afghan Refugees

The Afghan Refugees have been staying in Khyber Pakhtunkhwa for more than a decade and a complete generation born in Pakistan has now come of age. They have their own socio-economic problems. Their increasing indulgence in heinous crimes is reflective of the fact that economic pressures are becoming unbearable. Peshawar, Kohat and Haripur are the areas mostly afflicted with the operations of Afghani criminals. Rising population, growing unemployment, agrarian unrest, labor tension, broken families, rural to urban migration, disillusioned youth, growth of slum areas are some of the other well known crime feeding factors.

Conclusion

The factors enumerated above must be considered in totality. Law enforcement cannot be viewed in isolation. Policing is only one dimension of a complete crime combating strategy in any society. The issue of a crimeless society has to be addressed in the collective background of a society, giving full consideration to its customs, traditions, desires and ambitions. Desperate remedies may be called for arresting the growing crime rate. The KPK police force is ready to play its role in an effective and efficient manner. But it is my earnest desire that all other stakeholders who are responsible for maintaining peace and tranquility in society should also play their due part diligently and with a sense of pride and national duty.

End Notes & References

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15. What does *Ghairat* stand for?
 - Ghairat—an essential component of Pukhtun's Code of Life—is a Pushto language word which stands for 'Honour'
16. What does Pukhto stand for?
 - Code of Conduct for Pukhtoons of Pakistan
17. What is a Badal?
 - Badal—an essential component of Pukhtun's Code of Life—is a Pushto language word which stands for 'Revenge'
18. Sarcasm
19. What is meant by *Belajat*?
 - Bela', in Pashto language, stands for 'village'. Belajat is plural to Bela, which means 'villages'

20. A Brief Introduction of *Malik* System.

- The Malik system in Pukhtun tribal areas was introduced by the British government. Maliks used to work like media between administrations and the (Qaum) or Tribe. A Maliki is hereditary and devolves on the son and his son so on and so forth for which regular benefits and subsidies are sanctioned from time to time. The position of a tribal Malik who plays an important role in tribal politics is similar to that of an Arabian Sheikh. The qualifications of a tribal Malik, such as seniority in age, qualities of head and heart and character as courage, wisdom and sagacity etc. are not different from an Arab Sheikh. Like a Sheikh, a tribal Malik follows the consensus of opinion. He is required to consult the heads of the families or village council while making any decision with regard to future relations with a village or tribe. Darun Nadwa was the center of activity of the pre-Islamic Arabs and the Pakhtoons' Hujra is also not different from it in its functions. All matters relating to war, peace, future relations with neighboring tribes and day to day problems used to be discussed in Darun Nadwa. Similarly, all tribal affairs connected with the tribe are discussed in the Hujra.

21. What is a *Jirga*? Is it specific only in Pukhtun culture?

- Jirga is a Pukhtun's tribal assembly of elders which takes decisions by consensus. It is a raw form of Alternate Dispute Resolution (ADR). Jirga is practiced in most of the tribal societies of the world. It is also practiced in Punjab where it is known as *Panchayt*, which has similar meaning to that of a Jirga.

The author Syed Akhtar Ali Shah is a senior police officer in KPK Province. He is committed to the cause of criminology, academic excellence and research-orientation. He has served in many important positions in the police service.