Directorate of Distance and Online Education

MANONMANIAM SUNDARANAR UNIVERSITY

TIRUNELVELI, TAMIL NADU, INDIA

Master of Arts in Criminology and Police Science

SOCIOLOGY OF CRIME AND DEVIANCE

(From the academic year 2024 - 2025 onwards)

Subject:

SOCIOLOGY OF CRIME AND DEVIANCE

Elective II

Semester I

Course Code: **SCPE12**

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UNIT I - SOCIETY AND CRIME

The relationship between society and crime is complex and multifaceted. Crime, in its simplest form, refers to actions or behaviors that violate the legal norms and laws established by a society. These laws are designed to maintain order, protect individuals, and promote the general welfare of the community. However, crime is not just a result of individual actions but is often influenced by broader societal factors.

Society plays a critical role in shaping both the causes of crime and the ways in which it is addressed. Factors such as poverty, inequality, lack of education, social exclusion, and political instability can contribute to an increase in criminal behavior. Conversely, social institutions such as the family, education, and law enforcement work to maintain order and deter criminal activity.

The study of "Society and Crime" focuses on understanding the root causes of crime, the impact of crime on communities, and how social structures and cultural attitudes can either contribute to or prevent criminal behavior. It involves interdisciplinary approaches, incorporating insights from sociology, criminology, psychology, economics, and law to explore the dynamics between criminal behavior and social environments.

Ultimately, understanding crime within the context of society helps in developing effective prevention strategies, policies, and rehabilitative programs aimed at reducing crime rates and building safer, more cohesive communities.

Important Terms

Society: A group of people who live together in communities.

Co-evolution: The evolution of two or more interdependent species, each adapting to changes inthe other.

Double-edged: The property of having two possible meanings

Ambivalent: The act of showing both, positive and negative feelings towards something

Genotype: The combination of genes that a particular living thing carries

Analogy: The process of comparing one thing with another, which has similar features in orderto explain it.

Heredity: The process by which mental and physical characteristics are passed by parents totheir children.

Society – its characteristics

The system approach of Talcctt Parsons claims that the governance of individual relationships at micro level is taken care of by the macro level and that the functional contribution of an individual to the society is so indispensable, that the society cannot live without the individual and vice versa. The entire interactive approach in sociology and even social psychology revolves around this concept of relationships between individuals and society. This relationship paves the way for framing the most acceptable definition of society which is given by MacIver and Page, '**Society is a system of usages and procedures of authority and mutual aid, of many groupings and divisions of controls of human behavior and of liberties'.**

We will discuss the relationship of individual and society through the following points:

(i)   **The nature of social unity:** The unique quality of social unity is revealed when it is contrasted with other types of unities. Various forms of unities may be distinguished by viewing the nature of the functional relations of the units or parts of the whole. A type of unity is the organic to which the society itself is assigned, mistakenly. In this type, one can interpret the cells, organs and various systems that these compose, for instance, circulatory glandular, nervous, etc. These derive their significance solely from their utility to the life of the organism as a whole. Mechanism is another type of unity, the specific form of which is a man-made machine. The machine is not autonomous or self sustaining or self reproducing, like the organism.   However, its various parts like wheels, gears, transmission belts, etc., can be understood in terms of their contribution to the functioning of the whole machine. Like organic unity, mechanical unity has been attributed to the society or parts of it. But the social system must be distinguished from these types. For a social system, social relationships grow and change in accordance with the

changing attitudes and interests of its members, of some or all of the units or individuals who compose it. Here, the system derives its significance from its support of and contribution to the final purpose of individuals themselves. Without this purpose, social unity cannot be envisaged. This principle makes the harmonization of society and individuality possible.

(ii)   **Understanding individuality**: When we extend the meaning of individuality to man, we find it essential to use the term in its sociological reference. Here, one can argue that a social being has more individuality in the following circumstances:

- His conduct is not imitative nor is it the result of suggestion
- He is not entirely the slave of custom or even of habit

- His responses to the social environment are not altogether automatic and subservient

- His personal purpose is factors in his real-life activities

- Individuality in sociological sense is that attribute which reveals the member of a groupas more than merely a member.

- He is a self; a centre of activity and response, expressive of a nature that is his own. This concept supports the admonition that we often give to others or to ourselves

- The factor of 'being yourself. Being oneself need not mean just originality it certainly does not mean eccentricity. A strong individuality may, in fact, express more fully the spirit or quality of his country or his time, but he does so, not because he is quickly imitative or easily suggestible, but because of his sensitivity to the age itself.

It is true that when members of a group are more individualized, they will exhibit greater differences and will express themselves in a greater variety of ways. But the criterion of individuality is not the extent to which each individual differs from the rest. It is rather, how far each acts autonomously, in his own consciousness and with his own interpretation of the claims of others. When the possessor of individuality does as others do, at least in those matters which he deems important, he does it simply. This is not because others do it, but because he himself approves that particular behavior. When he follows authority, except as far as he compelled to, he follows it partly because of conviction and not because of authority. He does not specifically accept or reflect the opinions of others. He has certain independence of judgment, initiative, discrimination, strength of character, etc. The extent to which he exhibits these qualities is directly proportional to his individuality.

In general human society extends to all human beings and all members of the animal species. But we should not equate the human species with human society. As with other animals, the qualities of the species are distributed among individual members. In totality, they make up humankind. It is though their social relations that they constitute societies and the total set of relations at any time makes up what we call world society.

The development of culture makes human society a special case, as compared to the societies of other species. The way of acting, thinking and feeling are transmitted from one generation to the other and across societies, through learning and not through inheritance.

Culture

Culture can be divided into material and nonmaterial forms. Material culture comprises man-made objects like tools, furniture, roads and buildings. Practically, any physical item that has been altered for use falls in the category of material culture. These man-made things are also known as artefacts. Contrarily, nonmaterial culture comprises of language, ideas knowledge, customs and belief and heritage of ideas.

According to Bidney, culture is the product of agro facts (product of civilization), artifacts (product of industry), socio facts (social organization) and mentifacts (language, religion, art, etc.). According to Marett, culture is communicable intelligence. Robert Redfield, an American anthropologist and ethno-linguist, has emphasized a symbolic view of culture. According to him, culture is an organized body of conventional understanding, which is manifested in art and artifacts and characterizes a human group. For Redfield, culture is the complete conventional meaning which is embodied in artefacts, social structure and symbols.

Ruth Benedicts, an anthropologist of culture and personality, in her book, Pattern of culture has defined culture from personality point of view. According to her 'A culture, like an individual is more or less consistent pattern of thought and action.' Thus, she has defined culture from a formal and aesthetic view point. Malinowski and Radcliffe Brown have proposed an instrumental and humanistic definition of culture. According to Maiinowski, culture is an instrument for the satisfaction of the needs of man.

Malinowski defines culture as the tool that facilitates mankind to protect and realize his bio-psychic survival. This consequently results in more developed rational and logical mode of survival. All economic, social, religious and linguistic needs of mankind originate from one general and basic need, i.e., human need; hence they are all related to each other. Since all factors within a culture are interrelated, there are no loose strings. Thus, it is evident that any single trait cannot exist all by itself. Its identity emerges when it is seen as part of the whole and not in isolation. Malinowski stressed that culture has a broad range and is self-reliant. According to him, if a slight change occurs in any of the features of a culture, the whole of it will reflect a corresponding change. He was a staunch believer of cultural pluralism, in which the bio-physical requirements of individuals impact the growth of every culture. He recommended that culture can be studied on the basis of these requirements and not on the basis of any fixed standards. Sufficiency, based on basic requirements, is a quality of a culture in which many different parts are closely connected

and work successfully together. This is a result of widespread knowledge. Culture includes language and technology, both of which involve the communication of ideas and the possibility of sophisticated coordination of action.

- Like an organism, a society is a system of relations. These relations are between organisms themselves, rather than between cells. The organism a determined structure and parts of this structure, when in operation, contribute to the existence of the whole. This whole gives it continuity, which is apart from that of constituent individuals.

- The Social contract Theory is unique. It gives importance to an individual, as the architect of society. This theory was propounded by three eminent philosophers: Thomas Hobbes, John Locke and J.J. Rosseau. According to this theory all men were born free and equal and individuals make a mutual agreement and create society.

- Organism theory states that society is never made by man. It is a natural creation and has begun through the process of evolution. Spencer conceives society as a biological system, a greater organism alike in its structure and functions, exhibiting the same kind of unity as the individual organism and subject to similar laws of development, maturation and decline. Thus, the basic assumption of society is similar to a biological organism; the only difference is in the size.

- Heredity contains all the potentialities of life, but all its actualities are evoked within and under the conditions of environment.

Community – its Characteristics

Community can simply be called as the following.

1. Self-organized network of people with common agenda, cause, or interest, who collaborate by sharing ideas, information, and other resources. Virtual communities consist of participants in online discussions on topics of mutual concern, or of those who frequent certain websites.
2. Cluster of common interests that arise from association.

What is Community?

Socrates had said about the person who is independent of his fellow beings and is unable to live in community or society is either Beast or God. Community is the combination of two Latin words i.e. 'cam' means together and 'munis' means serve i.e. .serve

together is called community. Men are like trees need roots therefore they must have a soil to root themselves where groups of men living together can create some attachment to a particular locality. Men have never lived alone. A basic requirement of existence has been the social bonds that unite each man to others, the closest being those of the family and close kin groups. But other wider social bonds have ever been needed to link man to more extensive social arrangement. The structure developed from these more public ties has been called communities.

The members of any group small or large, liver together in such a way that they share, not this or that particular interest, but the basic conditions of a common life. The basic condition of the concept is that one can live a whole life within a community i.e. city, tribe or village. It may be self-sufficient in fulfilment of basic needs. Small communities exist within larger communities as cities within district, within a province the provinces within larger communities as cities within district, the districts within a province, the provinces within the whole state and the states within the whole world.

In simple terms a community is a population rooted in one place where the daily life of each member involves contact with and dependence on other members. Taken together, the wide variety of tasks performed by members within is an attempt to ensure that ensure that social and economic needs will be met in a stable and predictable way.

Definitions of Community

Bogardes: It is a social group with some degree of "we feeling and living in a given area" W. Ogburn: "Total organization of social life with in a limited area"

Davis: "It is the smallest territorial group that can embrace all aspects of social life"

Bertrand definition of community is a functionally related aggregate of people who live in a particular geographical locality at a particular time, show a common culture, are arranged in a social structure, exhibit an awareness of their uniqueness and separate identity as a group.

(1) A group of people:

A group of people is the most fundamental or essential characteristic or element of community. This group may be small or large but community always refers to a group of people. Because without a group of people we can't think of a community, when a group of people live together and share a common life and binded by a strong sense of community consciousness at that moment a community is formed. Hence a group of people is the first

pre-requisites of community.

(2) A definite locality:

It is the next important characteristic of a community. Because community is a territorial group.A group of people alone can't form a community. A group of people forms a community only when they reside in a definite territory. The territory need not be fixed forever. A group ofpeople like nomadic people may change their habitations. But majority community are settled and a strong bond of unity and solidarity is derived from their living in a definite locality.

(3) Community Sentiment:

It is another important characteristic or element of community. Because without community sentiment a community can't be formed only with a group of people and a definite locality. Community sentiment refers to a strong sense of awe feeling among the members or a feeling of belonging together. It refers to a sentiment of common living that exists among the members of a locality. Because of common living within an area for a long time a sentiment of common living is created among the members of that area. With this the members emotionally identify themselves. This emotional identification of the members distinguishes them from the members of other community.

(4) Naturality:

Communities are naturally organised. It is neither a product of human will nor created by an actof government. It grows spontaneously. Individuals became the member by birth.

(5) Permanence:

Community is always a permanent group. It refers to a permanent living of individuals within a definite territory. It is not temporary like that of a crowd or association.

(6) Similarity:

The members of a community are similar in a number of ways. As they live within a definite locality they lead a common life and share some common ends. Among the members similarityin language, culture, customs, and traditions and in many other things is observed. Similarities in these respects are responsible for the development of community sentiment.

(7) Wider Ends:

A community has wider ends. Members of a community associate not for the fulfilment of a particular end but for a variety of ends. These are natural for a community.

(8) Total organised social life:

A community is marked by total organised social life. It means a community includes all aspects of social life. Hence a community is a society in miniature.

(9) A Particular Name:

Every community has a particular name by which it is known to the world. Members of a community are also identified by that name. For example people living in Odisha is known as odisha.

(10) No Legal Status:

A community has no legal status because it is not a legal person. It has no rights and duties in the eyes of law. It is not created by the law of the land.

(11) Size of Community:

A community is classified on the basis of it's size. It may be big or small. Village is an example of a small community whereas a nation or even the world is an example of a big community.Both the type of community are essential for human life.

(12) Concrete Nature:

A community is concrete in nature. As it refers to a group of people living in a particular locality we can see its existence. Hence it is concrete.

(13) A community exists within society and possesses distinguishable structure whichdistinguishes it from others.

Social Structure

On the macro scale, social structure is the system of socioeconomic stratification (e.g., the class structure), social institutions, or, other patterned relations between large social groups. On the meso scale, it is the structure of social network ties between individuals or organizations. Social structure in sociology is the distinctive, stable arrangement of institutions whereby human beings in a society interact and live together. Social structure is often treated together with the concept of social change, which deals with the forces that change the social structure andthe organization of society.

Three subtypes of social structure theories can be identified: social disorganization theory, strain theory, and culture conflict theory. Social disorganization theory encompasses the notion of social pathology, which sees society as a kind of organism and crime and deviance as a kindof disease or social pathology.

What are the components of the social structure?

It refers to a society's framework, consisting of the various relationships between people and groups that direct and set limits on human behavior. The major components of social structure include culture, social class, social status, roles, groups, and social institutions. These are some of the major elements of a social structure. The structure of society refers to the way society is organized. Society is organized into different parts: institutions, social groups, statuses, and roles. Institutions; an institution is an established and enduring pattern of Social relationships.

Socialization

Process by which individuals acquire the knowledge, language, social skills, and value to conform to the norms and roles required for integration into a group or community. It is a combination of both self-imposed (because the individual wants to conform) and externally- imposed rules, and the expectations of the others. In an organizational setting, socialization refers to the process through which a new employee 'learns the ropes,' by becoming sensitive to the formal and informal power structure and the explicit and implicit rules of behavior. See also organizational culture and orientation.

Arnett, in presenting a new theoretical understanding of socialization (see below), outlined whathe believes to be the three goals of socialization:

- Impulse control and the development of a conscience
- Role preparation and performance, including occupational roles, gender roles, and rolesin institutions such as marriage and parenthood
- The cultivation of sources of meaning, or what is important, valued, and to be lived for.

In short, socialization is the process that prepares humans to function in social life. It should be re-iterated here that socialization is culturally relative - people in different cultures and people that occupy different racial, classed, gendered, sexual, and religious social locations are socialized differently. This distinction does not and should not inherently force an evaluative judgement. Socialization, because it is the adoption of culture, is going to be different in every culture and within different subcultures. Socialization, as both process and an outcome, is not better or worse in any particular culture or subculture.

It should also be noted that, while socialization is a key sociological process in the development of individuals who can function in human society, not every aspect of human

behavior is learned.For instance, there is evidence that most children have innate empathy for individuals who are willfully injured and consider it wrong.[2] Thus, some aspects of human behavior that one might believe are learned, like empathy and morals, may, in fact, be biologically determined. To what extent human behavior is biologically determined vs. learned is still an open question in the study of human behavior, but recent reviews of biological, genetic, neuroscience, and psychological literatures suggest that culture can influence biology and vice versa (e.g., nurture becomes nature through processes wherein learned responses and behaviors feed the development of the brain and the activation of genetic potential). Socialization is a life process, but is generally divided into two parts: Primary and Secondary Socialization

Primary socialization takes place early in life, as a child and adolescent.

Secondary socialization refers to the socialization that takes place throughout one's life, both asa child and as one encounters new groups that require additional socialization. While there are scholars who argue that only one or the other of these occurs, most social scientists tend to combine the two, arguing that the basic or core identity of the individual develops during primary socialization, with more specific changes occurring later - secondary socialization - in response to the acquisition of new group memberships and roles and differently structured social situations.

The need for later life socialization may stem from the increasing complexity of society with its corresponding increase in varied roles and responsibilities. Mortimer and Simmons outline three specific ways these two parts of socialization differ are content, context and response.

1. Content - Socialization in childhood is thought to be concerned with the regulation of biological drives. In adolescence, socialization is concerned with the development of overarching values and the self-image. In adulthood, socialization involves more overt and specific norms and behaviors, such as those related to the work role as well as more superficial personality features.

2. Context - In earlier periods, the *socializee* (the person being socialized) more clearly assumes the status of *learner* within the context of the initial setting (which may be a family of orientation, an orphanage, a period of homelessness, or any other initial social groups at the beginning of a child's life), the school (or other educational context), or the peer group. Also, relationships in the earlier period are more likely to be affectively charged, i.e., highly emotional. In adulthood, though the socializee

takes the role of student at times, much socialization occurs after the socializee has assumed full incumbency of the adult role. There is also a greater likelihood of more formal relationships due to situational contexts (e.g., work environment), which moderates down the affective component.

3. Response - The child and adolescent may be more easily malleable than the adult. Also, much adult socialization is self-initiated and voluntary; adults can leave or terminate the process at any time if they have the proper resources (symbolic, financial, and social) to do so.

Socialization is, of course, a social process. As such, it involves interactions between people. Socialization, as noted in the distinction between primary and secondary, can take place in multiple contexts and as a result of contact with numerous groups. Some of the more significant contributors to the socialization process are: parents, guardians, friends, schools, siblings or other family members, social clubs (like religions or sports teams), life partners (romantic or platonic), and co-workers. Each of these groups includes a culture that must be learned and to some degree appropriated by the socializee in order to gain admittance to the group.

Broad and Narrow Socialization

Arnett proposed an interesting though seldom used distinction in types of socialization. Arnett distinguishes between broad and narrow socialization:

- Broad socialization is intended to promote independence, individualism, and self-expression; it is dubbed *broad* because this type of socialization has the potential of resulting in a broad range of outcomes
- Narrow socialization is intended to promote obedience and conformity; it is dubbed *narrow* because there is a narrow range of outcomes.

Arnett also argues that Japanese socialization is narrow as there is more pressure toward conformity in that culture. Arnett argues that this may account for the lower crime rates in Japan.

Social Context

The social environment, social context, socio-cultural context or milieu refers to the immediate physical and social setting in which people live or in which something happens or

develops. It includes the culture that the individual was educated or lives in, and the people and institutions with whom they interact.

Social Context, also known as milieu is how someone reacts to something depending on their immediate social or physical environment. Social context can influence how someone perceives something. For example, a person who is trying a new food in an unwelcoming or harsh environment might perceive the food as tasting bad and not like it in the future. But if they had been in a fun and relaxing environment when they first tried it they may have perceived the food as tasting good and end up enjoying it.

Subjective Element of Social Problems

Whether a particular situation is a social problem or not, is largely a matter of subjective judgment. One society may regard a situation a problem, while another may not so regard it. In the same society too what is regarded a problem today may not be so regarded tomorrow because of change of conditions and attitudes.

Social problems are what people think they are and if situations are not defined as social problems by the people involved in them, they are not problems to those people, although they may be problems to philosophers or scientists or to outsiders. Thus prostitution was no social problem in ancient Greece, where the earnings of priestess-prostitutes built and maintained the religious temples.

In ancient India caste system was no problem. The several castes accepted their hereditary status as fixed from the beginning, and their religion sanctioned their acceptance of hereditary status. Slavery in America would have never become a social problem had it not been challenged. In this way a particular situation does not become a social problem unless and until it is considered morally wrong by the majority or at least by a substantial minority.

However, in spite of this subjective nature of social problems, there are some social problems which are universal and permanent. War, crime, unemployment and poverty have always been regarded major social problems by all societies in all times. This goes to show that men everywhere have possessed the same basic drives and have had to deal with the same kinds of environmental and social conditions. That is why many of the social problems of today are identical with those of olden times.

Every social problem implies three things

- Firstly, that something should be done to change the situation which constitutes a problem;

- Secondly, that the existing social order will have to be changed to solve the problem;

- Thirdly, that the situation regarded a problem is undesirable but is not inevitable. Thepeople deplore the situation because they think that it can be reformed or eliminated.

It may also be noted that a situation becomes a problem only after the people become aware that certain cherished valuations are threatened by conditions which have become acute. Without such awareness no situation can be identified as a problem. This awareness can be known when the people begin to say that "something ought to be done" to remove the situation.

When the people say "something ought to be done" they also propose that 'this and that should be done." Herein ends and means are discussed and alternative solutions proposed. Untouchability became a social problem in India only after it was realized by the people that it constitutes a threat to the social unity and that something ought to be done to abolish it.

Classification of Social Problems

Some sociologists have made an attempt to classify social problems. Harold A. Phelps classified them under four categories corresponding to the four major sources, i.e., economic, biological, bio-psychological and cultural. Among the problems stemming from economic causes he listed poverty, unemployment, dependency etc.

Among those arising from biological sources he included physical diseases and defects. Among the problems emanating from psychological sources he included neuroses, psychoses, epilepsy, feeble mindedness, suicide and alcoholism. Among the problems deriving from cultural sources he included problems of the aged, the homeless, and the widowed; divorce, illegitimacy, crime and juvenile delinquency etc.

In America the Report of the President's Committee on Recent Social Trends attributed social problems chiefly to inadequacies in physical heritage, biological heritage, social heritage and social policy.

Under physical heritage were included problems like depletion and conservation of natural resources, under the second category, i.e., biological were included problems of

population quantity, quality, growth, decline and flexibility, as well as problems of eugenics and birth control.

In the third category (social heritage) were included problems involving technological changes, unemployment, business cycles and depression, education, politics, religion, public health, law of enforcement and minority groups. Under social policy were included problems of planningand reorganizing economic, social political life and institutions. However, none of the problems listed above can be said to belong exclusively to any single category. Thus poverty may be due lo disease, a biological source; or to inadequate vocational preparation, which is a cultural source. Several causes may be celled for any other socialproblem.

Unemployment may be due to social policy or lo physical heritage. War may be due to economic sources or to cultural ones. The causes of each social problem lie not in one source but in many sources and, therefore, to find an adequate solution to a problem it is necessary to investigate all the causes.

The Causes of Social Problems

No problem is due to a single cause. As stated in the preceding paragraph social problems haveno single or simple cause. Each problem has a complex history and is usually due not to one but to many causes, which are sometimes even difficult to determine. Among the several causes no priority can be ranked.

War, poverty, crime or unemployment does not offer single or simple explanation for their occurrence. Sometimes one problem is so interwove with other problems that it cannot be solved apart from them, for example, the problems of crime cannot be solved without solving the problem of poverty and the problem of poverty cannot be solved without solving of problem of illiteracy. In other words, social problems should be considered in their complex totality and onlythen they will be understood and dealt with effectively.

Attempts to find out a single cause

In spite of the fact that no problem is due to a single cause some sociologists have nevertheless, made an attempt to find out a single explanation for a problem. Even to the laymen the notionthat a problem is due to a simple and single cause is widespread.

Lombroso, the father of modern criminology, was of the view that the criminal behaviour is inborn and is primarily a biological phenomenon. He said that the criminal has

definite physical stigmata, or anomalies, such as a symmetrical cranium, long lower jaw, flattened nose etc. He represents an atavistic type, or a throwback Lo primitive man.

The view of Lombroso that criminally is biologically determined was disproved by Charles Gorin, the English statistician, who proved that the criminals in no way differ from the non criminals in physical characteristics. Henry H. Goddard, an American psychologist, asserted that crime is due primarily to mental deficiency, especially feeblemindedness.

But his assertion was soon negated by various researches. Some sociologists point out that emotional imbalance or glandular disturbance is to be considered the primary cause of criminal behaviour. But their assertion also has been disproved by many criminologists.

The Dutch criminologist held the view that crime is a result mainly of the abuses or presence of the capitalist system. However, his view finds few adherents today. Montesquieu pointed out thatthe causes of crime are the geographical factors like climate, weather etc., but Cohen has rejectedthis view and asserted that the conception of Geographical school is more imaginative than factual.

The commonly accepted view about crime today is that there is no single cause of crime; for individuals become criminals for different reasons. Though some common factors may be present in many cases yet in almost every instance the combination of factors is unique. A situation or circumstance may cause one person to turn to criminally but may not affect another similarly.

The criminal behaviour is due to a number of interrelated factors involving environment and personality. Walter C. Reckless remarked that criminology may be forced to abandon the hopeless search for general causes of crime and be satisfied with establishing the relative importance of certain conditions associated with criminal behaviour.

What is true of crime is also true of other social problems like unemployment, poverty, suicide, war etc. No single or simple explanation can be offered for their occurrence. Unemployment maybe due to bad economic planning, industrialization or inadequate system of education.

Poverty may be the result of poor conservation of natural resources, biological disabilities of the people or capitalistic system. Suicide may be due to mental un-adjustment, family disputes or evil social customs. Similarly, war may be due to the aggressive nature of people, economic conditions or imperialistic aspirations of some people.

Thus it is apparent that the particularistic interpretation of social problems ascribing them to a single cause is wholly inadequate. The origin of social problems lies not in a single

cause but in many causes which cannot be put under a single theory.

A problem may be due to a combination of physical, biological, mental and cultural factors orany one of them. No hard and fast rule can be laid down about the causes of social problems. As discussed above a situation or condition may affect different people in a different way. People living under the same conditions do not necessarily behave in the same manner.

It does not, however, mean that any effort to find out the cause of a social problem is vain, but,on the other hand, it points out to the necessity of finding out all the causes of a problem and not to rest content with a single or clear cut explanation of it. Only after we have found out all the causes of a social problem, it can be adequately solved.

According to Lundberg and others, interferences with communication among the members of a community produce deviant behaviour. Interferences with communication may arise on account of two factors (i) Personal factors like feeble-mindedness, physical disability etc., and (ii) Social factors like urbanisation, industrialisation, immobility, conflicting codes and standards, and weaksocial institutions.

It may be that a particular factor is a primary source whereas the other factors are secondary, but which is the primary source, opinions differ on it. Thus P.A. Parsons held that the incomplete adjustment of man to material resources is responsible for his problems, whereas A. B. Wolfe maintained that the fundamental social problem is one of population. Ogburn contended that many social problems are the result of the failure of the original nature of man to adjust itself to constant changes in culture and its institutions.

Crime as a Social Problem

Crime is a violation of criminal law for which formal penalties are applied by some governmental authority. It represents some type of deviation from formal social norms administered by the state. Crimes are divided by law into various categories, depending on the severity of the offence, the age of the offender, the potential punishment that can be levied, and the court that holds jurisdiction over the case. There is no society in any part of the world, which is without crimes.

One of the serious problems of today's crimes is that in many cases the criminals are socially, politically and economically so powerful that they decide the course of punishment for others while they themselves manage to get escaped completely.

Causes of Crime

There are many causes of the crime. Few of the many causes may be discussed as under:

1. Poverty

2. Education System

3. Unemployment

4. Political Setup

5. Change in Values

1. Poverty

Poverty is one of the most importance causes of crime. In fact it can be said that it is the root cause of many crimes. Though poverty is a relative term, yet in every form it resultin corruption and adopting illegal and underhand means. Poverty results in committing suicide and prostitution as well as bribery and so on. Directly or indirectly poverty is responsible for all sorts of crimes.

2. Educational System

Unfortunately present day educational system is very defective. The system of education does not lay stress on morality and character, which are effective forces for checking crimes. Similarly we find the education is mostly not vocational biased and does not help the young people to get timely employment. Delay in getting proper employment encourages tendency towards crime.

3. Unemployment

In the economic field unemployment plays an important role in committing of crimes. Thus an unemployed young person can become robber or a thief. He can become violentand take law into his own hands. In this way unemployment results in many crimes. Thatis the reason that we find that in countries, which have undeveloped economy, and in which chances of unemployment are marginal, rate of crimes is high.

4. Political Set up

Our political set up also encourages crimes in our modern times government machineries are slow and inefficient with the result that this becomes premium on the illegal activities of the criminals. Similarly our legal system too is very complex and complicated and the criminals are confident that they can escape free and involve some innocent persons in it. They know that by their illegally earned wealth they can purchase as well as mould the course of law. Not only this, but we find that some

of our politicians encourage criminalsfor one reason or the other.

5. *Change in Values*

As we know that due to industrialization and advancement of science and advancementof science and technology social values have very greatly changed. Today we are more materialists and rational as well as individualists. Collectivism and blind faith is being replaced by new ideas. Due to these changes, social values have also together changed and restrictions considerably reduced. This has resulted in committing many crimes. The Social Problems, Deviance and Crime concentration examines a variety of social problems with special emphasis on types of behavior which are inconsistent with social norms, challengingto social order, and/or illegal. This concentration also examines the role of morality, public opinion, politics, government, law, and institutions of social control in the definition of, as well as the response to, social problems, deviance and crime. While containing some overlap with available concentrations in the Criminology and Justice Studies major, the sociological perspective here suggests important commonalities across the studies of crime, deviance and social problems, and the relevance of broad sociological themes including critical inquiry, empirical research, and increased awareness of social context. This concentration provides relevant preparation for students interested in further study in the areas of public safety, social policy, social services and civil service, and graduate studies in law or social science. It can also be a convenient and constructive resource enabling a double major between Sociology and Criminology and Justice Studies.

UNIT-II SOCIOLOGICAL THEORIES

Sociological theories are frameworks that help us understand and analyze the structures, dynamics, and behaviors within societies. These theories seek to explain how society functions, how social order is maintained, and how individuals and groups interact within their social contexts. Sociologists have developed various theoretical perspectives to interpret social phenomena, and these theories play a crucial role in understanding the complexities of human behavior, social institutions, and the influence of culture.

Sociological theories are essential tools for understanding societal issues such as crime, education, poverty, inequality, and social change. They not only help explain existing social structures but also guide policies aimed at addressing social problems and improving societal well-being.

Anomie Theory

Robert Merton: Anomie Theory (sometimes also termed strain theory or means-ends theory)

In one of the most famous articles in sociology, its first version written in the 1940s, Robert Merton begins by addressing biological explanations of deviance and concludes that biology cannot account for variations from one society to the next in the nature and extent of deviance. His primary interest is not so much why a particular individual deviates, but why the rates of deviance differ so dramatically in different societies and for different subgroups within a single society. Merton works within the overall functionalist perspective that we have already addressed, which puts a great deal of emphasis on the role of culture, particularly its unifying aspects, but now Merton adapts a concept he borrows from Durkheim to analyze situations in which culture creates deviance and disunity.

In Durkheim's usage, anomie referred to a situation in which cultural norms break down because of rapid change. Anomic suicide, for example, can occur during a major economic depression, when people aren't able to achieve the goals that they have learned to pursue, but it can alsooccur when the economy experiences a boom and suddenly the sky's the limit--people don't know how to limit their goals and be satisfied with their achievements. Merton changes the concept slightly, to refer to a situation in which there is an apparent lack of fit between the culture's norms about what constitutes success in life (**goals)** and the culture's norms about the appropriate ways to achieve those goals (**means).**

In Merton's formulation, anomie becomes the explanation for high rates of deviant behavior in the U.S. compared with other societies, and also an explanation for the distribution of deviant behavior across groups defined by class, race, ethnicity, and the like. The U.S., in fact, Merton sees as a polar example of a society in which success goals (often defined primarily in monetary terms) are emphasized for everyone in the culture, and people are criticized as being quitters if they scale back their goals. On the other hand, the culture is at best ambivalent in its norms about the appropriate means of being successful. Certainly hard work and ambition, in school and then in the economic marketplace, are the culturally approved means of success, but there's also an element of admiration for the robber baron and the rogue who breaks the rules about appropriate means but achieves success goals by deviant means. In America, in other words, success is probably rated a lot more highly than virtue.

In addition, the U.S. has minority groups whose access to success by conventional means is clearly limited. In the period in which Merton was writing, ours was a clearly racist society. Black Americans, for example, were severely limited in their access to education, but if they overcame those obstacles and obtained a good education, that education would not "buy" them as good a job as it would for a white person. In some societies that emphasize descriptive criteria in allocating power and privilege, the culture sets a very different standard of success. Someonewho was born an untouchable in the Indian caste system, for example, would learn not to aspireto the kind of success that might be available to an upper-caste individual. But in the U.S. the same kinds of success goals are held out to all. Thus our very high rates of deviance and crime, compared with other societies, in Merton's analysis can be understood, first as a result of our emphasizing success goals more than we emphasize approved means of achieving those goals,
and second, our emphasizing the same kind of success for everyone even while the race, ethnic, and class stratification of the society limits the opportunities for success by those in the less privileged groups.

How do people respond to this disjunction of goals and means? Merton creates a typology of adaptations. The first symbol designates people's relationship to norms about goals; the se

Table 2.1 Mode of Adaptation

Adaptation	Goals	Means	Crimes
Conformity	+	+	Law Abiding, Normal citizens
Innovation	+	_	Robbery, Property offenders
Ritualistic	_	+	Religious Fanatics
Retreats	_	_	Drug addicts, Hippies, Vagabonds
Rebellion	+ / -	+ /-	Extremists, Naxalites

In this diagram, a "+" means acceptance, a "-" signifies rejection, and an "x" means rejection of prevailing values and substitution of new ones.

Although Merton spends some time discussing each of these modes of adaptation, it's probably the second one, "innovation," which most logically follows from his earlier discussion of the relationship between culture and deviance in general and the deviance-producing features of American society in particular. Innovators are people who break the rules (and often the laws) in order to achieve the success goals that are so heavily promoted in the society. At the upper levels, Merton points out, "the pressure toward innovation not infrequently erases the distinction between business-like strivings this side of the approved norms and sharp practices beyond the norms." Merton quotes Thorstein Veblen: "It is not easy in any given case--indeed it is at times impossible until the courts have spoken--to say whether it is an instance of praiseworthy salesmanship or a penitentiary offense."

But he sees the greatest pressures toward "innovation" operating at the lower levels of the stratification system." Here "incentives for success are provided by the established values of the culture and second, the avenues available for moving toward this goal are largely limited by the class structure to those of deviant behavior. It is the combination of the cultural emphasis and the social structure which produces intense pressure for deviation." "Despite our persisting open- class ideology, advance toward the success-goal is relatively rare and notably difficult for those armed with little formal education and few economic resources." "Within this context, Al Capone represents the triumph of amoral intelligence over morally prescribed "failure," when the channels of vertical mobility are closed or narrowed in a society which places a high premium on economic affluence and social ascent for all its members."

Notice that Merton's analysis is not ultimately aimed at the individual level--why does this individual deviate and this one not--but at the level of groups and societies as reflected in differing rates of deviance. Merton isn't saying that every individual exposed to these cultural conflicts reacts the same way; on the contrary, his typology is designed to allow for variation at the individual level. In his concluding remarks, Merton himself highlights the major weaknesses of his analysis. "This essay on the structural sources of deviant behavior remains but a prelude. It has not included a detailed treatment of the structural elements which predispose toward one rather than another of the alternative responses open to individuals living in an ill-balanced socialstructure. It has largely neglected but not denied the social psychological processes determining the specific incidence of these responses; it has only briefly considered the social functions performed by deviant behavior; ...it has only touched upon rebellious behavior which seeks to refashion the social framework." Unfortunately, as is so often the case with people doing what they label as preliminary or exploratory work, Merton never went on to attempt the additional work that he himself recognized as crucial to a full understanding of the dynamic he describes in this essay.

Durkheim's Anomie Theory

Crime is necessary; it serves a function in society. Although it is not preferable, with the progression and evolution of modernity and emphasis on monetary success, crime is inevitable because a perfectly stable, uniform, and able society is impossible. As the father of sociology and a functionalist, Emile Durkheim provides a variety of explanations of society's ills, like crime and deviance, and accounts for the punishments and repercussions that follow. He asserts that man is a product of his social environment; thus, socialization begins at birth and continues through language and interaction with other people. The basis of his theory rests on the idea that the "conscience collective of a society varies alongside the division of labor. In less complex and more primitive societies, people tended to do and think alike and there was little tolerance for difference". According to Durkheim, one of the pivotal points in history in terms of crime and deviance was the industrial revolution. As this revolution evolved, there was a steep increase in immigrant migration into the United States. With this increase in immigration and the evolution toward a more modern society came rising levels of individualism, flexibility, and diversity amongst belief systems. This was the first sign of problems in the new society. Although these immigrants found no protest to their

own belief systems, they failed to adapt them to the previously held norms the American people valued. Inevitably, there was a sense of imbalance between the previously held norms and values and the new and evolving ones. This imbalance, Durkheim deemed 'anomie.' According to Durkheim, anomie reflects a sense of normlessness, the lack of any societal norms that spurs the tendency to act in a deviant way. In general terms, Durkheim's theory of anomie proposes that because of industrialization and the need for cheap labor in this newly modern society, the influx of immigrants inherently brought with them their own sets of norms and values. Thus makes a temporary imbalance of norms, anomie, which enhances individual's propensity to commit crimein search for a stable environment. In turn, Durkheim puts forth not just a theory for the social origins of crime, but also he theorizes about the social origins of law and punishment.

Before addressing Durkheim's explanation for crime and deviance, it is necessary to discuss his theory regarding the origins of law and punishment. In its entirety, he describes "the law as a concrete and objective indicator of morality…the law is restitution rather than simply repressive".From this comes the conclusion that law is a production of the collective society, a myriad of all beliefs of society, an embodiment of everything a society holds to be right, true, and just. This concept of the 'collective conscience' has everything to do with where society's laws, and ills, come from. Initially, Durkheim asserted that crime holds some religious qualities. Because "religion was a reflection of the force of a shared collective conscience…early legal codes were also religious codes," thus providing Durkheim the ability to argue, "Offenses against the gods were offenses against society". Crime became a deeply meaningful thing, very passionate and powerful, that ultimately prompted for very strong emotions, anger and vengeance specifically. Because of this, punishment was less about the offense or the offender and held more weight in regard to restoring the cohesion and core values of society.

So what are these social origins of crime? As previously stated, the fragmentation amongst society from the evolution to a more industrial and modern society, and the anomic division of labor, provide the basis for crime and deviance. This division of labor emerged as a result of the "needs of society which has become larger through an increase in population and a more highly integrated interactive network". Durkheim theorized that there is a bundle of 'social facts,' or empirical facts describing societal tendencies, that determine individual qualities. Drawing on statistics, he drew a correlation between suicide rates and social variables.

What he deemed egoistic or anomic suicide were those that described "weak social integration and failed moral regulation" as seen through the conclusion that protestants, intellectuals, and single people had higher suicide rates than religious folk, specifically Catholics and Jews. In other words, the individual and isolated people had a higher tendency for suicide than the collective and densely networked community because of their lack of cohesion and relationship with the collective conscience of society. More rare cases of altruistic and fatalistic suicide were common when an individual was too closely bound to the group.

Ultimately, this study concluded that social cohesion, or group solidarity, and the values held to be true by the collective conscience could both prevent and generate deviant activity. Of the two types of solidarity, mechanical and organic, Durkheim concluded that organic solidarity, the more complex of the two, which emphasizes a community's interdependence upon each other, is far stronger than mechanical solidarity in which there are common beliefs within society solely because the individuals are alike. This "solidarity based on the functional interdependence necessitated by and productive of the industrial revolution" would replace the dependence on the conscience collective.

Although there have been a small handful of direct examinations of Durkheim and his theories, there are a few studies that have analyzed more specific aspects of social disorganization and its effects.

There are various different perspectives on what anomie is and how it affects deviant behavior. On one hand Durkheim claims that anomie refers to the ill-formulated goals within the culture of an industrial society; whereas, Robert Merton relied on the Marxist explanation of anomie, which claims that there is normlessness due to the inadequate means available to fulfill society's goals. Ultimately, each theory revolves around the weight that the market economy holds in regards to the spirit and atmosphere of the cultural. Rather than the ethos of the culture being dependent on the values set forth by family and education, "the pursuit of self interest, attraction to monetary rewards and competition, become exaggerated relative to the value orientations of these institutions…economic dominance stimulates the emergence of anomie at a cultural value" (Bernburg, 2002). In regard to crime, the emphasis on competition and materialism combined with anomic ethic, as theorists have termed it, spark a disregard for the moral status of the way inwhich one achieves goals.

This strain of anomic theory is called "**Institutional Anomie Theory**." This position incorporates the idea that if the market economy is left unregulated by other social

institutions it will ultimately be obtrusive to society. According to Merton, this notion of anomie is a result of the ***uneven distribution of opportunities in the social structure because it fails to live up to its promise of equal opportunity***. Durkheim, on the other hand, claims anomie is more than just one simple thing; anomie is the normlessness of goals in which the "absence of social authority causes our capacity for feeling in itself insatiable and bottomless". In addition, anomie may also come forth "when socially prescribed goals are practically unattainable…to pursue a goal which is by definition unattainable is to condemn oneself to a state of perpetual unhappiness, ends are not really undefined…they are limitless". Ultimately, anomie institutional theory uses Merton's definition of anomie but brings attention to the social criticism what Durkheim's definition emphasizes. Merton highlights an imbalance between the components of how a society is made up; however, Durkheim focuses on the social make up itself.

As Durkheim's theory has progressed as a basis of modern theory and policy, it has had to adapt to the values and norms of an immensely modernized and industrialized society. Institutional anomie has become the primary basis to the concept of normlessness and the basis of crime and deviance in accord with the concept of anomie that Durkheim asserted initially. In short, Institutional anomie describes a society in which economic values, like monetary success, penetrate non-economic institutions, like family, education, and policy. From there, community values and social bonds are weakened, ultimately causing social controls over self serving behavior, like deviance and crime, to be vastly reduced.

Inherently in its nature, institutional anomie theory has some similarities to Robert Merton and Robert Agnew's strain theory of crime and deviance. Strain theory asserts that there is a discrepancy between culturally defined goals and the means available to achieve these goals. Currently, the culturally defined goals are wealth and material success and that happiness is equivalent to these goals; thus, the institutionalized means to acquire these goals that are hard work and education. Furthermore, it is widely accepted that those who do not succeed are inherently lazy or inept in some way.

Through the application of Merton and Agnew's strain theory it is simple to see the trouble that the lower and middle class face. The institutionally defined means of education and hard work are only attainable by those who are wealthy or financially comfortable enough to access a formal education or well paying occupation. As a result, or consequence, of this inability or unrealistic goal the middle and lower classes are subject to a strain, or anomie. Therefore, this sense of anomie, imbalance, and division of labor justify

the modes of adaptation the disadvantaged resort too. The modes of adaptation are, more often than not, criminal, ultimately supporting Durkheim's anomie theory.

So what does the criminal justice system do to avoid this? What are the policies put forth to deal with this inevitable dependence on crime? Although difficult, it is essential to strengthen the non- economic social institutions, like church or public school educations. There must be less emphasis placed on the importance or status of private school education. In addition, it is necessary to equalize the opportunities for success. The lower level employees must have the same amount of opportunity that the upper level employees have, or once had. The lesser employees must not be alienated within the workplace or held accountable for things that the upper level employees are excused of. The current crack down on white-collar crime is an example of how the criminal justice system is working to even the playing field in the workplace. Due to the fact that monetary success and status are the goals set by the collective conscience, as Durkheim would say, the criminal justice system has began to withdraw from the biased environment that causes this anomie and strive to balance the means by which success is attainable.

Differential Association Theory

Edwin Hardin Sutherland was born August 13, 1883 in Gibbon, Nebraska. He grew up and was educated in Ottawa, Kansas, and Grand Island, Nebraska. After graduation Sutherland taught Latin, Greek, history, and shorthand for two years at Sioux Falls College in South Dakota. During this period he enrolled in a correspondence course in sociology offered by the University of Chicago, thus meeting a requirement set forth to attend graduate school. In 1906, he began the aforementioned graduate program eventually choosing to major in sociology. Sutherland received his Ph.D. degree, in sociology, from the University of Chicago in1913.

Having been trained in the Chicago school tradition, Sutherland spent most of his time prior to developing his theory of differential association modifying central aspects of the social disorganization perspective. However, he soon became concerned with expanding the conceptual boundaries of the Chicago school. Having been influenced by Thorsten Sellin's idea of culture conflict, presented in Culture Conflict and Crime, Sutherland developed the idea of differential social organization. Sutherland related this idea to differential rates of crime between subgroups or subcultures within society in his 1934 textbook Principles of Criminology and was surprised when Henry D. McKay considered it a

theory of criminal behavior. Sutherland realize his emphasis on the process of learning and the need for a new criminological theory focusing on such a topic.

In 1939, Sutherland formally presented his theory of differential association, relying heavily upon the work of Shaw and McKay (1929 and 1969), in the third edition of his textbook Principles of Criminology. Since the very beginning, Sutherland's theory was readily accepted. One possible explanation for this is the fact that his ideas coincided with the general perspectives of his fellow sociologists. It not only explained most of the criminological findings of its day, but it did so from a decisively sociological perspective, rejecting the claims of both the biological and pathological perspectives of deviance. In other words, the theory of differential association attributes the cause of crime to the social context of individuals rather than the individuals themselves. A second possible explanation for widespread acceptance of the theory of differential association is the Great Depression. Ultimately, there have been several factors contributing to the development of the theory of differential association. While Sutherland was an extremely brilliant individual without the influence of Sellin's culture conflict theory (1938) and the comments of Henry McKay (Cohen et al.1956), among others, it is hard to say whether such a theory would ever have been developed. Regardless, differential association has become extremely popular among criminologists and as luck would have it, Sutherland's work is now the influence behind many criminological studies, a just result for a great theorist.

Theory of Differential Association

The theory of differential association was intended as a comprehensive explanation of criminal and some noncriminal behavior. Unlike previous theories explaining the criminality of groups, including his own theory of differential social organization, Sutherland sought to explain the criminal behavior of individual people. Such information, Sutherland believed, could then be applied to groups. By doing so, he hoped to be able to explain variations in the crime rates of groups located within the same community, a phenomenon the popular social disorganization theory had been unable to account for. Having outlined the social-learning process of crime in his book The Professional Thief (1937), Sutherland applied this emphasis on learning to his previous concerns relating to differential group organization. The result was a preliminary version of the theory of differential association presented in 1939, which proposed that criminal behavior is learned (Sutherland 1939). The final version of differential association theory was presented by Sutherland in the form of nine postulates found in the

4th edition of his textbook Principles of Criminology (1947: 75-77). These postulates are as follows:

1.   Criminal behavior is learned.

Sutherland believed that criminal behavior was not inherited or a result of any other biological condition. Additionally, he claimed that a person could not commit crime without first being trained. In other words the individual, without prior influence, is incapable of inventing criminal behavior.

2.   Criminal behavior is learned in interaction with other persons in a process of communication.

Sutherland believed such communication usually involved verbal interaction, however it could also involve the use gestures without words. This postulate coincides with the first by once again claiming that individuals cannot become criminal by themselves.

3.   The principle part of the learning of criminal behavior occurs within intimate personal groups.

Sutherland felt that other humans, in the form of intimate personal groups, provided the largest influence on the learning of criminal behavior. Along those lines, he felt impersonal agencies of communication such as newspapers and movies played a relatively unimportant role in the "birth" of criminal behavior.

4.   When criminal behavior is learned, the learning includes (a) techniques of committing the crime, which are sometimes very complicated, sometimes very simple; (b) the specific direction of motives, drives, rationalizations, and attitudes.

In his book, The Professional Thief Sutherland explains this process by describing the life of a professional thief.

"…a person can become a professional thief only if he is trained by those who arealready professionals. It is ridiculous to imagine an amateur deciding to become a pickpocket, con man, penny-weighter (jewelry thief), or shake man (extortioner) without professional guidance. He knows nothing of the racket, its techniques or operations, and he can't learn these things out of books."

5.   The specific direction of motives and drives is learned from definitions of the legal codes as favorable or unfavorable.

Sutherland believed that some societies flourished with definitions favorable to the following of the laws governing society whereas others supported the violation of such legal codes. Ultimately he viewed America as having both definitions mixed variously

throughout the country, thus experiencing a sort of culture conflict in relation to the legal codes.

6. A person becomes delinquent because of an excess of definitions favorable to violation of law over definitions unfavorable to violation of law.

This is the principle of differential association. Individuals become criminal due to repeated contacts with criminal activity and a lack of contact with noncriminal activity.

- **Differential associations may vary in frequency, duration, priority, and intensity.** According to Sutherland, a precise description of the criminal behavior of a person wouldpresent these "modalities" in quantitative form with a mathematical ratio being reached. Unfortunately, as he pointed out, an appropriate formula had yet to be developed due tothe sheer difficulty involved.

7. The process of learning criminal behavior by association with criminal and anti-criminalpatterns involves all of the mechanisms that are involved in any other learning.

In this postulate, Sutherland claims that criminal behavior is learned just like every other behavior. In other words, he felt there was nothing "special" or "abnormal" about criminal behavior or criminals for that matter, thus going against the claims of biological and pathological theorists. This is one of the primary reasons why the theory of differential association was so readily accepted by Sutherland's colleagues, as discussed in the previous section of this paper.

8. While criminal behavior is an expression of general needs and values, it is not explained by those general needs and values, since noncriminal behavior is an expression of the same needs and values.

The attempts to explain criminal behavior by general drives and values such as the money motive have been futile, according to Sutherland, since they explain lawful behavior as completely as they explain criminal behavior. For example, a thief generally steals in order to obtain monetary wealth. However, such an action is no different from the work of an honest laborer. Once again, Sutherland manages to point out gaps in previous explanations of criminal behavior.

Ultimately Sutherland's theory is based on two core assumptions: (1) deviance occurs when people define a certain human situation as an appropriate occasion for violating social norms or criminal laws and (2) definitions of the situation are acquired through an individual's history of past experience. The theory emphasizes the social-psychological processes by which people produce subjective definitions of their situation in life. Sutherland

argued that in considering the social-psychological processes causing individual deviance "it is not necessary…to explain why a person has the associations he has" (Sutherland & Cressey, 1978).

What is necessary is to examine the normal learning process whereby a person comes to define a particular situation as more or less appropriate for deviant behavior. This requires measuring the frequency, duration, priority, and intensity of associations favoring and not favoring deviance. Through such calculations, one could determine the likelihood of deviant behavior, thereby solving the eternal question of what causes deviance. However, as Sutherland pointed out such factors are extremely difficult to measure.

Group Conflict Theory

Why are some people's behaviors more apt to be negatively labeled by the criminal justice system? Labeling theorists point to the role of moral entrepreneurs or social movements, but what about the forces that underlie a particular moral crusade? Why, for example, would American society want to criminalize the production, sale, and consumption of alcoholic beverages in the 1920s? Why the increased penalties for domestic violence in the 1970s, or the War on Drugs in the 1980s? For the conflict theorists, the answer has to do with the balance of power and privilege in society.

Everything from material goods to quality education to religious freedom is in short supply, and therefore the typical relationship among groups in society is competition and conflict. Conflict theorists are typically categorized according to which inequalities they prioritize. In words of Vold, in Theoretical Criminology, approaching or understanding of the social nature of crime as a product of the conflict between groups within the same culture. Humans are naturally social beings, forming groups out of shared interests and needs.

Vold (1958) developed an early model of group conflict theory based not on cultural conflicts, but on conflict s of interest. Groups are created by individuals with common interests, and these interests can best be furthered through the group. Furthermore, groups change, evolve, and disappear, and the process of creating and working with a group creates group identification and loyalty, leading to emotional attachment to the group, inspiring its members to actively seek to further the group's interests. The social interaction arising out of this process leads to social stability through the system of checks and balances arising out of continual group mobilization. Crime, from this perspective, is carried out not

by individuals, but by groups for the good of the group; it may also be carried out by individuals acting under the auspices of the group.

Conflict theory, and conflict criminology, trace back to Karl Marx. The early years of Marx's career saw the industrialization and urbanization of many nations, as well as the general unrest in Europe culminating in the March revolution of 1848 in the German states. The revolution of 1848 was not successful, and many liberals (including Marx) were forced to flee or felt permanently exiled. While not specifically addressing criminal or deviant behavior, Marx did study changes wrought in the laws of several countries during the Industrial Revolution. He noted that some nations enacted laws criminalizing certain traditional behaviors and ways of life that may have impeded the progress of industrialization, and anticipated the use of the law as a means to protect and further the interests of the capitalist class.

In order to understand conflict criminology it is necessary to differentiate between the conflict and consensus perspectives on the social contract. The consensus perspective argues that society is organized to represent the interests of the majority of its members, and that it makes decisions and creates policies that are based on the will of the people and are designed to further the common good. Even though the consensus perspective acknowledges the presence of competing groups in any society, proponents of this perspective believe that the state mediates between competing interest groups, and that society reflects the norms and interests of most members.

The conflict perspectives argues that the function of the state is not to mediate between the inevitable conflict ing interest groups, but to represent the interests and reflect the values of the group or groups that have sufficient power to control the state. While the consensus perspective considers agreement and harmony the glue that holds society together, the conflict perspective states that society is actually held together by a balance of "opposing group interests and efforts".

Conflict criminology encompasses two aspects of criminology: it seeks to explain the behavior of the law, and it examines crime as a by-product of group and culture conflict. Law is a formal form of social control, differing from other types of social control in that its form and sanctions are determined and exercised by the state. The conflict perspective of the law acknowledges the existence of consensus; however, from the conflict perspective the behavior of the law and the criminal justice system can best be explained as resulting from conflict between groups and an exercise of power. The most powerful group in society

creates definitions of normalcy and deviance that are favorable to, and serve to protect, their interests.

Theory

Where Marx believed that social class is the most basic division in any society, Max Weber saw conflict as having many possible bases--including social class, but also religion, race, ethnicity, and more. Where Marx believed that class inequalities would ultimately be ended by revolution, Weber saw conflict as eternal, although it could take new forms. Group conflict theory derives from Weber's vision. A good example is Joseph Gusfield's book, *Symbolic Crusade*. Gusfield shows that the social forces behind the Prohibition Amendment were the forces of small-townand rural Protestant America unifying against the encroachment of the alien immigrants, mostly Catholics and Jews. The restrictive immigration laws passed by the U.S. Congress in 1921 and 1924 represent the victory of these same social forces.

When it comes to new laws, or the more aggressive enforcement of old laws, the question for the group conflict theorists is always: Who benefits and who loses? As Chambliss and Seidman put it: "the rule is that discretion at every level... will be so exercised as to bring mainly those who are politically powerless into the purview of the law."

Containment Theory

Walter Reckless, the propounded of this theory (1967), has said that the important question that must be answered in explaining criminal behaviour is why, given the alternatives of law-abiding and law-violating behaviour, some people turn to one or the other behaviour. He suggests that self-concept is the key factor in explaining the choice among alternatives of behaviour. Afavourable self-concept directs an individual towards law-abiding behaviour, and an unfavourable self-concept directs him towards delinquent behaviour.

Reckless has further said that there are two important aspects of control: inner control and outer control, and that depending upon the balance of these control systems; the individual can take either a deviant or a conformist route. His assumption is that strong inner and reinforcing outercontainment constitutes isolation against normative deviancy, that is, violation of the socio-legal conduct norms. In 1955, Reckless and Dinitz studied white 'good' boys (who, their teachers thought, would not get into trouble with the law) of sixth grade of about 12 years age, selected from high delinquency areas. The schedule,

administered in the boys' homes, contained 50 items designed to measure self-concept. Likewise, in 1956, they interviewed 101 'bad' boys (who, their teachers thought, would become delinquents) and studied their self-concept.

Outer containment	Inner Containment
• A role that guides a person's activity • Reasonable limits and responsibilities • Opportunity to achieve status • Cohesion among members of group. • Sense of belongingness	• A good self-concept; • Self-control; • A strong ego; • Well-developed conscience; • High frustration tolerance • High sense of responsibility

Figure 2.1 Outer and Inner Containment

They concluded, on the basis of this study, that a good self-concept is evidence of favourable socialisation and the development of a 'strong inner self' (self-control, well-developed super-ego, high frustration tolerance, resistance to diversions, ability to find substitute satisfactions, tension- reducing rationalizations, etc.) which directs a person towards middle-class values.

Poor self-concept is indicative of unfavorable socialisation and 'weak inner direction', which in turn does not deflect the boy from bad companions and street corner society, does not enable him to embrace middle-class values, and gives him an awareness of being cut off from upward movement in the legitimate opportunity system.

The evaluation of this theory has pointed out that though this is the only research by sociologists in the area of delinquency which handles variables of personality and self, nevertheless the measure of self-concept has been questioned and the lack of control groups has been noted.

Sub-culture theories What is Sub-Culture?

Sub-culture theories build upon the work of Merton. They say that deviance is the result of individuals conforming to the values and norms of a social group to which they belong, if you belong to a social group whose norms differ from those of the main society then you will become a deviant. Sub cultural Theory explains deviance in terms of a deviant

group, split apart from the rest of the society which encourages deviance.

Albert Cohen: Status Frustration

Cohen said lower-working-class boys want to achieve the success which is valued by mainstream culture. But due to educational failure and the dead-end jobs that result from this they have little chance of achieving these goals. This result in **status frustration**, the boys are at the bottom of the social structure and have little chance of gaining a higher status in society. This is similar to Merton's theory, however Cohen said that instead of turning to crime as Merton said, they reject the norms and values of mainstream society and instead turn to the norms and values of a delinquent subculture.

In this subculture the boys can achieve success because the social group has different norms and values from the rest of society. So in this culture a high value is placed upon criminal acts suchas stealing and vandalism which are condemned by mainstream society. In these subcultures the individual who lacked respect in mainstream society can gain it by committing crimes such as vandalism and truancy. Because the crimes reward the individual with respect there is not always the need for a monetary value to commit a crime, so the subcultural perspective explains why people commit **non-utilitarian** crimes.

Postulates:

- Working class boys try to gain status within school and fail, thus suffer status frustration
- Some such boys find each-other and form a subculture
- Status is gained within the subculture by breaking mainstream rules.

Cloward and Ohlin: Illegitimate Opportunity Structure (IOS)

Cloward and Ohlin developed Cohen's theory. They said that there are three different types of subcultures that young people might enter into; criminal subcultures, conflict subcultures and retreatist subcultures. This theory is a combination of strain and sub cultural theory. The type of subculture an individual joins depends on existing subcultures (which form an IOS). There are three types of subculture: Criminal (working class areas/ organised petit crime), Conflict (less table populations), and Retreatist (e.g. drug subcultures) which C and O saw as being formed by people who lacked the skills to join the former two).

Postulates:

- **Criminal subcultures** tend to emerge in areas where there is a lot of organised adult crime, here there are criminal role models for young people, and they learn how to commit criminal acts. In these subcultures the young people can climb up the professional criminal ladder by committing more crimes. These subcultures are normally concerned with utilitarian crimes, which yield financial reward.

- **Conflict subcultures** tend to emerge in areas where there is little organised adult crime, so instead of learning how to commit serious monetary crimes the young people instead focus on gaining respect through gang violence.

- **Retreatist subcultures** are for young people who have even failed in the criminal subcultures, these people are 'double failures'. They tend to retreat to drugs and alcohol abuse to deal with the fact that they have been rejected from other subcultures.

Walter Miller: Focal Concerns

Walter B. Miller said that a deviant subculture doesn't arise from the inability of the membersto achieve success; instead he said that crime is a result of the fact that there is a lower-class subculture with different norms and values to the rest of society. He said these different values mean that for members of this culture there are a number of concerns and things people want to achieve, he called these focal concerns and they include

Postulates:

- **Toughness –** Miller said that people within the lower-class subculture value toughness asan important trait; however this can manifest itself in assault and violence.

- **Smartness –** This culture also value the ability to outfox each other. This will often leadto people trying to con, pickpocket or steal from each other in 'clever' ways.

- **Excitement –** This culture constantly searches for excitement and thrills. This oftenmeans gambling, alcohol and sexual adventures.

Miller said this mix of 'focal concerns' can lead to a culture which accepts crime and deviance asnormal.

- Saw the lower working class as a subculture with its own set of unique values

- Working class culture emphasised six focal concerns (or core values) which

encouragedcriminal behaviour amongst working class youth.

- Three examples of these focal concerns where toughness (physical prowess), excitement(risk-taking) and smartness (being street-smart).

Charles Murray: Underclass Theory

Period: The 1940s- 60S, Underclass Theory – 1980s

- By the 1980s an Underclass had emerged in Britain.
- Key features - long term unemployment, high rates of teen pregnancies and single parenthouseholds
- Means children are not socialised into mainstream norms and values and have becomeNEETS
- The underclass is 20 times more criminal than the rest of society.

Wolfgang and Ferracuti

Another branch of subcultural theory, developed by Wolfgang and Ferracuti, departs from those already described in that it gives little explanatory power to structural factors in producing patterns of violence. It is considered a pure subcultural theory because it virtually ignores the role of broader structural factors. Wolfgang and Ferracuti interpreted rates of violent crime among groups and collectivities as evidence that the group-for instance, African Americans- holds attitudes that favor violent conduct. Their theory of subcultures bridges racially differentiated patterns of violence with oppositional value orientations, construing social structural factors with a relatively minimal degree of explanatory power. Wolfgang and Ferracuti stressed that a subculture cannot fully differ from the wider culture. According to this view, societies tend to have a common value pattern to the extent that even subcultures remain within the wider culture. The subculture and wider culture are, in essence, cultures in conflict. Wolfgang and Ferracuti further argued that social groups modulate conduct norms, and for conduct norms or values to be salient they must be situational invariant; if not, they reflect no enduring allegiance. Moreover, normative systems develop around values in that values engender the normative standards relating to proper behavioral responses. Pure subcultural theory, however, allows for values to affect behavior independent of propinquity to like-minded others, unlike strain-based accounts and even those of the Chicago School.

According to Wolfgang and Ferracuti, the extent to which people identified with subcultural values is made obvious to the observer in light of their actions. Their theory focuses largely on understanding the cultural foundation underlying "passionate or non-premeditated, acts of homicide. To the perpetrators who commit this category of crimes they impute the subculture of violence. People occupy a subculture of violence by virtue of the fact that they are violent.

Many scholars conclude, however, that this approach is tautological. Theorists insist that among groups who display the highest rates of homicide the subculture of violence should be most intense. An actor's integration into the subculture (measured by behavior) reflects his or her degree of adherence to its prescriptions for behavior. Violence does not represent the constant mode of action among subcultural members. Wolfgang and Ferracuti argued that if this were the case, the social system itself would become debilitated. In this regard, their perspective isrelatively limited in scope because it illuminates only the value set that translates situations into violence, instead of the entire array of values held by a class position.

With regard to the etiology of subcultural traditions, the pure subcultural theory advocated by Wolfgang and Ferracuti remains intentionally silent. It implies that structural factors may contribute to the genesis of subcultures through the process hypothesized in strain-based accounts. However, the model suggests that norms favoring violence are perhaps causally related with socioeconomic factors. For instance, it indicates that the concentration of a subcultural orientation among African Americans, as reflected by their involvement in homicide and assaultive crimes, may be a product of the urban deterioration and economic disparities affecting this population. However, they made no consistent and precise statement about the linkage between social structural factors and the subcultural traditional they delineated. It is interesting; however, that the theorists appear to contend that it is structural factors such as poverty and deprivation that account for the generational transmission of the subculture. People who are beleaguered by impoverished conditions become frustrated and aggressive. Parents are hypothesized to pass this experience on to their children, in whom it blossoms fully into a subculture of violence. To prevent the continual cycling of the subcultural tradition, pure subcultural theory suggests that the persons who carry it should be forcefully dispersed and resocialized into the middle-class system. For some analysts, this programmatic implication of their theory makes it less palatable on the whole.

Labelling Theory- Edward Lemert

In the early 20th century, the Chicago School of sociology transformed the landscape of sociology and set the standard for future criminologists. Two primary lines of inquiry came from this school: (1) human ecology and (2) symbolic interactionism. The different assumptions that underlie each of these theoretical models and the different focuses of each (the macro vs. the micro, respectively) would lead each theory to grow in its own directions. Human ecology would be applied to crime almost immediately in the form of social disorganization research, but it would not be until the 1960s that research applying symbolic interaction theory to criminality would occur in the form of the labeling theory.

The labeling theoretical model was generated over a large part of the 20th century. The way in which it was constructed, by myriad different sociologists, criminologists, and empirical researchers, has resulted in a fragmented theoretical model, with concepts added here and thereor propositions being elaborated upon, here and there. The fragmented tapestry that is the labeling perspective, as well as the inherent attack on offender-oriented criminological theory by labeling theorists, has exposed it to a great deal of criticism and counterattack. The next section explores the primary lines of criticism that have been leveled against the labeling perspective.

The labeling perspective has its origins in the work of Mead and Cooley in the sociological theory of symbolic interactionism. Mead (1934) believed that the self arose through social processes, or social experiences, which involved play, game, and the generalized other. A person's self is generated when an individual takes the attitudes of other people in the group around him or her (whom Mead called the generalized other) and superimposes those attitudes upon behavioral patterns; thus, a person will generally behave in a manner that is consistent with the way in which that person believes others view him or her. Mead differentiated between the "me" and the "I," and Cooley (1926) referred to this process as the looking-glass self, which is a reference to the socially shaped self.

This process is not a static one; instead, it is a dynamic process of the individual "reacting back against society," which in turn is constantly reacting to the individual (Mead, 1977, p. 235). In this way, an individual will behave in a manner that is consistent with others' beliefs andexpectations. Human behavior, then, revolves around the meanings of things and situations; the interpretation of these meanings through interactions with others; and the interpretive process an individual undergoes concerning interactions, both present and past (Blumer, 1969). Mead (1977)viewed this role taking as the foundation for

social control (formal and informal). This two-way, symbolic interaction between the self and society forms the foundation of labeling theory.

Labeling Precursors - forerunner

Although the ideas inherent in symbolic interaction work are at the core of the labeling perspective, it was Tannenbaum (1938) who first suggested their application to criminal behavior. In his discussion of a mostly subcultural theory of crime, Tannenbaum introduced the concept of the "dramatization of evil." As he argued, "The dramatization of the 'evil' which separates the child out of his group for specialized treatment plays a greater role in making the criminal than perhaps any other experience" (p. 19). When a child commits a deviant or criminal act, this child is segregated from other children. A child who has come to the attention of the neighborhood or the criminal justice system has thus been "tagged." Tannenbaum provided the following description: The person thus takes on the characteristic of the so-called tag. The "evil" that is trying to be contained by the criminal justice system is then further exacerbated. This was the first call for the deinstitutionalization of certain types of juvenile offenders. As mentioned earlier, though, Tannenbaum was actually presenting his labeling approach through the framework of a subcultural theory of criminality. Tannenbaum noted that the isolation that ensues from a tag would lead an individual "into companionship with other children similarly defined, and the gang becomes his/her means of escape". Goffman later argued that people who have a "particular stigma tend to have similar learning experiences . . . a similar moral career". Tannenbaum's policy arguments, based on the dramatization of evil, did not focus on individual offenders but instead attacked whole groups of offenders in an effort to change attitudes and ideals.

Lemert was the next to explore the intricate web of the self, society, and deviance. He introduced the concepts of societal reaction (1951) and primary and secondary deviance (1967). Lemertused the socio-psychological concepts of primary and secondary deviance to "distinguish between original and effective causes of deviant attributes and actions which are associated with physical defects and incapacity, crime, and mental disorders" (p. 40). He argued that primary deviance arose from a variety of social, psychological, cultural, and physiological processes.

Primary deviance consists of "initial acts of norm violations or crimes that have very little influence on the actor and can be quickly forgotten" (Cao, 2004, p. 135). Primary

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deviants undergo no change in their psychological makeup or in the way they act as members of society. When they are apprehended, however, primary deviants suffer a variety of consequences, many of which focus on the application to them of such labels as sick, criminal, insane, and so on. Thus, secondary deviance is caused by the way in which society reacts to some of the people who engage in primary deviance. Secondary deviance "refers to a special class of socially defined responses which people make to problems created by the social reaction to deviance". Secondary deviance occurs when the individual reorganizes his or her personality around the consequences of the deviant act and to persistent forms of deviance around which people organize their lives.

Secondary deviance is promoted through an internal process of normalization of behavior and a lack of social controls; this process creates, maintains, and intensifies stigmas that include invidious labels, marks, or publicly disseminated information (Goffman, 1963), which are akin to Tannenbaum's (1938) "tags." The drug experimenter becomes an addict; the recreational drinker becomes an alcoholic; the joy rider a car thief. As the society begins to recognize and sanction these behaviors, the application of the labels increases, or amplifies, instead of decreases, the act. Lemert's (1967) concept of secondary deviance goes to the heart of labeling theory: deviance as identity transformation.

In an immediate precursor to Becker's (1963) formulation of the labeling perspective, Kitsuse proposed a shift in "focus of theory and research from the forms of deviant behavior to the processes by which persons come to be defined as deviants by others" (p. 248). In his examination of homosexuality, he collected data that suggested that the critical feature of the "deviant defining process" is not the actual individual's behavior, but rather the interpretations other people have of those behaviors. Kitsuse concluded that criminological theory must contain not only propositions pertaining to behavior but also concepts relating to the reaction to behavior.

Becker's Labeling Theory

Tannenbaum, Lemert, and Kitsuse had discussed important concepts in labeling and stigmatization, but the labeling approach was more systematically refined with the work of Becker (1963) on societal "outsiders." Becker argued that when a "rule is enforced, the person who is supposed to have broken it may be seen as a special kind of person . . . an outsider" (p. 1). Noticing, as Kitsuse had, that criminologists had focused primarily on deviant characteristics and had largely ignored the role of societal judgment in the study of

deviance, Becker (1963) urged for the inclusion of society's reaction to deviant phenomena: This is the central proposition of the labeling perspective. To add to this, Becker (1963) also discussed other concepts of key importance for labeling theorists.

A label, or a stigma (Goffman, 1963), Becker (1963) contended, will vary because of certain theoretical concepts. First, the types of individuals who are labeled as deviant vary over time; for instance, individuals who were arrested for bootlegging in the Prohibition era would not be arrested today. Second, the degree to which an individual is considered deviant also depends on who commits the act and who has been victimized. A prime example is the treatment of white- collar and street-level offenders: Whereas street-level offenders usually will be processed through the criminal justice system if caught, white-collar criminals may be processed through criminal, administrative, or civil channels. Who commits the act and who is hurt will determine the extent and type of formal intervention and of the label. Finally, the term outsider may apply to the people who create the rules by individuals who are breaking those rules. The rule makers can be outsiders to the so-called "deviant" group. In his discussion of the labeling perspective, Becker (1963) identified four types of deviants:

    (1)   falsely accused,

    (2)   conformist,

    (3)   pure deviant, and

    (4)   secret deviant.

The falsely accused deviant is the individual who receives a "bum rap," someone who has not broken any rules and yet is labeled. The conformist is someone who does not break rules and is not labeled. The pure deviant is someone who breaks rules and is so labeled. The secret deviant, which is discussed more later in this research paper, is the individual who engages in rule- breaking but is not labeled.

Because the idea of labeling is intertwined with the idea of secondary deviance (Lemert, 1967), Becker (1963) also discussed the deviant career, which begins with the commission of a deviant or criminal act. If a label is applied and is internalized by the individual, secondary deviance may ensue. Becker argued that research should focus on individuals who have engaged in at least one criminal act but have failed to become adult criminals as well as those offenders who continue criminality over time.

Becker (1963) later argued that he never thought he had set down the basis for a formal theory in his book, Outsiders; he merely wanted to enlarge the field of study for students of deviance. Becker suggested that secondary deviance should not be the main focus

of labeling researchers; instead, the process of action–reaction–counter reaction was the most important aspect of the labeling approach. Becker noted that the labeling perspective was also not as consumed with the label as critics have argued. In a later interview, Becker (quoted in Debro, 1970) argued that the inclusion of societal reactions to deviance stemmed from his sociological past: "If we study a hospital . . . we study doctors, patients, nurses, aides, and so on. We may focus on one category of people, but we know that the actions of the others are important as well" (p. 166). Thus, the focus on only the offender in criminological theory is an incomplete picture of the entire criminal event; society's views and opinions must be taken into account.

Multiple Factor Approach

Despite repeated attempts on the part of criminologists propounding different views to formulate a singular theoretical explanation for criminal behaviour, no hypothesis could answer the issue satisfactorily. Eventually, the sociologists made use of 'multiple-factor approach' to explain the causation of crime. The supporters of this view believe that crime is a product of a combination of a variety of factors which cannot be narrated in terms of general propositions. This view finds support from the writings of eminent American criminologist William Healy, expressing his views on multiple causation theory, Prof. Healy observed that it is not one or two factors which turn a man delinquent but it is a combination of many more factors-say eight or ten-which cumulatively influence him to follow criminal conduct.

He, however, agreed that all the factors associated with a particular crime may not have equal importance as a cause of that crime. The extent of their influence on crime may be in varying degrees, some exerting greater influence on the crime while the others, the least. But this theory has been vehemently criticised by Albert Cohen on the ground that it offers no single explanation which can explain crime causation. Moreover, it is fallacious to believe that crimes generate only in deplorable surroundings. The greatest shortcoming of the multiple factor approach to crime according to Cohen is that the adherents of this theory confused 'factors' with those of 'causes' of crime. From the foregoing analysis it is evident that sociologists consider crime as a product of environmental deviations and varying social conditions. The inter-relation between criminality and some of these conditions may be discussed under the following heads:

(1)   Mobility

The rapid growth of industrialisation and urbanisation in recent years has led to expansion of means of communication, travel facilities and propagation of views through press and platform. Consequently, human interaction has gone beyond intimate associations with increased chances of mobility. Migration of persons to new places where they are strangers offers them better opportunities for crime as the chances of detection are considerably minimised. Mobility, therefore, serves as a potential cause of social disorganisation which may result in deviant behaviour due to lack of family control. Commenting on the impact of crime reports appearing in newspapers on criminality, Barnes & Teeters observed that it encourages crime and delinquency in two ways. Firstly, those with unstable mind and psychopaths are easily attracted towards such crimes; and secondly, with the frequent reporting of crime-news, people begin to lose faith in law and law-enforcement agencies. That apart, the deviants learn new techniques of crime through crime-news which are published in newspapers or magazines.

(2)   Culture Conflicts

In a dynamic society social change is an inevitable phenomenon. The impact of modernisation, urbanisation and industrialisation in modern dynamic society may sometimes result in social disorganisation and this may lead to culture conflicts between different sections of society. The difference may be between old and new values, local and imported values and traditional values and the government imposed values.

Criminality arising out of cultural conflict theory has been well explained by Shah and McKay through their Cultural Transmission theory of crime which was a dominant criminological theory of the 20th century. The theory simply states that "traditions of delinquency are transmitted through successive generations of the same inhabitation in the same way as language and attitudes are transmitted." The inability of local communities to appreciate the common values of their residents or solve commonly experienced problems causes tension leading to deviant behaviours. This is how criminal traditions get embedded into the functioning of a community and they co-exist alongside conventional values.

Sutherland has termed this phenomenon as "differential social disorganisation" which is more common with lower-class neighbourhoods. He attributes three main causes for the culture conflict, namely, (1) residential instability; (2) social or ethnic heterogeneity; and (3) poverty.

The shift of population due to migration or immigration quite often affects the crime rate of a given place. The culture conflict between inhabitants and immigrants results in deviant behaviour. In a recent study Ruth and Cavan found that Eskimos who were free from the problem of crime until recently, now frequently indulge into deviant behaviour such as, loitering, drunkenness and sex-offences due to their migration to urban areas and social contact with non- Eskimos.

The immigration problem which India faced during Indo-Pak partition days in 1947 and Bangladesh partition in 1971 serves as an interesting illustration of cultural conflicts arising out of social disorganisation. The in flood of refugees from Sindh and North-West Frontier region in 1947 completely broke down the traditional social structure of Indian society and resulted into enormous increase in crime. The incidence of murder, arson, looting, kidnapping and rioting were necessarily an outcome of socio-cultural variations in immigrants who had developed highly individualistic tendencies due to disruption of their family life and loss of status. The killing of thousands of people in Sri Lanka since 1986 due to ethnic riots and confrontation between the Liberation Tigers of Tamil Eelam (LTTE) and the militant forces of the government is yet another illustration on this point. The Tamilians in the country are fighting against discrimination and are demanding for integration with Sinhalese population.

(3) *Family Background*

Sutherland holds that out of all the social processes, the family background has perhaps the greatest influence on criminal behaviour of the offender. The reason being that children spend most of their time with their parents and relatives within the family. Children are apt to imbibe criminal tendencies, if they find their parents or members of the family behaving in a similar manner. The institution of family is expected to cater to the basic needs of the children. Therefore, the child should feel that he enjoys a certain privilege and protection in his family and that he is loved and liked by his parents and members of the family. This feeling of security, warmth and reliance makes children to learn the virtues of love, respect and duty towards others. Thus, it is through the institution of family that the child unconsciously learns to adjust himself to the environment and accepts the values of life such as respect for others, faithfulness, trustworthiness and co-operation through his own life experiences. It therefore follows that a child brought up in a broken family is likely to fall an easy prey to criminality.

Lack of parental control over children due to death, divorce or desertion of parent or their ignorance or illness may furnish soothing ground for the children to resort to criminal acts. Again, frequent quarrels amongst parents, undue domination of one over the other, step-motherly treatment with children, frequent births in the family, immorality of parents, misery, poverty or unwholesome family atmosphere and the like may also lead to the neglect of child and finding no adequate outlet for his talents, he/she may tend to become criminal in his/her life. To add to the above list, unemployment, low income or parent's continued long absence from home for the sake of livelihood is some other causes for child delinquencies. With revolutionary changes in socio-economic conditions in India, the family patterns- have radically changed. Excessive outdoor indulgences of modern Indian house-wife and a general tendency on the part of Indian educated women to be after jobs have disrupted the harmony of Indian family life.

This view finds support in Taft's expression that home is growing a source of emotional tension', the role of family has declined and its self-sufficiency jeopardised due to the outdoor interests of its members. The modern wife is no longer confined to her domestic duties as a result of which the internal discipline of the family is wholly shattered. Due to divided loyalties of the parents, the child's personality is over-shadowed by frustration, hatred, jealousy, revengefulness, indifference and dejection and in a fit of bewilderment he throws himself into association with other delinquents. The want of care and affection, non-fulfilment of the basic needs of children and their sad experience in the family lead to their detachment from the family and they easily lend themselves into the criminal world.

After a careful study of the family background of a number of delinquents, Donald Taft' deduced the following generalisations which are significant from the point of view of crime causation:

1. Mobility among criminals is far greater than those of non-criminals. In other words, delinquents change their place more frequently than the law-abiding persons.

2. The delinquents usually prefer to stay away from their family, parents and homes.

3. The homes of delinquents are often ill-maintained, insanitary and display poor standard of living.

4. The family life of most delinquents is usually disrupted and their parents are either dead, separated or divorced.

5. Experience has shown that most of the delinquents are subjected to physical punishment by the parents in their childhood. Consequently they hardly show any

respect for the members of their family.

6. A large percentage of criminals is usually hostile and indifferent towards their brothers and sisters.

7. Delinquents are encouraged to follow criminality in their homes in either of the following ways:

    i. The parents may not themselves be associated with the criminal act but they might deliberately avoid preventing their children from indulging into criminal acts.

    ii. Children may learn criminal patterns through the process of imitation. They begin to learn similar behaviour from their parents or other members of the family.

    iii. The parents who have embraced criminality as a way of life like those of professional thieves, pickpockets, prostitutes, etc. often train their children for the vocation. It is, however, true that a reverse process may also operate where criminal parents take all steps to ensure that their children do not follow their foot-steps and keep away from criminality.

(4) Political Ideology

It is well known that the Parliamentarians who are law-makers of the country are also politicians. They succeed in mobilising public opinion in the desired way through the media of press and platform and finally enact suitable laws to support their policies. Thus, political ideologies gain strength through legislative process thereby directly influencing the criminal patterns in a given society.

The liberalisation of abortion law, imposition or withdrawal of prohibition laws, anti-dowry, protection of women against domestic violence, prohibition on pre-natal sex-determination, untouchability laws etc. are some of the examples to show as to how the concept of criminality changes with the changed ideologies of the politicians and the government in power. With the change in ideologies what was unlawful and illegal till yesterday may become lawful and legal today and vice versa. The law-makers justify these changes for the good of the society keeping in view the changing norms of civilisation and culture.

To take a concrete example, live-in relationship between the spouses which considered highly immoral and illegal until a couple of years ago, is now gradually being accepted as a permissible conduct in the society and even the Supreme Court has declined to

hold it as illegal holding that it is for the society to take a decision on this issue rather than the law court.

Again, political changes in a country may give rise to new political offences. The excessive interference of politicians in executive functions of the Government weakens the morale of the administrators as well as the police, with the result there is spontaneous growth in crime-rate.

With the coalition governments coming into power during 1990's, instability of the government has become a common phenomenon in India. As a result of this, the anti-defection law instead of being an inhibitor of floor-crossing became an opportunity for elected members to make quick money. This paved way for political corruption which became an acceptable norm for MP's and MLA's who got ready money in toppling or saving the government in power and did not even hesitate to deposit it in bank or keep note bundles under their pillow. As smaller parties emerged, coalition politics became inevitable. Political leaders would tend to maintain their political parties financially sound and at the same time ensure themselves and their families against the uncertainties of future. This led to increasing nexus between politicians and organised criminals. This is followed by political bureaucracy-organised crime nexus. Once politicians get involved, they become vulnerable and there is continuous pressure on them to repeat the process.

(5) *Religion and Crime*

The changes in religious ideologies also have a direct bearing on incidence of crime in a particular region. It has been rightly said that morality can best be preserved in a society through the institution of religion. The bond of religion keeps persons within their limits and helps them to keep away from sinful and criminal acts. The declining influence of religion in modern times has tended to leave men free to do as they like without any restraint or fear. Consequently, they do not hesitate to resort to criminality even for petty materialistic gains. Looking to the present day Indian conditions, things seem to be still worse.

Religious places in most parts of India have become dubious centres of vices. Cheating, stealing, exploiting and kidnapping are too common in these places. The so-called champions of the cause of religion, namely, the priests, the pujaris and Pandas of these religious places are virtually the plunderers who do not hesitate to ransack the innocent pilgrims. They consider themselves to be the agents of God and are in fact more dangerous than the real criminals. It is, therefore, necessary that public opinion should be mobilised

against the superstitions which are deep- rooted in Hindu religion and greater stress be laid on the spiritual aspect of Dharma rather than the rituals and formalities insisted upon by the priests. This would help in reducing crimes in pilgrim places in India. It is desired that the government must initiate stringent measures to save these sacred places from becoming the centres of nefarious activities of anti-social elements. Despite the fact that all religions speak of communal harmony and peaceful co-existence, most wars on this earth are fought in the name of religion. The war between Iran and Iraq for overeight years, the wars in Lebanon, and the continuing fight between Catholics and Protestants in Northern Ireland and even terrorist activities in India are being carried out in the name of hidden religious overtones. These divisive forces contribute considerably to the incidence of murder, mass killing, destruction of public and private properties and other anti-social behaviour.

(6)   *Economic Conditions*

Economic conditions also influence criminality to a considerable extent. Present day industrial progress, economic growth and urbanisation have paralysed the Indian domestic life. The institution of family has disintegrated to such an extent that control of parents over their wards has weakened thus leaving them without any surveillance. Under the circumstances, those who lack self-control fall an easy prey to criminality. The employment of women and their other outdoor activities have enhanced the opportunities for sex crime. Again crimes such as hoarding, undue profiteering, black-marketing, etc., are essentially an outcome of economic changes.

Now-a-days money is the paramount consideration to assess the social status of a person in society. Crimes in higher circles of society can easily be wiped off through money. Unemployment among the youths is yet another cause of increase in crime rate. If the energies of these young persons are properly channelised, they can surely contribute to the national man- power development.

It has been generally accepted that there is a strong relationship between criminality and economic or income inequality as also between crime and unemployment. Rut poverty per se is not the sole cause of criminality; it is only a major factor in crime causation. It is the social disorganisation which accounts for criminality among the poorest and not their poverty. Undoubtedly, there is close relationship between unemployment and criminality and particularly, accounts for an unprecedented rise in property crimes and a consequential increase in the arrest rate of juveniles and youth. Those who are jobless or have less secure employment such ascasual and contract workers, are more likely to be involved in property

related crimes.

Analysing the impact of economic conditions on criminality, Prof. Hermann Mannheim observedthat if we leave aside traffic offences, three-fourth of the time and energy of the criminal law administrators of the world shall have to be devoted to economic crimes. Focusing on the importance of economic factors in the causation of crime, he pointed out that poverty contributes both directly and indirectly to the commission of crime. However, poverty alone may not be a direct cause of crime because other factors such as frustration, emotional insecurity and non- fulfillment of wants often play a dominant role in giving rise to the criminal tendency. The Marxist theory has emphasised that all human behaviour is determined by economic factors. Supporting this view, Fredrick Engels attributed increase in the incidence of crime in England in mid-eighteenth century to the deplorable economic condition of the workers due to class exploitation. W.A. Bonger also adopted similar approach in explaining crime causation and asserted that a criminal is a product of capitalistic system, which created selfish tendencies.

In such a system, each person tries to extract maximum from others in return of the minimum from him. He identified many evils in the capitalistic system which was responsible for generating crimes. In fact, the theory of Radical Criminology is based on this concept which further explains that crime occurs due to the exploitation of the poor by the rich.

(7) *Ecology of Crime*

Ecology is the study of people and institutions in relation to environment. Topographical conditions also affect the incidence of crime in a particular region or locality. After a series of researches Enrico Ferri, the eminent Italian criminologist analysed the crime index of his country and concluded that in the same country the crime rate varies considerably from one region to another. Some typical crimes are more peculiar to a particular region than other parts of the country. Similar observations were made by criminologists in France, England and U.S.A. which sufficiently established the influence of ecology on crime. It is well known that violation of customs, excise and drug laws are more common in border areas and coastal regions than in plains. Illegal felling of trees and violation of forest laws is an everyday occurrence in forest regions.

In India, the impact of ecology on crime is apparently to be seen in dacoit-infested forest regions and ravines of Rajasthan, Madhya Pradesh and Uttar Pradesh where opportunities for escape and detection are plenty. Similarly, pilgrim places of India are the

breeding ground for all sorts of anti-social activities such as cheating, stealing, exploiting, etc. The cheats operating in the guise of fortune-tellers and Sadhus are often the first rate criminals who carry on their dubious activities right under the nose of the custodians of law in these so called holy places. The proponents of ecological theory attribute social disorganisation as the main cause of criminality. They believe that treating or punishing the individual offenders would do little to alleviate the problem and the solution is to be found in making efforts to stabilise the social organisation and promoting community feeling, particularly among youths. As Durkheim rightly put it, "the overall disorder and disorganisation, social and personal shifts behaviour is directed of crime".

The regional comparisons of crime rate in different parts of the country sufficiently indicate that certain crimes are peculiar to a particular location. It can therefore, be inferred that ecology of crime consists in the study of influences such as neighbourhood, population, topographical factors, etc., on criminals considered from the point of view of location. Commenting on this aspect, Donald Taft observed that "ecology of crime may be studied in terms of location of criminal or residences of delinquents or some supposed influence upon crime which has distribution in terms of space and topography". He further observed that criminals are often mobile and there seems to be a casual relationship between location of delinquency and the criminal. It may, however, be pointed out that ecology of crime need not be confused with the proximity of crime and social conditions. The predominant consideration in the ecology of crime is topographical conditions of different regions and their impact on causation of crime peculiar to those places. Thus, ecology is undoubtedly one of the multiple factors of crime causation.

(8) Influence of Media

The importance of mass media in influencing human mind has been repeatedly emphasised by some experts. Experience has shown that television and films have the maximum impact on the viewers due to combined audio-visual impact. Most of serials or films shown on television or cinema halls depict scenes of violence which adversely affect the viewers, particularly the young boys and girls who often tend to imitate the same in their real life situations. The rising incidence of juvenile delinquency is essentially the result of evil effect of violence and vulgarism and undesirable sex exposures depicted in movies or television. Likewise, pornographic literature also has an unwholesome influence on the impressionable minds of the youth which generates criminality among them.

Most criminologists believe that films and television are major contributors to violent behaviour. A survey conducted by the Broadcasting Group of the House of Lords indicated that exposure to media violence was closely linked with aggressive behaviour. But Hagell and Newbury opposed the view that there was any real link between violent media images and criminality after finding that persistent offenders watch films or television far less than non-criminals. Gillin has also expressed doubt about any real link between media violence and criminality. According to him, films, T.V. and other media teach methods of violence to those who are already susceptible to them but it does not go further than that.

Again, the role of media in helping the mushroom growth of fake and fictitious educational institutions which are duping large number of degree-seekers needs a particular mention in this context. The modus operandi of these institutions is simple; they splash full page advertisements in leading newspapers, collect huge sums from franchises and fat course-fee from students and make a huge profit leaving students to fend for them. This is particularly true with the rotten computer training institutes which have mushroomed all over the country under different impressive names. These 'fly-by-night' computer institutes are taking students for a ride through attractive advertisements and on-line contracts. Therefore, there is urgent need for framing a law to curb malpractices by these institutes through misuse of media and computer net-work. To take a concrete example, Murtaza Mithani owned Wintech Computers; a Information Technology education company was launched with a splash in 1998-99. The company reportedly collected Rs. 10 to 20 lakhs from each franchisee.

Similarly, it charged a fee ranging from 15 to 30 thousands for different courses. One fine day, the promoters of Wintech Computers quietly disappeared, leaving thousands of students in a lurch. There is no response from company's headquarters in Delhi. Similar is the case of a Mumbai based Zap Infotech company which duped thousands of students.

Thus, it would be seen that in recent years the media has a powerful effect on public perceptions of the dangers posed by particular events, actions or behaviours. The emotive power of the mediamay, however, sometimes lead to illogical and ill-conceived conclusions. At times, it may be noticed that crime depiction in the media is deliberately distorted to suppress reality. Again, there may be occasions when an act committed by an influential person or a politician may not be given coverage or condemnation despite being patently criminal or anti- social.

UNIT III SOCIAL PROCESS AND DEVIANCE

The concept of **social process** refers to the dynamic ways in which individuals and groups interact, develop, and are influenced by societal structures and institutions. It encompasses the patterns of behavior, norms, values, and roles that shape and define social life. Social processes such as socialization, communication, and cooperation are central to the functioning of society and help individuals understand their place within it.

On the other hand, **deviance** refers to behaviors, actions, or beliefs that violate the accepted norms or laws of a society. While norms guide acceptable behavior, deviance occurs when individuals or groups act in ways that challenge, ignore, or break these norms. Deviance can be understood not just as rule-breaking but also as behavior that deviates from socially defined expectations, which may include criminal acts, mental illness, nonconformity, or alternative lifestyles.

The relationship between **social process and deviance** is central to understanding how societies regulate behavior and how individuals navigate the norms and expectations placed upon them. Sociologists study how deviance arises, how it is perceived, and how it is dealt with by society.

Social Conformation

In summary, **so**cial conformity is a type of social influence that results in a change of behavior or belief in order to fit in with a group. The two types of social conformity are normative conformity and informational conformity. Normative conformity occurs because of the desire to be liked and accepted.

Social conformity and obedience are two very powerful phenomenon's in human behavior and sociology. In this lesson, we discuss the two types of social conformity and differentiate between conformity and obedience.

Social Conformity

Imagine you've volunteered for a study. You arrive and sit at the end of a row that has four other participants. The presenter gives you two cards: one has one line, and the other has three lines. You are asked to compare the length of the one line with the other three to determine which the same length as the original line is. The other participants give their answers, one by one. They unanimously give an answer that is clearly wrong. When it's your

turn, do you change your answer to match theirs, or do you stick with the answer you know is correct?

This scenario is actually part of a famous experiment conducted by Solomon Asch in 1951. The purpose was to study social conformity, which is a type of social influence that results in a change of behavior or belief in order to fit in with a group. Asch wanted to see how often people conform and why. In his experiment, the person at the end of the row was actually the only participant; the other people in the room were actually confederates, or actors, and were purposefully giving the incorrect answer to some of the questions. Asch measured the number of times each participant conformed to the obviously incorrect answer. Approximately 25% of the participants conformed most of the time, and an additional 50% of the participants conformed at least once. That means that only 25% never conformed.

This study is well known and demonstrates the power of social influence. When the participants were asked why they went along with the clearly incorrect answer, most of them said that they had just gone along with the group in fear of being ridiculed. Some of them even said they believed that the group's answer was correct and that they must have been missing something. These answers represent the two types of social conformity: normative and informational.

Normative Conformity

Normative conformity is conformity that occurs because of the desire to be liked and accepted. Most people probably think of peer pressure amongst teens when they think of normative conformity, and for good reason. Most teens and pre-teens are particularly vulnerable to influence because they long to be accepted by their peers. I'm sure when you were a teenager you heard the phrase, 'If all of your friends jumped off a bridge, would you do it, too?' Peer pressure is certainly a good example of normative conformity, but it happens to adults, too.

For example, have you ever attended a performance that was, at best, mediocre? Maybe it was a play you saw, and you thought it was just okay. However, at the end of the play, several people around you may have stood while clapping. It wouldn't take very long for every person in the auditorium, including you, to participate in the standing ovation. Even though you didn't think the performance was necessarily deserving of the praise, you joined in rather than remaining seated, so you wouldn't stand out like a sore thumb. Standing ovations, peer pressure, fashion trends, body image, and following traditions are just a few

examples of normative conformity.

Informational Conformity

The other type of conformity is informational conformity, which is conformity that occurs because of the desire to be correct. In Asch's experiment, some of the participants stated that they believed they must be wrong since no one else agreed with them. They changed their answer so that they would be 'right.' Informational conformity is so named because we believe that it gives us information that we did not previously have. For example, imagine you walk into a food court at a mall. There are three stalls open, yet the entire crowd is seated and eating in front of only one of them. Would you, as the newcomer, assume that that particular stall has the best food because everyone else is eating there? Informational conformity typically comes from the thought of, 'They must know something I don't know.' In many situations, we are unsure of how to act or what to say. So, another example of informational conformity is when we travel to other countries. Typically, we're unsure of how to act and rely on our observations of others to point us in the right direction. When we change our behavior based on the actions of the locals, we are demonstrating informational conformity.

Obedience

Neither normative conformity nor informational conformity should be confused with obedience. Where conformity is a response to a group, obedience is a response to authority. It is following orders from an authority figure without question. A famous obedience study was conducted at Yale in 1963 by Stanley Milgram, who wanted to see how much participants would be willing to hurt other people when given direct orders by an authority figure.

Social Organization

Ogburn and Nimkoff have defined organization is an articulation of different parts whichperform various functions; it is an active group device for getting something done.

Eliott and Merrill says, organization is a state of being, a condition in which the variousinstitutions in a society are functioning in accordance with their recognized or implied purposes. According to H.M Johnson, organization refers to an aspect of interaction systems. At present the term social organization is used to refer to the interdependence of parts in groups. These groups may vary in size and nature from workers to the factories. Many

sociologists prefer to use the term social system to refer to the society as such rather than social organization.

The term is used in sociological studies and researches today to stress the importance of arrangement of parts in which the parts of society are related to each other and how each is related to the whole society. Organization makes possible the complex activities in which the members of a complex society participate. A small body of organized police can control a very large crowd. A small number of men constituting themselves as a government can rule a country.

Sometimes the word organization is used to refer to the associational groups. It includes corporations, armies, schools, banks and prisons. The society consists of many such organizations. A state is frequently called a political organization. A school may represent an educational organization and so on. They are all social organizations. According to Ogburn and Nimkoff entire society represents a wider organization; a social organization. But society is also quite generally an organized group of interacting individuals.

Characteristics of an Organization

An organization has its own definite purpose. Without any purpose or goal individuals come together and establish among themselves a definite pattern or system of interaction. The smooth running of an organization depends much on the mutual understanding, cooperation and consensus among its members.

The family as an organization can run smoothly only when its members have mutual understanding, cooperation and consensus among themselves. An organization is understood as amechanism that brings different people together into a network of interaction to perform different functions.

The organization assigns statuses and roles to the individuals and makes them to assume statuses and enact roles. The organization can function without any problem if there prevails harmony between the acceptance of the statuses by the members and their enactment of the related roles. An organization maintains its control over the behavior of its members and regulates their activities. It makes use of various formal as well as informal means of social control for this purpose.

Social Disorganization

Life is a process of continuous adjustment and readjustment. The social organism is always undergoing a change necessitating adjustment of its different parts. When the various parts of society are properly adjusted, we have social order and a well organised society, but when they fail to adjust themselves to the changing conditions, the result is social disequilibrium or disorganisation leading to social problems. Since social disorganisation puts the society out of gear, it has been an important subject of study in sociology. However, before we study social disorganisation, it would be fruitful to study social order as its study is helpful in understanding the nature of social disorganisation.

I. Social Order

The problem of social order has been one of the major concerns of Sociological theory. The importance of social order in sociology can be ascertained due to the following reasons: (a) order is itself something positive and its opposites can be understood only with reference to it; (b) the functioning of human society requires order as a pre-condition; (c) the existence of social order cannot be taken for granted and (d) the analysis of the problem of order is helpful in understanding the nature of disorder in its various aspects.

The term social order can mean a number of things:

(a) It refers to the control of violence in social life;

(b) It refers to the existence of reciprocity or mutuality in the social life;

(c) it refers to the element of predictability in the social life;

(d) Social order refers to consistency and

(e) Social order also entails persistence.

Percy S. Cohen refers to four main types of theories to explain the existence of social order.

These theories have been briefly described below:

Coercion Theory:

The theory emphasizes the use or threatened use of physical coercion or the use of symbolic and moral coercion. According to this theory, order exists in society largely as a result of the power which some men have to command compliance from others.

If they do not comply with these commands, they are threatened with some form of physical punishment, deprivation of property, resources or rights or with some social stigma or supernatural sanction. This theory can explain various aspects of social order. Men

generally control their impulses and follow the social norms because they are afraid of the consequences of acting otherwise. In some instances, men are consistently reminded of the moral need to conform to social norms and values. Men carry out their obligations and expect others to do the same because the failure to do so will be punished by authority. The coercion theory can also explain disorder, conflict and change. In all societies, there are at least two types of conflict: first, there is a conflict between men contending for positions of power and second, there is a conflict between the powerful and the powerless.

During such periods of conflict, various types, of disorders take place. In such conditions, social change may also take place. This theory explains order in its various aspects and also explains the breakdown of social order and the occurrence of change.

Interest Theory:

This theory has two main variants:

(1)   The first explains the social order as resulting from a contract between men who find it in their interest to have some social arrangements. This view point emphasizes that men cannot achieve their objectives without the co-operation or at least the dependability of others.

(2)   The second version of the interest theory is far more subtle and complex than the first. It states that social order results from the unintended consequences of many men separately pursuing their own interests; it is not true that men discover that order is in their collective interests and then establish it, rather they establish it unwittingly and discover later that it is in their interests.

This theory can also account for disorder and change in the following way: when circumstances arise which are not covered by the existing rules then disorder and conflict follow, until the need for new rules is recognized. The interest theory is quite significant in the development of sociological theory.

The main merit of the theory is that it does conceive of social phenomena in terms of causal processes which are, to some extent, independent of human will. It can explain the occurrence of disorder and change, for the adjustment of interests is never fully achieved.

The Value Consensus Theory:

This theory stresses that order is based on some minimal consensus on certain values which are predominantly moral but may also be technical and aesthetic. The basis of this

theory is that whenever men are committed to the same values, they also recognize a common identity as against others. Commitment to values enables men to devise means for reconciling or adjusting conflicting interests and for turning coercive force into legitimate authority.

This theory can explain disorder and change in the following way:

(a) No man is totally committed to common standards and some people, because of their upbringing are never fully committed. When circumstances change radically, many people will abandon their commitments. Thus, there are always individuals who are ready to deviate and they are large in number when circumstances encourage this,

(b) The second possible cause of the disorder and change occurs when there is a clash of values due to contact between different societies and when new values emerge which are incompatible with the old.

This theory is hardly new as it was advanced by August Comte and to some extent by Emile Durkheim. Comte argued that disorder in society was due to a lack of consensus on certain fundamental ideas and principles concerning the desired type of society and the proper means of administering it.

He was of the view that consensus was reduced by the growth of the division of labour, which prompted sectional differences and conflict. Durkheim rejected much of the arguments put forth by Comte. He considered that a unified system of ideas and morals was possible only in a relatively simple, undifferentiated society.

He recognized that the division of labour prompted differences and conflicts. He pointed out that the differences also provided a new moral conception of interdependence. In a highly differentiated society, there could be no consensus based on detailed moral rules and the acceptance of total system of ideas. However, there could be a consensus on certain diffusemoral values which prescribed limits within which different set of rules could exist.

If this theory states that consensus is a sufficient condition for the creation and maintenance of social order, then it is rather weak. First, it fails to explain how some consensus can be reached without social order. Secondly, it is also false as an explanation of the continuity of order, for example, there may be widespread consensus in modern society on the desirability of higher living standards; but this is as likely to provoke conflict as to solve it.

But if the theory states that some degree of consensus or commitment to common values is a necessary condition for social order, it is far more acceptable. In a simple sense, the theory is almost indisputable for human social life is not conceivable unless men have

some common standards and are committed to maintaining them.

In a more significant sense, the theory states that underlying the acceptance of some common rules is the commitment to certain broad principles concerning the desirability of these rules. This implies that there' is a possibility of choosing between one set of principles and another. However, this may be true in some complex civilizations but not in case of the simple societies.

This theory has been strongly supported as an explanatory theory by Comte and Parsons. However, some scholars like Mannheim and Marx have held rather Utopian notions concerning the possibility of establishing a complex society on the basis of a vast consensus. Critics have pointed out that a commitment to common values and ideas in complex societies is unlikely to beextensive even where it is powerful.

The Inertia Theory:

This theory of social order is different from all the others in that it seeks only to explain one aspect of social order, namely, element of continuity or persistence in social life. It is also different in that it does not refer to a single factor or process but to any number of them. The theory asserts that if social order exists, it provides the conditions for its own continuation. This appears to be tautological in that the notion of social order implies that of continuity.

Although the theory cannot be accepted as such, when formulated more clearly and precisely it emphasizes the point that some of the causal processes of social phenomena are often circular. This theory implies that when social order is maintained; it tends to resist pressures for disruption and change, at least from within.

This theory can be combined with any of the others:

Coercion, interests and value consensus can each be introduced as factors within the theory or model which uses the assumption of inertia or equilibrium. In fact, all three elements can be combined within a theory or model of an ongoing social order.

A survey of the four theories leads to important conclusions. These are: (a) none of these theoriescan really explain the origins of social order; (b) Each of these theories explains how social order persists and how it breaks down and changes. For each theory states a necessary, though not a sufficient condition for the continuity of any social order, once it exists. All the forms of social order rest on a combination of coercion, interests and values. This does not mean that every type of social order is dependent, to the same extent, on each of the three factors. In fact, they differ very much in the extent to which they emphasize these

different elements.

II.   *The Meaning of Social Disorganisation:*

Social disorganisation is the process opposed to social organisation. Social organisation, Some Fundamental Concepts', is an orderly relationship of parts. The significance of this orderly arrangement lies in what it does. When the parts of social structure do not perform their functions efficiently and effectively or perform them badly, there occurs an imbalance in society. The social equilibrium is disturbed and society gets out of gear. Emile Durkheim defined socialdisorganisation as "a state of disequilibrium and a lack of social solidarity or consensus amongthe members of a society." W.I. Thomas and Florien Znaniecki conceived of socialdisorganisation as "a decrease of the influence of existing rules of behaviour upon individualmembers of the groups."

According to Mowever, social disorganization is "the process by which the relationships between members of a group are shaken." Stuart A. Queen, Walter B. Bodenhafer, and Ernest B. Harper described social disorganisation in their book 'Social Organisation and Disorganisation'as the counterpart of social organisation.

According to them, just as social organisation provides the means by which a society maintainsits unity and cohesion through effective control of its members, and, hence, functions smoothly; social disorganisation causes a weakening of group solidarity, loss of control over its members, and, therefore, conflict and disintegration.

According to Ogburn and Nimkoff when the harmonious relationship between the various partsof culture is disturbed, social disorganisation ensue. According to R.E.L. Faris, "Social disorganization is a disturbance in the patterns and mechanisms of human relations. According to Elliott and Merrill, "Social disorganisation is the process by which the relationship between members of the group are broken or dissolved."

Thus on the basis of these definitions it may be said that social disorganisation refers to serious mal-adjustments rather than un-adjustments in society so that they fail to satisfy the needs of the individuals satisfactorily. Society, as we know, is the web of social relationships. In an organised society social relations have some patterns and mechanisms. When the relations become disordered or disintegrated there is social disorganisation.

In a well organised society the various institutions are in a harmonious adjustment or, in other words, there exists functional balance between the various elements of the social structure. Whenthere is a lack of adjustment and balance and institutions do not function in a manner that satisfies all the individuals, we can speak of social disorganisation.

Social disorganisation, therefore, is to be considered in terms of functional disequilibrium, it is disequilibrium within customs, institutions, groups, communities and societies. Comparing social disorganisation with social organisation Queen and Harper write, "If social organisation means the development of relationships which persons and groups find mutually satisfactory, then disorganisation means their replacement by relationships which bring disappointment, thwarted wishes, irritation and unhappiness." Social disorganisation often brings personal disorganisation, since a person is a social creation and his "self" a social product.

It may be, however, noted that no objective criteria for measuring the degree of disorganisation are available; whether a situation represents organisation or disorganisation is largely a matter of subjective judgment. For example, divorce may be thought of as signifying family disorganisation. Actually it may be due to a better knowledge of the divorce laws and altered attitudes towards marriage.

Characteristics of Social Disorganisation:

(i) Conflict of Mores and of Institutions:

As we have studied earlier every society has its mores and institutions which regulate the life of its members. With the passage of time, these mores and institution become obsolete. New ideals arise and new institutions are formed. The existing mores come into conflict with new mores.

Some people want to replace them by new ones. This destroys consensus in society. With the destruction of consensus, social organisation breaks up and social disorganisation ensues. In the Indian society we can see such conflict of mores and institutions.

If, on the one hand, there are critics of caste system, on the other hand there are its staunch supporters. There is a strong difference of opinion on a number of other issues like divorce, family planning, untouchability, love-marriage, joint family system, women education, widow remarriage, education etc.

On the one hand, we denounce caste system while on the other we apply casteism in the selection of candidates for political offices, recruitment to public services and admission to educational institutions. There is much confusion of mores in our society and so we are passing through a state of social disorganisation. Elliot and Merrill called social organisation fundamentally a problem of consensus and when there is disagreement concerning mores and institutions, the seeds of social disorganisation have been sown.

(ii)   Transfer of Functions from one Group to Another:

In an organised society the functions of different groups are defined and predetermined. But as society is dynamic, the functions of one group are transferred to another. Thus most of the functions once performed by the family stand transferred today to nurseries, schools and clubs. This has caused family disorganisation. Thus transfer of functions from one group to another is characteristic of social disorganisation.

(iii)   Individuation:

Man today thinks in terms of self. The functions of different groups are determined in purely individualistic terms. Under the impact of individualism every person thinks upon all the important matters of life from his individual viewpoint. The young men and women want to take decisions on such important matters as marriage, occupation, recreation and morality in accordance with their individual prejudices, interests and attitudes. This trend has set in adangerous process of social disorganisation.

(iv)   Change in the Role and Status of the Individuals:

In an organised society the roles and status of people are defined and fixed. Their functions are well defined and they carry on the tasks allotted to them. They enjoy the status in accordance with their role in society. A primitive society suffers less from disorganisation because it is stableand its members follow the professions allocated to them.

But in course of time our norms change which also brings a change in the roles and statuses of the people. They no longer are treated as fixed and the people begin to choose from amongst the different role which causes disequilibrium. Thus the women are no longer confined to homes.

They work in offices. This change in the roles of women has caused family disorganisation. The Government of India is making efforts to raise the status of the lower classes which has led to disorganisation in the caste system. Faris writes, "Social disorganization is the disruption of the natural relation of persons to a degree that interferes with the performance of the accepted tasksof the group."

Symptoms of Social Disorganisation:

Social disorganisation is an indication of the existence of diseased or disruptive elements in society. Just as a disease is known by its symptoms, so social disorganization may be known by its symptoms. Mabel, A. Elliot and Francis E. Merrill have pointed out that social disorganisationmay be of three types i.e., disorganisation of the individual, the family, and community. Among the symptoms of personal disorganisation they included juvenile

delinquency, various types of crime, insanity, drunkenness, suicide and prostitution.

Among the symptoms of family disorganisation they included divorce, illegitimate births, desertion and venereal disease. Among the symptoms of community disorganisation they included poverty, unemployment, crime and political corruption. It may be, however, noted that no definite distinction can be made among the three types of disorganisation because they are interdependent.

Calvin F Schmid listed the following symptoms of disorganised communities: high rate of population mobility, high rates of divorce, desertion, illegitimacy, dependency, delinquency and criminality, a disproportionately high rate of males, a low rate of home ownership, high rates of suicides, commercialized vice and death from disease and alcoholism.

Herbert A. Bloch divided the symptoms of social disorganisation into two categories:

    (1) The sociological, and

    (2) The literary-ideological.

He divided the sociological symptoms into three classes: individual, family, and community. By literary-ideological symptoms he meant certain tendencies appearing in literary and artistic works which indicate a disturbed state of mind. Among these tendencies he mentioned nostalgic themes and themes dealing with personal frustration and rebellion or protest. Queen, Bodenhafer and Harper indentified social disorganisation with unemployment, poverty, sickness, homelessness, insanity, and feeble-mindedness.

Faris has enumerated the following symptoms of social disorganisation:

    (1) Formalism;

    (2) The decline of sacred elements;

    (3) Individuality of interests and tastes;

    (4) Emphasis on personal freedom and individual rights;

    (5) Hedonistic behaviour;

    (6) Population heterogeneity;

    (7) Mutual distrust;

    (8) Unrest phenomena.

III. Causes of Social Disorganisation

Social disorganization has been and is always present in every society. As indicated above man since the dawn of civilization has been confronted with social problems of diverse

nature. A society in which each structural element is functionally equilibrated with all the others is purely a hypothesis. If social disorganization is a widely prevalent phenomenon, then the question arises as to what leads to it.

(i) Division of Labour:

According to Emile Durkheim, extreme division of labour is the cause of social disorganization. Division of labour is generally productive of social solidarity; but when it becomes excessive and complex then solidarity diminishes or disappears and social equilibrium is disturbed. Extreme division of labour gives rise to economic crises of all kinds, class struggles, and industrial strife, and leads to the demoralization of individuals, the family, and the community. "In short" as Koenig puts, "it produces an abnormal, anomalous situation in which the different parts do not integrate but are at cross purposes with each other and a state of normlessness."

(ii) Violation of Social Rules:

According to W.I. Thomas and Znaniecki, when the rules and regulations of society fail to keep individuals under control, social disorganisation sets in. In society there are always individuals who violate social rules. This has a disorganizing effect upon social institutions, and unless the violations are checked; they may eventually lead to the death of institutions. According to Elliot and Merrill, "Without social values neither social organisation nor social disorganisation would exist."

The changes in social values come into conflict with old values. The new values take time to adjust themselves in society. In the meantime social disorganisation spreads. The Traditional social values in Indian society have undergone a major change. As a result a major conflict between the old and new values has been created. Consequently, one sees the process of social disorganisation working rapidly.

(iii) Industrialization:

Industrialization creates conditions leading to social disorganisation. The effects of industrialization on family structure and relationships. Industrialization as seen in system had led to capitalism, exploitation and class conflicts. It has also contributed to unemployment, crime, immorality, family disorganisation, urbanisation and its evils.

(iv) Cultural Lag:

Ogburn maintained in Social Change that disorganisation is caused primarily by the unequal rates of change in the different parts of culture, resulting in a conflict between them. The disproportionate rates of change in various elements of the functionally interdependent

component system of a changing social structure produce a condition of disequilibrium. This uneven change is due to the fact that inventions and discoveries are made more frequently in certain parts of culture, usually the material parts, than in others.

Science and technology, while bringing a more efficient material culture, more knowledge, and a higher standard of living, produce social disorganisation as well. Thus Ogburn says, "When 10,000 musicians are thrown out of jobs as a result of 'canned' music through the sound film introduced in cinemas, the result is the disorganisation of orchestras, and musicians who cannot find employment."

Modern technology is changing at a rapid rate and creating important social changes with which our institutions have not yet caught up. Ogburn by analysing various social problems such as unemployment, poverty, crime, race conflict, family disorganisation and labour problems has shown that social disorganisation issues from the irregular changes of our culture.

(v) Natural Catastrophes:

According to Ogburn, technological inventions, however, must not be considered the only cause of social disorganization, Ecological disturbances, i.e., disturbances in the relationship of man to his environment, including such natural phenomena as disease, earthquakes, floods, volcanic eruptions and various other catastrophic phenomena of nature, may also have a disorganizing effect on society.

When the Black Death visited England in 1348, it is said, it destroyed between a third and a half of the entire population in a little over a year. The effect of natural catastrophes on social organisation was great in the past; at present such catastrophes are more easily controlled.

We now have more knowledge with which to control or check epidemic, to build earthquake proof houses and to dam rivers against floods. However, recent experiences with floods in India suggest that the influence of geographic factors on social organisation should not be under- estimated.

Besides natural catastrophes there may be other types of crisis too which can cause social disorganisation. Thus the sudden death of a leader may create a crisis and throw the society out of gear. The murder of Mahatma Gandhi created such a crisis for India. A crisis may become cumulative as a result of a series of events taking place from time to time, the partition of India was a cumulative crisis.

The differences between the Congress and Muslim League went on increasing, hatred between Hindus and Muslims went on aggravating and communal clashes took place from time to time. The fire of communalism gradually spread. In the end the country had to be partitioned. Both the Indian and Pakistani societies were faced with serious problems which could not be solved even to this day.

(vi)   *War:*

While war is the result of social disorganisation, it is also its cause. War disturbs the economy ofa country and introduces confusion and disorder in society. War leads to scarcity. There is economic crisis during the war period. It inflates the prices and the people resort to hoarding and black-marketing. Further, war consumes the young men of the country. As a result young women are widowed. They are left with none to support them. That tends to weaken the sexual ties. War also affects the male-female ratio. Social values are also injured.

(vii)   *Mal-adaptation of Inherited Nature to Culture:*

Ogburn mentions another cause of social disorganisation and it is the lack of adaptation of man's inherited nature to the environment of group and culture. Man's nature is modified very slowly through changes in the germ plasm, whereas culture is altered with comparative rapidity.

Group life implies cooperation and respect for the rights of others, yet the aggressive, acquisitive tendencies of man are not readily accommodated to the restrictions imposed by the group. The social environment may thus impose requirements on man which he finds most difficult to fulfill. The life in modern urbanised society is highly competitive and very taxing causing many individuals to become demoralized or to suffer breakdowns.

It may also be noted that in modern societies, whereas the epidemic diseases have been brought under control, other physical disabilities, circulatory disorders, cancer and various degenerative conditions have become more common. The increase in these diseases is a product of the modernway of life.

Nervous tensions that are induced by the stresses and strains of social change are thought to be primarily responsible for much of the high blood pressure, faulty heart action and gastric ulcers. The mental disorders are also considered to be directly related to the modern way of life. It may be said that these diseases are the price that men pay for social change.

At the end, it may be said that social disorganisation is a process prevailing all over the world. In actual fact no society is completely organised. Some elements or the other of

disorganisation are to be found in every society. When these elements grow more numerous their disorganised character becomes more apparent than others.

All societies are changing rapidly accumulating numerous cultural lags at every point. In the family, in the industry, in the government, in the school and in the church a number of cultural lags can be seen.

The traditional informal controls have failed to regulate the behaviour of individuals in modern society. Many people fail to internalize a coherent system of values and behaviour controls. Theybecome disorganised and are diagnosed as mentally ill.

It may also be referred that some sociologists regard social disorganisation as a natural process than as a malady. Maladjustment or non-adjustment of different parts of social structure may prepare a way for a new social structure to emerge. Social disorganisation may thus prove beneficial to erase the old edifice and construct a new one.

But the new structure should be erected before social disorganisation can destroy the entire social fabric. Social disorganisation is a disease of society which must be treated rapidly and effectivelybefore it becomes chronic and destroys the social organism.

IV.   *The Nature of Social Problems:*

Social problems are the conditions threatening the well-being of society. Lawrence K. Frank in an article 'Social Problems' in the American Journal of Sociology defined a social problem as "any difficulty of misbehaviour of a fairly large number of persons which we wish to remove or correct." Paul B. Harton and Gerald R. Leslie defined it as "a condition affecting a significant number of people in ways considered undesirable, and about which it is felt something can be done through collective social action."

Richard C. Fuller and Richard R. Meyers define a social problem as a condition which is defined by a considerable number of persons as a deviation from some social norm which they cherish. According to Lundberg and others, "A social problem is any deviant behaviour in a disapproved direction of such a degree that it exceeds the tolerance limit of the community".

According to Green, "A social problem is a set of conditions which are defined as morally wrongby the majority or substantial minority within a society." Social problems are situations or conditions which are regarded by society as threats to its established ways or to its well being and, therefore, needing to be eliminated or alleviated.

These situations are deplored by many people. They are the symptoms of social maladjustment. Social problems cause dissatisfaction, suffering and misery. Societies are not

always harmonious. They face one another with hostility and suspicion. Therefore, several cases of maladjustment or un-adjustment present themselves in society. It is the purpose of Sociology to study such cases and discover the underlying causes.

Social Deviance

In sociology, deviance describes an action or behavior that violates social norms, including a formally enacted rule (e.g., crime), as well as informal violations of social norms (e.g., rejecting folkways and mores).

Definition of Deviance

Deviance is defined as the recognized violation of cultural norms. Learn more about the definition and some of the major theories attached to deviance and test your knowledge with a quiz.

When most of us think of deviant behavior, we think of someone who is breaking the law or acting out in a negative manner. 'Different' or 'unexpected' are words often used to describe deviance from a sociological perspective. For our purposes, deviant means departing from the norm, and to a sociologist, that can be biased toward the positive or negative. While there are crimes that are certainly deviant because they are outside the norm (such as murder, rape, etc.), there are also crimes that are not deviant. Take speeding for example. It isn't at all unexpected to see someone speeding. From a sociological perspective, speeding would not be considered deviant in most cities in the United States. *Speeding is not generally considered deviant*

Theories and Examples of Deviance

Deviance, like conformity, is shaped by society. In general, there are three social foundations of deviance: structural functionalism, symbolic interaction and social conflict.
Structural Functionalism

Emile Durkheim is considered the 'father' of the **structural-functional** perspective. In thisperspective, society is seen as a complicated system where stability is promoted when complex parts work together. Durkheim made the surprising statement that deviance has many positive functions for a society. For example, he believed that deviance can actually bring people togetherin a society. Remember how patriotism surged after 9/11? This could be considered deviant because such an extreme level of patriotism was outside the norm. This is just one example of how even the most deviant of actions can help bring people together and

can clarify cultural norms and values.

A second structural functionalist, Robert K. Merton, developed **strain theory**. Merton believed that the strain theory between our culture's emphasis on wealth and the limited opportunity to get rich gives rise (especially among the poor) to theft, the sale of drugs and other street crime. Merton would call those who use unconventional means (selling drugs) to achieve culturally- approved goals (financial security) **innovators**. **Conformists** pursue those conventional goals through approved means, such as going to college and getting a good job.

Symbolic Interaction

The **symbolic-interaction** approach explains how people define deviance in everyday situations. One theory in particular, **labeling theory**, asserts that deviance and conformity are not the result of what we necessarily do, but how others respond to what we do. As a part of this theory, thereis a primary and secondary deviance.

- **Primary deviance** refers to passing episodes of deviant behavior that most people participate in.

- **Secondary deviance** is when someone makes something out of that deviant behavior andis given a negative social label that changes a person's self-concept and social identity.

- We call this negative label a **stigma**.

To demonstrate labeling theory, imagine two 16-year-old girls. Both girls are good students, good athletes and have never been in trouble with the law. Occasionally, both girls will have a few drinks with their friends on the weekend or during school breaks (primary deviance). Let's further assume that one of the girls gets caught drinking by the police. She is arrested, kicked out of sports and has to go through alcohol counseling. The deviant act is the same - the difference is that one of them got caught and someone else made something out of her deviant behavior (secondary deviance).

Social Pathology

Social pathology is a concept developed in modern social science to refer both to aspectsof social structures and to the behaviors and values attributed to particular social categories. Definitions of social pathology are particular to specific times and reflect the dominant moral concerns of the era.

What is Social Pathology?

If you spend much time watching television these days, you might have noticed a seemingly endless stream of police procedural shows shown on several different channels. In fact, not only are there several different shows on the subject, but an entire cable channel dedicated to true crime reality television. While some people may not be willing to admit it, the existence of these television programs suggests a growing fascination with criminal behavior and an interest inwhat causes people to commit such acts.

In the social sciences, deviant behaviors and actions, like violent crime, are known as social pathology. In medicine, pathology is the study of the causes and effects of illness, which is usually conducted in a laboratory environment. Applying that same concept to society, modern psychologists and sociologists have started to use the term social pathology to refer to problems or behaviors that violate social norms and often have a negative effect on society.

Often times, social pathology is a technical term used in reference to deviant behaviors, or actions that societies have agreed are immoral or unacceptable. For example, in most cultures, murder is considered a deviant behavior, or social pathology, because it is harmful to society and a transgression against one of the fundamental social boundaries. Additionally, homelessness can be considered a social pathology because it transgresses social norms.

Social Pathology in Theory

In biology or medicine, when a living organism contracts an illness or virus, it may seriously weaken or die. In the study of social pathology, psychologists and sociologists think of societies as living organisms that need certain things in order to function properly. From their perspective, when a society contracts an illness or pathology, and if the cause cannot be discovered, the society can weaken or collapse.

For example, imagine if a particular society didn't view violence or murder as a deviant behavior.How long do you suppose that society would last? In this way, labeling an action as a social pathology helps to prevent widespread occurrences of harmful behaviors.

Although social pathologies are often framed within a negative context, some theories suggest they're also essential to societal survival. For example, 19th century French sociologist, Emile Durkheim, proposed that social deviance was a necessary element of the social structure. From Durkheim's perspective, deviations from social and cultural norms

helped to strengthen the values of individual societies by clearly defining what was and what wasn't acceptable. Durkheim felt that the existence of deviant behaviors helped societies to identify the boundaries of acceptable behaviors and beliefs.

Social Change as a Cause of Crime

In addition to studying the biological and psychological causes of criminal behavior, others looked toward society in general for possible causes. In the early 1900s researchers believed social changes occurring in the United States, such as an industrial economy replacing the earlier agricultural economy (industrialization) and the growth of cities (urbanization), as well as the steady flow of immigrants from eastern Europe affected crime levels. A reform movement,known as the Progressive Movement, attempted to solve increasing crime stemming from social causes.

As part of the growing concern, the University of Chicago's Department of Sociology, the first ofits kind formed in 1892, focused on how city problems could lead to criminal behavior. By the 1930s and 1940s its pioneering research efforts became known as the "Chicago School" of thought, and influenced research across the nation and abroad. The researchers claimed criminals were ordinary people of all racial backgrounds who were profoundly influenced by the poverty and the social instability of their neighborhoods. They claimed such a poor social and economic environment could produce all types of crime.
Other researchers looked at various ways society can influence crime. Criminologist Edwin Sutherland (1883–1950), influenced by the Chicago School, first published *Principles of Criminology* in 1939. Sutherland argued that criminal behavior was learned, not an inherited trait. Exposure to crime, either through relatives or peers, gave a youth frustrated with his or her social status a choice to pursue crime. These bad influences could be lessened by good relationships with parents, teachers, an employer, or the community.

Broken Windows

In the 1990s a new idea spread through the criminal justice field concerning the influence of a person's social environment on crime rates. The idea was that general disorder in the neighborhood leads to increased antisocial behavior and eventually to serious crime. For most of the twentieth century, police primarily reacted to serious crimes such as rape, murder, and robbery often with little overall success in curbing crime rates. "Broken Windows," referring to a neighborhood of abandoned vehicles, vacant buildings with actual

broken windows, and litter scattered around, is an idea that contends much of serious crime comes from civil disorder. So, the thinking went, if authorities eliminated disorder, then serious crimes would drop.

Disorder creates fear among citizens of unsafe streets; they avoid public areas allowing criminals to gain a foothold. The neighborhood goes into a downward spiral because as crime increases, then disorder increases further. Back and forth the spiralgoes. During the 1990s New York police commissioner William Bratton aggressively applied Broken Windows theory to New York City neighborhoods. His department attacked minor crimes such as public drinking, panhandling (begging for money), prostitution (selling sex for money), and various other kinds of disorderly conduct.

Once minor offenses were significantly reduced in an area, the number of serious crimes decreased as well. Felonies decreased by 27 percent after only two years. One factor they found was that many people committing minor crimes were also the ones committing more serious offenses. For example, by cracking down on people evading subway fares, police found many offenders carried illegal weapons and had outstanding arrest warrants. Subway crimes of all types dropped dramatically after enforcing collection of fares.

Police found Broken Windows a convenient way to control serious crime at less cost. As some critics also pointed out, it was simpler for the city to crack down on minor crimes than address social problems like poverty and limited education opportunities —which probably caused much of the criminal behavior in the Broken Window communities in the first place.

TOP 10 CAUSES OF GLOBAL SOCIAL CHANGE

The causes of social change below affect or characterize every aspect of society across the world. On a macro scale, they shape all of our major social institutions (economics, politics, religion, family, education, science/technology, military, legal system, and so on. On a micro scale, they shape our values, attitudes, beliefs and behaviors. In sum, they influence our ways of life.

1.   Technological and Economic Changes

a)   Agricultural advancements

Examples include irrigation, the plow, cotton gin.

Lead to surplus food, which lead to population growth and urbanization. People were able to work outside of the farm.

b) Industrialization

The process of moving from an agrarian based economy in which the primary product is food to an industrial or post industrial economy in which the primary product is goods, services and information. The process of changing from a manual labor force to a technology driven labor force in which machines play a large role. Lead to changes in:

a. Work – people work outside of the home/community, which lead to changes in gender (valueof, child care, value of labor).

b. Work became centered and organized around machines. Alienation

c. Weapons production – guns, nuclear weapons.

d. Information Society.

e. Information overload.

Characteristics of industrialized societies:

- Smaller percentage of workforce employed in agriculture

- Increased division of labor, specialization of occupations

- Increase in education of workforce

- Increase in economic organizations (businesses)

- Stronger link between government and economy – interdependent

- Technological change – new goods and services produced and new occupations result;control of environment and the need to do so.

- Geographical mobility

- Occupational mobility

- Population change:
  o Demographic transition; move from (1) high birth rates and high death rates (with smaller population sizes) to (2) high birth rates and low death rates (with extreme population growth) to (3) low birth rates and low death rates (with populations maintenance).
  o People have fewer children as society industrialized because role of family changes and technological advancements allow control of reproduction.
  o Families change from extended to nuclear families due to geographic and occupational mobility. Family is no longer mainly seen as an economic unit.

All of the major causes of global social change below are tied to changes in technology andeconomics.

2. *Modernization*: The process of moving from an agrarian to industrial society

Characteristics of modern societies

- Larger role of government in society and bureaucracy to run governments
- Large, formal organizations and division of labor based on specialization of skills andabilities into occupations. Bureaucracy plays in again here.
- Forming of social institutions to regulate behavior.
- Laws and sanctions to regulate behavior.
- Control over and management of environmental resources: oil, water, land, animals, etc...The ability to mass produce food, energy, etc...
- Larger role of science in society to produce knowledge to advance society. Larger role ofeducation and universities.
- Improved quality of life – higher per capita GDP, ability to buy good and services, morerecreational time, better public health, housing
- Self-efficacy
- Ability to adapt, expect, and desire continuous change. Example: change of governments; replacing goods and services such as cars, phone service, marriages; change in occupations and careers.

3. *Urbanization*: When large populations live in urban areas rather than rural areas

Usually results from economic opportunities: either people move to a city for jobs, or rural areas become the sites of large businesses which lead to population growth. 75% of the US population lives in urban areas. 43% if world population lives in urban areas. Cities offer social benefits as well as economic benefits: transportation, health care, cultural resources, schools, diffusion of new products and services.

Characteristics of urban populations:

- More diversity
- Independence
- Weaker social attachments – higher crime
- Secularization
- Mass communication systems

If urbanization occurs to fast, infrastructure can not support population (transportation, public health issues, housing, schools, emergency services, jobs). This can result in poverty and class conflict. Class conflict and poverty may also result if large urban areas experience loss of jobs.

4. *Bureaucratization*:

Process by which most formal organizations in a society (businesses, government, non-profits) run their organizations via the use of extreme rational and impersonal thinking, an extreme division of labor, and record keeping. All tasks and functions are broken down into small parts which become positions in the organizational hierarchy. Roles attached to positions. Pay and benefits attached to positions not persons.

People can rotate in and out of positions but organization survives with little change. Although bureaucratization allows us to be highly efficient and effective and produce surpluses of goods and services, it also can lead to extreme inefficiencies:

- People in the organization become machine like – just performing the specific aspects of their role; no more, no less. People interactions with the organizations become machine like – example, voice systems.

- Wasting of workforce skills

- Inefficient transactions – have to speak to 10 different people before you get to the rightperson.

- Mass amounts of paperwork –jobs become largely processing paperwork.

- Miscommunication

- Power is held by a few at the top of the hierarchy which can become problematic if theyseek to protect their individual power in the organization. Bureaucrats.

- Temptation to cheat – corporate crimes. Often because of a lack of checks and balances which gets lost in the maze of offices, departments, positions, supervisors, managers, administrators, etc… or because of extreme power/position in the organization and abilityto exploit it.

- Goal of departments becomes to survive in the organization and protect their own resources, rather than work together to provide a product.

5. *Conflict and Competition*

Examples: War: due to religion, ethinic tensions, competition for resources

- Gender   and   Women's   Movement: equal   pay,   property: Today;   daycare, occ

- Race and Civil Rights Movement: collective political power, ownership of production:Today – prejudice. % who will vote for black candidate.

- Class: Unions – minimum wage, 40 hour work week, overtime.   Today -- healthinsurance, education vouchers

- Sexuality: Homosexuality becoming less stigmatized, but still denied civil and human

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rights.

- Positive Outcomes: solidarity, safety valve, social change, "welfare enhancing"
- Negative Outcomes: inequality, violence

6. *Political and Legal Power*

a) Elected officials:

- Redistribution of wealth: income and property taxes. Today: Sales tax, tax "relief"
- Pass laws: affirmative action, ability to sue insurance companies, increase minimum wage (leads to change in unemployment, part-time employment, health insurance premiums and coverage)

b) Unelected officials

- Corporate power (jobs, goods and services and cost of, culture, donations to politicalcampaigns
- Interlocking directorates, inner circle/power elite

7. *Ideology*

a) Religious beliefs.

- Rise of capitalism in U.S. due to religious beliefs and Protestant work ethic.
- Religious beliefs sometimes lead to revolution and civil wars which lead to new countries.

b) Gender: names, jobs, welfare

c) Ideology often legitimizes inequality.

i. Religion legitimizes gender and sexual inequality.

ii. Meritocracy legitimizes class inequality. For example, Americans tend not to problematize social class due to idea of meritocracy and institutionalization of meritocracy.

8. *Diffusion*: Rate at which populations adopt new goods and services.

Much of the material in this chapter can be applied to marketing (celebrity drink milk campaigns), public health (birth control in less developed countries)

9. *Acculturation*

Examples: Asian Americans, American Indians (Lumbee vs. Cherokee)

Can prevent social change by preventing acculturation – example, China and the Cultural Revolution; Afghanistan, Iraq

10. *Modernization*

Common beliefs often associate crime with features of modern society such as big

cities, mass society, liberal democracy, capitalism, and modern mass media. In reality, the relationship between modernization and crime is highly complex. Modernization may be accompanied by declining, stable, or rapidly increasing crime rates, depending on the place, particular conditions, and time frame under consideration. A look at basic definitions provides a first understanding of the complexity of the relationship between modernization and crime.

Industrialization

The development of science and technology has resulted in the growth and spread of Heavy Industries. Human progress now-a-days is measured in terms of industrial potentialities and prosperity. But it is unfortunate that we have not yet realized the evils of industrialization due to unplanned growth in our time. The ecological imbalances and greenhouse effects have posed serious threat to human kind and its survival is questioned. Man must learn to accept industry not as an end in itself but as a means to the end of social, economic and spiritual well-being and up- liftment. However, Industrialization has both advantages and disadvantages. We have discussed them below:

The advantages of industrialization are given below:

- The growth of industries has resulted in large scale production of goods which are available to the consumer at much cheaper rates.
- There is saving of time and labor.
- Industrialization has resulted in a considerable rise in the standard of living of the people.
- A number of substitutes in consumer goods are available. The customer gets wide varietyof choices.
- There are means to control and check the colossal wastage of human energy that can beused otherwise.
- Industrialization creates new job opportunities, leading to the removal of poverty to a great extent.
- Industrialization has also resulted in the development of new modes of transport makingquick export and import possible. The world has become a small place.

Urbanization

Urbanization is pervasive and recent phenomenon. In present global atmosphere, all nations undergo with the challenges of environment, social, transportation, economy in their respective cities. These issues are commonly occurred in developing countries due to the difference of development in cities and villages. Most of countries focus on development of cities instead of rural areas. Consequently, the urban areas are equipped with infrastructure, public facilities as well as provide employment opportunities compared to the rural areas. Therefore inhabitants are more attracted to migrate in cities to avail hi tech facilities, enhance their lifestyles and ultimately these activities raise numerous urbanization issues. Cities have major role to enhance economic growth and prosperity. The sustainable development of cities largely depends upon their physical, social and institutional infrastructure.

An urban area is spatial concentration of people who are working in non-agricultural activities. The essential characteristic is that urban means non-agricultural. Urban can also be explained as a fairly multifaceted concept. Criteria used to define urban can include population size, space, density, and economic organization. Typically, urban is simply defined by some base line size, like 20 000 people.

Concept of urbanization: The term Urbanization is well explained by Nsiah-Gyabaah as the change from a rural to an urban society which involves an augment in the number of people in urban regions during a particular year. Likewise, Gooden argued urbanization as the immigration of people in huge numbers from rural to urban areas and this process happen due to the concentration of resources and facilities in towns and cities. Other theorists like, Reynolds (1989)characterized urbanization as the development of the population and cities, so that higher proportion of population lives in urban areas. Normally, urbanization is directly associated with innovation, industrialization, and the sociological process of good reason. Urbanization process had been started during the industrial revolution, when workforce moved towards manufacturing hubs in cities to get jobs in factories as agricultural jobs became less common. Theoretical studies have demonstrated that Urbanization is the result of social, economic and political developments that lead to urban concentration and expansion of big cities, changes in land use and revolution from rural to urban pattern of organization and governance. Urbanization is a process in which an increased proportion of society lives in cities and the suburbs of the cities. Historically, it has been strongly related with industrialization. Industrialization is processes that widely utilize inanimate sources of energy to improve human productivity.

Global urban population is growing at rapid rate from 17% in 1951 to 20% in 2001 and expected to increase 41% in 2020. It is observed that developing countries urbanize faster than industrialized nations because they have more issues of urbanizations. It has been documented in studies that Cities and towns operate as mechanisms for growth, often driving much of people's cultural, intellectual, educational and technological accomplishment and modernization. Though, in contemporary living style of people of new, low-density approaches to urban development results in better consumption of energy, resources, transport and land, in this manner raising greenhouse gas emissions and air and noise pollution to levels that often surpass the legal or suggested human protection limits. Overall consumption, energy use, water use and waste generation go along with an increasing number of urban families.

Urban environmental management, is also the big business of local governments, play major role to offer services; civil society, and promotes citizens health and its rights to provide hygienic, liveable environment. The private sector can increase the efficiency and effectiveness of service delivery. Currently, cities are taking on roles that expand far beyond the conventional provision of infrastructure and services. A theoretical move may be perceived (European Environment Agency, 1996). The most remarkable immediate change accompanying urbanization is the fast change in the existing character of local livelihoods as agriculture or more traditional local services and small-scale industry give way to contemporary industry and urban and related commerce, with the city drawing on the resources of an ever-widening area for its own nourishment and goods to be traded or processed into manufactures (Dear, 2000).

When referring to the pre-industrial city, Wheatley (Wheatley, 1971) described urbanism as "that particular set of functionally integrated institutions which were first devised some 5,000 years ago to mediate the transformation of relatively egalitarian, inscriptive, kin-structured groups into socially stratified politically organized, territorially based societies". The stress on institutional change relates the growth of cities to a major socio-political reorganization of society, which he considers as a main constituent in the development of society. Correspondingly, Childe offers a listing of ten characteristics of an urban civilization. These may be separated into five primary characteristics referring to primary changes in the organization of society and five secondary features indicative of the presence of the primary factors (Childe, 1951).

Table 3.1 Childe's ten characteristics of an urban civilization

PRIMARY CHARACTERISTICS				
1. Size and density of cities	2. Full-time specialization of labour	3. Concentration of surplus	4. Class-structured society	5. State organization
The great enlargement of an organized population meant a much wider level of social integration	Specialization of production among workers was institutionalized, as were systems of distribution and exchange	There were social means for the collection and management of the surplus production of farmers and artisans	A privileged ruling class of religious, political and military functionaries organized and directed the society	There was a well-structured political organization with membership based on residence. This replaced political identification based on kinship
SECONDARY CHARACTERISTICS				
6. Monumental public works	7. Long-distance trade	8. Standardized, monumental artwork	9. Writing	10. Arithmetic, geometry and astronomy
There were collective enterprises in the form of temples, palaces, storehouses and irrigation systems	Specialization and exchange were expanded beyond the city in the development of trade	Highly developed art forms gave expression to symbolic identification and aesthetic enjoyment	The art of writing facilitated the processes of social organization and management	Exact, predictive science and engineering were initiated

(Source: Pacione, 2004)

Major causes of urbanization: Following are the main causes of urbanization:

1. Industrial revolution: Industrial employment catches the attention of people from rural to urban areas. In the urban areas, people work in modern sector in the occupations that assist national economic development. This represents that the old agricultural economicsis changing to a new non-agricultural economy. This is the trend, which will build a new modern society.

2. Emergence of large manufacturing centres.

3. Job opportunities: There are ample job opportunities in mega cities therefore village people or individuals from town frequently migrate to these areas.

4. Availability of transportation: Due to easy transport, people prefer to stay in big cities.

5. Migration: Migration is main cause for rapid growth of mega-cities. Migration has been going on over centuries and it is normal phenomenon. When considering urbanization rural-urban and urban-rural and rural-rural migrations are very important. Urban-urban migration means that people move from one city to another.

People may move to the citybecause they are forced by poverty from rural community or they may be pulled by the magnetism of city lives. Combination of these push and pull factors can force people to migrate to cities.

6. . Infrastructure facilities in the urban areas: Infrastructure has vital role in the process of urbanization in the development of countries. As agriculture becomes more fruitful, citiesgrow by absorbing workforce from rural areas. Industry and services increase and generate higher value-added jobs, and this led to economic growth. The geographic concentration of productive activities in cities creates agglomeration economies, which further raises productivity and growth. The augments income and demand for agriculturalproducts in cities.

7. Growth of private sector.

Factors lead to urbanization:

There are several aspects that lead to urbanization. According to Gooden, the factors can be categorized into three categories that include, economic opportunities, proper infrastructure and utilities and availability of public facilities.

Economic opportunities: It is general perception that living standard of urban area is superior ascompared to village areas. People consider that more job opportunities and more jobs are offered in the city instead of rural area. Besides, the income also will be higher.

Proper infrastructure and utilities: In today's economy driven society, majority of nations in the world are focusing on the development of major cities as the centre of government and business. As such, the cities will be certainly equipped with a better infrastructure and utilities such as roads and transportation, water, electricity and others. Apart from that, the communication and internet coverage also are good in the cities which are believed as one of the pulling factors of migration.

Availability of public facilities: To make smart city, metropolitan cities also offered better public facilities which are not there in rural areas. Since a variety of public facilities such as health and education are provided in the cities, people have more choices either to use public or private. Additionally, the provision of leisure area, postal services as well as police station and others are also provided to meet the needs of the urban community. In urban area, a greater variety of entertainment such as restaurants, movie theatres and theme parks attract more people to live in cities.

Urbanization Issues and Problem: Some scholars think that the process of urbanization will bring numerous benefits for monetary growth, expansion of business activities, social and cultural incorporation, resourceful services, as well as resources of utilization. Though, there are some issues occur due to the urbanization. These include:

Rapid rate of urbanization: It is observed that fast rate of urbanization which is increasing every year has needed more growth of new areas for housing, social amenities, commercial and other urban land uses. Though, the lack of clear urban limits has led to the formation of urban slump encroaching upon environmentally sensitive areas, major agricultural areas and areas which are not appropriate for development (TCPD, 2006). In addition, the high demand of land use at strategic areas also has led to land use variances. These situations led to various urbanization issues such as environmental pollution, traffic congestion, depletion of green areas and degradation in the quality of urban living.

Figure 3.1 Problems due to rapid rate of urbanization
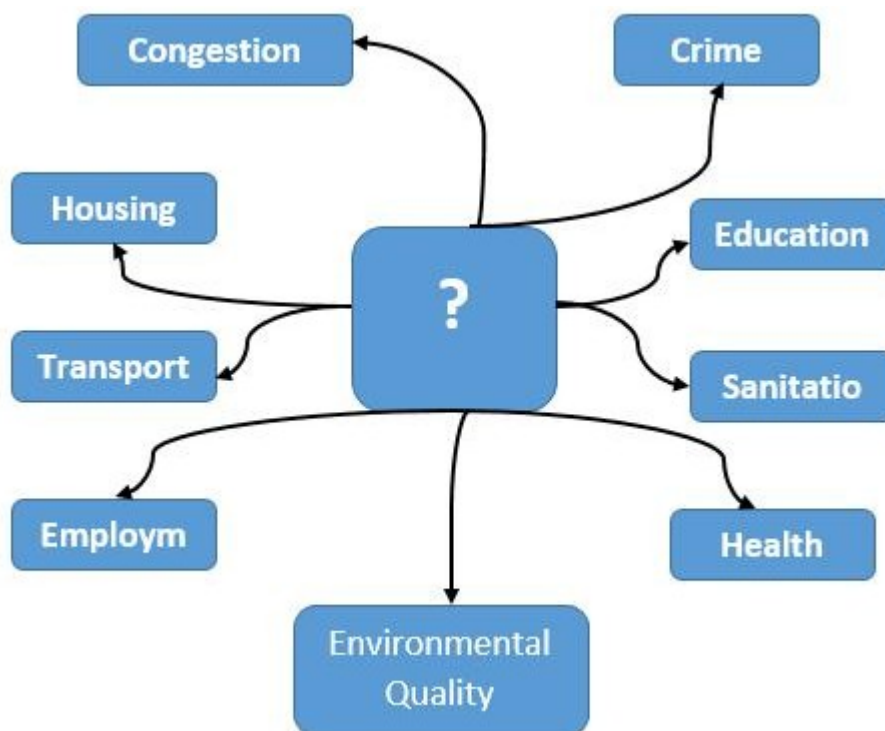
Urbanization issues in Indian context: India is known for its rural population in the world with about 73 percent of its population living in rural villages. The growth of urban population as wellas the speed of urbanization has been usually slow as compared to most of the other Asian countries. When evaluating urbanizing process in Indian perspective, it is

observed that major problems of urbanisation in this nation are Urban Sprawl, Overcrowding, Housing, Unemployment, Slums and Squatter Settlements, Transport, Water, Sewerage Problems, Trash Disposal, Urban Crimes, and Problem of Urban Pollution. While urbanisation has been a mechanism of economic, social and political progress, it can pose serious socio-economic problems. The absolute magnitude of the urban population, random and unplanned growth of urban areas, and lack of infrastructure are major issues in India due to urbanization. The fast growth of urban population both natural and through migration, has put immense pressure on public utilities like housing, sanitation, transport, water, electricity, health, and education. Poverty, joblessness and under employment among the rural immigrant, beggary, thefts, dacoities, burglary and other social sins go wild. Urban slums have encroached the valuable agricultural land. According to the statistical reports in 2001, the urban inhabitants of India were more than 285 million. It is estimated that by 2030, more than 50 per cent of India's population is expected to live in urban areas. Numerous problems need to be emphasized. For instance

Overcrowding is a situation in which large number of people lives in too little space. Overcrowding is a consistent result of over-population in urban areas. It is obviously expected that cities are increasing their size due to massive movement of people from undeveloped ar-easbut it squeezed in a small space due to overcrowding.

Housing: It is another intense problem due to urbanization in India. Overcrowding leads to a constant problem of scarcity of houses in urban areas. This problem is particularly more severe in those urban areas where there is large invasion of jobless or underemployed immigrants who could not find place to live when they come in cities and towns from the nearby areas. The major factors for housing problems are lack of building materials and financial resources, insufficient expansion of public utilities into sub-urban areas, poverty and unemployment of urban immigrants, strong caste and family ties and lack of enough transportation to sub-urban areas where most of the available land for new construction is to be found.

Unemployment: The problem of joblessness is also serious as the problem of housing. Urban unemployment in India is estimated at 15 to 25 per cent of the labour force. This percentage is even higher among the educated people. It is approximate that about half of all knowledgeable urban unemployed youth are living in four metropolitan cities such as in Delhi, Mumbai, Kolkata,and Chennai. Additionally, although urban incomes are higher than the rural incomes, they are awfully low because of high cost of living in urban areas. Major

causes of urban unemployment are the huge relocation of people from rural to urban areas.

Slums and Squatter Settlements: The natural development of unchecked, unexpected and random growth of urban areas is the growth and spread of slums and unlawful resident settlements which present a prominent feature in the environmental structure of Indian cities, particularly of urban centres. The fast urbanisation in combination with industrialisation has resulted in the enlargement of slums. The explosion of slums occurs due to many factors, such as, the lack of developed land for housing, the high prices of land beyond the reach of urban poor, a large influx of rural migrants to the cities in search of jobs.

Transport: Urbanization poses major challenge to transport system. With traffic blockage, almost all cities and towns of India are suffering from severe form of transport problem. Transport problem increases and becomes more complex as the town grows in dimension. With its growth, the town performs varied and complex functions and more people move to work or shop.

Water: Water is one of the most essential elements of nature to maintain life and right from the beginning of urban civilisation. However, supply of water started falling short of demand as the cities grew in size and number.

Sewerage Problems: Urban centres in India are almost consistently beset with inadequate sewage facilities. Resource crisis faced by the municipalities and illicit growth of the cities are two major causes of this pitiable state of affairs. Most cities do not have proper arrangements for treating the sewerage waste and it is drained into a nearly river or in sea as in Mumbai, Kolkata and Chennai and these activities pollute the water bodies.

Trash Disposal: Urbanization pushed Indian cities to grow in number and size and as a result people have to face the problem of trash disposal which is in alarming stage. Enormous quantities of garbage produced by Indian cities cause a serious health problem. Most cites do not have proper arrangements for garbage disposal and the existing landfills are full to the edge. These landfills are breeding grounds of disease and countless poisons leaking into their environs. Wastes putrefy in the open inviting disease carrying flies and rats and a filthy, poisonous liquid, called leachate, which leaks out from below and contaminates ground water. People who live near the decomposing garbage and raw sewage get victims to several diseases such as dysentery, malaria, plague, jaundice, diarrhoea, and typhoid.

Urban Crimes: In developed cities of India, people get connected with different types of individuals who do not have similarity with one another. The problem of crimes increases

with the increase in urbanisation. In fact the increasing trend in urban crimes tends to upset peace and tranquillity of the cities and make them insecure to live in mainly for the women. The problem of urban crime is becoming more complicated in current situation because criminals often get shelter from politicians, bureaucrats and leaders of the urban society. Dutt and Venugopal (1983) stated that violent urban crimes such as rape, murder, kidnapping, dacoity, robbery are more prominent in the northern-central parts of the nation. Even the economic crimes such as theft, cheating, breach of trust are concentrated in the north- central region. Poverty related crimes are prevalent in the cities of Patna, Darbhanga, Gaya and Munger. This may be due to poverty existing in this area.

Migration

Criminal issues are related to public safety and social stability, and the containment of crime is a foundation for building an effective state. Data shows that China's gross crime rate has climbed since the early period of the Reform and Opening-Up. Crime rates differentiate by region, with the more developed coastal regions and inland cities having higher crime rates. Some researchers have argued that "in the current period and for a long time in the future our country will experience strong within-people conflicts, high crime rates, and complicated struggles with enemies. Public safety will be a significant issue". Meanwhile, China is in a process of urbanization with the largest scale and fastest speed in human history. Unprecedented domestic migration applies pressure to host local governments and the public. Many regions view migration as a problem for social management, especially in regions with a large influx of immigrants. These regions simultaneously expect to set upper bounds of future population growth.

Figure 3.2 Migration Consequences
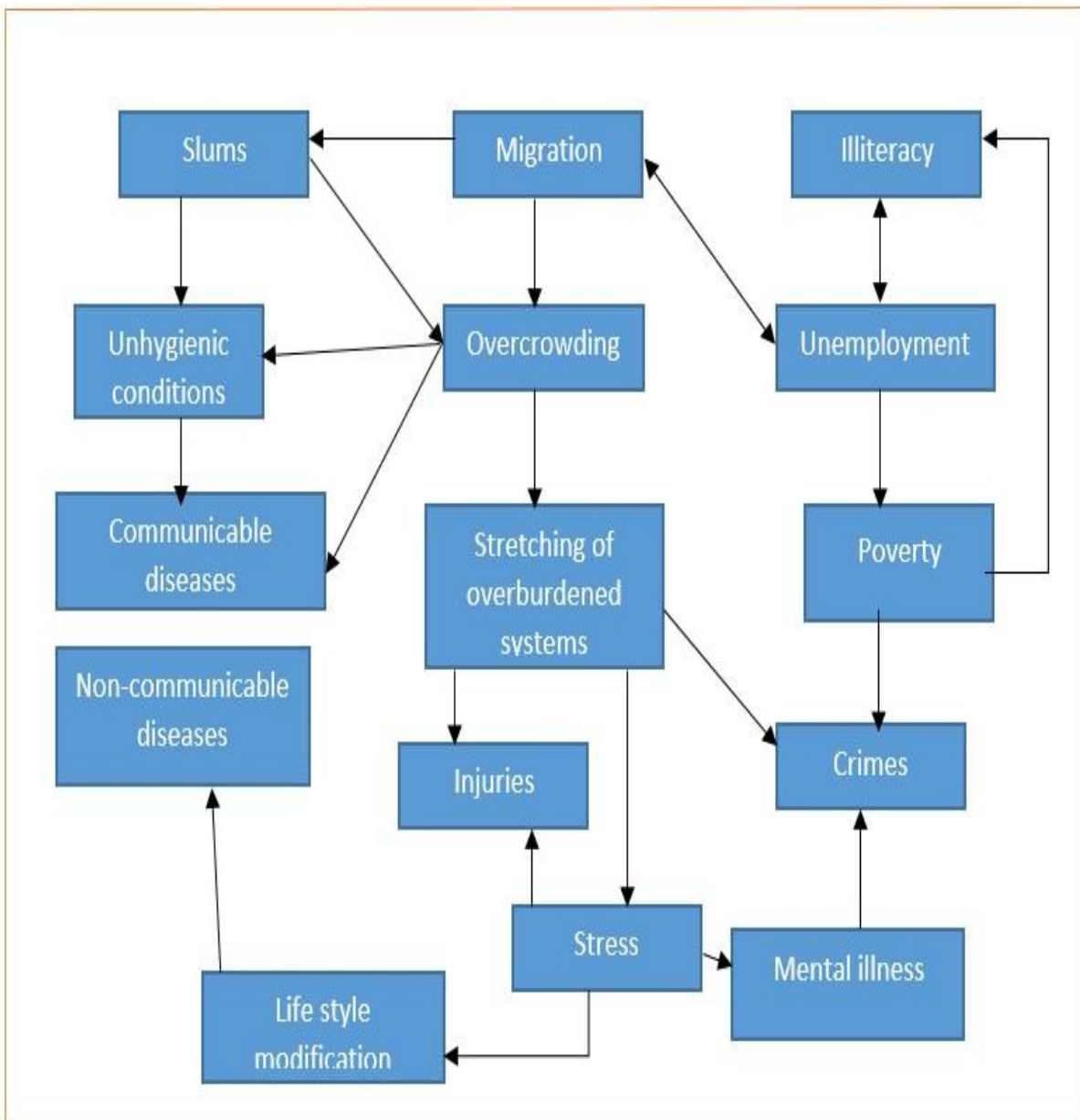
On the other hand, the difficulties in controlling crime and the large scale of migration are also accompanied by incomplete urbanization and the temporary living status of a large population. The fact that "many people don't have housing" coexists with the fact that "many houses are unoccupied". China's central government has started to provide economic incentives for purchasing housing. Promoting the professionalization of housing management and improving housing quality have been some of the major tasks of the Central Economic Work Conference. Housing is not only relevant to the economy but also to the urbanization of "three hundred million people," as pointed out by Premier Li Keqiang.

Since the late 1800s, European and American academia, policy makers, and the public have paid significant attention to the relationship between the influx of immigrants and the crime.

Local governments deem that "once the economic structure is optimal, the scale of populationwill decrease and the quality of population will increase".

Probably influenced by the selective reporting of the mass media, the public and politicians are inclined to attribute crime and other negative consequences to new residents in cities. They try to dominate the policy process with this perspective, including but not limitedto immigration policies (Schemer 2012).

Western research mainly focuses on the relationship between international immigration and the crime rate, while discussions of the relationship between domestic migration and the crime rate are relatively limited. China turns out to be the largest "experimental field" for this. The unique large-scale domestic migration in China provides a rich empirical field to study the relationship between migration and crime. Based on existing research, this study furthers this line of research from the aspects of independent variables, dependent variables, and unit of analysis. First, this study decomposes the domestic population flow into two factors, domestic migration and housing patterns, to stimulate a more accurate understanding of the mechanism and process between population migration and crime. Domestic migration is not only a shift in identity and social relationships but also a change in spatial and living conditions. Although living conditions (e.g., rental residences) draw attention from scholars, the proportion of home rentals in a regional population, its overall consequences, and its moderating effect on the relationship between population migration and crime need to be further tested via quantitative methods. The scale of domestic migration may represent the factors related to socio-cultural structure, while home renting more likely represents the spatial condition and the relationship between humans and spaces.

Second, this study distinguishes between arrest rates and prosecution rates. These two indicators of crime rates indicate sensitivity to measuring crime. With empirical results and interviews of nine officials from public safety and prosecution departments from five provinces (or autonomous regions), this study deems that rented housing is a better predictor of the arrest rate, while the scale of domestic migration is a better predictor of the prosecutionrate. The arrest rate may reflect more severe crimes, whereas the prosecution rate counts for a larger sum of criminal cases including that with a lower social threat, for example those under bail and residential surveillance (The National People's Congress 2012). This means that different measures indicate different aspects of crime. Spatial structure can better predict more severe crime, while population structure can better predict

overall crime. In other words, higher population heterogeneity increases the chance of conflicts, while they need to be reinforced by spatial conditions and other structural conditions to move to severe crime. Using the different measurements of crime rates can improve the robustness of our criminological analyses. Third, this study increases the accuracy of analysis by using city-level data. Macro- level data can mix different mechanisms, but can also capture the structural factors of a whole from the middle to macro levels (Messner and Sampson 1991). Therefore, it is an indispensable perspective of studying crime. For instance, the problems concurrent with population migration may not be directly caused by the migration population.

UNIT IV DISORGANIZATION AND SOCIAL CONTROL

The concepts of **disorganization** and **social control** are central to understanding how societies maintain order, regulate behavior, and address disruptions in social life. These ideas are especially important in the field of sociology, as they help explain how social structures respond to behaviors that challenge norms, values, and stability.

Family Disorganization

Social disorganization theory grew out of research conducted in Chicago by Shaw and McKay. Using spatial maps to examine the residential locations of juveniles referred to Chicago courts, Shaw and McKay discovered that rates of crime were not evenly dispersed across time and space in the city. Instead, crime tended to be concentrated in particular areas of the city, and importantly, remained relatively stable within different areas despite continual changes in the populations who lived in each area. In neighbourhoods with high crime rates, for example, the rates remained relatively high regardless of which racial or ethnic group happened to reside there at any particular time, and, as these previously "crime-prone groups" moved to lower-crime areas of the city, their rate of criminal activity decreased accordingly to correspond with the lower rates characteristic of that area. These observations led Shaw and McKay to the conclusion that crime was likely a function of neighbourhood dynamics, and not necessarily a function of the individuals within neighbourhoods. The question that remained was what are the characteristics of various neighbourhoods which account for the stability of the crime rate?

In answering this question, Shaw and McKay focused on the urban areas experiencing rapid changes in their social and economic structure, or the "zones of transition." In particular, they looked to neighbourhoods that were low in socio-economic status. It is important to clarify that, despite the economic deprivation of areas with higher than average crime rates, Shaw and McKay did not propose a simple direct relationship between economic deprivation and crime. They argued instead that areas characterized by economic deprivation had high rates of population turnover, since these were undesirable residential communities, which people left once it became feasible for them to do so. Socio-economically deprived areas also tended to be settled by newly arrived immigrants, which resulted in the ethnic and racial heterogeneity of these areas. As such, socio-economically deprived areas had high rates of residential mobility and racial heterogeneity. These

neighbourhoods were viewed as "socially disorganized." In such areas, conventional institutions of social control (e.g., family, schools, churches, voluntary community organizations) were weak and unable to regulate the behaviour of the neighbourhoods' youths.

Shaw and McKay (1942) also noted that, aside from the lack of behavioural regulation, socially disorganized neighbourhoods tended to produce "criminal traditions" that could be passed to successive generations of youths. This system of pro-delinquency attitudes could be easily learned by youths through their daily contact with older juveniles. Thus, a neighbourhood characterized by social disorganization provides fertile soil for crime and delinquency in two ways: through a lack of behavioural control mechanisms and through the cultural transmission of delinquent values.

The social disorganization perspective remained both popular and influential throughout the 1950s and 1960s. As Bursik and Grasmick note, however, with the refinement of survey approaches to data collection and the increased interest in social-psychological theories of control, deterrence, social learning, and labelling, the focus of the discipline significantly began to shift from group dynamics to individual processes during the 1960s and 1970s. This trend away from macro-level criminological theory and research saw the social disorganization tradition fall into relative disfavour among criminologists, many of whom viewed it as irrelevant, or at best, marginal to modern criminology.

Even so, social disorganization theory was "rediscovered" in the 1980s. Research by scholars such as Bursik, Sampson and Groves, and Wilson helped to revitalize, and partially reformulate and extend, the social disorganization tradition. In doing so, a number of criticisms levelled at the theory have been addressed. For example, research has been conducted to test for the "reciprocal effects" of social disorganization and to test for the potential impact that levels of social disorganization of given communities may have on neighbouring communities.

Recent research on social disorganization has taken two distinct but related directions. These have been referred to as the systemic model of social disorganization and the social capital/collective efficacy framework developed by Robert Sampson and his colleagues.

The systemic variant of social disorganization focuses on the structural variation of three basic types of networks and the effects of these on crime. These networks relate to the private sphere (intimate friendship and kinship relations), parochial networks (less intimate and

secondary group relationships), and the public sphere (groups and institutions outside the neighbourhood). This variant focuses on the effects of social disorganization on these three sources of behaviour regulation.

The social capital/collective efficacy framework of Sampson and his colleagues argues that social disorganization can reduce social capital and collective efficacy and thereby increase crime and violence rates. Social capital fosters trust and solidarity among residents, while collective efficacy relates to the belief that residents can effectively control the likelihood of undesirable behaviour within their neighbourhood. Especially important in this variant of social disorganization theory is the development of intergenerational networks, the mutual transferral of advice, material goods, and information about child rearing, and expectations for the joint informal control, support, and supervision of children within the neighbourhood.

Processes Leading from Social Disorganization to CrimeFamily Processes

Sampson indicates that social disorganization may have an effect on youth violence through its effects on family structures and stability. He suggested that traditional social disorganization variables may influence community crime rates when taking into account the effects of levels of family disruption. This may occur by (1)removing an important set of control structures over youths' behaviour, and (2)creating greater opportunities for criminal victimization (i.e., through the lack of capable guardianship). Essentially, he recognized the relationship of social disorganization theory to control theory and routine activities/lifestyle theory.

To test his assertions, Sampson used three measures of family structure. First, he included a measure of the per cent of residents in a neighbourhood who were ever married and who were either divorced or separated. The second measure of family structure was the per cent of female- headed families. Finally, he included a measure of the per cent of primary or single-headed households. His analyses revealed that, independent of the traditional social disorganization variables, the family structure variables each had a direct significant effect on community crime rates. Thus, Sampson's work identified an important and additional source of social disorganization (implicit in the work of Shaw and McKay) that had been previously overlooked by empirical studies.

McNulty and Bellair also investigated the importance of family processes within the social disorganization tradition. This study integrates theory and research in criminology and

urban sociology to specify a contextual model of differences in adolescent violence between whites and five racial-ethnic groups. The model presented views these differences as a function of variation in community contexts, family socioeconomic well-being, and the social capital available to adolescents and families. Data from the National Education Longitudinal Survey (1988 to 1992), which included information on 14,358 adolescents across 2,988 US locales, were matched with community-level data from the 1990 US census to test the resulting model. The white-black disparity in adolescents' fighting is explained by higher levels of disadvantage in the communities in which black children often live. The disadvantage index accounted for the largest reduction in the black effect on fighting, reflecting the well-documented concentration of disadvantage in black communities. Importantly, and in agreement with the importance of family processes for social disorganization theory, the results indicate that the effect of concentrated disadvantage on fighting is mediated by more proximate processes that are linked to family well- being.

Neighbourhood Processes

Neighbourhood processes have been implicated in the link between social disorganization and crime, with a number of authors arguing for the importance of different causal pathways. Sampson and Groves investigated how informal social controls are affected by social disorganization. Their study used aggregated data from the British Crime Survey. The intervening mechanisms between social disorganization variables and crime rates specified in their study include informal control mechanisms such as youths' local friendship networks, the prevalence of unsupervised peer groups, and the level of organizational participation in the neighbourhood. Their general hypothesis is that social disorganization (i.e., low economic status, ethnic heterogeneity, residential mobility) affects informal control mechanisms in such a way that it increases crime and delinquency rates. The dependent measures employed in the study were total victimization, robbery, mugging, burglary, theft, and vandalism rates. The model was first tested by analyzing data for 238 localities in Great Britain, constructed from a 1982 national survey of 10,905 residents. The model was then replicated on an independent national sample of 11,030 residents of 300 British localities in 1984. Results from both surveys support the hypothesis and show that social disorganization significantly influenced the intervening variables, which in turn influenced all crime outcome measures.

Sun, Triplett and Gainey using American data, test an extended model of social disorganization that includes the theoretical paths proposed by Sampson and Groves. Their model predicts that neighbourhoods with low socio-economic status, high residential mobility, racial heterogeneity, and family disruption should have sparse local friendship networks, low organizational participation, and unsupervised youth groups. These, in turn, are predicted to increase crime rates. To test this model, the authors used interview data from 8,155 residents of 36 neighbourhoods in seven US cities. The findings offered partial support for the Sampson and Groves model, since social disorganization variables were more effective in transmitting the effects of structural characteristics on assault compared with robbery.

Another researcher utilized an updated systemic model of social disorganization to investigate neighbourhood effects on both positive and negative youth outcomes. They argue that updated social disorganization models facilitate the assessment of truly important social processes and dynamics that result in cohesive and supportive neighbourhoods. These authors hypothesized that a sense of community was a more valid, comprehensive, and applicable measure for the mediating variables in social disorganization theory. Sense of community was defined as "a feeling that members have of belonging, a feeling that members matter to one another and to the group, and a shared faith that members' needs will be met by their commitment to be together" (324). Data for this study was gathered by interviews in 1999–2000. The sample consisted of 103 tenth-graders, one parent, and one neighbour of each tenth-grader. Mediation testing employed the principles outlined by Baron and Kenny (1986). Results supported the hypothesis that sense of community mediates the effect of neighbourhood disadvantage on youth outcomes.

Social Disorganization and Economic Deprivation

A number of studies have supported the idea that economic deprivation may be an important influence on social disorganization, which, in turn, as the previous research has indicated, is an important influence on youth violence. This proposes that economic deprivation could lead to social disorganization, which in turn leads to violence and crime. Other researchers, in contrast, have argued that poverty conditions the effects of social disorganization on youth violence. That is, social disorganization in conjunction with poverty results in higher rates of youth violence than either social disorganization or poverty alone do. No mediating processes are proposed in this second explanation. The

research highlighted below offers partial support for both propositions, and indicates that researchers and practitioners who are interested in the effects of social disorganization on crime should also consider the importance of economic deprivation.

Shaw and McKay (1942) viewed the economic well-being of a community as a major determinant of variation in rates of delinquency. In particular, poor communities lack adequate resources to defend their interests collectively. Kornhauser summarizes this position as follows:

In poor communities, institutions lack adequate money and knowledge. From the family to the community at large, money and skills for the effective performance of allotted functions are deficient or absent. Also, the intermediate structures created in communities with populations that are more affluent and knowledgeable fail to emerge in the less resourceful slum Without intermediate structures, community wide relations are weak or cannot become established.

Shaw and McKay consistently found strong negative associations between several differentindicators of neighbourhood socio-economic status and delinquency rates. However, a number ofstudies in the 1950s and 1960s argued that, while crime rates are higher in lower socio economic areas, this relationship is spurious and disappears when other area characteristics are simultaneously considered. Lander, for example, argued that delinquency rates reflected the levelof anomie or integration in a given area and not the economic status of the area. Other researchers, in contrast, have argued that economic deprivation is a strong predictor of youth violence, independent of other influences. Social disorganization researchers, in contrast to both of the above views, argue that the relationship between economic deprivation and youth violence is more complex, and could be better understood if the concept of social disorganization is integrated with economic deprivation. Following is an examination of research in this tradition.

The relative importance of social disorganization as a predictor of youth violence comparedwith other theories of crime

In addition to examining the results of studies that use social disorganization as a predictor of youth violence, it is important to assess the relative importance of social disorganization when compared with other theories of crime. This may be done through an assessment of the findings of review studies, and by examining the findings of meta-analytical studies that have attemptedto assess the relative importance of various theories of

crime.

Sampson, Morenoff and Gannon-Rowley review and assess the cumulative research of "neighbourhood effects" literature that examines social processes related to problem behaviours and health-related outcomes. In doing so, they examine the range of studies that have used social disorganization as a predictor of crime to assess whether this variable has generally been found to be important. Over 40 studies published in peer-reviewed journals from the mid-1990s to 2001 are included. The analysis evaluates the salience of social-interactional and institutional mechanisms hypothesized to account for neighbourhood-level variations in a variety of phenomena (e.g., delinquency, violence, depression, high-risk behaviour), especially among adolescents. Neighbourhood ties, social control, mutual trust, institutional resources, disorder and routine activity patterns are highlighted. The review indicates that crime rates are related to neighbourhood ties and patterns of interaction, social cohesion, and informal social control, and are generally supportive of a social disorganization explanation. Pratt and Cullen conduct a meta-analysis, which examines the relative effects of macro-level predictors of crime in relation to seven macro-level criminological perspectives. The analysis included 214 empirical studies, published between 1960 and 1999, that contained 509 statistical models that produced a total of 1,984 effect size estimates. Indicators of "concentrated disadvantage" (e.g., racial heterogeneity, poverty, and family disruption) are among the strongest and most stable predictors. Except for incarceration, variables indicating increased use of the criminal justice system (e.g., policing and get-tough policy effects) are among the weakest. Across all studies, the authors find that social disorganization and resource/economic deprivation theories receive strong empirical support; anomie/strain, social support/social altruism, and routine activity theories receive moderate support; and deterrence/rational choice and subcultural theories receive weak support.

Individual Disorganization

Personal disorganization represents the behavior of the individual which deviates from the social norms. It results in social disapproval which may express itself in a wide variety of degree. The individual may also react in different ways. Social reality presents an endless confusion of social disapproval from time to time. It may be mild or violent. Accordingly individuals respond either positively or negatively to social disapproval. The most visible aspect of personal disorganization in complex societies is that in which there is mild social disapproval to which the

individual responds positively. This kind of personal disorganization does not deeply disturb the social order.

The second aspect of social disorganization is that in which there is violent social disapproval and yet the individual responds positively. In the third aspect in which the individual's response to social disapproval is subjective the person retreats into an individually defined inner world. His innovations lose their social character. He becomes enmeshed in the development of mechanisms which further isolate him from the normal influences of group life. This type of personal disorganization results in psychosis through which the individual tries to escape from the web of social relations and in suicide.

The failure of an individual to adjust himself to society may be due to the factors inherent in the individual or in the society in which he lives. He may have been born with a mental disability which prevents his integration into society. Human society is very complex, competitive and contradictory.

It makes excessive demands upon the individual. Different groups with different moral standards and different cultural backgrounds create different notions of what is right and what is wrong. Inthe midst of these varying notions the individual gets confused. He fails to find out the right wayof social behavior and relapses into abnormal behavior.

In the modern society man's desires have increased manifold. The advertising has stimulated his desires which often cannot be satisfied. It gives rise to frustration. Repeated frustration tends to produce a generalized lack of confidence in one's ability to achieve any end and generalized conception of oneself as less efficient and less worthy than others.

The rapid changes in society create new ideas set up new standards while the old ones still persist. All this leaves the individual bewildered and helpless in coping with the new situation in which he finds himself. Under the circumstances the individual may become a victim of mental disorder or become criminal or in extreme cases commit suicide.

Community Disorganization

Social disorganization is defined as an inability of community members to achieve shared values or to solve jointly experienced problems. Both theoretical development and empirical research in the study of community influences on crime and delinquency have focused on urban settings.

In sociology, the social disorganization theory is one of the most important theories developedby the Chicago School, related to ecological theories. The theory directly

links crime rates to neighborhood ecological characteristics; a core principle of social disorganization theory is that place matters.

Family

Eye color and sense of humor can run in a family. So can crime. The killings of two adolescent Oregon girls may be the latest example of how different generations in a family can make the same terrible decisions. "Family effect is less than peer effect in adolescents," said Ronald Akers, the director of the Center for Studies in Criminology and Law at the University of Florida.

Single parent families are slightly more likely to have children who commit crimes, he notes, and drug use in families is also correlated with increased chances of criminal behavior by offspring.

But given the complexity of human nature, it is not surprising that no one factor is an ironclad predictor of future problems.

School as control mechanism

Schools have great potential as a locus for crime prevention. They provide regular access to students throughout the developmental years, and perhaps the only consistent access to large numbers of the most crime-prone young children in the early school years; they are staffed with individuals paid to help youth develop as healthy, happy, productive citizens; and the community usually supports schools' efforts to socialize youth. Many of the precursors of delinquent behavior are school-related and therefore likely to be amenable to change through school-based intervention.

Several school-related precursors to delinquency identified by research. These factors include characteristics of school and classroom environments as well as individual-level school-related experiences and attitudes, peer group experiences, and personal values, attitudes, and beliefs. School environment factors related to delinquency include availability of drugs, alcohol, and other criminogenic commodities such as weapons; characteristics of the classroom and school social organization such as strong academic mission and administrative leadership; and a climate of emotional support. School-related experiences and attitudes which often precede delinquency include poor school performance and attendance, low attachment to school, and low commitment to schooling. Peer-related experiences, many of which are school-centered, include rejection by peers and association

with delinquent peers. And individual factors include early problem behavior, impulsiveness or low levels of self-control, rebellious attitudes, beliefs favoring law violation, and low levels of social competency skills such as identifying likely consequences of actions and alternative solutions to problems, taking the perspective of others, and correctly interpreting social cues. Several recent reviews summarize the research literature linking these factors with crime.

Peer group

Peer pressure (or social pressure) is the direct influence on people by peers, or an individual who gets encouraged to follow their peers by changing their attitudes, values, or behaviour to confirm to those of the influencing group or individual. This type of pressure differs from general social pressure because it causes an individual to change in response to a feeling of being pressured or influenced from a peer or peer group. Social groups affected include both *membership groups*, in which individuals are "formally" members (such as political parties and trade unions), and cliques in which membership is not clearly defined. However, a person does not need to be a member or be seeking membership of a group to be affected by peerpressure.

There has been considerable study regarding peer pressure's effects on children and adolescents, and in popular discourse the term is mostly used in the contexts of those age groups. For children, the common themes for study regard their abilities for independent decision making; for adolescents, peer pressure's relationship with sexual intercourse and substance abuse have been significantly researched. Peer pressure can affect individuals of all ethnicities, genders, and ages.

Conventional lines of actions and crime
Connection to their family or a person who is very invested in their school work

Commitment to conventional lines of action would be a person who uses traditional means to reach their goal. For example, if a person really values their performance in school, if they study hard and seek tutors. If they didn't have commitment to conventional lines of action, they may try to cheat in order to get their good grades. Involvement in conventional activities means that a person is involved in socially acceptable activities and hobbies, such as sports or other activities that are culturally acceptable. On the other side of the spectrum, a person could be in socially unaccepted activities such as drug use or being a member of a

gang. Finally, an example of a belief in a common value would be religion or the belief that illegal activities are wrong. If a person has strong social bonds, they are less likely to commit crimes; however, if they have weak social bonds, they are more likely to turn to crime.

If a person has a strong connection to a family who has strong moral values and culturally accepted beliefs, they are less likely to commit crime. However, if they have a weak connection to their family or peers, they are more likely to turn to crime. Also, if they have a strong connection to their family or peers, and their family or peers are involved with crime, or find crime to be a socially acceptable means to a specific end, they will be more likely to commit crime. Commitment to conventional lines of action means that a person is committed to using socially acceptable means to reach their goals. If a person is committed to having a job and working hard to make a living, they are less likely to commit a crime. On the other hand, if they are not committed to conventional lines of action be to either lock up the offenders in prison, or to create a social environment that is not conducive to creating criminals. This theory is different from other theories that were discussed in class because it does not consider what factors create criminals, and it does not talk about what type of environment criminals come from. It talks about what factors need to be present or not present in order for a crime, such as robbery, to occur

Crime as a Rational Choice

In criminology, rational choice theory adopts a utilitarian belief that man is a reasoning actor who weighs means and ends, costs and benefits, and makes a rational choice. This method was designed by Cornish and Clarke to assist in thinking about situational crime prevention.

Rational choice theory (RCT) is based on a number of principles, seven of which are listed below:

1. Rationality: The human being is a rational actor.
2. Utility: The actor makes means/ends calculations as part of the decision-making process.
3. Hedonism: In making means/ends calculations, the actor seeks to maximize pleasure and minimize pain.
4. Expectations: It is the anticipation of pain or pleasure that directs the decision.
5. Social Exchange: The decision the actor makes is the culmination of a cost-benefit analysis of different courses of action that are available to him or her at any one

particular point in time.

6. Bounded rationality: The actor evaluates alternatives within the limits of his or her knowledge and abilities.

7. Punishment: The effectiveness of a legal or extralegal sanction is a function of the certainty, celerity (swiftness), and severity of punishment. RCT borrows extensively from economic theories of choice behavior but without the complex mathematical formulae economic theorists use to calculate the costs and benefits of crime.

The version of RCT that has received the greatest measure of attention and empirical support in the field of criminology is the Reasoning Criminal perspective proposed by Cornish and Clarke. In presenting their views on criminal decision-making, Cornish and Clarke hypothesized that offenders assess the likely consequences of their actions before engaging in crime. Their principal goal, however, was not to construct a complete explanation of criminal decision- making, but to provide justification for a policy of situational crime prevention (Clarke, 2014). Therefore, while they concede that offender rationality is bounded by limitations in human information processing, situational context, and emotions, they never integrated these constructs into their theory (Wortley, 2014).

Social Learning and Criminalization

The many contemporary confluences of cultural and criminal dynamics force us to reconsider traditionally discrete categories of "culture" and "crime" in our research and analysis. Many social groups and events traditionally conceptualized as "criminal" are in fact defined in their everyday operations by subcultural meaning and style. At the same time, various groups and events conventionally placed under the heading of "culture" regularly suffer criminalization atthe hands of moral entrepreneurs, legal and political authorities, and others.

Further, the criminalization campaigns launched against various subcultures and subcultural activities themselves operate not only by constructing legal statutes and enforcement procedures, but by deploying mediated symbols and mobilizing powerful cultural references. To account for the culture and subcultures of crime, the criminalization of cultural and subcultural activities, andthe politics of these processes, then, we must move toward an integration of cultural and criminological analysis -- that is, toward a cultural criminology.

Cultural criminology thus provides criminologists the opportunity to enhance their own perspectives on crime with insights from other fields, while at the same time providing for their colleagues in cultural studies, the sociology of culture, media studies, and elsewhere invaluable perspectives on crime, criminalization, and their relationship to cultural and political processes. Bending or breaking the boundaries of criminology in order to construct a cultural criminology in this sense undermines contemporary criminology less than it expands and enlivens it. Cultural criminology widens criminology's domain to include worlds conventionally considered exterior to it: gallery art, popular music, media operations and texts, style. In the same way, it introduces criminology into contemporary debates over these worlds, and defines criminological perspectives as essential to them. The specific relationships between culture and crime, and the broader relationship between criminology and contemporary social and cultural life, are both illuminated within cultural criminology.

The study of **disorganization and social control** helps sociologists understand the conditions under which societies maintain order and the factors that contribute to social instability. By examining these concepts, sociologists can analyze how social structures respond to crime, deviance, and social change, and develop strategies for enhancing social cohesion and promoting societal well-being.

UNIT V SOCIAL PROBLEMS

Social problems are conditions or issues that negatively affect individuals, groups, or society as a whole, and are perceived to be undesirable or harmful. These problems often arise due to imbalances or injustices within social, political, or economic systems. What constitutes a social problem can vary depending on cultural, historical, and contextual factors, but they generally involve a significant deviation from the norms or values of a society, affecting people's well-being and social order.

Some common examples of social problems include **poverty**, **unemployment**, **crime**, **racial discrimination**, **gender inequality**, **healthcare disparities**, **environmental degradation**, and **substance abuse**. These issues can result from a variety of causes, such as inequality, lack of access to resources, poor education systems, and systemic discrimination.

Social problems are typically addressed through collective efforts by governments, organizations, and communities, often requiring policy changes, social movements, and reforms. The study of social problems is a key area of **sociology**, as it seeks to understand their causes, impacts, and possible solutions. Sociologists examine how these problems affect different groups within society, the role of social institutions in perpetuating or mitigating these issues, and how societal responses can lead to positive change.

Ultimately, understanding social problems helps in developing strategies to reduce social harm, promote justice and equality, and improve the quality of life for all members of society.

Beggary

Beggary is a Social Problem in India. India, though free, is still a backward country as regards the social life of its people. Our society has manifold evils. One among them is beggary, Millions of people in India to do nothing except begging and passing away their time. They do nothing but eat away the very vitality of our nation life. Many people of robust health are beggars.

To a great extent, the Western world is free from this unnecessary drain and pressure on their national output. Some people think that India's religious and philosophic view of life is the chief reason for this beggar problem. Though we cannot deny this statement wholly, yet it is not at all a truth. Beggars and mendicants have, no doubt, been held in great esteem by the loftiest and the lowliest in India in the past. Some Indians believe that in order to

prosper in this world and the next world, these beggars should be given alms. Religion has its own contribution to the acuteness of this problem. But economic causes also, are responsible for the same.

A large chunk of people in India are still poor this holds attractions for the social evil of begging. It is the best breeding ground for communism as well as for beggars. Neither the society is vigilant to deny the beggars their right for alms nor does the Government take any step to weed out this evil by creating and maintaining conditions of a decent and healthy national life. It has failed, to a great extent to provide poor houses for the crippled and labor houses for the able- bodied unemployed workers.

Though India is now a free country, and her future promises a lot, this problem of beggars has not been solved. Rather it has assumed vast proportions and remains an unchecked nuisance. A train of these beggars is to be found in every big town of India particularly at religious places.

At present the profession includes, in its compass, not only disabled and needy persons, but also able-bodied persons of doubtful character. Thieves, murderers, cheats and all types of criminals find it easiest to pass undetected in the guise of beggars. They lead a life of ease and indolence at expenses of others. Some families make begging their hereditary profession and they devise novel methods of appealing to the sympathies and nobler feelings of the people.

They will pretend to be dumb and deaf, although their faculties of speaking and hearing may be quite sound. Some of them pretend to undergo severe penances in public so that the people may take them to be pious souls and help them with alms.

If things are allowed to remain as they are in our country and nothing is done to check the growth of the beggar problem India can never prosper and can never take her due place in the community of nations. And one who raises a cry against this murderous profession is not headed to. There is the religion to back it. People think, what they sow in this world would be reaped by them in the next. If they give one rupee to a beggar, they would get much more rewards as a return in their next life.

Really, a bold and vigorous step is required in the direction towards eradication of the problem of beggary. The Government of India is taking efforts towards the welfare of the poor people. It is help to improve the situation. The Government should take the responsibility to provide for accommodation and food for the really needy persons, blind, cripples etc. Every municipality must maintain a 'poor house' and only the disabled be

permitted to live there. It must be financedby the board and the charitable organizations. We have heard about the negative impact of Begging in our society. It is said that thousands of babies were stolen from their parents' custody by the owners of 'begging concerns', blinded, crippled and artificially paralyzed. What a shockingly inhuman act it was! Apart from the endeavors, to be made by the government to solve the problem of beggary, public enthusiasm is also needed to combat this evil, which is essentially a social evil, caused by the follies of our society. Naturally, beggary which is a social evil can be remedied by social regeneration of India. Let us go back to 2010 when Commonwealth Games were scheduled to take place. A number of beggars were thrown in jailas per the provisions of anti-begging laws of Delhi. The below said law criminalises begging and provides for the incarceration of people found to be begging. We all know the social definition ofbegging. Let us understand what legally constitutes begging.

Salient features of the Beggary Act

The Bombay Prevention of Begging Act, 1959 criminalizes begging. Its aim is to removebeggars from their current illegal profession so that they may be detained, trained and eventually employed elsewhere. The **act** was adopted by the Union Territory of Delhi in 1960.

In India, there is no central law which penalizes begging. Although, 22 states (including few Union Territories) have their anti-begging laws. The Act which functions as the derivative figure for all the state anti-begging law is Bombay Prevention of Begging Act, 1959. States which have their own anti-begging.

Definition of begging as per anti-begging law
- Soliciting or receiving money, clothes or other things ordinarily given to a beggar, in a public place whether or not by singing, dancing, fortune telling, performing or offering any article for sale, or
- Entering on any private premises for the purpose of soliciting or receiving money, clothes or other things ordinarily given to a beggar.
- Exposing or exhibiting, with the object of obtaining or extorting money, clothes or other things ordinarily given to a beggar, any sore, wound injury, deformity of diseases whether ofa human being or animal
- Having no visible means of subsistence and wandering, about or remaining in any

public place in such condition or manner, as makes it likely that the person doing so exist soliciting or receiving money, clothes or other things ordinarily given to a beggar.

- Allowing oneself to be used as an exhibit for the purpose of soliciting or receiving alms.

Soliciting or Receiving Money or Food or Given for a Purpose Authorized by any Law is Not Begging

Provisions of the anti-begging laws are highly arbitrary; the implementation of the law is even more. Anti-begging squads are to raid public places such as railway stations, temples, mosques, bus terminus, and arrest anybody who looks poor and homeless. There have been situations where, homeless or disabled people were perceived to be beggars, based simply on the fact oftheir homelessness or disability.

Power of the police to arrest beggars

- As per the anti-begging laws of various states in India, an authorised Police officer has the power to arrest without a warrant any person who is found begging. If a person is found begging inside a private property, he can only be arrested on a formal complaint by the owner of the property.
- After arresting, it is the duty of the Police officer to send the arrested beggar to court.
- A beggar arrested is required to be kept in a certified institution as prescribed by the stategovernment.
- If the court finds that the person accused was not involved in begging activities he is to bereleased.
- If the court is convinced that the person accused was involved in begging, appropriatepunishment will be given by the court.

Punishment for begging

- Punishment can be anywhere between 1 to 3 years. But, if the court is satisfied from the circumstances of the case that the person found to be a beggar is not likely to beg again, the court might release the beggar on his assurance of abstinence from begging and being of good behavior.

Grounds on Which Punishment is Decided are

1. Age and character of the beggar,

2. The circumstances and conditions in which the beggar was living,

3. Findings made by the Probation Officer

   - A child who is under the age of five years if found begging, the court will forward the child to a Juvenile justice tribunal.

   - Where a person is convicted for the second or subsequent time, he is to be detained for a period of ten years in a Certified Institution, or his sentence might even increase for further two more years.

   - Therefore, a total of 12 years in prison might be the punishment when caught begging for the second time.

   - Where a cripple, blind or physically handicapped person is detained for beggary, court might further extend his duration of sentence for the individual good of the physically handicapped beggar.

> *Begging exists in the form of business too. There are people who employ others for begging purposes. The employer takes a small token from the money begged by the beggar. The law provides for those who employ others for begging shall be punished with imprisonment for a term between 1 to 3 years.*

Provision for medical examination of beggars who may suffer from leprosy or is lunatic

- Where it appears that any beggar detained is of unsound mind or a leper, the beggar might be shifted to a mental hospital or leper asylum or another place of safe custody, to be keptand treated.

- If on the expiration of the term of punishment it is certified by a medical officer that it is necessary for the safety of the beggar or of others that he should be further detained under medical care or treatment, the advice of such doctor will be followed.

Is the anti-begging law curative in nature? Can begging be decreased by the provisions of the anti-begging law?

- The anti-begging law provides for the teaching of agricultural and industrial techniques to the beggars in detention. There are situation wherein a person, although skilled, may be forced to beg due to lack of employment.

- In a survey conducted by the Department of Social Welfare of Delhi University, it was found that about 9 to 10 percent of the beggar were educated till the primary

level, 5 percent till the secondary level, and that six graduates and four post-graduates had resorted tobeggary due to lack of employment opportunities.

Anti-begging laws have invited relatively little judicial attention. Constitutionality of anti- begging legislations is yet to be decided by the Supreme Court. The only petition filed before the Court challenging the constitutionality (whether the anti-begging act is a valid law or not) of the Bombay (Prevention of Begging) Act, 1959, was withdrawn by the petitioner.

Beggars can be categorised into four categories-those who do not wish to work, those unable to work due to substance addiction, those who may be at the mercy of a begging gang, and lastly, those who may be destitute and starving. Begging is a constitutionally protected right in the United States.

Ram Lakhan v State (Case dealing with anti-Begging law)

The Delhi High Court moved away from the judicial practice of castigating begging and upheld its legitimacy through a comparative discourse on the common law doctrines of necessity and duress, as well as on the principles of equality and liberty embodied in the Constitution. One significant aspect of Ram Lakhan is that it addresses the issue of begging from the touchstone of Article 19(1)(a), read with Article 21 of the Constitution, and asserts that unreasonable prohibitions on begging are unconstitutional in that they invariably deprive beggars of two fundamental rights.

Table 5.1 Different anti-begging laws in different states of India

Sl.No.	States/Union Territories States	Legislation in Force
1.	Andhra Pradesh	The Andhra Pradesh Prevention of Beggary Act, 1977
2.	Assam	The Assam Prevention of Begging Act, 1964
3.	Bihar	The Bihar Prevention of Begging Act, 1951
4.	Chhattisgarh	Adopted the Madhya Pradesh Bikshavirty Nivaran Adhiniyam, 1973
5.	Goa	The Goa, Daman & Diu Prevention of Begging Act, 1972
6.	Gujarat	Adopted the Bombay Prevention of Begging Act, 1959
7.	Haryana	The Haryana Prevention of Begging Act, 1971
8.	Himachal Pradesh	The Himachal Pradesh Prevention of Begging Act, 1979
9.	Jammu & Kashmir	The J&K Prevention of Begging Act, 1960

10.	Jharkhand	Adopted the Bihar Prevention of Begging Act, 1951
11.	Karnataka	The Karnataka Prevention of Begging Act, 1975
12.	Kerala	The Madras Prevention of Begging Act, 1945, the Travancore Prevention of Begging Act, 1120 and the Cochin Vagrancy Act, 1120 are in force in different areas of the State.
13.	Madhya Pradesh	The Madhya Pradesh Bikshavirty Nivaran Adhiniyam,1973
14.	Maharashtra	The Bombay Prevention of Begging Act, 1959
15.	Punjab	The Punjab Prevention of Begging Act, 1971
16.	Sikkim	The Sikkim Prohibition of Beggary Act, 2004
17.	Tamil Nadu	The Madras Prevention of Begging Act, 1945
18.	Uttar Pradesh	The Uttar Pradesh Prohibition of Begging Act, 1972
19.	Uttarakhand	Adopted the Uttar Pradesh Prohibition of Begging Act, 1972
20.	West Bengal	The West Bengal Vagrancy Act, 1943
21.	Daman & Diu	The Goa, Daman & Diu Prevention of Begging Act, 1972
22.	Delhi	Adopted the Bombay Prevention of Begging Act, 1959

Source: Ram Lakhan v State, 137 (2007) DLT 173

Salient features of the Vagrancy Act

The Vagrancy Act 1824 (5 Geo. 4. c. 83) is an Act of Parliament of the United Kingdom that makes it an offence to sleep rough or beg. Anyone in England and Wales found to be homeless or to be trying to cadge subsistence money can be arrested. Yes, vagrancy laws are basically unconstitutional. They violate the Fourteenth Amendment's guarantee of due process, which says you can only be punished for actions, not for status. Homelessness is a status. The principle is, law is not allowed to anticipate harm, it must wait until harm has been done

Contemporary critics, including William Wilberforce, condemned the Act for being a catch-all offence because it did not consider the circumstances as to why an individual might be placed in such a predicament.

Vagrancy Act 1824 is up to date with all changes known to be in force on or before 29 August 2017. There are changes that may be brought into force at a future date.

Version No. 042 Vagrancy Act 1966 Act No. 7393/1966 Version incorporating amendments asat 22 November 2000

Dowry

A dowry is a transfer of parental property, gifts or money at the marriage of adaughter. Dowry contrasts with the related concepts of bride price and dower.

The Dowry System

The giving of gifts or money (otherwise known as a dowry) to a groom on behalf of

the bride's family is common practice in India, a marital tradition which dates back centuries. The Dowry system in India refers to the durable goods, cash, and real or movable property that the bride's family gives to the bridegroom, his parents, or his relatives as a condition of the marriage.

The Dowry (Prohibition Act) 1961

THE DOWRY PROHIBITION ACT 1961.ACT NO. 28 OF 1961.[20th May, 1961]

An Act to prohibit the giving or taking of dowry. Be it enacted by Parliament in the Twelfth Year of the Republic of India as follows.-

1. Short title, extent and commencement

Short title, extent and commencement. (1) This Act may be called the Dowry Prohibition Act, 1961.(2) It extends to the whole of India except the State of Jammu and Kashmir. (3) It shall come INTO force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Definition of "dowry"

In this Act, "dowry" means any property or valuable security given or agreed to be given either directly or indirectly-

(a)   by one party to a marriage to the other party to the marriage; or

(b)   by the parents of either party to a marriage or by a other person, to either party to the marriage or to any other person; at or before or after the marriage us consideration for the marriage of the said parties, but does not include dower or mahr in the case of persons to whom the Muslim Personal Law (Shariat) applies.

Explanation I.-For the removal of doubts, it is hereby declare that any presents made at the time of a marriage to either party to the marriage in the form of cash, ornaments, clothes or other articles, shall not be deemed to be dowry within the meaning of this section, unless they aremade as consideration for the marriage of the said parties.

1-7-1961, vide Notification No. S. O. 1410, dated 20-6-1961, Gazette of India, Extraordinary,Pt.II, Sec. 3 (ii), P. 1005.

176. Explanation II.-The expression "valuable security" has the same meaning as in section 30 ofthe Indian Penal Code. (45 of 1860.)

If any person, after the commencement **3. Penalty for giving or taking dowry** of this Act, gives or takes or abets the giving or taking of dowry, he shall be punishable with

imprisonment which may extend to six months, or with fine which may extend to five thousand rupees, or with both.

4. Penalty for demanding dowry

If any person, after the commencement of this Act, demands, directly or indirectly, FROM the parents or guardian of a bride or bridegroom, as the case may be, any dowry, he shall be punishable with imprisonment which may extend to six months, or with fine which may extend to five thousand rupees, or with both: Provided that no court shall take cognizance of any offence under this section except with the previous sanction of the State Government or of such officer as the State Government may, by general or special order, specify in this behalf.

5. Agreement for giving or taking dowry to be void

Any agreement for the giving or taking of dowry shall be void.

6. Dowry to be for the benefit of the wife or her heirs

(1) Where any dowry is received by any person other than the woman in connection with whose marriage it is given, that person shall transfer it to the woman-

(a) if the dowry was received before marriage, within one year after the date of marriage; or

(b) if the dowry was received at the time of or after the marriage, within one year after the date of its receipt; or

(c) if the dowry was received when the woman was a minor, within one year after she has attained the age of eighteen years; and pending such transfer, shall hold it in trust for the benefit of the woman.

(2) If any person fails to transfer any property as required by subsection (1) and within the time limited therefore, he shall be punishable with imprisonment which may extend to six months, or with fine which may extend to five thousand rupees, or with both; but such punishment shall not absolve the person FROM his obligation to transfer the property as required by sub-section (1).

(3) Where the woman entitled to any property under sub-section

(1) dies before receiving it, the heirs of the woman shall be entitled to claim it FROM the person holding it for the time being.

177.(4) Nothing contained in this section shall affect the provisions of section 3 or section 4. 7. Cognizance of offences.

7. **Cognizance of offences. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, (5 of 1898.)**

(a) No court inferior to that of a presidency magistrate or a magistrate of the first class shalltry any offence under this Act;

(b) No court shall take cognizance of any such offence except on a complaint made withinone year FROM the date of the offence;

(c) It shall be lawful for a presidency magistrate or a magistrate of the first class to pass anysentence authorised by this Act on any person convicted of an offence under this Act.

8. **Offences to be non-cognizable, bailable and non-compoundable**

Every offence under this Act shall be non-cognizable, bailable and non-compoundable

9. **Power to make rules**

(1) The Central Government may, by notification in the Official Gazette, make rules forcarrying out the purposes of this Act.

(2) Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the sessionin which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

10. Repeals.

The Andhra Pradesh Dowry Prohibition Act, 1958, (Andhra Pradesh Act 1 of 1958.) and theBihar Dowry Restraint Act, 1950, (25 of 1950.) are hereby repealed.

Prostitution

A prostitute or a *tawaif* or a *devadasi* as different times have called them in India- are the facilitators of what some people say the "*oldest profession of the world*", Prostitution. It is $100 billion global industry whose legal status varies from country to country, an industry which is unarguably ubiquitous in all the countries with their own variations, an industry whose historycan be traced to 4000 years back to ancient Babylon. But surely one must not

be having enoughto think that this so called "*oldest profession*" is driven by need of physical pleasure only, but is rather driven by the economic and psychological distresses which contribute majorly to the entry of prostitutes in this profession.

In India prostitution is legal but the other related activities such as soliciting, pimping and brothels are illegal. There are more than 20 million prostitutes in India if a *Human Rights Watch* report is to be believed — and as many as 35% of them enter at an age less than 18. Prostitution was once upon a time a theme of Indian literature and arts for centuries. In Indian mythology there are many references of high-class prostitution in the form of celestial demigods acting as prostitutes.

They are referred to as *Menaka*, *Rambha*, *Urvashi*, and *Thilothamma*. They are described as perfect embodiments and unsurpassed beauty and feminine charms. Even during the medieval period and rule of mughals they were treated very royally — Sanskrit plays have been written on this, even now, they form a central theme for many movies. Some of these movies have been able to provide an insight to the plight of the prostitutes in our country. But the true face still lies hidden. Ever since the downfall of Mughal Empire the conditions have deteriorated to deplorable levels. Exploring through the causes of prostitution, the first and the foremost factor is Poverty.

Poverty is one of the main causes which brings helpless woman to the doors of prostitution. A woman distressed economically, often ill treated by parents or seduced by boyfriend who later turns out to be a pimp or procurer, and lastly uneducated or with a very low education level seldom finds any other avenues to feed herself other than prostitution. There are other social factors which are degrading the status of a woman. One such factor is the view of women being a commodity – which is pervasive in popular manifestations of culture in India. The harsh realityis, that women who have had sexual experiences are considered to be '*used goods*' or '*characterless*' and are unlikely to ever marry. She becomes an impoverished cultural outcast. Religious prostitutes, child prostitutes, rapes, inability to arrange marriage are some of the other reasons which push the woman on the downslide from which there is no coming back. India is one of the biggest markets for prostitution in Asia with Mumbai alone accommodating 200,000 prostitutes. Trafficking, sex tourism and 'clandestine' nature of the industry is further imposing problems and spread of HIV/AIDS is on the rise at an alarming rate with woman being more prone to infection. Because of such nature and lack of regulatory body the real magnitude of severity of the actual situation cannot be comprehended.

The Immoral Traffic (Prevention) Act or PITA, a 1986 amendment of legislation passed in 1956 provides for the rehabilitation for the sex workers, who come forward and demand it, but what good does it serve if the families of these rescued women do not accept them back. These schemes need to have an empowering impact for these women. These women should be provided vocational training and education and their products should be marketed so that they do not face the same trouble all over again.

Lately there have been questions rising with the growing importance of the mandate of legalizing prostitution in India. While that is certainly not a great solution for the given problems which require more of a paradigm shift in the mindset of people, but given the clandestine nature and no regulation of industry, it would certainly be a step towards damage control. Legalizing would pave way for licenses and registration, whereby workers would have their own identity, access to public facilities, and other services. A serious check on the spread of HIV/AIDS will help in controlling the other related activities which have associated with the prostitution etc.

Prostitution refers to the sexual behaviour of a female outside or without wedlock on a commercial basis. Prostitution is regarded as a vice, a sinful or degrading indulgence of a natural appetite for itself alone. It is a moral problem. Prostitution is forbidden by religious and civic groups. It is also prohibited by law in some societies.

A prostitute and her pimp are vatted with a mixture of pity, scorn, fascination and persecution. Prostitution often results into drug addiction, scandal, veneral diseases, AIDS and deterioration of the neighbourhood in which it occurs.

A sociological analysis of prostitution calls for understanding of its persistence and its causes. It is a ubiquitous institution. It is deplorable in the eyes of all. However, in some societies, it has been legitimized, whereas in others it is prohibited, both legally and morally. It involves a high degree of sexual promiscuity that fulfills no publicly recognised societal goal. Prostitution may be defined as "engaging in a primary contact in a secondary relationship". Promiscuity means willingly indulging in sexual contact with numerous persons, and even with strangers. A prostitute sells her sexual favours without any emotional attachment but for economic gain.

Immoral Traffic Prevention Act, 1986 (PITA)

In 1950 the Government of India ratified the International Convention for the Suppression of Immoral Traffic in Persons and the Exploitation of the Prostitution of others.

In 1956 India passed the Suppression of Immoral Traffic in Women and Girls Act, 1956 (SITA). The act was further amended and changed in 1986, resulting in the Immoral Traffic Prevention Act also know as PITA. PITA only discusses trafficking in relation to prostitution and not in relation to other purposes of trafficking such as domestic work, child labour, organ harvesting, etc. The following is an outline of the provisions in this law that pertains to children below the age of 18.

The act defines child as any person who has completed eighteen years of age. The first section of the act has provisions that outline the illegality of prostitution and the punishment for owning a brothel or a similar establishment, or for living of earnings of prostitution as is in the case of a pimp. Section five of the act states that if a person procures, induces or takes a child for the purpose of prostitution then the prison sentence is a minimum of seven years but can be extended to life. To ensure that the people in the chain of trafficking are also held responsible the act has a provision that states that any person involved in the recruiting, transporting, transferring, harbouring, or receiving of persons for the purpose of prostitution if guilty of trafficking. In addition any person attempting to commit trafficking or found in the brothel or visiting the brothel is punishable under this law. If a person if found with a child it is assumed that he has detained that child there for the purpose of sexual intercourse and hence shall be punishable to seven year in prison up to life imprisonment, or a term which may extend to ten year and also a maximum fine of one lakh rupees. If a child is found in a brothel and after medical examination has been found to have been sexually abused, it is assumed that the child has been detained for the purpose of prostitution. Any person committing prostitution in public with a child shall be punishable to seven year in prison up to life imprisonment, or a term which may extend to ten year and also a maximum fine of one lakh rupees. If prostitution of a child is being committed with knowledge of an establishment owner such as a hotel the license of the hotel is likely to be cancelled along with the given prison sentence and/or fines. Any child found in a brothel or being abused for the purpose of prostitution can be placed in an institution for their safety by a magistrate. Landlords, leasers, owner, agent of the owner who unknowingly previously rented their property to a person found guilty of prostituting a child, must get approval from a magistrate before re-leasing their property for three years after the order is passed.

Salient features of Immoral Traffic Prevention Act, 1986

THE IMMORAL TRAFFIC (PREVENTION) ACT, 1956 Act: An Act to provide in pursuance of the International Convention signed at New York on the 9th day of May, 1950, for the prevention of immoral traffic. Be it enacted by Parliament in the Seventh Year of the Republic of India as follows:

1. **Short title, extent and commencement**

(1) This Act may be called The Immoral Traffic (Prevention) Act, 1956. (2) It extends to the whole of India. (3) This section shall come into force at once; and the remaining provisions of this come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

2. **Definitions**

In this Act. unless the context otherwise requires— (a) "brothel" includes any house, room, conveyance or place, or any portion of any house, room, conveyance or place, which is used for purposes of sexual exploitation or abuse for the gain of another person or for the mutual gain of two or more prostitutes; (aa) "child" means a person who has not completed the age of sixteen years; (b) "corrective institution" means an institution, by whatever name called (being an institution established or licensed as such under Section 21), in which persons, who are in need of correction, may be detained under this Act, and includes a shelter where under trials may be kept in pursuance of this Act; (c) "magistrate" means a Magistrate specified in the second column of the Schedule as being competent to exercise the powers conferred by the section in which the expression occurs and which is specified in the first column of the Schedule; (ca) "major" means a person who has completed the age of eighteen years; (cb) "minor" means a person who has completed the age of sixteen years but has not completed the age of eighteen years; (d) "prescribed" means prescribed by rules made under this Act; (e) [1] [* * * * * *]. (f) "prostitution" means the sexual exploitation or abuse of persons for commercial purposes, and the expression "prostitute" shall be construed accordingly; 2 (g) "protective home" means an institution, by whatever name called (being an institution established or licenced as such under Section 21), in which persons who are in need of care and protection, may be kept under this Act and where appropriate technically qualified persons, equipments and other facilities have been provided but does not include,— (i) a shelter where undertrials may be kept in pursuance of this Act, or (ii) a corrective institution; (h) "public place" means any place intended for use by, or accessible to, the public and includes any public conveyance; (i) "special police officer" means a police officer

appointed by or on behalf of the State Government to be in charge of police duties within a specified area for the purpose of this Act; (j) "trafficking police officer" means a police officer appointed by the Central Government under sub-section (4) of Section 13. Comments Prostitution—Police raid—Nine girls recovered—Enquiry conducted under Sec. 17— Medical examination report stating to have had sexual intercourse within a week before examination— Detention order—Appeal—No evidence as to petitioners living in or carryingon prostitution brothel at time of raid—No evidence to prove that petitioners were seducing any person for the purpose of prostitution—Profession of accused stated to be dancing & singing—Held :—Sexual intercourse by itself is not an offence—Prostitution by itself is not an offence—Petition al-lowed.

Kumari Sangeeta v. State and another. 1996 Cr.R. 129 (Delhi) 2-A. Rule of construction regarding enactments not extending to Jammu and Kashmir .—Any reference in this Act to a law which is not in force in the State of Jammu and Kashmir shall in relation to that State, be construed as a reference to the corresponding law, if any, in force in that State.

3.   Punishment for keeping a brothel or allowing premises to be used as a brothel

(1) Any person who keeps or manages, or acts or assists in the keeping or management of, a brothel, shall be punishable on first conviction with rigorous imprisonment for a term of not less than one year and not more than three years and also with fine which may extend to twothousand rupees and in the event of a second or subsequent to conviction with rigorous imprisonment for a term of not less than two years and not more than five years and also with fine which may extend to two thousand rupees. (2) a any person who,— (a) being the tenant, lessee, occupier or person in charge of any premises, uses, or knowingly allows any other person to use, such premises or any part thereof as a brothel, or 3 (b) being the owner, lessor or landlord of any premises or the agent of such owner, lessor or landlord, lets the same or any part thereof with the knowledge that the same or any part thereof is intended to be used as a brothel, or is wilfully a party to the use of such premises or any part thereof as a brothel, shall be punishableon first conviction with imprisonment for a term which may extend to two years and with fine which fine which may extend to two thousand rupees and in the event of a second or subsequent conviction, with rigorous imprisonment for a term which may extend to five years and also with fine. (2-A) For the purposes of sub-section (2), it shall be presumed, until the contrary is proved, that any person referred to in clause (a) or clause (b) of that sub-section, is knowingly allowing the premises or any part thereof to be used as a brothel or, as the case may be, has knowledgethat the premises or

any part thereof are being used as a brothel, if,— (a) a report is published in a newspaper having circulation in the area in which such person resides to the effect that the premises or any part thereof have been found to be used for prostitution as a result of a search made under this Act; or (b) a copy of the list of all things found during the search referred to in clause (a) is given to such person. (3) Notwithstanding anything contained in any other law forthe time being in force, on conviction of any person referred to in clause (a) or clause (d) of sub- section (2) of any offence under that sub-section in respect of any premises or any part thereof, any lease or agreement under which such premises have been leased out or held or occupied at the time of the commission of the offence, shall become void and inoperative with effect from date of the said conviction.

4.   **Punishment for living on the earnings of prostitution**

(1) Any person over the age of eighteen years who knowingly lives, wholly or in part, on the earnings of the prostitution of any other person shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to one thousand rupees, or with both, and where such earnings relate to the prostitution of a child or a minor, shall be punishable with imprisonment for a term of not less than seven years and not more than ten years. (2) Where any person over the age of eighteen years is proved,— (a) to be living with,or to be habitually in the company of, a prostitute; or (b) to have exercised control, direction or influence over the movements of a prostitute in such a manner as to show that such person is aiding abetting or compelling her prostitution; or (c)to be acting as a tout or pimp on behalf of a prostitute, 4 it shallbe presumed, until the contrary is proved, that such person is knowingly living on the earnings of prostitution of another person within the meaning of sub-section (1).

5.   **Procuring, inducing or taking person for the sake of prostitution**

(1) Any person who— (a) procures or attempts to procure a person whether with or without his/her consent, for the purpose of prostitution; or (b) induces a person to go from any place,with the intent that he/she may for the purpose of prostitution become the inmate of, or frequent,a brothel; or (c) takes or attempts to take a person or causes a person to be taken, from one place to another with a view to his/her carrying on, or being brought up to carry on prostitution ; or (d) causes or induces a person to carry on prostitution; shall be punishable on conviction with rigorous imprisonment for a term of not less than three years and not more than seven years and also with fine which may extend to two thousand rupees, and if any offence under this sub- section is committed against the will of any person, the

punishment of imprisonment for a term of seven years shall extend to imprisonment for a term of fourteen years:

Provided that if the person in respect of whom an offence committed under this sub-section,— (i) is a child, the punishment provided under this sub-section shall extend to rigorous imprisonment for a term of not less than seven years but may extend to life; and (ii) is a minor, the punishment provided under this sub-section shall extend to rigorous imprisonment for a term of not less than seven years and not more than fourteen years. [2] (2) [**** **] (3) An offence under this section shall be triable,— (a) in the place from which a person is procured, induced to go, taken or caused to be taken or from which an attempt to procure or taken such persons made; or (b) in the place to which she may have gone as a result of the inducement or to which he/she is taken or caused to be taken or an attempt to take him/her is made.

6.   Detaining a person in premises where prostitution is carried on

(1) Any person who detains any other person, whether with or without his consent,— (a) in any brothel, or (b) in or upon any premises with intent that such person may have sexual intercourse with a 5 person who is not the spouse of such person, shall be punishable on conviction, with imprisonment of either description for a term which shall not be less than seven years but which may be for life or for a term which may extend to ten years and shall also be liable to fine: Provided that the court may for adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term which may be less than seven years. (2) Where any person is found with a child in a brothel, it shall be presumed, unless the contrary is proved, that he has committed an offence under sub-section (1). (2-A) Where a child or minor found in a brothel, is, on medical examination, detected to have been sexually abused, it shall be presumed unless the contrary is proved, that the child or minor has been detained for purposes of prostitution or, as the case may be, has been sexually exploited for commercial purposes. (3) A person shall be presumed to detain a person in a brothel or in upon any premises for the purpose of sexual intercourse with a man other than her lawful husband, if such person, with intent to compel or induce her to remain there,— (a) withholds from her any jewellery, wearing apparel, money or other property belonging to her, or (b) threatens her with legal proceedings if she takes away with her any jewellery, wearing apparel, money or other property lent or supplied to her by or by the direction of such person. (4) Notwithstanding any law to the contrary, no suit, prosecution or other legal proceeding shall lie against such woman or girl at the instance of the person by

whom she has been detained, for the recovery of any jewellery, wearing apparel or other property alleged to have been lent or supplied to or for such woman or girl or to have been pledged by such woman or girl or for the recovery of any money alleged to be payable by such woman or girl.

7.   Prostitution in or in the vicinity of public place

(1) Any person who carries on prostitution and the person with whom such prostitution is carried on, in any premises: (a) which are within the area or areas, notified under sub-section (3), or (b) which are within a distance of two hundred meters of any place of public religious worship, educational institution, hotel, hospital, nursing home or such other public place of any kind as may be notified in this behalf by the Commissioner of Police or Magistrate in the manner prescribed, shall be punishable with imprisonment for a term which may extend to three months. (1-A) Where an offence committed under sub-section (1) is in respect of a child or minor, the 6 person committing the offence shall be punishable with imprisonment of either description for a term which not be less than seven years but which may be for life or for a term which may extend to ten years and shall also be liable to fine: Provided that the Court may, for adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than seven years. (2) Any person who: (a) being the keeper of any public place knowingly permits prostitutes for purposes of their trade to resort to or remain in such place; or (b) being the tenant, lessee, occupier or person in charge of any premises referred to in subsection (1) knowingly permits the same or any part thereof to be used for prostitution; or (c) being the owner, lessor or landlord of any premises referred to in sub-section (1), or the agent of such owner, lessor or landlord, lets the same or any part thereof with the knowledge that the same or any part thereof may be used for prostitution, or is wilfully a party to such use. shall be punishable on first conviction with imprisonment for a term which may extend to three months, or with fine which may extend to two hundred rupees, or with both, and in the event of a second or subsequent conviction with imprisonment for a term which may extend to six months and also with fine, which may extend to two hundred rupees, and if the public place or premises happen to be ahotel, the licence for carrying on the business of such hotel under any law for the time being in force shall also be liable to be suspended for a period of not less than three months but whichmay extend to one year: Provided that if an offence committed under this sub-section is in respect of a child or minor in a hotel, such licence shall also be liable to be cancelled.

Explanation.—For the purposes of this sub-section, "hotel" shall have the meaning as in clause

(6) of Section 2 of the Hotel-Receipts Tax Act, 1980 (54 of 1980). (3) The State Government may, having regard to the kinds of persons frequenting any area or areas in the State, the nature and the density of population therein and other relevant considerations, by notification in the official Gazette, direct that the prostitution shall not be carried on in such area or areas as may be specified in the notification. (4) Where the notification is issued under Sub-section (3) in respect of any area or areas, the State Government shall define the limits of such area or areas in the notification with reasonable certainty. (5) No such notification shall be issued so as to have effect from a date earlier than the expiry of a period of ninety days after the date on which it is issued.

8. Seducing or soliciting for purpose of prostitution

Whoever, in any public place or within 7 sight of, and in such manner as to be seen or heard from, any public place, whether from within any building or house or not: (a) by words, gestures, willful exposure of her person (whether by sitting by a window or on the balcony of a building or house or in any other way), or otherwise tempts or endeavour to tempt, or attracts or endeavour to attract the attention of, any person for the purpose of prostitution; or (b) solicits or molests any person, or loiters or acts in such manner as to cause obstruction or annoyance to persons residing nearby or passing by such public place or to offend against public decency, for the purpose of prostitution, shall be punishable on first conviction with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both, and in the event of a second or subsequent conviction, with imprisonment for a term which may extend to one year, and also with fine which may extend to five hundred rupees: Provided that where an offence under this Section is committed by a man he shall be punishable with imprisonment for a period of not less than seven days but which may extend to three months.

9. Seduction of a person in custody

Any person who having the custody, charge or care of or in a position of authority over any person causes or aids or abets the seduction for prostitution of that shall be punishable on conviction with imprisonment of either description for a term which shall not be less than seven years but which may be for life or for a term which may extend to ten years and shall also be liable to fine: Provided that the court may, for adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term of

less than seven years.

10-A. Detention in a corrective institution

(1) Where,— (a) a female offender is found guilty of an offence under Section 7 or Section 8, and (b) the character, state of health and mental condition of the offender and the other circumstances of the case are such that it is expedient that she should be subject to detention for such term and such instruction and discipline as are conducive to her correction, it shall be lawful for the court to pass, in lieu of a sentence of imprisonment, an order for detention in a corrective institution for such term, not being less than two years and not being more than five years, as the court thinks fit: Provided that before passing such an order,— 8 (i) the court shall give an opportunity to the offender to be heard and shall also consider any representation which the offender may make to the court as to the suitability of the case for treatment in such an institution, as also the report of the Probation Officer appointed under the Probation of Offender Act, 1958; and (ii) the court shall record that it is satisfied that the character, state of health and mental condition of the offender and the other circumstances of the case are such that the offender is likely to benefit by such instruction and discipline as aforesaid. (2) Subject to the provisions of sub-section (3), the provisions of the Code of Criminal Procedure, 1973, relating to appeal, reference and revision, and of the Limitation Act, 1963 as to the period within which an appeal shall be filed, shall apply in relation to an order of detention under sub-section (1) as if the order had been a sentence of imprisonment for the same period as the period for which the detention was ordered. (3) Subject to such rules as may be made in this behalf, the State Government or authority authorised in this behalf may, at any time after the expiration of six months from the date of an order for detention in a corrective institution, if it is satisfied that there is a reasonable probability that the offender will lead a useful and industrious life, discharge her from such an institution, without condition or with such conditions as may be considered fit, and grant her a written licence in such form as may be prescribed. (4) The conditions on which an order is discharged under sub-section (3), may include requirements relating to residence of the offender and supervision over the offenders activities and movements.

11. Notification of address of previously convicted offenders

(1) When any person having been convicted— (a) by a court in India of an offence punishable under this Act or punishable under Section 363, Section 365, Section 366, Section 366-A, Section 366-B, Section 367, Section 368, Section 370, Section 371, Section 372 or Section 373 of the Indian Penal Code (45 of 1860), with imprisonment for a term of two

years or up wards; or

(b) by a court or tribunal in any other country of an offence which would, if committed in India, have been punishable under this Act, or under any of the aforesaid sections with imprisonment for a like term, is within a period of five years after release from prison, again convicted of any offence punishable under this Act or under any of those section with, imprisonment for a term of two years or upwards by a court, such court may, if it thinks fit, at the time of passing the sentence of imprisonment on such person, also order that his residence, and any change of, or absence from, such residence, after release, be notified according to rules made under Section 23 for a period not exceeding five years from the date of expiration of that sentence. 9 (2) If such conviction is set aside on appeal or otherwise, such order shall become void. (3) An order under this section may also be made by an Appellate Court or by the High Court when exercising its powers of revision. (4) Any person charged with a breach of any rule referred to in sub-section (1)may be tried by a Magistrate of competent jurisdiction in the District in which the place last notified as his residence is situated.

13. **Special police officer and advisory body** .—(1) There shall be for each area to be specified by the State Government in this behalf a special police officer appointed by or on behalf of that government for dealing with offences under this Act in that area. (2) The special police officer shall not be below the rank of an Inspector of Police. (2-A) The District Magistrate may, if he considers it necessary or expedient so to do, confer upon any retired police or military officer all or any of the powers conferred by or under this Act on a special police officer, with respect to particular cases or classes of cases or to cases generally: Provided that no such power shall be conferred on,— (a) a retired police officer unless such officer, at the time of his retirement, was holding a post not below the rank of an inspector; (b) a retired military officer unless such officer, at the time of his retirement, was holding a post not below the rank of a commissioned officer. (3) For the efficient discharge of his functions in relation to offences under this Act,—

(a)   the special police officer of an area shall be assisted by such number of subordinate police officers (including women police officers wherever practicable) as the State Government may think fit; and (b) the State Government may associate with the special police officer a non- official advisory body consisting of not more than five leading social welfare workers of thatarea (including women social welfare workers wherever practicable) to advise him on questions of general importance regarding the working of this Act. (4) The

Central Government may, for the purpose of investigating any offence under this Act or under any other law for the time being in force dealing with sexual exploitation of persons and committed in more than one State appoint such number of police officers as trafficking police officers and they shall exercise all the powers and discharge all the functions as are exercisable by special police officers under this Act with the modification that they shall exercise such powers and discharge such functions in relation to the whole of India.

14. Rescue of person

(1) Where a Magistrate has reason to believe from information received from the police or from any other person authorised by State Government in this behalf or otherwise, that any person is living, or is carrying, or is being made to carry on, prostitution in a brothel, he may direct apolice officer not below the rank of a sub-inspector to enter such brothel, and to remove there from such person and produce her before him. (2) The police officer, after removing the personshall forthwith produce her before the Magistrate issuing the order.

15. Protective homes

(1) The State Government may in its discretion establish as many protective homes and corrective institutions under this Act as it thinks fit and such homes and institutions when established shall be maintained in such manner as may be prescribed. (2) No person or no authority other than the State government shall, after the commencement of this Act, establish or maintain any protective home or corrective institution except under and in accordance with the conditions of, a licence issued under this section by the State Government. (3) The State Government may, on application made to it in this behalf by a person or authority, issue to such person or authority a licence in the prescribed form for establishing and maintaining or as the case may be, for maintaining a protective home or corrective institution and a licence so issued may contain such conditions as the State Government may think fit to impose in accordance with the rules made under this Act: Provided that any such condition may require that the management of the protective home or corrective institution shall, wherever practicable, be entrusted to women: Provided further that a person or authority maintaining any protective home at the commencement of this Act shall be allowed a period of six months from such commencement to make an application for such licence: Provided also that a person or authority maintaining any corrective institution at the commencement of the Suppression of Immoral Traffic in Women and Girls (Amendment) Act, 1978, shall be allowed a period of six months from such commencement to make an application for such licence. (4) Before issuing a licence, the State Government

may require such officer or authority as it may appoint for this purpose, to make a full and complete investigation in respect of the application received in this behalf and report to it the result of such investigation and in making any such investigation the officer or authority shall allow such procedure as may be prescirbed. (5) A licence, unless sooner revoked, shall remain in force for such period as may be specified in the licence and may, on application made in this behalf atleast thirty days before the date of its expiration, be renewed for a like period. (6) No licence issued or renewed under this Act shall be transferable. (7) Where any person or authority to whom a licence has been granted under this Act or any agent or servant of such person or authority commits a breach of any of the conditions thereof or any of the provisions of this Act or of any of the rules made under this Act, or where the State Government is not satisfied with the conditions, management or superintendence or any protective home or corrective institution the State Government may, without prejudice to any other penalty which may have been incurred under this Act, for reasons to be recorded, revoke the licence by order in writing: 17 Provided that no such order shall be made until an opportunity is given to the holder of the licence to show cause why the licence shall not be revoked. (8) Where a licence in respect of a protective home or corrective institution has been revoked under the foregoing sub-section such protective home or corrective institution shall cease to function from the date of, such revocation. (9) Subject to any rule that may be made in this behalf, the State Government may also vary or amend any licence issued or renewed under this Act. (9-A) The State Government or any authority authorised by it in this behalf may, subject to any rules that may be made in this behalf, transfer an inmate of a protective home to another protective home or to a corrective institution or an inmate of a corrective institution to another corrective institution or to a protective home, where such transfer is considered desirable having regard to the conduct of the person to be transferred, the kind of trainingto be imparted and other circumstances of the case: Provided that,— (i) no person who is transferred under this sub-section shall be required to stayin the home or institution to which she is transferred for a period longer than she was required to stay in the home or institution from which she was transferred; (ii) reasons shall be recorded for every order of transfer under this sub-section. (10) Whoever establishes or maintains a protective home or corrective institution except in accordance with the provisions of this section, shall be punishable in the case of a first offence with fine which may extend to one thousand rupees and in the case of second or subsequent offence with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees,

or with both.

21-A. Production of records

Every person or authority who is licensed under sub-section (3) of Section 21 to establish or maintain, or, as the case may be, for maintaining, a protective home or corrective institution shall whenever required by a Court, produce the records and other documents maintained by such home or institution before such court. 22. Trials .—No Court, inferior to that of a Metropolitan Magistrate or a Judicial magistrate of the first class, shall try any offence under Section 3, Section 4, Section 5, Section 6, Section 7 or Section 8.

22-A. Power to establish special Courts

(1) If the State Government is satisfied that it is necessary for the purpose of providing for speedy trial of offences under this Act in any district or metropolitan area, it may, by notification in the official Gazette and after consultation with the High Court, establish one or more Courts of Judicial Magistrates of the first class, or, as the case may be, Metropolitan Magistrate, in such district or metropolitan area. 18 (2) Unless otherwise directed by the High Court, a court established under sub-section (1) shall exercise jurisdiction only in respect of cases under this Act. (3) Subject to the provisions of sub-section (2), the jurisdiction and powers of the presiding officer of a court established under sub-section (1) in any district or metropolitan area shall extend throughout the district or the metropolitan area, as the case may be.

22-AA. Power of Central Government to establish special courts

(1) If the Central Government is satisfied that it is necessary for the purpose of providing for speedy trial of offences under this Act and committed in more than one State, it may, by notification in the official Gazette and after consultation with the High Court concerned, establish one or more courts of Judicial Magistrates of the first class or Metropolitan Magistrates for the trial of such offences. (2) The provisions of Section 22-A, shall, so far as may be, apply to the courts established under sub-section (1), as they apply to Courts established under that section.

23.   Power to make rules

(1) The State Government may, by notification in the official Gazette, make rules for carrying on the purposes of this Act. 19 (2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for : (a) the notification of any place as a public place;

(b)   the placing in custody of persons for whose safe custody orders have been passed under subsection (1) of Section 17 and their maintenance; (bb) the discharge of an offender under sub- section (3) of Section 10-A from a corrective institution and the form of licence to be granted to such offender; (c) the detention and keeping in protective homes or, as the case may be, in corrective institutions or person under this Act and their maintenance; (d) the carrying out of the provisions of Section 11 regarding notification of residence or change of or absence from residence by released convicts; (e) the delegation of authority to appoint the special police officer under sub-section (1) of Section 13; (f) the carrying into effect of the provisions of Section 18; (g)(i) the establishment, maintenance, management and superintendence of protective homes and corrective institutions under Section 21 and the appointment, powers and duties of persons employed in such home or institution; (ii) the form in which an application for a licence may be made and the particulars to be contained in such application; (iii) the procedure for the issue or renewal of a licence, the time within which such licence shall be issued or renewed and the procedure to be followed in making a full and complete investigation in respect of an application for licence; (iv) the form of a licence and the condition to be specified therein; (v) the manner in which the accounts of a protective home and a corrective institution shall be maintained and audited; (vi) the maintenance of registers and statements by a licensee and the form of such registers and statements; (vii) the care, treatments, maintenance, training, instruction, control and discipline of the inmates of protective home and corrective institutions; (viii) the visits to and communications with inmates; 20 (ix) the temporary detention of persons sentenced to detention in protective homes or in corrective institution until arrangements are made for sending them to such homes or institutions; (x) the transfer of an inmate from: (a) protective home to another, or to a corrective institution, (b) one corrective institution to another, or to a protective home, under sub-section (9-A) of Section 21; (xi) the transfer in pursuance of an order of the Court from a protective home or a corrective institution to a prison of a person found to be incorrigible or exercising bad influence upon other inmates of the protective home or the corrective institution and the period of her detention in such prison; (xii) the transfer to a protective home or corrective institution of persons sentenced under Section 7 or Section 8 and the period of their detention in such home or institution; (xiii) the discharge of inmates from a protective home or corrective institution either absolutely or subject to conditions, and their arrest in the event of breach of such conditions; (xiv) the grant of permission to inmates to absent themselves for short periods;

(xv) the inspection of protective homes and corrective institutions and other institutions in which a persons may be kept, detained and maintained; (h) any other matter which has to be, or may be prescribed. (3) In making any rule under clause (d) or clause (g) or sub-section (2), the State Government may provide that a breach thereof be punishable with fine which may

extend to two hundred and fifty rupees. (4) All rules made under this Act shall, as soon as may be after they aremade, be laid before the State Legislature.

24.   Act not to be in derogation of certain other Acts

Nothing in this Act shall be construed to be in derogation of the provisions of the Reformatory Schools Act, 1897 or any State Act enacted in modification of the said Act or otherwise, relating to juvenile offenders. 25. Repeal and savings .—(1) As from the date of the coming into force in any State of the provisions other than Section 1 of this Act, all State Acts relating to suppression of immoral traffic in persons or to the prevention of prostitution, in force in that State immediately before such date shall stand repealed. (2) Notwithstanding the repeal by this Act, of any State Act referred to in sub-section (1), anything done or any action taken including any direction given in any register, rule or order 21 made, any restriction imposed) under the provision of such State Act shall in so far as such thing or action is not inconsistent with the provisions of this Act be deemed to have been done or taken under the provisions of this Act asif the said provisions were in force when such thing was done or such action was taken and shall continue in force accordingly until superseded by anything done or any action taken under this Act.

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