

Law and order by category in pakistan



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CHAPTER 1: Introduction

1. 1 Socio-economic profile, law and order and crime by category in Pakistan, historic evolution

The Islamic Republic of Pakistan (Fig 1, Appendix) is a developing country with a very diverse ethnic and cultural background; inherent in its four provinces; Baluchistan, Punjab, Sindh and NWFP. The current territorial demarcation is a result of three major wars (in 1947, 1965 and 1971), which put a lot of pressure on the economy, which continues in the conflict zone of Kashmir. This coupled with the political instability has destabilized the road to development, as indicated by the meager economic performance.

Pakistan has gone through a very troublesome time since its inception in 1947, when the forced migration from India created havoc with regards to mismanagement of resources, especially with regards to the food problem and soaring inflation (Abul Hasanat, 1957), which is indicated in the high crime of figure of 73105 in the year 1947. Later on, power issues lead to internal disputes between the two wings of Pakistan, hence the war of 1971, which caused anarchy in the already fragile state of the country, shooting the crime figure up to 129679 cases. Since then, the crime trend has been rising persistently (Fig2, Appendix), which can be attributed to the poor socio-economic profile of Pakistan. It has been observed that Pakistan is experiencing increasing poverty levels , political and economic instability, poor law and order situation, increasing corruption, income inequality, significant illiteracy, massive unemployment, rising inflation, influx of refugees (which aggravates the resource problem), recent energy crisis and over population.

This socio-economic situation is reflected in the increasing crime rate, which rose by 41.8%, from 1999 to 2008 (Fig3, Appendix). Upon disaggregation on the basis of types of crime, robbery, dacoity and kidnapping have experienced more than hundred percent growth, this, combined with the increasing terrorist activities and corruption, supports the fact that majority of reported crime is organized in nature.

To top that, the expenditure allocated to improve the law and order situation is not sufficient to combat the increasing crime trend. There are several law enforcement agencies at the federal and provincial level (Figure 4, Appendix), to ensure rule of law in each province but the political volatility of Pakistan and the corruption which is inherent in these organizations, renders them to be useless in enforcing law.

1.2 Crime by category; inter-regional and intra-regional variants

Crime, according to the law dictionary, is a “ violation of law in which there is injury to the public or a member of the public and a term in jail or prison, and/or a fine as possible penalties.” The Palgrave dictionary of Economics describes crime as having the characteristics of a market mechanism, where the supply of crime is determined by the criminals, the demand comes from potential victims and government intervention can be seen in the form of prevention and law.

Crime falls into different categories and further subcategories, which mainly fall under arson, assault, homicide, kidnapping, theft offenses, motor vehicle theft, pornography, prostitution, robbery, sex offenses, property crime,

weapon law violations, financial crimes for instance bad checks, curfew violations, family offenses, cyber-crimes, white-collar crimes, hate crimes, organized crime, terrorism, identity theft, political violence, terrorism, black marketeering and corruption etc.

In Pakistan, these categories of crime are following different trends in the respective provinces.

Overall, statistics show that in the last ten years, the crime rate in Pakistan has increased by fifty percent, where murder cases were highest in the year 2009. Incidence of crime varies in urban and rural settings, where urban areas experience more street crime

Assessing the interregional situation, i. e. province-wise, it can be seen that all reported crime in Punjab rose from 342561 in the year 2006 to 386437 in the year 2010, an increase of 12. 8% (Fig 5, Appendix). In Punjab, miscellaneous crimes have experienced the most growth, followed by crime against property.

In Sindh the total number of crime reported rose from 51295 in the year 2001, to 60774 in the year 2007 (Fig 6, Appendix). There has been a massive rise in crime against person. The main reason behind this lies in the poor law and order situation in the capital of the province; Karachi, where riots, gang crimes and bombings are a normal happening.

Statistics for Baluchistan were only available for the year 2005-06 (Fig 7, Appendix), showing the majority of contribution from crime against person,

which mainly pertains to tribal murders. Baluchistan has experienced less incidents of crime as compared to the other provinces.

The NWFP was affected most due to the influx of Afghan refugees, which aggravated the crime situation, especially with regards to drugs.

1. 3 Indicators for assessing the law and order and crime situation in Pakistan

The law and order and crime situation in Pakistan can be assessed through many socio-economic and macroeconomic variables. Population, corruption, urbanization Indicators include government effectiveness, inflation, poverty, unemployment, gini index, age dependency ratio and number of pending cases at court etc. The deteriorating law and order situation in Pakistan indicates the severity of crime.

The unemployment rate in Pakistan is increasingly steadily, in both rural and urban areas. This is also due to the broad base of middle-aged and young people, implying that the employment opportunities are not keeping pace with the increases in population pressures. In 2009, the unemployment rate in Pakistan was 5. 50 % (Figure 1), which is a major cause of the increasing crime rate.

The poverty level in Pakistan is increasing. In 2008, 17. 2% of the population was below the poverty line. This poverty gap is further increasing due to unequal distribution of income, the increasing level of corruption and poor law and order situation. The aggravating poverty situation puts pressures on the population to engage in illegal activities.

Inflation in Pakistan has been increasing persistently, as shown in figure 2.

1. 4 Efficiency of the law and order institutions and incentive for crime

The law and order situation in Pakistan is very poor; there is absence of rule of law. This instance can be seen in the regular suicide bombings, soaring crime rate and the presence of extremist groups. The principle of equality of all before law is not being followed because the upper class gets away with the consequences of their illegal actions through bribery etc. No proper procedural and systematic justice is followed in Pakistan as the institutions are not transparent.

In Pakistan, there are several law-enforcing institutions at the federal and provincial levels (Fig 11, Appendix). The provincial organizations follow the same set of rules, but there is lack of coordination as forces in each province act independently; hence inefficiency on an aggregate level. According to a USIP report, the police-population ratio in Pakistan is one police official for every 304 persons, which is certainly inadequate in the wake of terrorist activities. Despite being less in number, the law-enforcement agencies also lack expertise due to the inadequate training as they are allocated insufficient funds. Recently, the Musharraf government did take steps to improve the situation by launching anti-terrorist measures and introducing police reforms, but nevertheless, more measures need to be taken to overcome these institutional complexities.

Incentives for crime determine the supply of crime in a society, establishing the extent to which citizens are induced into engaging in illegal activities.

(Persson & Siven, 2006) have quantified the incentive effect on the basis of prison term, punishment and productivity in honest work. The length of the

prison term acts as a disincentive for crime. Similarly, the nature of the punishment affects the degree of the incentive, where harsher punishments reduce the incentive to commit crime. Thirdly, the level of productivity in honest work acts as an incentive for crime when the productivity is low, workers view crime as an alternative and quick means to get more economic profit, emphasizing the importance of immediate gains as viewed by the criminal (Dilulio, 1996). In Pakistan's case, death penalty can be given for twenty seven specific crimes, as illustrated in the Penal Code, but usually crimes are not reported in order to preserve social status. This, combined with the corruption prevalent in the police department, acts as an incentive for criminals. Usually the high profile criminals get away with the consequences of their illegal acts, the credit for which goes to their "connections" in the government and it is the powerless and the petty criminals who are normally punished.

With regards to productivity in honest work, in Pakistan the payoff varies on different levels of the social ladder, where the return increases as a person moves up the ladder, normally at the expense of those at the lower levels, hence increasing the gap between the rich and the poor, which is reflected in the Gini coefficient of Pakistan. To top that, the rising inflation has reduced the purchasing power, which has created desperation among the lower levels of society, forcing them to turn towards criminal activities in the race for survival.

The recent recession in Pakistan has reduced labor market opportunities and wage distribution at the lower end of the society, as more workers are laid off, hence shaping incentives for crime (Machin & Meghir, 2004), where the <https://assignbuster.com/law-and-order-by-category-in-pakistan/>

impact on educated unemployment is i. e. unemployment in the case of people who hold degrees.

1. 5 Judicial efficiencies and control of crime

The judicial system in Pakistan is not efficient mainly because of the two clauses introduced in the constitution; Doctrine of necessity and Revolutionary legality, which imply that the military government can abrogate the constitution without the help of the judiciary. Hence a judiciary which is not independent fails to control crime effectively,

1. 6 A class conflict, social inequalities, poverty and crime

Class conflict and social inequality exist in Pakistan exist in the form of feudal groups, gender inequalities which in turn can be seen in the inequitable distribution of income. As Pakistan is a developing country, most of the population lives below the poverty line, displaying the low GDP per head and the income inequality in terms of the concentration of resources in the hands of a few rich people; this combined with the inefficient regulatory and legal system of Pakistan is hindering the economic growth of Pakistan, which further provides an incentive to criminals to act in order to win in the battle for resources currently going on in the country, hence forming a vicious circle.

Feudalism, bureacrary, circle of poverty, large families regressive taxation, assets with few Other major ailments of the Pakistani society include poverty, inflation and inequality, which are positively linked with burglary and theft (Denzin, 1975-from machin and meghir). Ethnic tension because dominance by some

1. 7 Terrorism, balance of terrorism and the changing composition of the nature of crime; recent evidence

Accelerating rate of poverty is disturbing the fabrics of entire society which is threatening to spark flair of already rooted terrorism, which has been gaining strength to accomplish both religious and political intentions. There has been vibrant activity undertaken by the structured groups who take energetic part in suicide bombings. Madrassas are involved in brainwashing and promoting violence in the name of jihad. Lal masjid attack, Losses to economy, Poverty, lack of justice and socio-economic estrangement are being subjugated by the terrorist outfits and their masterminds to trap young susceptible minds and recruit them as suicide bombers. The flared gap between the rich and poor is also providing an occasion to the terrorists to cash this feeling of being unnoticed in the poverty struck regions. Pakistan's economy has been sternly affected by its pledge to fighting extremism. The socio-political cost of terrorism and militancy imposed on our country is immeasurable. The most important impact of terrorist activity is decrease in the flow of private finance into the country. It has happened at the time when Pakistan is successively very high trade and balance of payments deficits. The growth in suicide attacks and counter-terror processes by the Pak Army has led to flight of capital that peaked in 2009-2010. Now Pakistani investors are even not motivated to invest in Pakistan what to say about foreign investors.

1. 8 Corruption, corruption deterrence and consistency of crime

Corruption is one of the most persistent problems in Pakistan, and it is dominant in the following sectors; police, judicial system, power sector and the tax administration. There are three main forms of corruption; petty

corruption and grand corruption, and political corruption all of which are especially prevalent in the judiciary and governmental sectors, in the form of bribery etc. Since Pakistan receives aid, corruption is also prevalent in the misappropriation of funds to fulfill the vested interests of regime administrators. Corruption has led to deterioration in the socio-economic conditions of Pakistan, and hence an increase in the crime rate. As corruption decreases the quality of institutions and leads to poor governance, it has hindered the economic progress of Pakistan to a great extent, especially as due to the decrease in foreign aid as aid giving agencies require more transparency of procedures and institutions. Corruption has also led to a great deal of political instability as people do not have faith in the government because official procedures in Pakistan are not transparent, and there is a lot of red tape involved, as a result, bribery flourishes. The persistent corruption has widened the gap between the rich and poor, and has also led to inflation and unemployment, forcing many people to resort to criminal practices, especially in the form of organized crime.

Corruption has become an inherent part of Pakistani culture and the level of corruption has risen recently since the Musharraf government. Subsequent steps have been taken for corruption deterrence in the form of anti-corruption campaigns. For corruption deterrence it should be noted, the anti-corruption campaigns are attempting to make the institutions more accountable. Increased accountability and transparency will reduce the opportunities for corruption.

1. 7 Keywords and definitions

Kidnapping

Kidnapping is the act of seizing a person in order to obtain ransom.

Robbery

Robbery is a kind of property, in which something valuable is taken by force.

Inflation

Inflation is the persistent rise in prices.

Poverty

Poverty is the deficiency of basic necessities of life

Educated Unemployment

Educated unemployment is the unemployment of the tertiary education sector

Government effectiveness

Government effectiveness captures the regulatory quality of the government.

Organized crime

Organized crime is crime committed groups for some economic profit.

Corruption

Corruption is the abuse of power for personal gain

Terrorism

Terrorism is violent acts committed to fulfill ideological gains

1. 8 Study Objectives

To study the impact of inflation rate on the crime rate.

To study the impact of Government effectiveness on Crime

To study the impact of Educated unemployment on Crime

To study the impact of Poverty on Crime

To study the impact of International Immigrants on Crime