

“Causes Of Origin Of Habitual Offenders – A Study”

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ABSTRACT-

Crime poses a significant challenge to the well-being and stability of society, affecting both social interactions and individual lives. It is an unfortunate reality present wherever there is human civilization. Governments implement various strategies to deter criminal activities, yet despite these efforts, recidivism remains a prevalent issue. Habitual offenders, individuals who repeatedly engage in unlawful behavior, face legal consequences such as imprisonment as a means to prevent further criminal activity. These individuals are typically characterized by multiple convictions for various offenses. Addressing the root causes of criminal behavior is crucial in mitigating the problem of habitual criminality, as prevention is often more effective than punishment. Factors contributing to criminality vary, but identifying and addressing them can aid in reducing recidivism rates. It's important to note that the definition and legal implications of habitual offending may vary depending on specific circumstances and legal jurisdictions.

Keywords: Crime, Habitual Offenders, Recidivism, Preventive Measures, Imprisonment.

INTRODUCTION-

The recurring challenge of habitual offending presents a formidable obstacle to societal harmony and safety. Habitual offenders, colloquially known as “habitual criminals,” epitomize this issue, persistently engaging in criminal behavior despite prior convictions. Central to understanding this phenomenon is the concept of recidivism, denoting the tendency for individuals to repeat offenses even after undergoing punishment and sanctions. Recidivism underscores the cyclical nature of criminal behavior, highlighting the complexity of addressing underlying factors contributing to reoffending.

In response to the persistent threat posed by habitual offenders, authorities implement measures aimed at deterrence and incapacitation. Imprisonment serves as a primary tool for physical incapacitation, aiming to disrupt the pattern of criminal behavior and prevent further offenses. By removing habitual offenders from society through incarceration, law enforcement endeavors to protect the public from potential harm and curb the cycle of recidivism. However, the effectiveness of punitive measures alone in addressing the root causes of habitual offending remains a subject of ongoing debate.

The classification of individuals as habitual offenders typically hinges on a threshold of multiple convictions, commonly set at two or more offenses. This designation serves as a means of identifying those who exhibit a persistent pattern of criminal behavior, warranting heightened intervention from law enforcement and the criminal justice system. While efforts to combat habitual offending often focus on punitive measures, addressing underlying socio-economic factors and providing rehabilitative support may hold the key to breaking the cycle of recidivism and fostering long-term societal resilience.

OBJECTIVES OF STUDY-

1. Identify the underlying factors contributing to the emergence of habitual criminal behavior.
2. Examine the role of socio-economic influences in shaping the trajectory towards habitual offending.
3. Investigate the effectiveness of punitive measures, such as imprisonment, in deterring habitual criminal behavior.
4. Explore potential avenues for intervention and prevention strategies aimed at disrupting the cycle of recidivism and promoting societal well-being.

METHODOLOGY-

It is purely an analytical study of the root cause which promotes habitual criminality in the society and it also focuses on the various measures to curb this menace.

HYPOTHESIS -

Individuals hailing from poverty-stricken family backgrounds are more likely to exhibit patterns of habitual criminal behavior compared to those from more economically stable households.

AN ANALYSIS OF THE FACTORS RESPONSIBLE FOR HABITUAL OFFERENCE

An examination of the factors contributing to habitual criminal behavior reveals several noteworthy points:

1. Poverty-stricken tribal communities often find themselves entrenched in a cycle of criminality.
2. Habitual criminality manifests as the persistent engagement in anti-social behaviors, potentially leading individuals down a path towards a criminal career.
3. This behavior is intricately linked to one's social circumstances.
4. Environmental factors and individual responses play a role in shaping this behavior.
5. Over time, habitual criminality can become ingrained as a lifestyle.
6. Psychological factors also play a role in some cases.
7. Societal and economic changes contribute to the emergence of this phenomenon over time.

The term "recidivism" denotes the repeated commission of crimes, with individuals fitting this pattern labelled as recidivists. Walter Reckless has classified habitual criminals as career criminals, often initiated into a life of crime through juvenile delinquency and further honing their criminal skills while incarcerated. This progression is marked by a growing disdain for conventional societal norms, leading to an embrace of criminality.

Deficiencies in education and adverse family backgrounds are significant contributors to the cultivation of habitual criminal behavior. Additionally, societal influences can steer individuals towards more severe criminal activities. Economic hardships also play a role, with financial struggles often pushing individuals towards criminal pursuits.

Without proper intervention and support, individuals may find themselves trapped in a cycle of criminal behavior, with incarceration often exacerbating rather than deterring future criminal activities. Moreover, feelings of insecurity and aggression can prompt individuals to resort to crime repeatedly, perpetuating the cycle of habitual offending.

CONCLUCTION-

Addressing habitual offenders requires timely intervention from both society and law enforcement. By promptly identifying and addressing their actions, we can prevent them from escalating their behavior. This could involve imprisonment and efforts to help them recognize the consequences of their actions, thereby reducing the likelihood of them becoming more emboldened in their criminal activities.

While the prospect of rehabilitation may not always be straightforward, it's essential to remain hopeful. Despite the challenges, providing support and opportunities for change is crucial in fostering a safer and more cohesive community. By maintaining a proactive approach and a belief in the potential for transformation, we can work towards reducing recidivism and promoting positive societal outcomes.

REFERENCES: -

1. Stevenson, S. J. "The 'habitual Criminal' in Nineteenth-Century England: Some Observations on the Figures." *Urban History Yearbook*, vol. [13], 1986, pp. 37–60. JSTOR, <http://www.jstor.org/stable/44611000>. Accessed 18 Feb. 2021.
2. Holzman, Harold R. "The Serious Habitual Property Offender as 'Moonlighter': An Empirical Study of Labor Force Participation among Robbers and Burglars." *The Journal of Criminal Law and Criminology* (1973-), vol. 73, no. 4, 1982, pp. 1774–92. JSTOR, <https://doi.org/10.2307/1143304>. Accessed 18 Feb. 2021.
3. Radzinowicz, Leon, and Roger Hood. "Incapacitating the Habitual Criminal: The English Experience." *Michigan Law Review*, vol. 78, no. 8, 1980, pp. 1305–89. JSTOR, <https://doi.org/10.2307/1288371>. Accessed 18 Feb. 2021.
4. Fry, Margery. "The Habitual Prisoner." *The Modern Law Review*, vol. 15, no. 2, 1952, pp. 155–59. JSTOR, <http://www.jstor.org/stable/1090443>. Accessed 18 Feb. 2021.
5. Jackson, Michael. "The Sentencing of Dangerous and Habitual Offenders in Canada." *Federal Sentencing Reporter*, vol. 9, no. 5, 1997, pp. 256–61. JSTOR, <https://doi.org/10.2307/20639999>. Accessed 18 Feb. 2021.
6. Pavlich, George. "CAPTIVE HABITS OF CRIMINALIZATION." *New Criminal Law Review: An International and Interdisciplinary Journal*, vol. 21, no. 4, 2018, pp. 492–513. JSTOR, <https://www.jstor.org/stable/26530571>. Accessed 18 Feb. 2021.