

## Research Article

### Effect of Imprisonment on Prisoners in the Light of Gabriel Tarde's Three Laws (Case Study: Prison of Qom, Arak and Karaj Cities)

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**Abstract:** This study was conducted with the aim to investigate the effect of imprisonment on the prisoners in the light of Gabriel Tarde's Three Laws in the prisons of Qom, Arak and Karaj cities in 2012. Statistical population of survey was consisted of prisoners in three cities of Arak, Qom and Karaj and in this regard 121 individuals were considered as the sample size by using the random sampling; among these individuals, 20 individuals were selected from prisoners in Qom, 33 from Arak and 68 from Karaj. Data collection was based on the questionnaire. Reliability of questionnaire was obtained 0.89 by using Cronbach's alpha method for 22-question researcher-made questionnaire with five-point Likert scale; moreover the content validity was used in order to test the validity of questionnaire and for this purpose the questionnaire was approved by relevant experts. Analysis of data, obtained from implementing the questionnaire, was done through the software Spss in both descriptive section (frequency, percentage frequency, mean, standard deviation) and inferential section (Single-sample T-test and chi-square test). Results of research indicated that the Gabriel Tarde's laws have been effective in the field of adverse effects of imprisonment on the prisoners. Moreover, the results showed that the effect of imprisonment is not predictable in penal system in reducing the crime and also the outbreak of crimes by the prisoners is higher.

**Keywords:** Crime, gabriel tarde, imprisonment, imitation

## INTRODUCTION

Society is a group of people who are living with each other while observing the rules, customs and habits which are acceptable for all individuals. Naturally, everyone in the society should observe these rules and regulations and not observing them will lead to the disorder. The individual, who violate the mandatory rules, will be known as the delinquent or offender (Turner *et al.*, 2006). Since the past, the human societies have been faced with the social deviance and the strategies have been predicted in order to deal with this deviation. Those, who have committed the crime, have not actually been able to coordinate with the natural flow of society. Naturally, when there is a conflict between the interests of society and individual's interests, the person will violate the regulations otherwise commit a crime if he gives the priority to his own interests and ignores the interests of society (George, 2002).

Criminal laws have been developed for such situations. Various provisions have been considered in the criminal law of countries towards the delinquent. Delinquent should be punished for committing the crime and deviation from the normal and legal way of

society. Imprisonment is one of the strategies for dealing with the delinquency (Hajitabar, 2009).

Imprisonment is the punishment by which the convicted one's freedom is restricted. In another meaning, the imprisonment is defined as: Restricting the freedom and self-control in a specified or unlimited period in when there is no discharge mode and if there is a pending mode, it is called the seizure not the imprisonment (Langroudi, 2008).

Despite the fact that there has been the imprisonment sentence since the ancient time, it is not considered as the common penalty of those eras due to the limited and minor use. Nevertheless, it gradually entered the criminal arsenal as the penalty over time. First, the replacement of imprisonment punishment instead of severe physical punishment was very promising due to moderating the way of penalty despite poor and pitiable status of prisons, but over time this hope turned to despair due to not paying attention to the status of prisons, increased number of prisoners and the phenomenon of professional sentenced individuals (Turner *et al.*, 2006). Therefore, not only the effect of prison and its nature is not a deterrent, but also is has been faded and the risk of social crime and repeated

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offenses has been increased because of the diversity of prison (Martinson, 2004).

By investigating the nature of different crimes, Gabriel Tarde (French Judge) introduced the imitation as the main cause of social crimes and expanded it in a way that the community was not existed without the imitation. Tarde stated the imitation in three laws:

**First Law:** People imitate each other in the environment according to the close relationship with each other, thus the imitation is done with higher speed and severity in the cities with increased population. Therefore, people imitate those who are physically closer to them. In other words, we imitate our neighbors, environment closer to us, family, parents and friends more. Some of the researchers believe that the effect of criminal and deviant environment is remarkable on people's behavior living in the vicinity of that environment. In other words, those who are living in or traveling to the deviate environment or in the vicinity of criminal environment and corruption places, commit the crime within the framework of imitation, rather than based on the need; it means that they make that criminal behavior as their own behavioral pattern. Ultimately, their behavior becomes criminal and corrupted and they commit the crime. Therefore, we imitate those who are close to us physically not emotionally.

**Second Law:** The subordinates usually imitate the superiors. A large number of crimes are first created in the large cities and then the individuals in the rural areas imitate them. Our imitation of those, who are at the higher social levels, means the subordinates' imitation of superiors. This imitation of higher rank or imitation of superiors can be seen in all social relations. Thus this delinquency is presented in the form of cooperation and if a group of people are leader and the others are people in a band, it should be stated that this can be considered within the framework of imitation and obedience to superior according to Tarde's belief. The superior is the model, thus imitating the leader of band and obeying their instructions can be achieved within the framework of this second theory. Thus the Tarde's theory is about the band, net and organized crime.

**Third law:** Imitation practices will be changed and updated like the methods of theft. Social and self-imitation rules can be updated and developed by modifying the ways of imitated crime like a criminal band who commits the crime by a certain way and their method is changed as time passes and according to this rule: the offender is not born the offender, but he becomes professional due to the imitation. In other words, the offender obtains a series of habits through the imitation. After these discussions, which are the beginning of sociology, the perspectives of criminal

sociology were expanded and evolved by Marx and Engels's points of view and the views of socialism. As the social human beings are always developed with the social changes in terms of other social issues and we change our lives with imitating of new fashion and styles, in the criminal issues the delinquency and its ways depend on the changes of delinquency matters and social issues and if there was the traditional banditry due to the specific transportation way, now the delinquents have had the new methods due to development of transportation; in other words the new delinquencies have been made according to the development of transportation. As their tools are changed in the legitimate activities due to the emergence of new values, the criminals use the new practices. Thus the third law indicates the changes of delinquency in recent decades (Tarde, 1890).

Tarde was in the same period with the realization sect. The realization sect emphasized on being innate and inherited crime and insisted on the predestination of crime and argued that the criminals are born based on this way; in other words, this sect was in favor of criminal inheritance. But extremely opposite to this view, Tarde believed that human beings imitate each other infinitely and the human societies are changed due to these mutual or multiple imitations (Clarson and Keating, 2008). Thus the changes of human behavior are because of the imitation and copy from each other. This imitation is done in the society; the human beings imitate the society and the society imitates its members; eventually a general culture comes into existence. The crime, which is also the result of an individual's behavior and changes, is constantly changing; the crimes are changing and take new forms (Abdi, 2007).

Due to the severe punishments of imprisonment in the Iranian law on the one hand and inefficiency of such punishments in decreasing the number of crime and misdemeanor on the other hand and adverse social, familial, ethical and... effects, this issue reveals the serious attention to the applied research in the hypothesis of imprisonment sentence; meanwhile the detrimental effect of imprisonment on the prisoners and this issue that the reduced imprisonment sentence has not reduced the sense of decriminalization after his release, but has made him more experienced, informed and sometimes determined in committing the crime, is a serious alarm which indicates that we should have a new and more scientific view about the imprisonment sentence and its effects. Therefore, according to what was said, the following questions are studied in this research:

**First Question:** To what extent Gabriel Tarde's three laws have had the appropriate impact on the adverse effects of imprisonment on the prisoners?

**Second Question:** To what extent the imprisonment sentence is effective in reducing crime in the penal system.

Table 1: Frequency distribution of subjects' responses to the first question

| Low       |         | Medium    |         | High      |         |
|-----------|---------|-----------|---------|-----------|---------|
| Frequency | Percent | Frequency | Percent | Frequency | Percent |
| 49        | 40.5    | 44        | 36.4    | 28        | 23.1    |

**Third Question:** To what extent the crime can be learned by the prisoners from each other?

### RESEARCH METHODOLOGY

In this study, 121 individuals were chosen as the sample size by using the available random sampling method; 20 prisoners were selected from the prisoners in Qom. 68 prisoners from Karaj and 33 prisoners from Arak.

In this survey, Gabriel Tarde's three laws have been applied for designing the questionnaire. This questionnaire includes 22 questions with five-point Likert scale (very high, high, medium, low and very low). On this basis, the questions 1-5 contain the first law (people imitate each other in the environment in proportion to a close relationship they have with each other). Questions 5-10 contain the second law (The subordinates usually imitate of the superiors). Questions 10-15 contain the third law (by the emergence of new fashion, they replace with the old ones); moreover the questions 15-22 contain the subsidiary questions which examine the prisoners' points of view about the imprisonment punishment and its alternatives.

### RESEARCH FINDINGS

**Evaluating the descriptive data of research:** Results showed that 56.2% of sample group were selected from the male prisoners in prison of Karaj, 16.5% of Qom and 15.7% central prison of Arak. While 11. % of prisoners in the sample group were female and this number is related to the central prison of Arak.

About the prisoners' educational level based on the gender it can be stated that 59.8% of male prisoners had diploma or below high school diploma degree, 15% were above diploma, while 25.5% of male prisoners did not answer this question. However, about the female prisoners' educational level it can be stated that 85.8% of them had D diploma or below degree, 7.1% were above diploma and 7.1% of them refused to answer this question.

About the prisoners' job based on the gender, it can be noted that 5% of male prisoners were workers and farmers, 6% employees, 57% self-employed, 2% engineers, 11% unemployed and 1% retired, while 25% of male prisoners refused to answer this question. Moreover, about the female prisoners, the findings also showed that 14.3% were self-employed, 78.6% housewives and 7.1% did not answer this question.

About the prisoners' offence based on the gender, the findings showed that 19.6% of male prisoners and 14.3% of female prisoners have financial offenses, 32.7% male prisoners had the battery offenses, 20.6%

of male prisoners and 14.3% of female prisoners had the murder offenses, 15% of male prisoners and 35.7% of female prisoners had drug offenses, 6.5% of male prisoners and 21.4% of female prisoners had sex offenses, while 5.6% of male prisoners and 14.3% of female prisoners refused to answer this question.

About the repetition of conviction based on the gender, the findings showed that 40.2% of male prisoners and 71.4% of female prisoners were convicted for the first time, 34.6% of male prisoners and 14.3% of female prisoners were convicted for the second time, 15.9% of male prisoners and 7.5% of female prisoners were convicted for the third time, 7.5% of male prisoners and 7.1% of female prisoners were convicted for more than three times, while 1.9% of female prisoners did not respond to this question.

Findings about the prisoners' average age according to gender showed that the male prisoners' average age was equal to 32.18 years, while this number was 28 years for the female prisoners and the minimum age for male and female prisoners was estimated equal to 19 and 20 years. Furthermore, the comparison of standard deviation also showed that the age distribution in male prisoners was more than female prisoners.

### Evaluating the data based on the questions of all three laws:

- First law:** To what extent are you affected by those you are friend with and have an intimate relationship with them?  
As it can be seen in Table 1, 40.5% of subjects stated that they were partly affected by their friend, while only 23.1% of prisoners emphasized on effect by those who had more intimate relationships. Moreover, 36.4% chose the Medium option.
- Second law:** To what extent do you tend to obey someone who is more professional than you?  
As it can be seen in Table 2, only 19.3% of prisoners have stated that they tend to obey the professional ones in committing the crime to a high degree, 55.5% have chosen the Low option and 52.2% the medium option.
- Third law:** The new methods may be created for committing the criminal acts, to what extent do you apply the new criminal methods?  
As it can be seen in Table 3, only 22% of prisoners have declared that they commit these methods if the new criminal acts are created, while 53.4% of them there is a low possibility to turn

Table 2: Frequency distribution of subjects' responses to the second question

| Low       |         | Medium    |         | High      |         |
|-----------|---------|-----------|---------|-----------|---------|
| Frequency | Percent | Frequency | Percent | Frequency | Percent |
| 66        | 55.5    | 30        | 52.2    | 23        | 19.3    |

Table 3: Frequency distribution of subjects' responses to the third question

| Low       |         | Medium    |         | High      |         |
|-----------|---------|-----------|---------|-----------|---------|
| Frequency | Percent | Frequency | Percent | Frequency | Percent |
| 63        | 53.4    | 29        | 24.6    | 26        | 22      |

Table 4: Mean and standard deviation of Gabriel Tarde's three laws according to the gender (n = 121)

| Gender     | Male (n = 107) |     | Female (n = 14) |      |
|------------|----------------|-----|-----------------|------|
|            | Mean           | S.D | Mean            | S.D  |
| First law  | 14.87          | 4.2 | 12.86           | 4.2  |
| Second law | 14.14          | 4.1 | 10.79           | 3.8  |
| Third law  | 14.1           | 5   | 13.64           | 2.73 |

Table 5: Summary of t-test for comparing the experimental and theoretical means of the first question

| Laws       | Theoretical mean | Experimental mean | S.D | Degrees of freedom | Observed t | t Table | Significant level |
|------------|------------------|-------------------|-----|--------------------|------------|---------|-------------------|
| First law  | 15               | 14.64             | 4.3 | 120                | -0.94      | 1.96    | 0.4               |
| Second law | 15               | 13.75             | 4.2 | 119                | -3.2       | 1.96    | 0.01              |
| Third law  | 15               | 14.05             | 4.8 | 119                | -2.2       | 1.96    | 0.03              |

Table 6: Summary of chi-square test calculations in order to answer the second question

| Variable                                     | Options | Observed frequency | Expected frequency | Difference of frequencies | Degrees of freedom | Chi-square | Significant level |
|--|---------|--------------------|--------------------|---------------------------|--------------------|------------|-------------------|
| Effect of imprisonment on reducing the crime | Low     | 45                 | 40                 | 5                         | 2                  | 1.05       | 0.6               |
|  | Medium  | 36                 | 40                 | -4                        |                    |            |                   |
|  | High    | 39                 | 40                 | -1                        |                    |            |                   |
|  | Total   | 120                |                    |                           |                    |            |                   |

Table 7: Summary of chi-square test calculations in order to answer the third question

| Variable                        | Options | Observed Frequency | Expected Frequency | Difference of frequencies | Degrees of freedom | Chi-square | Significant Level |
|---------------------------------|---------|--------------------|--------------------|---------------------------|--------------------|------------|-------------------|
| Learning the Crime by prisoners | Low     | 28                 | 38                 | -10                       | 2                  | 6.5        | 0.05              |
|                                 | Medium  | 36                 | 38                 | -2                        |                    |            |                   |
|                                 | High    | 50                 | 38                 | 12                        |                    |            |                   |
|                                 | Total   | 120                |                    |                           |                    |            |                   |

into the new criminal acts and 24.6% have chosen the Medium option.

- **Gabriel Tarde's three laws according to the gender:** As it can be seen in Table 4, despite the fact that the mean of all three laws is lower than average (i.e., 15), the mean of male prisoners is more than the mean of female prisoners. In other words, the male prisoners emphasize more than female prisoners on the desired effect of Gabriel Tarde' laws on the prisoners.
- **Examining the research questions:** In this section, the research questions are answered by using the appropriate statistical models.

**First question: To what extent the Gabriel Tarde's Three Laws have had desired effect on the adverse effects of imprisonment on the prisoners:** The null hypothesis is written as follows in order to investigate this question:

$$H_0 : \mu \leq 15$$

$$H_1 : \mu > 15$$

Then the relevant question is answered by using the one-sample t-test.

As it can be seen in Table 5, the significant level of observed t for the first law is 0.94 which is higher than 0.05. In other words, there is no significant difference between the theoretical (15) and experimental (14.64) mean. Therefore, it can be stated that Gabriel Tarde's first law has been effective medially in the field of adverse effects of imprisonment on prisoners, while the second law is significant at the level 0.01 and the third law at the level 0.05. In an accurate word, there is a significant difference between the theoretical and experimental means of second and third law so that the experimental means of both laws are lower than the theoretical mean (15). Thus, it can be concluded that Gabriel Tarde's second and third laws have been partly effective for the prisoners.

**Second question: To what extent the imprisonment sentence in the penal system has been effective in reducing the crime:** To examine the question of single-sample chi-square model was used.

As shown in Table 6, the significant level is higher than 0.05. Thus, there is no sufficient evidence in order to reject the null hypothesis at the level 0.05. In other words, there is no significant difference between the frequency of options. Hence, we cannot comment on the effect of imprisonment sentence on reduction of crime.

**Third question: To what extent the crime is learned by prisoners from each other:** As shown in Table 7, the significant level is equal to 0.05. Therefore, the null hypothesis can be rejected at the level 0.05 in favor of research hypothesis and it can be accepted that there is a significant difference between the observed frequencies so that the data accumulation is more in the option "high", then according to the significant level 95% it can be stated that the prisoners learn the crime from each other to a large extent.

#### **DISCUSSION AND CONCLUSION**

According to the research findings, it should be emphasized that the prison environment always increases the risk of fraud and crime inside the prison due to the special conditions of prisoners. Regardless of adverse outcomes for prisoners and also difficulties for prison officials by committing the crime and offence in prison, it can also be problematic due to the bad effect and possibility to be spread among other prisoners. Since the prison environment is considered as the reformation and rehabilitation environment, the existence of different criminals with various criminal records can disrupt the reformation and rehabilitation of prisoners especially the young offenders and even worse than it, it can cause the bad effect and the tendency towards the deviations in them. Moreover, since the prison environment is an imposed environment and the individual has no power to choose, he only imitates the surrounding environment and existing groups in the prison and intensifies the quality and intensity of committed crime after the imprisonment by emulating the professional criminals' behavior.

Therefore, a serious attention should be taken in the field of increased number of criminal population, lack of classified prisoners, prisoners' health problems, employment of specialists and experts in various fields for managing the prison affairs, creating enough space for prisoners, etc, in order to minimize the negative consequences of imprisonment because changing the facilities has a significant effect on the operation of prison. By the codifying the legislation law, the legislator has empowered the judge in implementing different qualities of imposed alternative penalties; and in this regard, the criminal population of prisons can be reduced by utilizing the comparative law and successful programs of leading countries. Finally, the facilities, required for the surveillance after leaving, should be provided by adopting the fundamental measures in order to prevent from the repetition of crime and also the prisoners' support should be attracted by equipping these centers with the essential tools, thus the next crimes will be prevented and the destructive effects of imprisonment be minimized and we will have a proper development in the field of training and reformation.

However, it should be noted that the findings of this study are consistent with the findings by Hajitabar Firouzjaei (2009) and Abdi (2007).

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