

THE EFFECT OF POVERTY ON CRIME IN UGANDA: THE INTERFACE.

BY

EDUNYU ALEX

LLB/40700/133/DU

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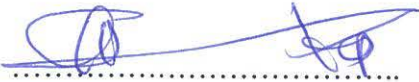
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## DECLARATION

I Edunyu Alex do hereby declare that the work presented here in this dissertation is my own, save for where there are acknowledgments and it has never been submitted or examined in any university as an academic requirement for any award.

Signed



Edunyu Alex [Student]

Date

15/09/2017

Signed



Mr. Abdulkareem Azeez [Supervisor]

Date of Approval

15<sup>th</sup> Sept, 2017

## **DEDICATION**

This work is dedicated to my late mother and father, the parents who did what they could in difficult times to ensure that I achieve what they hoped me to achieve in life. May their souls rest in eternal peace.

## **ACKNOWLEDGMENTS**

I am forever indebted to my late parents who unfortunately did not live to celebrate the achievement they themselves worked hard for. In the same measure, I am so grateful to my lecturer and supervisor Mr. Abdulkareem Azeez who despite all his busy schedules, always spared some of his time to guide me to ensure that this work comes to paper. Without his kind and timely assistance whenever I called for help, I would not have been able to accomplish this task.

I wish to thank all my family members particularly brothers and sisters who despite the loss of our parents before this moment, joined me in this struggle and ensured that I achieved what our late parents would have loved to live to celebrate. May God always be by your side.

Last but not least, I thank all my classmates who worked tirelessly each difficult moment to ensure that they do not leave me behind when it was time for discussions and course works. Their encouragement especially during stressful moments made me to sail through. May the Almighty bless you all in all your endeavors.

## **LIST OF ABBREVIATIONS**

DPP	DIRECTORATE OF PUBLIC PROSECUTIONS
FBI	FEDERAL BUREAU OF INVESTIGATIONS
IG	INSPECTORATE OF GOVERNMENT.
KMP	KAMPALA METROPOLITAN POLICE
LRA	LORD’S RESISTANCE ARMY
NGOS	NON GOVERNMENT ORGANIZATIONS
TIA	TRIAL ON INDICTMENT ACT
UHRC	UGANDA HUMAN RIGHTS COMMISSION
UPAR	UGANDA POVERTY ASSESSMENT REPORT
UPF	UGANDA POLICE FORCE
UPS	UGANDA PRISONS SERVICE
UNDP	UNITED NATIONS DEVELOPMENT PROGRAM
UN	UNITED NATIONS
UNPHC	UGANDA NATIONAL POPULATION AND HOUSING CENSUS
UNSPD	UNITED NATIONS SOCIAL POLICY AND DEVELOPMENT
US	UNITED STATES

## **LIST OF STATUTES**

ANTI CORRUPTION ACT 2009 [AS AMENDED]

ANTI-MONEY LAUNDERING ACT 2013

ANTI-TERRORISM ACT 2002.

CONSTITUTION OF THE REPUBLIC OF UGANDA 1995 [AS AMENDED]

CRIMINAL PROCEDURE CODE ACT CAP 116 [CPC]

EVIDENCE ACT CAP 6 [EA]

MAGISTRATES' COURT ACT CAP 16 [MCA]

NON GOVERNMENTAL ORGANIZATIONS ACT LAWS OF UGANDA 2016

PENAL CODE ACT LAWS OF UGANDA CAP 120

PUBLIC FINANCE AND INVESTMENT ACT LAWS OF UGANDA 2015

SUCCESSION ACT CAP 162 LAWS OF UGANDA

TRIAL AND INDICTMENTS ACT CAP 23 [TIA]

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## CHAPTER ONE

### 1.0 GENERAL INTRODUCTION

Uganda is a country in East-Central Africa. It has a population of about 41, 652, 938.<sup>1</sup> Uganda is bordered by the Republic of Sudan to the North, the Republic of Tanzania and Rwanda to the South, the Republic of Kenya to the East and the Democratic Republic of Congo to the West, occupying most of the Lake Victoria basin a source of the longest river in Africa, the river Nile.<sup>2</sup>

Uganda is described as a pearl of Africa.<sup>3</sup> Like any other developing African country, Uganda has mechanisms of ensuring peace and security in the country for instance it has a police force charged with the duty of keeping law and order among other constitutional obligations, the Uganda prisons service takes the duty of reforming offenders in the country while the army ensures peace and security of the country.<sup>4</sup> Ordinarily, Ugandans from all walks of life are expected to abide by the national laws and avoid defiant acts of criminal behavior but the motherland still faces a lot of challenges in achieving that dream due to many factors.

It has also been observed that, 80% of Uganda's population is illiterate and more than 75% is poor surviving on less than a dollar a day as they depend on subsistence agriculture.<sup>5</sup> These high rates of poverty coupled with an equally high rate of illiteracy in the country tends to force some sections of the

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<sup>1</sup> Worldometers, 'Uganda population'; United Nations; Pg..26; available online at <http://www.worldometersinfo/world-population/> [Accessed June 2017].

<sup>2</sup> Jeal and Tim [Explorers of the Nile], 'The Triumph and Tragedy of a Great Victorian Adventure' (2011).

<sup>3</sup> Churchill Winston Sir, 'My African journey'; United Kingdom;. [Briggs, Toronto Publishers 1909].

<sup>4</sup> The Constitution of the Republic of Uganda 1995 [As Amended] ;Articles, 2008, 211 and 215.

<sup>5</sup> Tumushabe Alfred, 'living on a dollar a day, how far has Uganda tackled poverty? *Daily Monitor Newspaper* ; [May 2014].

population to engage in criminal behaviors to earn a living with full knowledge of the likely legal consequences thus increasing crime. Besides, due to persistently high poverty levels, illegitimate means of survival are resorted to by the poor thus committing crimes.<sup>6</sup>

A big proportion of Uganda's population has continued to suffer social and economic imbalance despite Article 21 of the 1995 Constitution of the Republic of Uganda [as amended] which provides for equality for all.<sup>7</sup> This has tended to cause a lot of public discontent towards the government of Uganda which the poor population believes does not care about their status.

Deprived areas like Karamoja, Lango, Teso and Acholi sub regions are a home for the majority poor Ugandans who see no hope in government addressing their poverty status and believe that lawlessness, disobedience and criminal behavior is the only remedy to their problems<sup>8</sup> This explains why the poor are in constant conflict with the law than the rich particularly in Uganda attempting to draw conclusions that, by and large, poverty normally interfaces with crime.

The study will therefore be a critical assessment on the interface of poverty with crime in Uganda. Poverty will be the independent variable and the crime will be a dependent variable. This chapter shall present the general introduction, background of the study, statement of the problem, objectives of the study, scope of the study, and methodology.

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Merton Robert King, 'Social Structure and Anomie'; American Sociological Review. 3 [5]: 672-682;; journal of research in crime and delinquency: [1892-900].

United Nations Development Programme [UNDP], 'Report' [Uganda 2014].

Wendo Charles, 'Where is the Uganda's Poorest?'; *New Vision newspaper*; Uganda [June 2005].

1.1 BACKGROUND OF THE STUDY

Several studies have been conducted aimed at establishing a correlation between poverty and crime world over. Crimes being a criminal issue, and poverty being a social issue, criminologists and sociologists, have been the experts on the forefront in these studies <sup>9</sup> Several of these studies have tended to draw conclusions that poverty is a source of crime as its major contributing factor and that, the two variables are related.<sup>10</sup>

According to some economic experts <sup>11</sup> poverty is a characteristic of the economic situation of the individual or social group in which they cannot satisfy a certain range of the minimum requirements needed for life saving ability and that poverty is a relative concept and depends on the overall standard of living in society. They further stated that, the more people get indecent wages for their work, the more they lose desire to marry and have children especially young people<sup>12</sup>

People normally start having fears for tomorrow and in the end, these thoughts and fears begin pushing especially the young people to commit crimes because poor people are not capable of earning enough money to buy basic necessities. <sup>13</sup> However, in my view, not all poor people are driven by lack of hope to commit crimes because some few poor people have been able to access relief Aid from mostly Non Government Organizations operating in Uganda for example Child Care Uganda and Save the Children organizations and, this Aid which mainly takes the form of food, medical care, shelter, education, clothing

<sup>9</sup> Cohen and Marcus, 'Social change and crime rate trends';A routine Activities Approach; American Sociological Review 44[1979] 588-608.

<sup>10</sup> Allan BurdZiak, 'Complex connection between crime and poverty'; *Columbian Daily Tribune*; Columbia April 2017].

<sup>11</sup> E. Philip Davis, and Miguel Sanchez, 'Economic theories of poverty'; United Kingdom;Rowtree Foundation P. 66-69 [2015].

<sup>12</sup> Ibid 11

<sup>13</sup> Ibid 11

and counseling has positively changed many lives of the poor in the country. This however does not rule out the fact that those poor who fail to access this Aid at times end up taking criminal careers for basic survival.

Studies have overtime shown that poverty determines a certain stereotype in a person's thoughts where the person does not see any constructive way of solving the problem thus, chooses the easiest way of getting money including harming people as one of the means.<sup>14</sup> In my view however, not all poverty stricken families take to harming people as their first option of addressing poverty in their families because it seems to me that, people take to criminality after exhausting all avenues of combating poverty to no avail but this does not ignore the possibility of some few people taking the law into their hands in order to acquire what they cannot access through legitimate means thus committing crimes.

Experts added that poverty has a huge psychological influence on people who become depressed, desperate and they decide to commit crimes as they have not found anything that can legally get them out of such situations <sup>15</sup>

Further studies indicate that, countries where there are no proper economic regulations have more chances of their people reacting negatively and commit crimes as a consequence of unhappy life and no perspective in such countries <sup>16</sup> this notion directly connects to the hypothesis that, poverty is related to crime.

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<sup>14</sup> Duncan, G.J, 'Volatility of family income over the life course'; In Life-span development and behavior Vol. 9. pp. 317–58 [1988],

<sup>15</sup> Bell Fell and Miles Hew stone, 'Psychological Perspectives on poverty'; United Kingdom, Row tree Foundation [2015].

<sup>16</sup> Roman John,'The puzzling relationship between crime and the economy'; United States of America; [CITYLAB 2013].

In poor countries like Uganda, South Sudan, Somalia, Central African Republic, Democratic Republic of Congo, Brazil, and countries of the former Soviet Union, there are millions of poor people who do not have a way out because they lack any perspectives to find a job as the level of corruption in these countries is very high <sup>17</sup>

In these countries, the gap between the rich and the poor is clearly visible thus while the majority of people have no jobs, no social benefits and, after failing to see any chances of combating the situation, they desperately resort to committing crimes. <sup>18</sup> However, the practice is illegal and unacceptable in the modern world instead, the poor should engage in poverty alleviation programs established by government to address poverty and besides, peaceful means of expressing dissatisfaction with poverty levels in the country should be resorted to instead of crime as one of the means.

Other theories have equally attempted to justify a correlation between poverty and crime for instance, it has been noted that some adolescents will commit crimes to secure a place within a group of people or gain respect from their friends.<sup>19</sup> Similarly, when someone cannot provide his family with the basic necessities needed to live, they may turn to crime to find ways of meeting their needs.<sup>20</sup> That the crime resulting from strain will normally vary depending on the person, opportunities available and the size of the need.

Other studies have also shown that, while poverty is a major contributor of crime, it is not a sole contributor because there are more complex factors that play complex roles in perpetuating various forms of crime and this ideally means that, poverty is more closely related to mostly property crime

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<sup>17</sup> Transparency International, 'Perceived Corruption in Developing Countries'; London/Berlin.[2007].

<sup>18</sup> World BANK, 'Income inequality and effects on crime rate' [2002].

<sup>19</sup> Burgess, R., & Akers, R., 'A Differential Association-Reinforcement; Theory of Criminal Behavior'; Social Problems, Vol. 14, No. 2 pp. 128-147 ( 1966).

<sup>20</sup> Robert K. Merton, 'American Sociological Review'; Vol. 3, No. 5, United States, [American Sociological Association publishers, Pg. 672-682 1938].



notwithstanding the fact that all other forms are correlated to poverty for instance, unemployment, family disruption, lack of education, marital disruption, lack of education, marital disruption, single mother headed families, teenage pregnancies lack of role models in the communities and many others.<sup>21</sup>

It is also said that some people simply commit crimes as a norm of taking law into their hands.<sup>22</sup> Besides poverty, studies show that ineffective parental practices like harshness, isolation, mistreatment of children and subjecting children to harsh environment brings defiant behavior in them, weakens a bond between them and their parents thus criminal behavior.<sup>23</sup>

Biology on the other hand is said to be one of those factors contributing to crime besides poverty <sup>24</sup> Sociologists such as Lombroso, Jacob and Sheldon looked at genetics, adoptions, twins and human brains and connected them with committing crimes besides gender, ethnicity and minority groups <sup>25</sup>

In light of the above, it is clear that other factors other than poverty play a contributory role towards crime because from the outset, poverty mostly relates to property crime among others and it is difficult to imagine that white collar crimes are a result of poverty. This is because white collar criminals do not reside in deprived areas since white collar crimes are normally committed by well to do people living in

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<sup>21</sup> Cesare Lombroso, 'Origins of Biological Criminology'; *Journal of the Behavioral Sciences* 41.1: 79–80. Winter [2005].

<sup>22</sup> D. R. Mansley and J. M. Beattie, *'The First English Detectives'; The Bow Street Runners and the Policing of London*, (2015).

<sup>23</sup> Johnson, Richard E. "Family Structure and Delinquency: General Patterns and Gender Differences." *Criminology* 24(1): 65-84 [1986].

<sup>24</sup> Adrian Raine, 'Biological Basis of Crime'; Oakland, California; ICS Press. Pg. 43-74 [2002].

<sup>25</sup> American Sociological Association, 'Race, Ethnicity and the Criminal Justice System'; Washington, Department of Research and Development [2007].

urban areas most of them employed and doing good businesses<sup>26</sup> Crimes like corruption, embezzlement and some cyber crimes are committed by well paid people who do not suffer from absolute poverty<sup>27</sup>

Despite the above dichotomy, crime offers a way in which impoverished people can obtain material goods that they cannot attain through legitimate means<sup>28</sup> often, threat or force can help them acquire even more goods thus, committing crimes like robbery, which is normally classified as the second violent crime in most crime reports world over<sup>29</sup>

For many impoverished people, the prize that the crime yields may outweigh the risk of being caught especially given that their opportunity cost is lower than that of wealthier people thus poverty should increase crime<sup>30</sup>

However, there has not been a study to explore the interaction between overall poverty and concentrated poverty even though there is some indication that poverty indeed interacts with its partial concentration in predicting crime. Against that background, the study will focus on analyzing the link between poverty and crime in Uganda and, the role other factors play in contributing to crime in Uganda. The study will explore the role of the majority poor in crime to establish a correlation between poverty and crime.

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<sup>5</sup> Friedrichs and David O, 'White Collar Crime in Contemporary Society'; Wadsworth. ISBN 0-495-00604-1 [2003].

<sup>7</sup> Brian K. Payne, 'Overview of white collar crime'; St. Cloud State University, California. [Library of Congress Cataloging-in-publication Data, United States of America printers pg 263 2013].

<sup>3</sup> Ludwig and Paul Hirschfield, 'Urban Poverty and Juvenile Crime'; United States of America; Evidence from a Randomized Housing-Mobility Experiment; Fundamental Finance [2000].

<sup>1</sup> Philip J. Cook, 'Robbery Violence'; 78 J. Crim. L. & Criminology 357 [1987-1988].

<sup>1</sup> Akers and Ronald L, 'Rational Choice, Deterrence, and Social Learning Theory': The Path Not Taken; Journal of Criminal Law and Criminology 81(3), 53-676 .[1990].

## 1.2 STATEMENT OF THE PROBLEM

Uganda is a sovereign state having achieved her sovereign status on 9<sup>th</sup> October 1962 <sup>31</sup> Uganda has a binding supreme law which came to force in 1966, 1967 and lastly amended in 1995 to address all the social, political, economic and cultural challenges that were brought and left by the colonial regime of pre- independent Uganda then.

However, even with the sovereign status, Uganda like few other African States, still grapples with a lot of challenges with high crime rates across the country mainly attributed to equally high poverty levels in the country <sup>32</sup> Besides, Uganda is slowly trying to cope with rapid population growth, high levels of corruption cases and poor social service delivery leading to poor health and high illiteracy levels, absence of strict adherence to the rule of law and constitutionalism.

High poverty levels especially in deprived areas of the country has greatly affected peoples' lives majorly the poor to whom social services are never delivered. These poverty levels are never reported by government neither does government concedes facts of poverty related reports from both Non Government Organizations [NGO'S] and activists. The poverty has forced the poor to always device other means of survival by mainly engaging in unlawful means to sustain a living in society thus criminal behavior. It is against that dichotomy that the study will focus on analyzing the interface between poverty and crime in Uganda.

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<sup>1</sup> Mukasa Mutibwa, '*Uganda since independence*': a story of unfulfilled hopes. p. 65-70.

<sup>2</sup> Stanton E. and Samenow Ph.D, '*Crime and Poverty, a reversal of the conventional wisdom*' Washington DC; Sussex Publishers [2014].

### **1.3 OBJECTIVES OF THE STUDY**

1. To establish whether there is any relationship between poverty and crime in Uganda.
2. To establish other factors contributing to crime in Uganda besides poverty.
3. To generate recommendations to relevant institutions in Uganda
4. To examine the legal and Institutional Framework for poverty and crime in Uganda.

### **1.4 SCOPE OF THE STUDY**

This study will cover all the facts linking poverty to crime in Uganda. It will establish the form of crime among others that is more closely related to poverty as its direct and immediate effect. The study will attempt to establish the relationship between the poor people and crime. The study will also cover and attempt to establish the role of other crime contributing factors besides crime in Uganda. The study will provide observations, findings and recommendations.

### **1.5 SIGNIFICANCE OF THE STUDY.**

This study is intended to guide future researchers and readers in understanding why poverty<sup>i</sup> for quite some time has been considered the largest and single contributing factor to crime in Uganda to be specific. Besides, the study will provide detailed recommendations useful for future researchers and readers to prevent poverty related crimes in Uganda. The study will also make a contribution to the existing literature.

## 1.6 METHODOLOGY

In an attempt to establish whether there is any relationship between poverty and crime in Uganda, the study will majorly rely on methods like observation and document review which involves reviewing prior published documents, secondary data, government documents, newspapers, Non Governmental Organizations' reports, text books, Library documents and reports, articles, journals and social media data sources<sup>33</sup>

## 1.7 LITERATURE REVIEW

The researcher evaluated other research reports, articles of other researchers or individuals and analyzed documents containing information relevant to this study and, attempted to find out how this literature reinforces efforts aimed at achieving the objectives and purpose of this study. The literature below therefore was evaluated for the purposes of this paper.

Aristotle in his book, poverty a source of disturbance and crime<sup>34</sup> refers to poverty as the mother of revolution and crime. He explained that, poverty which is considered in most cases as a small social issue must be tackled and eliminated at the earliest time possible in order to prevent future violent crime associated with persistent poverty. He concludes that, prolonged and persistent poverty tends to physically and mentally torture its victims and as a result, the victims begin to loose control of their values and immediately start developing evil and criminal minds which eventually graduate to very active criminality and delinquency in society mainly perpetuated by the poor.

<sup>33</sup> Lamb and David, 'The Uses of Analysis: Rhetorical Analysis, Article Analysis, and the Literature Review' ["2014).

<sup>34</sup> Aristotle, '*Poverty a source of disturbance and crime*' Greece". 384 BC.

The findings of Aristotle indicate that the poor engage in criminal behavior as a result of physical and mental torture occasioned to them by prolonged and persistent poverty. His findings will be useful in this paper in an attempt to link poverty to crime since his findings reinforce the purpose of this paper. Ludwig, Duncan and Hirschfield in their book, poverty and crime <sup>35</sup> explored the reasons as to why poverty has been associated with crime and reported that, the poor see crime as the only opportunity for them to acquire what they would otherwise not afford using legitimate means. They added that poverty produces violent crimes because the poor find it easier to get large quantities of goods through use of force. They explain that poverty causes desire which in turn increase crime rates which is normally in poor neighborhoods. They conclude that, an increase in crime increases crime rates.

Their findings do not show why the very poor are common perpetrators of crime besides, the findings do not indicate how criminal behaviors develop in the minds of the poor before they commit crime. Their study was based on establishing the relationship between poverty and crime but not why the poor commit crimes, which form the basis of this study. However their findings will be used to link poverty to crime.

According to Fesseha Gebremikael in his study of the linkages between poverty and crime <sup>36</sup> crime is high in low income minority populated areas especially in communities which due to low income are living in public housing where over population is an issue. His study did not reveal why those high crime rates in poor neighborhoods are only and mainly associated with the poor but not the rich. However, though his study focused on the relationship between poverty and crime and not why and how the poor are driven to commit crime, a basis of this study, his findings will be relevant in this paper in linking poverty to crime.

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<sup>35</sup> Duncan and Hirschfield, '*Poverty and crime*'; America. 655-666.

<sup>36</sup> Fesseha and Gebremikael, '*Linkages between crime and poverty*'; India: [2003].

Pridemore in his review studies on poverty and crime<sup>37</sup> concludes that poverty is the most consistent predictor of area homicide rates in the United States' empirical literature and a main confounder of the inequality-homicide association. He carried out studies in 2007, 2011 and 2013 and reported that, after including effects for poverty and compared with inequality effects, there was a very strong poverty-homicide relationship than it was in inequality. His finding was that, poverty affects crime rate but did not indicate why and how poverty affects the poor to the extent of forming criminal minds that end up in active criminality. However, his finding helps this paper to link poverty to crime rates.

According to prominent economic experts<sup>38</sup> structural consequences of poverty such as homelessness and poor housing, distressed neighborhoods and disrupted families lead to frustration at such conditions which in turn can lead to violent crime and aggression. They explain that, more often than not, poverty driven violence expresses feelings of financial humiliation among perpetrators who then feel they have a right to humiliate their victims.

They further added that, violence as a cultural reaction to economic hardship, can become a relatively 'normal' way of dealing with the problems of everyday life and of garnering respect and status in society, engendering fear in circumstances that would otherwise be humiliating and even be passed onto children purporting to be a legitimate form of interaction. Their views though not directly linked to the basis of this paper, will be relevant in both attempting to link poverty to crime and why the poor end up making criminal choices.

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<sup>7</sup> Pridemore, '*Poverty and crime*'; Review studies: 739: US: [2013].

<sup>8</sup> Stark [1987], Krivo and Peterson [1996], Sampson and Groves [1989], Hsieh and Puch [1998] Braithwait [1991], Blau and Blau [1982], Lee [2000], Cooney [1998], Anderson [1994], Bourgois [1995] and Walter et al [2003].

Parker in his book, *poverty a precipitator of spontaneous violent rage*<sup>39</sup> reported that, violence is one of the few options available to those without the economic means to deal with problems or crises of everyday life. He adds that, absolute deprivation may also produce emotional situations which escalate into violence. His absolute deprivation approach suggests that, violence can occur among such individuals because everyday life is difficult. His findings did not point out the reasons why those very few without economic means choose those options and how the choice of option develops in the minds of those in economic difficulties. However, his findings help this paper to relate the two variables though it is not directly related to this study which aims at establishing why crime is in most cases associated with the poor but not the rich.

Patterson in his study of crime victimization and crime rates<sup>40</sup> found out that those levels of absolute poverty measured by the percentage of households with annual incomes below 5000 dollars are significantly associated with higher rates of serious violent crime. His study simply associated poverty to violent crime to indicate the existence of a relationship between the two variables but did not further explain how poverty directly interacts with the poor to give rise to criminality, a basis of this paper. Nevertheless, his findings will assist this paper to link the two variables under study.

Flango and Sherbenou in their study of poverty and violence<sup>41</sup> found out that, poverty was the main factor explaining aggravated assaults, burglary and variations in crime rates across American cities. Their study however, concentrated on establishing the relationship between poverty and aggravated assaults; burglary and crime rate variations in American cities but did not touch the basis of this paper which aims at

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<sup>39</sup> Parker, '*Poverty, a precipitator of spontaneous violent rage*' 986: [1989].

<sup>40</sup> Patterson, '*Study of crime victimization and crime rates*';US: 769; [1991].

<sup>41</sup> Flango and Sherbenou, '*Poverty and violence*'; US Cities: 840: [1976].



establishing why the poor make criminal choices and commit crimes. This does not however stop this paper from using his findings to link poverty to crime.

Jarjoura et al in his longitudinal survey on poverty and delinquency<sup>42</sup> reported that, the longer a young person lives in poverty the more likely he is to engage in delinquent behavior. Not only was persistent poverty key in explaining delinquency in his findings, he also found that other factors such as age of parents at birth, age of parents and their occupational and education status, did mediate the relationship between poverty and crime. His findings also showed that poverty alone without intervening factors has an effect on delinquency and crime. His study was basically on the relationship between the two but did not form the basis of this study though his findings are relevant in establishing the relationship between poverty and crime.

Wright et al in his study of childhood delinquency in New Zealand<sup>43</sup> found out that, young people who committed the most delinquent acts were those who reported more financial strain, were more aggressive, more alienated, had lower education and occupational aspirations, had less social closeness and had less self control. His findings did not indicate why those in financial strain found themselves in those circumstances and, this is the basis of this study. However his findings are useful in linking poverty to crime.

Fafchamps and Minten in their study of crime and poverty relationships<sup>44</sup> aimed at establishing whether the relationship between poverty and crime is direct, indirect or based on a loose association. They also wanted to discover whether individuals from socio-economically disadvantaged and deprived environments have greater propensity to engage in crime. They found out that the relationship between

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<sup>2</sup> Jarjoura et al, 'Longitudinal survey on poverty and delinquency'; America: [2002].

<sup>3</sup> Wright et al, 'Longitudinal study of childhood and adolescent delinquency'; pg. 185: New Zealand: [1999].

<sup>4</sup> Fafchamps and Minten, 'Relationship between poverty and crime' pg. 579: New Zealand: [2006].

poverty and crime was very strong though it reflected a life course process in which other factors combine to increase individual susceptibility to crime. Their study successfully linked poverty to crime but did not show cause why those in socio-economic disadvantage and deprived environments end up taking up active criminal roles, a basis of this study.

Laub and Sampson in poverty and crime review<sup>45</sup> carried out research and found out that poverty has an impact on crime through a multiplicity of causal chains and pathways, all of which may singularly have a weak individual influence but together are associated with experiences of living in poverty. It is this combination in conditions of poverty that increase the likelihood that a person will commit a crime, be apprehended and be a victim crime. This study was basically interested in investigating causes of crime and though poverty features as the main factor, the findings do not indicate why poverty gives rise to crime and how criminal behaviors develop among the poor. However, the findings will be used in this study to link poverty directly to crime.

[Kawachi et al [1999], Kennedy 1998] and Messner in their study of the social class and offending<sup>46</sup> carried out studies and found very strong relationship between social class and offending. They explain that, violence and property crime were associated with absolute and relative deprivation and economic inequality. They added that, crime is more common in societies where there are large disparities between standards of living of its members. The study did not explore why and how the poor end up being perpetrators of crime. It only confirms the relationship between poverty and crime, which is not the basis of this paper though their findings will be useful in linking the two variables under study.

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<sup>45</sup> Laub and Sampson 'Poverty and Crime Review'; Center for Applied Social Research: Leeds Metropolitan University; UK: Pg. 6. [2014].

<sup>46</sup> *ibid* 46

Robert Chambers in his book, rural development, putting the last first <sup>47</sup> argued that, isolation, poverty, physical weakness, powerlessness and vulnerability are core causes of crime in society. In his work, he advocates for the total elimination of those five elements in order to reduce crime. His study was on the causes of crime and he found poverty playing a major role in contributing to crime but did not provide why perpetrators of crime in society are drawn from the poor. That is how different his study is from this paper.

Bursik Jr., Robert Ezra Park and Ernest Burges in their theories of crime and delinquency <sup>48</sup> explained that, urban neighborhoods with high levels of property often experience breakdown in social structures and institutions such as schools and family thus disorganization creating an environment conducive for crime. They add that, due to poverty concentration effect in society, urban neighborhoods tend to be isolated from mainstream society making them prone to violence and crime. Their study did not indicate why the lower class tends to perpetrate crime more than the upper class in society. However, their findings will be used to help this paper link poverty to crime.

Rawson W. Rawson in the book, the crime consumerism and the urban experience <sup>49</sup> used crime statistics to suggest a link between population density and crime rates. He found out that, crowded cities create an environment conducive for crime. His argument was that, overcrowding arising from overpopulation makes people to struggle and compete for limited resources and the immediate result is poverty which in turn forces the poor to engage in crime to cover economic gap. His findings do not show how poverty forces the poor to resort to crime as a means of covering economic gap.

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<sup>47</sup> Robert Chambers, '*Rural development, putting the last first*' Essex: England: [Longman's Scientific and Technical Publishers: New York: 1983].

<sup>48</sup> Bursik Jr. Robert Ezra and Ernest Burges, 'social disorganization and theories of crime and delinquency'; problems and prospects; *Criminology*: 26; Pg. 519-539: [1988].

<sup>49</sup> Hayward. Keith J, 'City Limits, Crime, Consumerism and the urban experience'; Rout ledge: Pg. 89. [2004].

Adolphe Quetelet in his *Journal of Sociology*,<sup>50</sup> carried out a study aimed at establishing relationships between crime and sociological factors and found out that, age, gender, poverty, education and alcohol consumption were important factors related to crime. His study singled out poverty among other factors as the biggest contributor to crime but did not explain why the poor resort to criminal behavior, a basis of this study. However, his findings will be used in this paper to link poverty to crime.

The Heritage Foundation in its study of economic perturbations and crime 2008<sup>51</sup> carried out studies across the main cities of America to establish whether there is a relationship between people living in an economically disadvantaged environments and crime. The study found out that low economic status in society generates envy which in turn those poor to crime as a means of survival. The study also revealed that strong relationship between economic perturbations exists but did not indicate why crime is prevalent among the poor as both perpetrators as well as victims. The findings assist this paper to link the two variables of poverty and crime.

Federal Bureau of Investigations [FBI] in its crime report 2009<sup>52</sup> carried out a study to establish the extent of poverty influence on crime rates across America. The study drew statistics from over 117000 law enforcement agencies across the United States and the findings confirmed that more than 80% of property crime was perpetrated by people living in the deprived areas described as poor. The study did not however proceed to explain why the trend took that path. Its finding is relevant in linking poverty to crime though it did not show why and how poverty interacts with the poor to the extent of forcing them to commit crimes and this is the basis of this paper.

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<sup>0</sup> Adolphe Quetelet, '*Origins of Positivists Criminology*'; *American Journal of Sociology*; 92[5]; Pg. 1140-1169: [1987].

<sup>1</sup> Heritage Foundation, '*Relationship between Economic Perturbations and Crime*'; United States; [2008].

<sup>2</sup> Federal Bureau of Investigations, '*Crime Report*'; United States of America; [2009].

Roger Houching in his book, *the social exclusion and imprisonment 2005*<sup>53</sup> carried out studies to establish the relationship between poverty and crime by drawing samples from inmates from inside Scotland. Out of 6007 prisoners sampled, half of the number revealed their addresses which indicated that they were coming from the poorest 155 council wards in Scotland. The study did not explain what drives the poor to make criminal choices however; his findings will be used in this paper to link poverty to crime.

United Nations World Youth Report on juvenile delinquency 2015<sup>54</sup> carried out studies on juvenile delinquency and found out that, young people who live in difficult circumstances are at a very high risk of becoming delinquents. The study did not however explain how those difficult circumstances interact with the poor and how the poor interpret those difficult circumstances to lead them to commit crimes. However the findings confirm the relationship between poverty and crime which will be useful in this study.

Robert K. Merton and Agnew in their strain theory<sup>55</sup> explained that, when poverty reaches a level whereby some people cannot provide their families with basic necessities needed to live, they may turn to crime to find ways of meeting their needs. This finding directly relates to this study in that it explains the point at which a poor person is forced to engage in crime and why.

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<sup>53</sup> Roger Houching, '*Social exclusion and imprisonment*'; Glasgow, Scotland.Caledonian University; [2005].

<sup>54</sup> United Nations, '*Juvenile Delinquency*'; World Youth Report; CAP. 8 [2015].

<sup>55</sup> "*Strain Theory*" [1938-1992].

## CHAPTER TWO

### POVERTY AND CRIME

#### 2.0 Definition of Poverty.

“While on the surface poverty is often defined as a lack of income or an asset, in the day-to-day lives of the very poor, poverty becomes a network of disadvantages, each one exacerbating the others”<sup>56</sup> The result is generation after generation of people who lack access to education, health care, adequate housing, proper sanitation and good nutrition<sup>57</sup> They are the most vulnerable to disasters, armed conflict and systems of political and economic oppression and they are powerless to improve their circumstances.

These conditions often carry with them dysfunctional family and societal relationships, paralyzingly low self-esteem, and spiritual darkness. Poverty is a lack of hope”.<sup>58</sup> “Poverty can be classified into three types which are; persistent poverty, underclass poverty, and ghetto poverty”.<sup>59</sup> “Poverty is a characteristic of the economic situation of the individual or social group in which they cannot satisfy a certain range of the minimum requirements needed for life saving ability and accordingly, today, more than one billion people live on less than \$1 per day of whom about 70% are women with almost half of the population of sub-Saharan Africa surviving at that income level”<sup>60</sup> This explains why after every 3.5 seconds, a child dies in the developing world from poverty-related circumstances”<sup>61</sup> “Poverty is the lack or insufficiency

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<sup>6</sup> David Gordon [UN.org], United Nations ;( December 12 2005).

<sup>7</sup> Helen Halyard,; World Socialist Web Site - <http://www1.wsws.org/articles/2010/nov2010/pove-n30.shtml> [Accessed June 2017]

<sup>8</sup> Faurès, J.-M. and Santini, G., ‘*Water and the Rural Poor: Interventions for Improving Livelihoods in Sub-Saharan Africa*’ p. 94. FAO Land and Water Division, Rome. .[2008].

<sup>9</sup> Osberg, Lars; Xu, Kuan, ‘International Comparisons of Poverty Intensity’: index decomposition and bootstrap inference; *Journal of Human Resources*. 35): 51–81. (2000).

<sup>10</sup> Ibid 59

<sup>11</sup> UNICEF, ‘children living in poverty and their state in the world’; United Nations’ Report (2005).

of money to meet basic needs, including food, clothing and shelter<sup>62</sup> It can be measured in monetary terms based on the monthly (or annual) expenditure of a given individual<sup>63</sup> That expenditure is then compared to a threshold called the poverty line<sup>64</sup> However, poverty is much more than the mere lack of money. It is also about deprivation in other important areas of wellbeing such as education, health, water, and housing”.<sup>65</sup>

## 2.1 Causes of Poverty.

### 2.1.1 History.

“Many of the poorest nations in the world were former colonies, slave-exporting areas and territories from which resources had been systematically extracted for the benefit of colonizing countries<sup>66</sup> Although there are notable exceptions (Australia, Canada and the U.S. being perhaps the most prominent), for most of these former colonies, colonialism and its legacies have helped create the conditions that prevent many people from accessing land, capital, education and other resources that allow people to support themselves adequately<sup>67</sup> In these nations, poverty is one legacy of a troubled history involving conquest<sup>68</sup> “The neo-colonial domination of Africa had impeded development in the continent and a major cause of poverty today coupled with the unfavorable pricing of natural resources and imposition of trade barriers

<sup>62</sup> World Bank, ‘Understanding Poverty’ [2007].

<sup>63</sup> Bessell and Sharon, ‘Individual Deprivation Measure: A new approach to multi-dimensional, gender sensitive poverty measurement’ [4 August 2015].

<sup>64</sup> Aldi & van Praag, ‘A Synthesis of Poverty Line Definition’; Review of Income and Wealth, (1985).

<sup>65</sup> Ravallion and Martin, ‘Poverty freak’: A Guide to Concepts and Methods. Living Standards Measurement Papers, The World Bank, , p. 25 [1992 ].

<sup>66</sup> Mamdani, Mahmood, ‘indirect Rule, Civil Society, and Ethnicity’: The African Dilemma; Social Justice23 (1/2 (63-64)): 145–150. JSTOR 29766931. [1996].

<sup>67</sup> Gann and Peter Duignan, ‘The Burden of Empire’: A Reappraisal of Western Colonialism South of the Sahara.

<sup>68</sup> Mamdani, Mahmood. *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (1st ed.). Princeton University Press. ISBN 9780691027937.

by western powers".<sup>69</sup> Uganda which was then Buganda was for example declared a British protectorate in 1894 and remained so until 1962 when it gained her independence from Britain whose legacy left Uganda a poverty stricken country with a lot of uneven distribution of resources coupled with persistent political social economic and cultural instabilities to date<sup>70</sup>

### 2.1.2 War and Political instability

Both of these factors have often been tied to histories of colonialism, but whatever the causes of war and political upheaval, it is clear that safety, stability and security are essential for subsistence and, beyond that, economic prosperity and growth and thus, without these basics, natural resources cannot be harnessed individually or collectively, and no amount of education, talent or technological know-how will allow people to work and reap the benefits of the fruits of their labor<sup>71</sup> Likewise, laws are needed to protect rights, property and investments, and without legal protections, farmers, would-be entrepreneurs and business owners cannot safely invest in a country's economy<sup>72</sup>

It is a telling sign that the poorest countries in the world have all experienced civil war and serious political upheaval at some point in the 20th century, and many of them have weak governments that cannot or do not protect people against violence".<sup>73</sup> the case of Uganda, civil wars and political instabilities have been reoccurring in intervals since 1971 when the then president Idi Amin Dada overthrew an established government then of Dr. Apollo Milton Obote by force of arms sparking a series

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<sup>69</sup> Huillery and Elise, 'History Matters: The Long-Term Impact of Colonial Public Investments in French West Africa'; American Economic Journal: Applied Economics. 1 (2): 176–215. JSTOR 25760165. [2009].

<sup>70</sup> A.B.K. Kasozi, 'Social origins of violence in Uganda'; McGill-Queen's University Press [1994].

<sup>71</sup> Rodney and Walter, 'How Europe Underdeveloped Africa'; (Washington: Howard UP, , ISBN 0-88258-096-5 1982).

<sup>72</sup> Steven Shavell, 'Foundations of Economic Analysis of Law'; Journal of Economic Literature; 44(2), pp. 405–14 (press +). [2006].

<sup>73</sup> Tarsier Mohamed Ahmed and Robert O. Matthews [eds], 'Civil Wars in Africa': roots and resolution 322 pages. (1999).



of internal wars which have left most parts of the country in ruins and devastating poverty particularly northern Uganda, Eastern Uganda and part of western regions<sup>74</sup> Rwanda and Sri-Lanka suffered a lot of poverty due to prolonged tribal and civil wars and this is eminent in the bigger part of the Middle East particularly Iraq, Syria, Afghanistan and Libya<sup>75</sup>

### 2.1.3 National Debt

Many poor countries carry significant debt loads due to loans from wealthier nations and international financial institutions<sup>76</sup> “Poorer nations pay an average of \$2.30 in debt service for every \$1 received in grant aid. In addition, structural adjustment policies by organizations like the World Bank and the International Monetary Fund often require poorer nations to open their markets to outside business and investors, thereby increasing competition with local businesses and, many argue, undermining the potential development of local economies”.<sup>77</sup> In recent years, calls for debt reduction and forgiveness have been increasing, as activists see this too as a key means of reducing poverty<sup>78</sup> The United Nations has also made it a priority to examine how economic structural adjustment policies can be designed to place less pressure on vulnerable populations<sup>79</sup> “Uganda’s public debt for example stands at 8, 339

<sup>74</sup> Ibid 71, ‘social origins of violence in Uganda’ [1965-1985].

<sup>75</sup> Appiah and Anthony and Henry Louis, ‘*Encyclopedia of Africa*’: Volume 1 (illustrated ed.). Oxford: [Oxford University Press ISBN 978-0-19-533770-9. 2010].

<sup>76</sup> David R and Henderson, ‘*Concise Encyclopedia of Economics*’ (1st ed.): Library of Economics and Liberty. OCLC 317650570, 50016270, 163149563.

<sup>77</sup> Bulow and Jeremy and Kenneth Rogoff, ‘Cleaning Up Third-World Debt without Getting Taken to the Cleaners’; *Journal of Economic Perspectives* 4 31-42. (Winter 1990).

<sup>78</sup> Harold J. and Johnson, ‘*Developing Countries: Status of the Heavily Indebted Poor Countries*’; *HIPC Debt Relief Initiative*. [DIANE Publishing. pp. 2–10. 1998].

<sup>79</sup> Bernard, Ikubolajeh Logan and Kidane Mengisteb, ‘IMF-World Bank Adjustment and Structural Transformation on Sub-Saharan Africa’; *Economic Geography*. Vol 69. No 1, African Development. 1993. Print.

Million Dollars as at 2017 and this has left Ugandans in poverty as the country struggles to off set the debt<sup>80</sup>

#### **2.1.4 Discrimination and Social Inequalities**

Poverty and inequality are two different things, but inequality can feed widespread poverty by barring groups with lower social status from accessing the tools and resources to support themselves<sup>81</sup> According to<sup>82</sup>, inequalities in income distribution and access to productive resources, basic social services, opportunities, markets, and information have been on the rise worldwide, often causing and exacerbating poverty. The experts point out that gender discrimination has been a significant factor in holding many women and children around the world in poverty<sup>83</sup> Uganda's job market for example absorbs more men than women in terms of employment and besides, about 10 per cent of Uganda's working age population is either unemployed or under employed with women emerging as the worst victims".<sup>84</sup> The poverty index also follows the same pattern especially in the rural areas of the country besides hard to reach areas like karamoja in north eastern part of the country and others<sup>85</sup>

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<sup>80</sup> Bank of Uganda, State of the Economy Report [ 2017].

<sup>81</sup> Jin, Y.; Li, H.; et al. "Income inequality, consumption, and social-status seeking". *Journal of Comparative Economics* 39 (2): 191–204. doi:10.1016/j.jce.2010.12.004. .[2011] .

<sup>82</sup> The United Nations Social Policy and Development Division, Global Survey Report [2012].

<sup>83</sup> UNICEF. "Women and Children: The Double Dividend of Gender Equality." *The State of the World's Children* 1–148. Print. 2007).

<sup>84</sup> Stephen Wandera, Women more unemployed than men. *Daily Monitor Newspaper*. Uganda Pg. 2 , [2014].

<sup>85</sup> "ibid" 85

### 2.1.5 Vulnerability to natural disasters

In regions of the world that are already less wealthy, recurrent or occasional catastrophic natural disasters can pose a significant obstacle to eradicating poverty<sup>86</sup> The effects of flooding in eastern and western parts of Uganda in 2007 and 2010, flooding in Bangladesh, the drought in the Horn of Africa and the 2005 earthquake in Haiti are all examples of the ways that vulnerability to natural disasters can prove to be devastating to large portions of affected countries”<sup>87</sup> In each of these cases, already impoverished people became refugees within their own countries, losing whatever little they had, being forced out of their living spaces and becoming almost completely dependent on others for survival<sup>88</sup> According to,<sup>89</sup> two years after cyclone Nargis hit Myanmar in 2008, the debt loads of local fishermen had doubled and, when the Solomon Islands experienced an earthquake and tsunami in 2007, the losses from that disaster equaled 95 percent of the national budget thus without foreign aid assistance, governments in these countries would have been unable to meet the needs of their people.

### 2.1.6 Ill Health and Disability

Poverty can also get worse if communities are affected with diseases such as Malaria and HIV aids because diseases tend to cause many deaths that leave children without parents or care givers thus draining household wealth quickly with disable members.<sup>90</sup> In many communities, disabled members are looked down upon and not allowed to inherit assets since they are considered a stigma thus, exclusion

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<sup>86</sup> United Nations, ‘Devastating impact of Natural Disasters’; World Report [2014].

<sup>87</sup> “ibid”.<sup>87</sup>

<sup>88</sup> “ibid”<sup>87</sup>

<sup>89</sup> World Bank Group, ‘Natural Disasters and Social Safety Nets’, Washington DC U.S.A.[2007].

<sup>90</sup> Daulaire, N. ‘*Globalization and Health*’; International Round tab Responses to Globalization: Rethinking Equity and Health’ jointly organized by the Society for International Development (SID), the World Health Organization (WHO), and the Rockefeller Foundation (RF). [1999].

from public events and exposure hence mentality affecting the well-being of the victims' families <sup>91</sup> For example, the incidence of poverty is 15-44% higher in households with a disabled head or adult.” <sup>92</sup>

**2.1.7. Inheritance of Poverty**

According to experts, <sup>93</sup> families that have had a lifetime of poverty tend to pass on the situation to their children. They cannot afford education for their children and children grow with no skills. Children work on the same family farms, and marry into families with similar conditions as they turn adults. They in turn pass on the tradition to their children.

**2.1.8. Education, Training and skills**

People who are educated or had some training or skills are in a better position to apply ideas and knowledge into fixing basic problems and enhancing their livelihoods, able to plan, follow instructions and access information, tools and support that can improve their livelihoods thus, in the absence of training, skills or education, people cannot help themselves, prevent diseases or apply new ways of doing things hence worsening the poverty situation <sup>94</sup>

**2.1.9. Corruption**

“Corruption often accompanies centralization of power, when leaders are not accountable to those they serve inhibiting development especially when leaders help themselves to money that would otherwise be

<sup>91</sup> Shakespeare and Tom. ‘The Social Model of Disability’; In *The Disability Studies Reader*, ed. Lenard Davis (New York: Rout ledge, , 2d ed.), 197–204. 2006.

<sup>92</sup> “ibid” 92

<sup>93</sup> Jencks and others, *The Changing Effect of Family Background*; Princeton University Press. [2008].

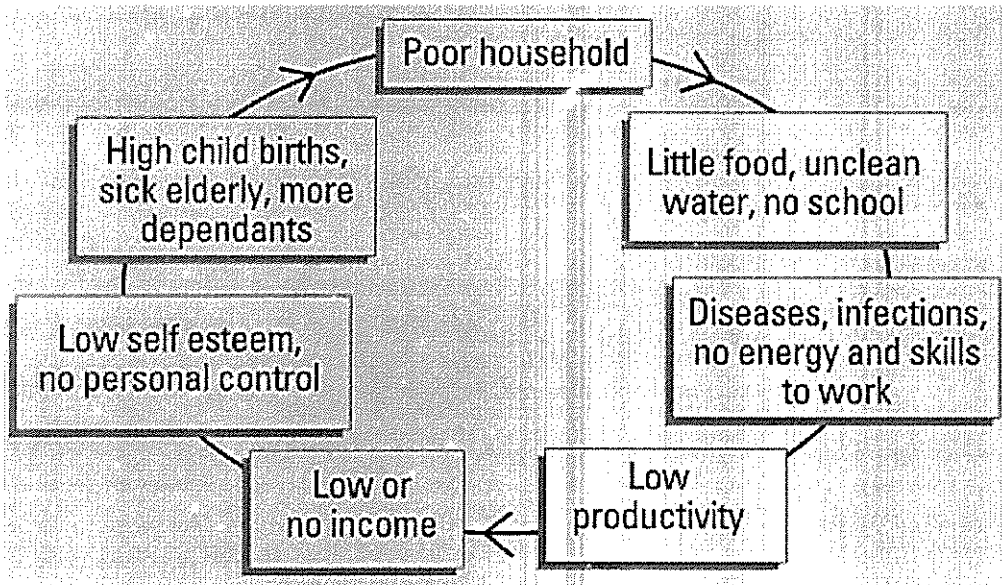
<sup>94</sup> UNICEF, ‘Poverty, illiteracy and early deaths await world’s most disadvantaged children’; Press Release; New York [2016].

used for development projects or reward political support by providing services to their followers creating a big gap between the poor and the rich thus persistent poverty among the majority poor”<sup>95</sup>

2.2 Vicious circle of poverty

This is a phenomenon used often by economic scientists to mean, poverty begets poverty.<sup>96</sup> It is a concept that illustrates how poverty causes poverty and traps people in poverty unless an external intervention is applied to break the cycle<sup>97</sup>

An illustration of a family in absolute poverty.



<sup>95</sup> Morris S.D, ‘Corruption and Politics in Contemporary Mexico’;. University of Alabama Press, Tuscaloosa.[1991].

<sup>96</sup> P. T. Bauer, ‘The Vicious Circle of Poverty’; Reality or Myth? ;UK London [1965].

<sup>97</sup> Lade S and Haider J et al, ‘Resilience offers escape from trapped thinking on poverty’ ; Sci. Adv. [May 2017].

A very poor family with children have very little to eat, and have no access to health facilities. As a result, the children are malnourished and unhealthy and have many health complications. They are therefore unable to go to school even if there is a school in the next village. They grow up with no education or skill and cannot do any economic activity. Their parents die from preventable diseases as a result of lack of health facilities, and their fate is in their hands. As the children turn adults, they find wives who are just on the same level of poverty as them, and they have their own children. They hand over this condition to their children, who will also grow up in similar conditions. It takes an intervention from governments, charity organizations or family members who are better off to step in and provide some kind of assistance in terms of health, feeding, shelter and basic education to get the youth to do some kind of economic activity to bring in some income. Without that, this cycle will continue for generations and it's a trap that is extremely difficult to get out of <sup>98</sup>

## **2.3 Impact of poverty**

### **2.3.1 Hunger Health and Death**

Economic Sociologist Otsuka Keijiro<sup>99</sup> explained that absolute poverty results in extreme hunger, starvation and malnutrition. People become vulnerable to preventable diseases such as cholera, dysentery and tuberculosis, with no access to health services and medications. Death rates rise. Relative poverty on the other hand, forces people to engage in behaviors that expose them to diseases such as HIV Aids. While they may not starve to death, they may be living on unhealthy foods, thus weakening them. Infectious diseases continue to blight the lives of the poor across the world where an estimated 40 million people are living with HIV/AIDS, with 3 million deaths in 2004 while every year there are 350–500

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<sup>98</sup> "ibid" 98

<sup>99</sup> Otsuka, Keijiro, 'Rural poverty and income dynamics in Asia and Africa'; New York: Routledge.[2009].

million cases of malaria, with 1 million fatalities with Africa accounting for 90 percent of malarial deaths leaving over 80 percent of malaria victims worldwide as children<sup>100</sup>

### **2.3.2 Social and Political**

Relative poverty may cause people to indulge in social vices such as drugs, prostitution and petty crimes as a means to meet their immediate needs and in many developing countries, political leaders and rebel leaders take advantage and recruit young people, (especially those in relative poverty) to fight for their interests, in return for food and basic needs <sup>101</sup>

### **2.3.3 Economic**

People in absolute poverty simply cannot afford food, water and shelter, they are not healthy enough to undertake any economic activity, they cannot send their young to school and the youth cannot get any skills thus economic breakdown of the community, which directly affects the larger region where they are and besides, those in relative poverty, who have a bit of training or education, are forced to move out (migrate) in search of better lives in the cities depriving the rural areas off the man-power and makes their situation worse and, as they migrate into the cities, they end up in slums, increase populations and put pressure on amenities in the cities. <sup>102</sup>

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<sup>100</sup> Wolock and others, 'Estimates of global, regional, and national incidence, prevalence, and mortality of HIV', the Global Burden of Disease Study [2015].

<sup>101</sup> Hannon L, 'Poverty, delinquency, and educational attainment': Cumulative disadvantage or disadvantage saturation? *Sociological Inquiry*, 73, 57-594. [2003].

<sup>102</sup> Marcus R and Moore K, 'Enduring poverty and the conditions of childhood': Life course and intergenerational poverty transmissions.; *World Development* 31, 535-554. , [2003].

## 2.4 Defining Crime

A Criminologist like,Quinney Richard<sup>103</sup> defined a crime as an illegal act for which someone can be punished by the government especially a gross violation of law. He adds that crime is an action or omission which constitutes an offence and is punishable by law. He further explains that, crime can be an instance of negligence that is deemed injurious to the public welfare or morals or to the interests of the state that is legally prohibited. He includes violations of the 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. Crime and deviance are used by the ruling class as a means of social control – if you don't conform then you will be punished while institutions such as the police, the justice system, prisons and schools, the family and religion are there to encourage you to conform <sup>104</sup> The white collar crimes (which tend to be committed by the more powerful in society) are ignored, while crimes committed by the less powerful in society such as burglary and street crime are focused on and seen as more serious <sup>105</sup>

## 2.5 Causes of Crime

### 2.5.1 Poverty

According to, Arbuthnot, J., and D.A. Gordo <sup>106</sup> economic deprivation or simply poverty is a major cause of crime all around the world. People are often driven to great lengths of desperation by poverty and this is a major cause of crime all around the world. To him, the fact that such frustration is created is in itself a

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<sup>103</sup> Quinney and Richard, 'Structural Characteristics, Population Areas, and Crime Rates in the United States'; *The Journal of Criminal Law, Criminology and Police Science*, 57(1), p. 45-52.

<sup>104</sup> Cohen and Stanley, '*Visions of Social Control, Crime, Punishment, and Classification*'; Polity Press ISBN 0-7456-0021-2.[1985] .

<sup>105</sup> Pearce and Lauren, 'Crimes of the Powerful';special issue of *The Journal of Human Justice*, Vol. 3, No.2, spring.[1992].

<sup>106</sup> Arbuthnot, J., and D.A. Gordo, 'Behavioral and cognitive effects of a moral reasoning development intervention for high-risk behavior-disordered adolescents'; *Journal of Counseling and Clinical Psychology* [1986] 54:208-216.



very dangerous thing for society on the whole as global inflation has risen significantly over the last few years. Although it does seem that in our world today, the rich get richer and the poor get poorer, this visible evidence of massive inequalities give people at the bottom a sense of injustice, a sense of anger and a sense of frustration that they are not sharing in the wealth being flaunted in front of them and as a result, Capitalism leads to a flourishing of economic crime as well as violent street crime.

The real criminals in this society are not all the people who populate the prisons across the state, but those people who have stolen the wealth of the world from the people living the poor with no option other than resort to violent crime to earn a living”<sup>107</sup> This view was reinforced by Karl Max<sup>108</sup> who pointed out that, in a Capitalist society, there is immense competitive pressure to make more money, to be more successful, and to make more profit, because in a competitive system, this is the only way to ensure survival.

In such a context, breaking the law can seem insignificant compared to the pressure to succeed and pressures to break the law affect all people: from the investment banker to the unemployed gang member. “Statistics drawn from over 117000 law enforcement agencies across the United States in 2009 confirmed that more than 80% of property crime was perpetuated by people living in the deprived areas described as poor”<sup>109</sup> Aristotle in his book<sup>110</sup> explains that a little problem like poverty becomes a huge problem if there is nothing useful done to prevent it and he emphasized a need to advocate for the abolition of poverty in order to avoid and prevent future crimes. “People living in poverty commit more crimes than

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<sup>107</sup> Angela Davis, former leader of the Black Panther Party. USA [1980].

<sup>108</sup> Karl Marx and Friedrich Engels, *The Communist Manifesto* ;[ German 1848].

<sup>109</sup> Heritage Foundation, ‘Study of relationship between economic perturbations and crime’ ;USA [2008].

<sup>110</sup> Aristotle, ‘Poverty a source of disturbance and crime’; Greece [undated].

any other class”<sup>111</sup> “In many high poverty stricken areas, criminal behavior is spread throughout the community and thus creates a powerful predictor for delinquency”<sup>112</sup> “The longer a person lives in persistent poverty, the higher the chances of committing a crime.”<sup>113</sup> Uganda police report [2015] indicated that 80% of property crime offenders lived in persistent poverty in various deprived areas of Uganda. “When some people cannot provide their families with the basic necessities needed to live, they may turn to crime to find ways of meeting their needs”<sup>114</sup> “Youth commit more violent crimes while living in high poverty areas than if they were relocated to low poverty areas”<sup>115</sup>

However, while poverty is presumed a major contributor of crime in Uganda and elsewhere, it is not a sole contributor because there are more complex factors that play complex roles in perpetuating various forms of crime and this ideally means that, poverty is more closely related to mostly the crime of theft notwithstanding the fact that all other forms are correlated to poverty for instance, unemployment, family disruption, lack of education, marital disruption, lack of education, marital disruption, female headed families, teenage pregnancies lack of role models in the communities and many others discussed below<sup>116</sup>

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<sup>111</sup> Anderson, ‘poverty and delinquency’ [1993].

<sup>112</sup> McDonough, ‘poverty and delinquency’ [1992].

<sup>113</sup> Brooks-Gun and Duncan, ‘living in absolute poverty’ [1997].

<sup>114</sup> Robert K. Merton, ‘Theor’ [1938].

<sup>115</sup> Jens Ludwig, Greg J. Duncan and Paul Hirschfield, ‘Urban poverty and Juvenile crime’ [2000].

<sup>116</sup> Ibid 116

**2.5.2 Other causes of crime**

**2.5.3 Unfair rulings and poor correction system (prison system)**

According to Welch, Michael in his book, "a Social History of Punishment and Corrections", <sup>117</sup> Victims of unfair or incorrect rulings from court often cause people to enter a life of crime. It often happens that a person is a victim of chance and happens to fall into crimes. Besides that, people are also often falsely accused of committing crimes which ends up in a court conviction. Jails or prisons often make worse criminals out of people because of the conditions that exist there.

Corrections anywhere does not involve major rehabilitation for criminals and more often than not they end up being thrown in overpopulated jails full of people who are either victims or perpetrators of crimes more serious than their own. "The declassification of people in prisons is also a major cause of crime creation. In America, mass incarceration has caused more crime than it's prevented" <sup>118</sup>

**2.5.4 Drugs:**

"Drugs are a bane, no matter how we look at them and a person addicted to drugs is unable to support their addiction and more often than not they end up in a life of crime to fuel their habits <sup>119</sup> It is not unknown anywhere in the world that a drug addict ends up committing crimes to raise money for their habits <sup>120</sup> "Besides that there are also a large number of people that are involved in the drug trade. Though these people may not really be drug users themselves, they often lure others into drugs and crimes" <sup>121</sup>

<sup>17</sup> Welch and Michael, 'A Social History of Punishment and Corrections'; A Critical Approach. McGraw-Hill. ISBN 0-07-281723-2.[2004].

<sup>18</sup> Hudak, and John, 'Prosecuting the War On Drugs'; Washington D.C; Brookings Institution Press. [2016] pp. 59-72

<sup>19</sup> Saulsbury W and Blakemore C. 'Development of a rational scale to assess the harm of drugs potential misuse'; The Lancet. 369 (9566): 1047-1053. MID 17382831.[2007].

<sup>20</sup> Ibid 120

### 2.5.5 Depression and other social and mental disorders

Depression according to psychiatrists like Nwokike, Jerome <sup>122</sup> is also a major cause of crime. That other than depression, people with grave mental disorders also end up committing crimes recommending that Such people should be treated before their tendencies and ailments get out of hand. They added that a person under depression or some other serious mental disorder can also easily cause harm to themselves. They state that quite understandably, there is considerable concern about self-harm and suicide in depression. People diagnosed with depression are roughly three times more likely than the general population to commit violent crimes such as robbery, sexual offences and assault, according to psychiatric experts” <sup>123</sup>

### 2.5.6 Family conditions

There are a lot of things that go on in families that often cause people to get into a life of crime. <sup>124</sup> Here again there are a lot of different conditions that lead a person into crime <sup>125</sup> “Abuse during formative years from family members and other such acts also instigate a person into a life of crime and besides, people who are neglected by their families and do not get the love and attention that they desire also get into

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<sup>121</sup> Jensen and others, ‘Effectiveness of motivational interviewing interventions for adolescent substance use behavior change’ ;A meta-analytic review;” Journal of Consulting and Clinical Psychology. 79 (4): 433–440.

<sup>122</sup> Nwokike and Jerome ‘Federal Insanity Acquittes’ ; Journal of the American Academy of Psychiatry and the Law. 33 (1): 126. Retrieved 2007-10-19.[2005].

<sup>123</sup> Walker N, ‘Crime and Insanity in England:The Historical Perspective’;. vol.1, Edinburgh University Press. ISBN 0-85224-017-1., pp15– [1968].

<sup>124</sup> Chris Knoester and Dana L. Haynie, ‘Community Context, Social Integration Into Family, and Youth Violence’;Journal of Marriage and Family 67, no. 3 (2005): 767-780.

<sup>125</sup> Jennifer L. White et al., ‘How Nearly Can We Tell?: Predictors of Childhood Conduct Disorder and Adolescent Delinquency’ Criminology 28, no. 4 (1990): 507-533.

criminal activities.<sup>126</sup> Family violence and other issues are also related to crime in many ways for instance broken family creates conditions to predispose children to criminal activities<sup>127</sup>

**2.5.7 Regionalism**

Regionalism according to Pettit, B.; Western, B.,<sup>128</sup> is a major cause of crime and unrest among people because people who harbor such regionalist feelings often go to great lengths to commit crimes against other communities. That, this fact is often ignored by people and the administrative bodies as they too are caught up in classifications of people by region. It is often that a victim of such regionalism gets influenced and enters the world of crimes.<sup>129</sup>

**2.5.8 Politics**

Politics is often a cause of crime. It is seen that many political associations all around the world have their own mafias running which they use to manipulate and subjugate people<sup>130</sup> “Political power is often misused to take advantage of weaker groups and people and the dissidence that rises out of such situations often forces the victims to resort to crimes<sup>131</sup> Politics is more related to crime on a much larger and a

<sup>126</sup> Shannon E. Cavanagh and Kathryn S. Schiller, “Marital Transitions, Parenting, and Schooling: Exploring the Link between Family- Structure History and Adolescents’ Academic Status,” *Sociology of Education* 79, no. 4 (2006): 329-354.

<sup>127</sup> Ongmin Sun and Yuanzhang Li, “Children’s Well-Being during Parents’ Marital Disruption Process: A Pooled Time-Series Analysis,” *Journal of Marriage and Family* 64, (2002): 472-488.

<sup>128</sup> Pettit, B.; Western, B. "Mass Imprisonment and the Life Course: Race and Class Inequality in U.S. Incarceration". *American Sociological Review*. 69 (2): 151–169 [2004].

<sup>129</sup> Steffensmeier, D.; Feldmeyer, B.; Harris, C. T.; Ulmer, J. T. "Reassessing Trends in Black Violent Crime, Sorting Out the "Hispanic Effect" in Uniform Crime Reports Arrests, National Crime Victimization Survey Offender Estimates, and U.S. Prisoner Counts\*". *Criminology*. 49: 197–251. [1980-2008].

<sup>130</sup> William J. Chambliss, ‘State-organized crime’;, Washington, *Criminology* 27, 183.

<sup>131</sup> Ibid 131

much heinous level than anything else<sup>132</sup>. The transition towards political democratization has been cited as a cause for increased violent crimes”<sup>133</sup>

## **2.6 Types of crime**

### **2.6.1 Introduction**

A crime is defined as any act that is contrary to legal code or laws.<sup>134</sup> There are many different types of crimes, from crimes against persons to victimless crimes and violent crimes to white collar crimes and the study of crime and deviance is a large subfield within sociology, with much attention paid to who commits which types of crimes and why<sup>135</sup> In Uganda’s legal structure, all criminal and penal laws are provide under<sup>136</sup> which provides for crimes and penalties therein.

### **2.6.2 Crimes against Persons**

Crimes against persons, also called personal crimes, include murder, aggravated assault, rape, and robbery. Personal crimes are unevenly distributed in the United States, with young, urban, poor, and racial minorities arrested for these crimes more than others<sup>137</sup>

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<sup>132</sup> Ibid 131

<sup>133</sup> Ibid 131

<sup>134</sup> Supra 131

<sup>135</sup> Clarke and Ronald V, ‘Situational Crime Prevention’: Successful Case Studies (2nd edition). New York: Criminal Justice Press. [1997].

<sup>136</sup> The Penal Code Act 2007 [As Amended]; CAP 120.

<sup>137</sup> Shapiro and Thomas M, ‘*The Hidden Cost of Being African American*’; New York: Oxford UP. [2004] p. 33.

### 2.6.3 Crimes against Property

Property crimes involve theft of property without bodily harm, such as burglary, larceny, auto theft, and arson. Like personal crimes, young, urban, poor, and racial minorities are arrested for these crimes more than others <sup>138</sup>

### 2.6.4 Hate Crimes

Hate crimes are crimes against persons or property that are committed while invoking prejudices of race, gender or gender identity, religion, disability, sexual orientation, or ethnicity <sup>139</sup> The rate of hate crimes in the U.S. for example remains fairly constant from year to year, but there have been a few events that have caused surges in hate crimes for instance, in 2016, the election of Donald Trump to president was followed by ten days of hate crimes <sup>140</sup>

### 2.6.5 Crimes against Morality

In some jurisdictions, Crimes against morality are also called victimless crimes because there is no complainant, or victim like Prostitution, illegal gambling, and illegal drug use are all examples of victimless crimes <sup>141</sup> however, in Uganda under <sup>142</sup> most crimes against morality have victims for instance rape and defilement, adultery and elopement plus others.

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<sup>138</sup> Moffat and Steve, 'Vancouver Bc Canada has the highest percentage of property crime in North America' ; United States of America; *(January 2006)*.

<sup>139</sup> U.S. Human Rights Network, 'The United States of America: Summary Submission to the UN Universal Periodic Review'. Universal Periodic Review Joint Reports: United States of America. Pg.8 [2010].

<sup>140</sup> Gass and Nick, 'Ryan to Trump: 'Anti-Semitic images' have no place in campaign". Politico. United States [2016].

<sup>141</sup> Schur and Edwin, 'Victimless Crimes': Two Sides of a Controversy; The New York Times Company.[1973].

<sup>142</sup> The Penal Code Act 2007 [As Amended], Cap 120 Sections 123 -151.

### 2.6.6 White-Collar Crime

According to, Friedrich, David O.<sup>143</sup> White-collar crimes are crimes committed by people of high social status who commit their crimes in the context of their occupation. This includes embezzling (stealing money from one's employer), insider trading, tax evasion, and other violations of income tax laws. White-collar crimes generally generate less concern in the public mind than other types of crime, however in terms of total dollars; white-collar crimes are even more consequential for society. For example, the Great Recession can be understood as in part the result of a variety of white-collar crimes committed within the home mortgage industry. "Nonetheless, these crimes are generally the least investigated and least prosecuted because they are protected by a combination of privileges of race, class, and gender." <sup>144</sup>

### 2.6.7 Organized crime

Organized crime according to Macionis, Gerber, John, Linda,<sup>145</sup> is committed by structured groups typically involving the distribution and sale of illegal goods and services. That many people think of the Mafia when they think of organized crime, but the term can refer to any group that exercises control over large illegal enterprises such as the drug trade, illegal gambling, prostitution, weapons smuggling, or money laundering. A key sociological concept in the study of organized crime is that these industries are organized along the same lines as legitimate businesses and take on a corporate form with senior partners who control profits, employees who manage and work for the business, and clients who buy the goods and services that the organization provides <sup>146</sup>

<sup>43</sup> Friedrichs and David O., *Trusted Criminals: White Collar Crime in Contemporary Society*; Wadsworth. ISBN 0-495-00604-1 [2003].

<sup>44</sup> Ibid 144

<sup>45</sup> Macionis and others, *Sociology* 7th Canadian Ed. Toronto, Ontario: Pearson Canada Inc. p. 206.[2010].

<sup>46</sup> Gambetta, D., *'The Sicilian Mafia': the business of private protection*. Harvard University Press.[1996].



### 2.6.8 Political crimes

The political-crime category contains both crimes by the government and crimes against the government

<sup>147</sup> Political goals motivate political criminals <sup>148</sup> Common types of political crime <sup>149</sup> include; Bribery - that is the act of giving money or assets to a political figure in exchange for that person to vote or speak on behalf of a certain law or belief system and it is labeled a crime because the political figure is doing this for their own gain, and not for their own personal ideals or to benefit the citizens of the state, Treason, where a person does something to deliberately betray their country.

This could be anything from the murder of a political figure to leaking state secrets to another country, Sedition, the process of getting a group of people impassioned to create a revolution against their own government, Espionage, where a country or group uses individuals to spy on the government and report back, Theft - this can vary as a political crime, but it can be a political figure stealing money from the government or even stealing money from groups and activists, Perjury, that is lying under oath, but it is a political crime if an individual is caught lying under oath to wrongfully convict a political figure or cause unrest within the government, Human Rights Violations - this is wide ranging and encompasses some of the most severe crimes committed against the people of a leaders' own nation or another state. Human rights violations include starting wars of aggression, genocide, torture, and various war crimes among other offenses, Whistle blowing - This is a controversial political crime. This crime refers to people who inform the public about alleged crimes they have seen or heard about within the political sphere.

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<sup>147</sup> Barak, G. (ed.). *'Crimes by the capitalist state: An introduction to state criminality'*. Albany: State University of New York Press. [1991].

<sup>148</sup> Chambliss, W. "State-organized crime". *Criminology*, 27, 183-208 [1989].

<sup>149</sup> Ross and Jeffrey Ian, *'Varieties of State Crime and Its Control'*. Monsey, NJ: Criminal Justice Press. [2000].

## CHAPTER THREE

### LEGAL AND INSTITUTIONAL FRAMEWORK

#### 3.0 Introduction

#### 3.1 Institutional Framework

Institutional Framework refers to a law or any other formal provision that assign primary responsibility as well as the authority to a government department, ministry, or agency for the collection, processing, and dissemination of the statistics like, the Uganda Bureau of Statistics and the administration of justice or enforcement of peace and security including arrangements or procedures that facilitate data sharing and coordination, customs and initiatives that lead to socio-economic development including poverty eradication strategies.<sup>150</sup>

#### 3.2 Legal Framework

Legal Framework refers to a broad system of rules that governs and regulates decision making, agreements, laws and others<sup>151</sup>

#### 3.3 Legal and Institutional Framework for Poverty in Uganda

Uganda, over the last 30 years has implemented many policies geared towards the eradication of poverty amongst Ugandans after the development and the subsequent launch of the Poverty Eradication Action Plan [PEAP]<sup>152</sup> a framework that was intended to address key poverty challenges in the country then. Uganda currently has some institutions established by Law to manage aspects of poverty and development in a manner provided by Law for instance;

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<sup>150</sup> Amadeo E. and J.M.Camargo 'Labor Legislation and Institutional Aspects of the Brazilian Labor Market' Vol.7, No.1, pp.157-18 (1993).

<sup>151</sup> John H. 'Contemporary Canadian Business Law; Principles and Cases' [9<sup>th</sup> ed. 2012].

<sup>152</sup> 'Poverty Eradication Action Plan' [Uganda. 1997].

### **3.3.1 Uganda Ministry of Finance, Planning and Economic Development**

This ministry was established by the Constitution of the Republic of Uganda<sup>153</sup> and it is accordingly regulated by the Public Finance Management and Investment Act<sup>154</sup> and it is mandated under the law and the constitution of the Republic of Uganda to among others; spearhead economic planning and monitoring, capacity building, poverty eradication issues and population matters, formulate policies that enhance stability and development, mobilize local and external financial resources for public expenditure, regulate financial management and ensure efficiency in public expenditure, oversee national planning and strategic development initiatives for economic growth<sup>155</sup>

### **3.3.2 Uganda Disaster Preparedness and Management Commission**

This commission is established by the constitution of the Republic of Uganda<sup>156</sup> to deal with both natural and man-made disasters in the country. Under the constitution of the Republic of Uganda, this commission is mandated to Enhance the Country's capacity to contain and minimize the effects of disasters, Address disaster vulnerabilities of the community and alleviate human suffering from disasters, Prevent, mitigate and prepare the country against disasters, Guide government Disaster Preparedness and Management, Maintain a national warehouse for food and non-food items and procure relief. These responses though not adequate help mitigate the prevalence rates of poverty in the country<sup>157</sup>

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<sup>153</sup> The Constitution of the Republic of Uganda 1995 [As Amended].

<sup>154</sup> Public Finance Management and Investment Act 2015.

<sup>155</sup> Keith Mukahanizi,[General Secretary] Ministry of Finance, Planning and Economic Development [2016].

<sup>156</sup> The Constitution of the Republic of Uganda 1995 [As Amended] ;Article 249 [1].

<sup>157</sup> Ibid Article 249 [2].

### 3.3.3 Uganda Presidential initiatives

The Uganda presidential initiatives towards tackling and eradicating poverty among Ugandans have also shown some positive results in an attempt to achieve its purpose.<sup>158</sup> One of the things that the President of Uganda <sup>159</sup>has been fighting endlessly is poverty. This is why he set up the Presidential Initiative on Poverty and Hunger.

The Poverty Alleviation Department (PAD) in State House was established in 2000 as a clearing house for pledges made by President Yoweri Museveni. In 2003, the department was mandated to develop wealth creation models. The department has so far designed more than 12 initiatives aimed at increasing productivity and value addition. A model parish is an innovation evolved by the President to demonstrate how systematically a high concentration of projects in a model parish can be used to tackle poverty and speed up rural transformation. PAD works in tandem with other government anti-poverty initiatives. The programme aims at enhancing or supplementing the five pillars of the Poverty Alleviation Programme (PAP) and the Prosperity for All programme, especially the element that calls for the creation of Savings and Credit Cooperative Societies (SACCOS)<sup>160</sup>

The five pillars of PAP include, Income Generation, Food Security, Home Improvement, Value Addition and Marketing, and Savings and Credit. PAD has recorded tremendous success. For example, there are more than 19 model parishes being run under the PAD programme. These include Ruharo model parish in Bushenyi, Kasokwe Model Parish in Kaliro. Lwabenge in Masaka, Kikoni in Ntungamo, Busiita in Sironko, Kyanamukaka in Masaka, Sheme in Bushenyi, Bwera in Kamwenge, Petta in Tororo,

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<sup>158</sup> State House, Poverty Alleviation Department [Uganda 2012].

<sup>159</sup> H.E. Yoweri Kaguta Museveni, President of the Republic of Uganda 1986-2017.

<sup>160</sup> Ibid 160.

Nakyesanja in Mpigi, Rwenganju in Kabarole, Mbulamuti in Kamuli, Mwanyagiri in Mukono, Rwentondo in Rukungiri, Kisozi in Mpigi, Mangho in Mbale, Mucuumi in Kitgum, Syanyonga in Busia and Buwemba in Masaka.

### **3.3.4 The ministry of Labour, Gender and Social Development**

The above ministry is established by the constitution of the Republic of Uganda <sup>161</sup>with a mandated to spearhead the Youth Livelihood Programs (YLP) to ensure that the poor and the unemployed access government loans at a lower rate payable in long periods of more than five years to enable them boost their incomes as the state eradicates poverty.<sup>162</sup>

### **3.3.5 The Non Government Organizations [NGOS]**

National and international Non Government Organizations registered and recognized in Uganda under the Non Government Organizations Act<sup>163</sup> are playing major roles in a fight against poverty in Uganda through various programs mainly through advocacy. Poverty based Non Government Organizations [NGOS] currently operating in Uganda include; International Monetary Fund [IMF], World Bank Group [WBG], United Nations Development Program [UNDP], Rural Health Promotion and Poverty Alleviation Initiative Uganda [RHPPAI], Innovations For Poverty action Uganda [IPA], Heifer International [HI] and many others like; Action For Development [ACFODE], Action For Social Economic Development [ASED], Action For Agro Based Entrepreneurship and Innovation [AFABEI], Association of Human Rights Organization [AHURIO] and many others.

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<sup>161</sup> The Constitution of the Republic of Uganda 1995 [As Amended] ;Article 249.[1].

<sup>162</sup> Ibid Article 249 [2].

<sup>163</sup> The Non Government Organizations Act 2010.

The major roles NGOs play include; transforming Economic, Social, psychological, political and legal circumstances of the poor and the powerless<sup>164</sup>. This is normally possible for the NGOs because, they have the potential of reaching the grass roots<sup>165</sup>. Other roles played by NGOs include watch dog roles to carry out checks and balances in areas where governments tries to evade accountability to the citizens<sup>166</sup>. NGOs also advocate for Good Governance and this in itself promotes democratic principles which are key in a fight against poverty<sup>167</sup>

### **3.3.6 The Constitution of the Republic of Uganda**

The constitution of the Republic of Uganda<sup>168</sup> provides for equality for all and freedom from discrimination and, rights of all persons in Uganda to own and possess property. This has guaranteed property possession amongst Ugandans without discrimination and thus a boost to fighting poverty in the country.

### **3.3.7 Succession Act Cap 162 Laws of Uganda**

The Succession Act<sup>169</sup> provides for the formula to be used to distribute the property of any male who dies intestate among his descendants. This guarantees property possession among such descendants even upon death of the family head thus mitigating chances of such descendants degenerating into poverty.

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<sup>164</sup> Sandbrook [1993].

<sup>165</sup> Van De Walle [1990].

<sup>166</sup> Diamond [1994].

<sup>167</sup> Thomas [1996].

<sup>168</sup> The Constitution of the Republic of Uganda 1995 [As Amended] ;Article 21 and 26.

<sup>169</sup> The succession Act Cap 162, section 27.

### 3.4 Legal and Institutional Framework for Crime in Uganda.

Given that Uganda was a British colony, the English legal system and law are predominant in Uganda.<sup>170</sup> Uganda's legal system is based on English Common Law and African customary law however, customary law is in effect only when it does not conflict with statutory law.<sup>171</sup> The laws applicable in Uganda are statutory law, common law; doctrines of equity and customary law are applicable in Uganda. These laws are stipulated by the Judicature Act.<sup>172</sup>

#### 3.4.1 Legal Framework

##### 3.4.1.1 The Constitution of the Republic of Uganda 1995 [As Amended]

The Constitution is the supreme law in Uganda and any law or custom that is in conflict with it is null and void to the extent of the inconsistency.<sup>173</sup> The same constitution has authority over all persons in Uganda and nobody is above it.<sup>174</sup> It further provides that, before any person is tried for any crime or offense, that crime or offense must be prescribed by law and its punishment provided for by a statute.<sup>175</sup> The other written law comprises statutes, Acts of Parliament and Statutory Instruments which are normally published in the national Gazette.

<sup>170</sup> Prof. Mahmood Mamdani, 'Contemporary Africa and the Legacy of late Colonialism' [1996] Pg. 3-33.

<sup>171</sup> Judicature Act 1996, Cap 13.

<sup>172</sup> Ibid 171.

<sup>173</sup> The Constitution of the Republic of Uganda, 1995 [As Amended] ;Article 2.

<sup>174</sup> Ibid 174.

<sup>175</sup> Ibid Article 28.

### **3.4.1.2 The Penal Code Act CAP 120**

The Uganda penal code Act prescribes all categories of crime, their respective punishments, possible defenses and general rules of criminal responsibility.<sup>176</sup>

### **3.4.1.3 Criminal Procedure Code Act Cap 116 [CPC]**

The Uganda criminal procedure Code Act Cap 116 provides for all the procedures to be followed in all criminal cases in Uganda that is to say from arrests, prosecution, bail, conviction, Appeals and many other procedures.

### **3.4.1.4 The Evidence Act Cap 6 [EA]**

The Uganda evidence Act Cap 6 provides for procedures of giving evidence before courts of law in respect to facts before court, types of evidence, admissibility and relevance of evidence, examination of witnesses and general proof of facts by persons alleging that some other persons have committed crimes.

### **3.4.1.5 The Magistrates' Court Act Cap 16 [MCA]**

The magistrates' court Act Cap 16 provides for criminal jurisdiction of magistrates' courts in Uganda, appointment and posting of magistrates and magisterial areas, powers of magistrates to arrest, charge, order for search, summon, give bail to suspected criminals and general magistrates court procedures to be followed by magistrates when handling criminal cases including their sentencing powers.

### **3.4.1.6 The Trial on Indictments Act Cap 23 [TIA]**

The Trial and Indictment Act Cap 23 provides for procedures of handling capital offences or crimes described by the Uganda criminal and penal laws as serious crimes of high degree like murder, rape

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<sup>176</sup> Penal Code Act 2007 [As Amended], Cap 120.



aggravated robbery and defilement and terrorism, powers of high court and its sentencing powers and general guide lines for conducting criminal trials of serious crimes in the courts of record, conditions for granting bail to capital offenders, mode and method of punishment of capital offenders for instance death by hanging.<sup>177</sup>

#### **3.4.1.6 Anti Corruption Act 2009 [As Amended]**

The Uganda Anti Corruption Act prescribes for acts which constitute the crime of corruption and the punishment therein.

#### **3.4.2 Institutional Framework**

The following institutions and departments are key players in the implementation of legal provisions and administration of Justice in Uganda.

##### **3.4.2.1 The Judiciary**

The Judiciary is an independent legal organ <sup>178</sup> comprised of Courts of Judicature as provided for by the Constitution.<sup>179</sup> The Judiciary is entrusted to administer justice through courts of judicature including the Supreme Court, the Court of Appeal, the High Court and other courts or tribunals established by Parliament<sup>180</sup>. The highest court in Uganda is the Supreme Court.<sup>181</sup> The Court of Appeal is next in hierarchy and it handles appeals from the High Court but it also sits as the Constitutional Court in

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<sup>177</sup> Trial on Indictment Act 2017 [As Amended], Cap 23, section 99.

<sup>178</sup> The Constitution of the Republic of Uganda 1995 [As Amended] ;Article 128.

<sup>179</sup> Ibid Article 129.

<sup>180</sup> Ibid Articles 26 and 27.

<sup>181</sup> Ibid Article 130.

determining matters that require Constitutional interpretation.<sup>182</sup> The High Court of Uganda has unlimited original jurisdiction.<sup>183</sup>

### **3.4.2.2 The Uganda police**

The Uganda police Force is a national police institution established by the constitution of the Republic of Uganda.<sup>184</sup> The mandate and functions of the Uganda police include among others, to prevent and detect crime, protect life and property, preserve law and order and others.<sup>185</sup>

### **3.4.2.3 Uganda Prisons Service**

The Uganda Prisons Service is a national institution established by the constitution of the Republic of Uganda.<sup>186</sup> The mandate and functions of the Uganda prisons service are regulated by the parliament of the Republic of Uganda<sup>187</sup> and the Uganda Prisons Service Act.<sup>188</sup>

The main objective of the Uganda Prisons Service is to contribute to the protection of all members of society by providing reasonable, safe, secure and humane custody and rehabilitation of criminals or offenders in accordance with universally accepted standards.<sup>189</sup>

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<sup>182</sup> Ibid Article 134.

<sup>183</sup> Ibid Article 139.

<sup>184</sup> Ibid Article 211.

<sup>185</sup> Ibid Article 212, The Uganda Police Act Cap 303 [As mended] section 4.

<sup>186</sup> Ibid Article 215.

<sup>187</sup> Ibid Article 217 [a].

<sup>188</sup> Uganda Prisons Service Act 2006 [As Amended] section 5.

<sup>189</sup> Ibid section 3 [1].

#### **3.4.2.4 Inspectorate of Government [IG]**

The inspectorate of Government of Uganda is an independent institution established by the Constitution of the Republic of Uganda.<sup>190</sup> The powers and main functions of the Inspectorate of Government are enshrined in the Constitution of the Republic of Uganda<sup>191</sup> and the Inspectorate of Government Act<sup>192</sup> which give the Inspector General of Government [IGG] vast powers which include among others to; investigate or cause investigation, arrest or cause arrest, prosecute or cause prosecution, make orders and give directions during investigations; access and search – enter and inspect premises or property or search a person or bank account or safe deposit box among others.

#### **3.4.2.5 Parliament of the Republic of Uganda.**

The Parliament of the Republic of Uganda is the legislative arm of government established by the constitution of the Republic of Uganda.<sup>193</sup> Its main functions and mandate is to among others; make laws or legal rules which have force of law in Uganda by mainly enacting statutes which prescribe offences and punishments therein<sup>194</sup>

#### **3.4.2.6 United Nations African Institute for the Prevention of Crime and Treatment of Offenders (UNAFRI)**

UNAFRI is mandated by the United Nations inter alia, to promote the United Nations Crime Programme in Africa and in particular in the African United Nations member states like Uganda that is to say by

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<sup>190</sup> The Constitution of the Republic of Uganda, 1995 [As Amended], Article 223.

<sup>191</sup> Ibid Article 225.

<sup>192</sup> Inspectorate of Government Act 2002 [As Amended] section 8.

<sup>193</sup> The Constitution of the Republic of Uganda 1995[As Amended]; Article 77.

<sup>194</sup> Ibid Article 79 [1].

coordinating regional cooperation and harmonizing the provision of needed technical assistance through tailored activities in the field of Crime Prevention and Criminal Justice Systems in Africa including Uganda<sup>195</sup>

#### **3.4.2.7 Directorate of Public Prosecutions [DPP]**

The Directorate of Public Prosecutions in Uganda is established by the constitution of the Republic of Uganda.<sup>196</sup> Its main functions and mandate is enshrined in the constitution<sup>197</sup> to wit; direct the police to investigate any information of criminal nature, institute criminal proceedings against any person or authority in Uganda among other powers and functions.

#### **3.4.2.8 Uganda Human Rights Commission [UHRC]**

The Uganda Human Rights Commission is an independent institution of Uganda established by the constitution of the Republic of Uganda.<sup>198</sup> The commission is vested with the powers of a court when exercising its functions that is to summon, question, order for release, charge and many others<sup>199</sup>

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<sup>195</sup> The UNAFRI Statute 1980, Article II.

<sup>196</sup> The Constitution of the Republic of Uganda 1995 [As Amended] ;Article 120 [1].

<sup>197</sup> Ibid Article 120 [3] [a] – [d].

<sup>198</sup> Ibid Article 51.

<sup>199</sup> Ibid Article 52 [1] [a] – [i] and Article 53 [1] [a] – [d].

## CHAPTER FOUR

### INTERFACE OF POVERTY AND CRIME

#### 4.0 Introduction

The basis for discussion in this chapter is the interactions of poverty and crime in Uganda and how poverty impacts on crime in Uganda. The chapter is aimed at revealing the relationship between poverty and crime and the extent to which poverty influences crime in Uganda. This is the main focus of this study.

Poverty and crime have a very “intimate” relationship that has been described by experts ranging from criminologists to economic sociologists cited in the preceding chapters. The UN and the World Bank both rank crime high on the list of obstacles to a country’s development. This means that governments trying to deal with poverty often also have to face the issue of crime as they try to develop their country’s economy and society <sup>200</sup> It is believed that Poverty involves a conflict between ideal and the reality, the element of unemployment and class struggles, the availability of crime opportunities at various places and time and stress and perceived inferior education <sup>201</sup>

#### 4.1 The Ideal and the Reality.

Poor life involves an almost unbearable tension between the ideal and the reality that is, between the desired adherence to the needs of the greater society and the insistent demands of life on the streets and in essence, the ideal is what a person desires to achieve in life for example the desire to have descent food, housing, clothing which to the reality one cannot achieve thus the consequence therefore will be to

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<sup>200</sup> Hirschman A O. ‘The Rise and Decline of Development Economics; Essays in Trespassing; Economics to Politics to Beyond’ pp. 1–24 [1981].

<sup>201</sup> Agnew and Robert, ‘Foundation for a General Strain Theory of Crime and Delinquency’ *Criminology* 30:47-87. [1992].

achieve them through all the available means necessary where necessary here would actually mean illegal means termed crime<sup>202</sup> This in turn will be repeated since human beings have a tendency of not being satisfied and always in constant search for pleasure at the expense of any potential pain thus crime in society<sup>203</sup>

Poverty normally drives people's senses of self to invest considerable energy in search of excitement which is to say, activities that can tell them they do exist and matter and besides, it creates a sense of self pity to which the poor would make sure it is concealed from the view of others however, in the event of concealment, they are faced with circumstances that call for their survival that is, how to be seen in the society and in return, it inflicts into the minds of the very poor a culture that require them to equal others in the society through criminal acts thus, the influence of poverty on crime<sup>204</sup>

Poverty in addition, creates a choice between immediate gratification and no gratification at all that is, a future in which everything is uncertain except the ultimate destruction of one's hopes and eventual realization of one's fears thus for those who are eager to make it in life, crime often seems to offer immediate, faster and more effective route to success.<sup>205</sup> The most visibly successful people in the poor neighborhoods are members of organized crimes thus crime is a major employer as well as a principal source of credit to the poor because to them, through crime, everything lies virtually in the realm of the possible.<sup>206</sup>

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<sup>202</sup> Coward R, 'Illegitimate Means, Anomic and Deviant Behavior' *American Sociological Review* 24(2): 164- 76. (1959).

<sup>203</sup> Becker Gary, 'Crime and Punishment; An Economic Approach' *The Journal of Political Economy* 76: 169-217. (1968).

<sup>204</sup> Clarke R V, and M. Felson (Eds.) 'Routine Activity and Rational Choice'; *Advances in Criminological Theory* [Vol 5. New Brunswick, NJ: Transaction Books. 1993].

<sup>205</sup> Merton Robert, 'Social Structure and Anomie'; *American Sociological Review*. 3 (5): 672-682 [1938].

<sup>206</sup> Cornish D & Clarke R, 'Understanding crime displacement; An application of rational choice theory'; *Criminology*, 25(4), 933-947. (1987).

Uganda currently has more than 31% of her total population living below the national poverty line<sup>207</sup> and the poor have resorted to crime to meet their ends. This explains why Uganda registers more than 11000 cases of property crime annually across the country with perpetrators mostly coming from hard to reach and economically disadvantaged regions like North East Karamoja Region, Northern Acholi Sub Region and Teso sub Region in Eastern Uganda.<sup>208</sup>

## 4.2 Class struggles

A larger society like Uganda has goals and values that are expected to be achieved by the persons who live in it however; there is a variance on how these are achieved since not every person has the same opportunities as others.<sup>209</sup> In any society including Uganda, there is always a distinction of class that is, the lower class, the middle class and the upper class and the behavior of lower classes in their way of achieving many of the goals and values of the larger society is of concealing their failure from others as best a possible thus poor life is a response to the restraints imposed by the capitalist state authorities like Ugandan capitalist emphasis on wealth accumulation<sup>210</sup> Lack of opportunities in economic, political and social spheres, affects profoundly and limit the choices that individuals and groups can make thus creating a life that is more of a reaction to the middle and upper class values in revenge to the unequal distribution

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<sup>207</sup> World Bank Group, 'Poverty assessment Report' [Uganda; 2016].

<sup>208</sup> Uganda Police, 'Annual Crime and Traffic Safety Report' [Uganda 2016].

<sup>209</sup> Williams and Bernard, 'The Idea of Equality in Philosophy, Politics, and Society' 110-131. [London: Basil Blackwell, 1962].

<sup>210</sup> Larry J Siegel, '*Conflict Theory*' (From Criminology, Seventh Edition, P 254-284, [2000].

of resources, as they strive so hard to balance this by bridging the gap through violent acts like robberies against those privileged classes.<sup>211</sup>

Therefore, as poverty creates a distinction of people into classes whereby others feel inferior while others feel superior, poor people end up not seeing anything wrong in aggravating criminal acts against those superior classes always occasioning violence, injury and damage<sup>212</sup>. These struggles form part of everyday life in Uganda justifying high monthly and annual crime rates in the country.

### 4.3 Unemployment

In any large society like Uganda, unemployment presents a very big threat to social order.<sup>213</sup> The gross imbalance that tends to develop between education expansion and relatively limited economic growth in societies like Uganda causes an orientation among the poor towards a society marked by disaffection and alleviation thus resulting in a criminal behavioral disposition which is basically an anomic.<sup>214</sup> In a situation therefore where the dominant success goals of a society are out of balance, with the means for achieving those goals not readily available, individuals' mode of adaptation and response may include both conformity and rebellion.<sup>215</sup> Given therefore the dynamics of Uganda's deteriorating employment situations, conformity to existing success goals is a mode of adaption which has been closed to all but few of the Uganda's unemployed. When the institutional system of society becomes regarded as illegitimate barrier to the achievement of culturally legitimized goals, the stage is set for rebellion as a mode of

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<sup>211</sup> Haralambos and Holon, 'Themes and Perspectives'; Sociology (1995).

<sup>212</sup> Frederick Engels, 'The Peasant War in Germany'; marxists.org.

<sup>213</sup> Raphael S. and Winter-Ebner R., 'Identifying the effects of Unemployment on Crime'; Journal of Law and Economics; 44[1]; [2001].

<sup>214</sup> Center for the Study of Social Policy [United States of America 1968].

<sup>215</sup> Becker and Ehrlich, 'Unemployment and Crime' [1967-73].



adaptive response and the rebellion may take the form of criminal acts like robberies, murder and others thus for young people from the most impoverished backgrounds, violence provides a touchstone against which identities are honed <sup>216</sup>

More particularly, violence empowers and is a means of attaining and sustaining status amongst peers <sup>217</sup> Willingness to use violence, therefore, becomes a resource for the most dispossessed and this becomes a persistent feature throughout the teenage years due to depression resulting from unemployment related poverty <sup>218</sup> This analysis makes it clear that crime is the logical outcome of poverty and, in addition, it shows the readiness of the lower class to fight where possible against the erosion of their power or identity especially here in Uganda where unemployment rate is at more than 4.2 %.<sup>219</sup>

**4.4 Crime opportunities**

Marcus Felton in his article, *Crime and Everyday Life*”; *Insight and Implications for Society*, <sup>220</sup> explains crime in terms of crime opportunities that occur in everyday life. He says that crime opportunity requires that elements converge in time and place including a motivated offender, suitable target or victim and lack of capable guardian. A guardian at a place could include guards, policemen or ordinary pedestrians who would witness the criminal act and possibly intervene and report the crime to the police. This observation might be true but it is contrasting in poverty stricken areas like slums. In the lower classes, guards are

<sup>16</sup> Idris I, ‘Youth unemployment and violence’; Rapid literature review; GSDRC; University of Birmingham; [Birmingham, UK (2016) Pg. 40.

<sup>17</sup> Ibid 217 Pg. 41.

<sup>18</sup> Ibid 217 Pg. 43.

<sup>19</sup> World Bank Group, ‘Measuring Uganda’s Unemployment Rate’ [2015].

<sup>20</sup> *Crime and Everyday Life*, ‘*Insight and Implications for Society*’; Thousand Oaks: [Pine Forge Press, 2002].

either few or do not exist, policemen are also few and pedestrians care the less. This is quite different with the upper class and this in itself in return creates an opportunity in which crime can flourish<sup>221</sup>

#### **4.5 Stress and Perceived Inferior Education**

Poverty can lead to high levels of stress that in turn may lead individuals to commit theft, robbery, or other violent acts and besides, poverty leads to an actual or perceived inferior education, which cause youth to count on less access to quality schools, jobs, and role models, decreasing the opportunity costs of crime and increasing the probability of youth spending time on the street associating with gangs because crime will have offered them a way in which they obtain material goods that they not otherwise attain through legitimate means<sup>222</sup> Often threat or force can help them acquire even more goods and this induces them to commit violent acts such as robbery thus for many impoverished people, the prize that crime yields may outweigh the risk of being caught, especially given that their opportunity cost is lower than that of a wealthier person thus, poverty should increase crime rates<sup>223</sup>

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<sup>221</sup> Ibid 221

<sup>222</sup> Agnew and Robert, 'Building on the Foundation of General Strain Theory; Specifying the Types of Strain Most Likely to Lead to Crime and Delinquency'; *Journal of Research in Crime and Delinquency*, 38 (4): 319–361. (2001).

<sup>223</sup> Ibid 223

## CHAPTER FIVE

### ANALYSIS AND INTERPRETATION OF FINDINGS

#### 5.0 Introduction

Why are violent criminals drawn so heavily from the ranks of the poor? The answer lies not in the genes but in the nature of the lives poor people lead and of the communities in which they reside. The close association of criminal behavior with urban lower class life is a direct result of the opportunities that are not available. The question posed in this chapter is not why particular individuals in the poor areas choose to commit crime but, why people who normally make that choice are more heavily concentrated in the lower class than the middle and upper classes. To explain this phenomenon, I have been able to identify some of the theories that attempt to show the reasons for the choice patterns in the lower class.

#### 5.1 Choice Theory

Children growing up in urban slums and ghettos face a different set of choices than their counterparts growing up in middle class neighborhoods and, they have a radically different sense of what life offers<sup>224</sup> Children's view of the world is basically shaped by their surroundings and their parents as well as their own experiences. Whereas wealth in the middle and upper classes makes their children develop what psychiatrists like Robert Coles <sup>225</sup> call a sense of entitlement and identity which they do not lose even if they grow up thus poverty dominant in the lower class makes children in that class lose entitlement and identity and the situation persists even when they grow up. The consequence of this variance is that, children of the middle and upper classes will always make choices about things which maximize their leisure like games, food, clothing, vacation and careers while the children in the lower class will be

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<sup>224</sup> Robert Coles, 'Theory of Child Development' [Columbia 1978].

<sup>225</sup> Ibid 225.

making tough choices which normally include taking up arms to carry out violent acts to acquire things which make them balance with those children in upper classes and get the hard to get identity thus, these choices end up drive these poor children to commit crimes.<sup>226</sup>

## 5.2 Cultural influence

There is a strong Ugandan culture which tends to corrupt the mindset of the majority poor by portraying successes among most Ugandans and institutions even when such are far from reality<sup>227</sup> The common practice is that, on almost every week, films, television programs watched by the poor people, the public schools like the universal primary and secondary schools they attend, all tend to portray lavish lifestyles and successful persons of the upper classes<sup>228</sup> These persistent reminders in the minds of the poor incite criminal tendencies in them in their attempts to match with the society<sup>229</sup>

## 5.3 Crime as occupation

In Uganda, the majority poor normally tend to choose routes they believe to be open to their success irrespective of the costs involved<sup>230</sup> whereas children in the middle class make professional choices to take up as their careers, those in the lower class take up crime as an occupational choice<sup>231</sup> The situation is made worse by organized criminals who live lavish and successful lifestyles in poor neighborhoods who end up acting as role models for the poor to join their ranks thus crime<sup>232</sup>

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<sup>226</sup> Ibid 225

<sup>227</sup> Prof. Venansius Baryamureeba, PhD.; ' Serious Crimes Cause for concern' *Radio Talk Show* [FM. 90 Kampala – Uganda 2017].

<sup>228</sup> Ibid 228

<sup>229</sup> Ibid 228

<sup>230</sup> Edward Makobore Julian, 'High City Crime is due to Poverty' *Daily Monitor* [Uganda 2017].

<sup>231</sup> Ibid 231

<sup>232</sup> Ibid 231

## 5.4 Education for crime

Education for crime is a social process as well as part of the adventure of living in a certain environment<sup>233</sup> if the career is to develop, the young criminal must have encouragement, support and instruction from his friends and his elders particularly the intermediaries<sup>234</sup> These older criminals use adolescents as messengers or lookouts to whom the youngsters look out to for approval. The settled people are viewed as their victims who normally call the police. All these elements are part of the atmosphere of the environment within which education for crime proceeds<sup>235</sup>

## 5.5 Crime in Poverty stricken areas

Crime is a normal phenomenon in almost all lower class settings across the world but for Uganda in particular, it is prevalent in slums and ghettos across the country with the youth taking a lions share in participation<sup>236</sup> These areas are not given any alternatives of life and criminal acts are invested in the minds of the populace thus crime in these areas<sup>237</sup>

## 5.6 RECOMMENDATIONS

Poverty has not to be abolished in order to address the issue of crime by simply attacking its effects but, by confronting its roots, uproot and solve the prevalence of crime normally associated with it. This can be done by employing a number of mechanisms aimed at elevating both poverty and crime. The people

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<sup>233</sup> Ronald R. and Cressey, '*Differential Association Theory*'; Journal of Criminal Law and Criminology [1954].

<sup>234</sup> Ibid 234

<sup>235</sup> Ibid 234

<sup>236</sup> Amos Ngwomoya, 'Poverty, Unemployment Fuel Violence in Slums' *Daily Monitor* [Uganda 2017].

<sup>237</sup> Avuni Alfred, ;John Paul II Justice and Peace Centre; living in Kampala slums, a socio-economic analysis, [Kampala- Uganda 2011].

directly affected by the problems or issues of poverty in the community have to be actively and authentically participating in the efforts to fight poverty.

This means that the affected people themselves will be the major participants of the intervention to fight poverty. Not only should the formal leaders need to be consulted, but also the affected themselves. Their world view and situation should be taken into consideration and through facilitation they become part of the process of addressing and resolving their problems. Create an organized group within the community to help many people rather than working with a few individuals. Rather than working with individual persons, it is more effective to facilitate collective and organized actions to help strengthen and empower people in poverty through an organization.

This means that it is not enough to provide assistance to individually affected persons alone but through a collective organization each individual is developed and steps are taken to address their problems and other problems in the future. The people affected need to identify the issues. It is more effective when issues and problems are identified by the people. They then begin to gain self-confidence and acquire capabilities in working together on simple issues and problems. This means that their initial efforts and experience can be used towards addressing more complex problems and issues. It is in identifying and acting on their initial simple issues or problems that the affected people gain their self-confidence and capability to identify other issues or problems which need to be addressed. Though externally, well thought introduced projects can help fight poverty, without the people's active involvement and linking these projects with their own situation, identified issues and problems, such projects will most likely not be sustained. Provide children with the knowledge and life skills they need to realize their full potential, and is essential to create change in a child's life.

Plan International for example helps by training teachers, building new schools and breaking down barriers that prevent many children and girls in particular from attending school in many countries

including Uganda and this should be emulated for poverty and crime eradication. Plan International works to overcome poverty by helping communities around Uganda gain the economic security they need to thrive. Authorities should concentrate on training people living in poverty to acquire the skills and knowledge they need to secure a livelihood, and support their families. Enhance economic growth with targeted action. In order to end extreme poverty, the benefits attained by economic growth need to be shared with the poorest people.

Government must commit to end extreme poverty in order to lift their citizens above the poverty line. This needs to be underpinned by national mechanisms that target and support people living in poverty. Providing quality education empowers people to take advantage of opportunities around them. It helps children get knowledge, information and life skills they need to realize their potential. Training teachers, building schools, providing education materials and breaking down obstacles that prevent children from accessing education are important features of poverty alleviation programs. End the poverty tax because people living in low-income neighborhoods pay extra for almost everything, from food to car loans, and are dependent upon high-interest “pay-day loans” because many banks will not serve poor neighborhoods nor can poor people afford to save money by purchasing in bulk. And without access to capital, low-income people cannot save enough to invest in their education or job training. Treat violence as a public health concern: there is need to use campaigns and technology to reach every child and family in Uganda need to develop those tools to make sure that everybody feels important and cared for through parenting interventions, family interventions, wellbeing campaigns, and early childhood education as expressed by<sup>238</sup>.

There is need to focus on hotspots: there is scientific evidence that a focus on hotspots and ‘hot people’ can prevent or reduce violence. there is need also to accompany this with other measures – urban

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<sup>238</sup> Anilena Mejia, research fellow, from the University of Queensland, Brisbane, Australia [2016].

upgrading, better urban planning, situational prevention – especially early childhood intervention emphasized by <sup>239</sup> There is also need of creating well-targeted programs for instance, if the goal is to reduce homicides, then program selection should be located in hotspot areas and focused on the population group most likely to commit violence crimes, often young males between 10-29 years old.

The risk factors for why these young men get involved in criminality also needs to be clearly diagnosed and complemented with a treatment plan that involves the family and community. This view is emphasized by <sup>240</sup> Focus should be on prevention: Prison populations are overflowing, crime is high and violence is a culture in Uganda just like elsewhere in the world. The focus needs to be on preventing the conditions that draw people into violent or criminal behavior.

In order to do this, we need a systematic, integrated, coordinated approach combining the responsibilities of a wide range of state and non-state actors as called for by, <sup>241</sup> Avoid repressive policies. Many countries including Uganda have approached the problem of violence from a crime and security angle, focusing their action on law-enforcement only. Unfortunate examples of this are the ‘mano dura’ tactics in Central America. While justice and police have an important role to play, repression only is counter-productive if not combined with development interventions that look at the drivers of violence, and tackle things like skills and education of youth, socio-economic inequalities, and access to communal services as stressed by <sup>242</sup>. Adopt a proactive approach and systematically invest in protective factors. Supporting proactive community associations and schools to activate their involvement has also demonstrated positive results in Uganda and other places such as Cape Town, Chicago and New York.

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<sup>39</sup> Robert Muggah, a research director of Igarapé Institute, Rio de Janeiro, Brazil, and the SecDev Foundation, Canada [2015].

<sup>40</sup> Enrique Roig, director, citizen security, Creative Associates, Washington, DC. [2009].

<sup>41</sup> Vanessa Padayachee, National Advocacy and Lobbying Manager, Nicro, Cape Town, South Africa [2012].

<sup>42</sup> Luigi De Martino, senior researcher, Small Arms Survey, Geneva [2003].



In addition, promoting links between neighboring communities that adjoin each other is also important. This is line with the view of<sup>243</sup>.

## CONCLUSION

In the face of growing demand for equity, there is great need to ensure that criminal acts and crime as a whole is eliminated in Ugandan society. My evaluation is that poverty to a greater extent interfaces and influences criminal acts and crime as a whole particularly property crime has world over been closely associated with it thus eradicating crime entails eradicating poverty first. Poverty as a social factor, has presented a situation of intensified social disorder that has greatly divided the Ugandan people. The only way therefore to fight crime is to fight poverty. Its total removal will see crime crystalized in Ugandan society. This is true not only for Uganda but, throughout Africa, Asia and Latin America. The fabric and texture of life in urban slums and ghettos provide an environment in which opportunities for criminal activity are manifold, and in which the rewards for engaging in crime appear to be higher than the penalties for the crime and also higher than the rewards for avoiding it. It seems to me that the kind of neighborhood you come from makes all the difference in which way you go and where you end up. Therefore i can confirm that criminal acts in poverty stricken areas like slums are due to lack of opportunities and that poverty leads to crime.

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<sup>43</sup> John de Boer, senior policy adviser, United Nations University, Centre for Policy Research, Tokyo, Japan [2014].

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