



The Role of Rehabilitation in Crime Prevention

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Abstract

Criminal conviction based on the labeling theory has many negative consequences on the life of the convicts, their families, and the community, admission of the criminality identity, internal conflict, deprivation of employment, deprivation of social rights, and repetition of crime are among the most important negative effects of the criminal conviction. Given the mentioned negative consequences, criminology theorists have addressed the social reaction to the strategies for rehabilitating criminals. Limitations of the criminal law's intervention through decriminalization," Depenalization", diversion, removal of employment barriers, and the use of corrective bodies such as adjournment of the execution of judgment, suspension of the execution of sentences, alternative prison, and the semi-freedom system are the most important strategies that can prevent the labeling and the results arising from it.

Keywords: *Labeling; Admission of Culpability; Internal Conflict; Deprivation of Social Rights; Challenges; Strategies*

Introduction

There is no consensus among the scholars of criminal law and criminologists on the subject and philosophy of punishment. Some of them have described punishment as a response to the crime and justified from the point of view of legal rights and retributivism. In contrast, several other thinkers, have plotted other purposes to impose punishments; the deterrent (including the general or specific deterrent), disabling, and rehabilitating criminals are among the most important goals of the execution of criminal convictions (Heinrich, 1913, P. 255). On the one hand, given the development of criminal law and on the other hand, the costly nature of the criminal policy and its inefficiency in securing the stated goals, their execution has encountered challenges and serious barriers, in particular, punishments such as execution, imprisonment and deprivation of social rights. Some criminologists have analyzed and cited the consequences and disadvantages of criminal convictions as well as the crime comparison from the perspective of critical criminology, interactivity, and labeling theory.

The present study seeks to assess criminal convictions based on the labeling theory. Proponents of this theory believe that criminal convictions will result in labeling the offender's criminal convictions and criminal brand. Bad reputation and criminal label not only lead to rehabilitating criminals but lead to repeat crime by offenders, therefore the response of the criminal justice system to criminal behavior

should be based on the redirection policy of the offenders. In this sense, it should be used more than composition policies (adjournment of the judgment issuance, parole, suspension of punishment execution, and restorative justice) rather than criminal convictions that result in labeling and secondary deviations.

According to the above issues, the questions that the present study aims to answer to them, including, what is labeling and what is its effect on the situation of the people? What are the preventive measures for labeling? Answering these questions requires an explanation of the label theory, the effects and consequences of labeling, and the related strategies.

Definition and the Nature of the Labeling Theory

One of the most famous ideas in the field of criminology is the labeling theory. This theory emerged in the form of critical criminology during the 1960s as a new criminological theory and was subject to serious criticism, but this theory was strengthened and recreated in the late 1980s (Shoemaker, 2010, p.260). Theorists of labeling focus their analysis on the response of others to the person or behavior that in the formal assessment has been considered to be a negative path. According to this view, crime is not an intrinsic quality, but it is created as a result of the social group's feedback and in fact, introducing people as deviant persons and lawbreakers carried out by the institutions. Although this theory has been developed by many scholars, the main founders of this theory are Edwin Lamer and Howard Becker. "Becker" writes: "*...Social groups create deviance by making rules whose infraction create deviance and by applying those rules to particular people and labeling them as outsiders. From this point of view, deviance is not a quality of the act the person commits, but rather a consequence of the application of rules and sanctions to an 'offender.' The deviant is one to whom that label has been successfully applied; deviant behavior is behavior that people so label.*" According to this view, the norms in the community context are formed according to criteria such as ethics, occupation, gender, income, and social rules, and infraction of them by individuals causes a social reaction and eventually a label of deviation or crime. Therefore, "Becker" does not make any difference between primary and secondary deviations, and considers even the primary behavior which is contrary to the social rules as a crime or deviation that is from the reaction of the social institutions. As a result, according to Becker, "crime and deviation is a social process." In the sense that, social groups create deviance by making rules whose infraction creates deviance concept, as a result, the deviance is not a quality of the act the person commits.

"Lemert" differs between the primary deviation arising from cultural, psychological, and physiological factors, and the secondary deviation that derives from the social situation. "Lemert" does not pay much attention to primary behavior and considers it merely as a behavioral pattern and acceptance of danger and its focus is more on unacceptable secondary behaviors, which leads to the fulfillment and completion of the labeling process. According to him, the primary deviant is a person who has committed a crime that is considered a devotional act but has not yet been flagged as a deviant label by social groups, and thus, he/she is not affected in an internal conflict because he does not seem to him/herself as a deviant (Gesens, 1991, p. 49). In addition to the lack of internal feeling change, if this situation (non-response and non-labeling) continues, the deviation may not be repeated. But if the formal and informal social control institutions respond to it and ultimately, the perpetrator engages in the formal process of criminal justice and labeling for prosecution and punishment, the offender enters into the world of more crimes, and repeat offenses will be provided, and secondary deviation is formed. Accordingly, the secondary deviation is being committed as a response to the reaction after the community's reaction to the primary deviation and the imposition of the deviant label on the individual (Salimi & Davari, 2001, p. 548). This stage, in which social institutions see the person as an undesirable element has attracted the attention of Lemert as the main stage of the diversion. His famous statement in this regard is as follows: "It is not the deviation that ends with a social control, but the social control leads to deviation" (Najafi Abrandabadi, 2004, p. 2084). Therefore, contrary to the previous perceptions, he introduces self-control as the cause of crime and not lack of control (White and Hines, 2004, p. 180).

Effects of Labeling

The Labeling and criminal label that is from the clash of the offender with the social groups such as the police, the prosecutor's office, the judiciary, or important people, such as family, teachers, and friends has important effects that are studied in this section.

1. Acceptance of Criminal Identity

If formal and informal institutions use tolerance for a person who violates a norm or a law, the criminal label will not be tagged on him/her and he will not redefine himself as a criminal offender. But if the social institutions, namely the court, police, family, school, local leaders, friends, and colleagues have so serious reaction to a person who commits a crime and consider him/her as an offender, he/she accepts this label in a definition of his/her identity and will consider himself as an offender. After that, according to this imagination of him/herself, the likelihood of committing the criminal act increases by him/her. This person with the label that the society has imposed on him/her, won't behave in a concordant manner and will act by the expectations of his role as a deviant person (Momtaz, 2002, p. 113). The acceptance of the offense is due to labeling and in fact, the indoctrination is an introduction to create imagination and belief. Each one acts and responds as what thinks about him/herself. If a person thinks that he/she has a strong intelligence and memory, this belief is gradually institutionalized in his/her subconscious mind, and continuing this imagination will create this characteristic in his/her real life. The indoctrination is an important factor in changing behavior and personality and a tangible reality. All humans are influenced by indoctrination in some way, and they are either from their own or others. Indeed, any thought that is perceived and accepted by the mind is indoctrination (Islamic, 2010, pp. 93& 95). Therefore, it can be said that the theory of labeling is also a psychological and educational matter that is, having a positive imagination and a supreme position in the community impact on their behaviors and actions. Human behavior is a function of understanding, so if we want to grow positive behavior in a person, providing a positive image of the person for him/herself is necessary and contrast if we want to ruin someone, we must give him a negative imagination of him/herself, therefore, after a person is labeled by the community and he/she accepts it, subsequently changes his/her imagination and forms a criminal impression in his/her mind (Williams et al., 2004, p. 158). As a result, many scholars do not accept prison because the criminal identity of a person is stabilized by a prison sentence, and by releasing from prison, he/she won't be able to get a legitimate job for his/her criminal conviction and survive his/her life commits again the crime and it makes that he/she associates with other people who have labeled like him/herself (Valad, 2011, p. 303). Of course, people may not easily accept the label of deviation and offense to the community, but eventually, the resistance of the individual will be weakened against the reaction of the society and will accept the notion of conviction and will behave like criminals in such a way that the deviation becomes a part of his/her life and he/she does not have the alienation feel in terms of the psychological mode to the crime and in fact, it is a part of his/her identity and the personality (Shiri, 2005, p. 181).

Creating Internal Conflict

One of the basic human needs is to enjoy respect and self-esteem. According to this principle, a person needs to respect to self as well as respect and approve of others (Maslow, 1988, p. 154). When a person is labeled, he/she is being under pressure from the community, but on the other side, he/she feels to need for the respect of the community, and therefore, he/she is conflicted between two cognitions, self-knowledge, and cognition that the society obtains about him/her by labeling which leads to psychological pressure (Tavassoli, 2007, p. 425). The result of this conflict and the imposed pressure differs according to the personality and resistance of individuals. The isolation, depression, and sometimes suicide and at least the conflict with society and its rules will be the consequences of this pressure. According to the research conducted, one of the results of suicide is poverty and unemployment. Economic criminals and unemployed people have a high suicide rate and improvement of the economic conditions indicates a decline in this rate (Sotoudeh, 2009, p. 49). "In terms of personality, a person with a label suffers due to

the decrease of the social identity from the psychological distress, economic hardship, scandal, humiliation, and criminality feeling and the degradation or destroying self-esteem"(Mohtashemi, 2013, p. 77).

3. Occupational Deprivation

People with criminal convictions lose their job opportunities and no longer are not able to enter into the economic fields. Richard Schwartz and Jerome Sculling have addressed the impact of criminal convictions and conducted studies about the effects of criminal records on the employment opportunities of unskilled workers in the United States. In this field study, four job cases with a criminal conviction that were identical in all aspects, except for the criminal records of volunteers, were provided as follows:

One - The first case indicated that the applicant was convicted and sentenced for assault and battery.

Two –The second folder states that this person was tried and discharged for assault and battery.

Three –The third folder indicated also that the person was tried and discharged for assault and battery, but with a letter to confirm his innocence that was written by the judge.

Four–The fourth folder did not contain any criminal records.

The aforementioned study contained the names of one hundred employers whom Schwartz and Skollink divided into four units of 25 people a case was given to each group that contained an applicant for a real volunteer to hire in the hotel's work. The results of the research are noteworthy as follows:

1. 36 percent of the employees' responses, who saw a non-criminal records folder, were positive.
2. 24 percent of the employers who received the acquittal letter from the judge expressed their interest in hiring the volunteer.
3. Of the employers who saw the acquittal letter, 12 percent tended to hire the volunteer.
4. Of the employers who saw the convicted person's folder, only 14% were interested in hiring him (Winfrey, 2009, p. 309)

The result of this study proves that labeling and the criminal record not only lead to a reduction in the number of job opportunities, but it creates a gap between the offender and the community and challenges his/her m rehabilitation. The society believes in the label and it is the criterion for its interactions in social relations. Although this research has been conducted in a developed society, it is clear that in undeveloped societies, the effects of the guilt and criminal label for hire are more severe than what was said, because the threshold of the society's sensitivity to violations of norms and showing firm and criminal responses to such societies is very severe, and the lack of criminal record and sentencing is a criterion for social relations, especially for hiring.

4- Deprivation of Social Rights

The criminal conviction or in other words, the labeling addition causes deprives the offender of having a job; it also deprives him/her of education, marriage, and other common dignities of life. Depriving the offender of social rights not only cannot solve the problem, but it increases problems for the offender, victim, and community since it aims the junction point of the offender to the community, and thus, he/she gets away from the social structures with imposing wide-ranging restrictions and deprivations by the social institutions (formal and informal) and practically, this situation helps to commit next crimes by him/her (Farjad, 1992, p. 51). The social consequences increase for an accused who was sentenced to a criminal conviction in a court with this tag and/she is officially introduced as an offender with a criminal record because, in addition to the mentioned deprivations which were described from the

criminology perspective, he/she also is deprived of the legal rights as an accessory punishment. Depriving a person of his social activities and rights would lead to hidden and illegal activities, whose social disadvantages are far more than the legitimate and visible activities. This issue in Japan has led to carrying out the criminal activities of the Yakoza organization as legal and obvious activities to prevent the underground activities of this organization (Sediq Sarvestani, 2008, p. 109). Therefore, instead of such inefficient restrictions, rehabilitating and compensating policies should be used to solve the challenges and problems of the offenders and their families, as well as the losses of the victims and the community.

Strategies

Regarding the negative consequences of a criminal conviction or criminal labeling, the advocates of the critical criminology theory have developed strategies that are analyzed and evaluated in this section according to the labeling theory.

Limitation of Criminal Law's Intervention

Decriminalization, depenalization, diversion, and the removal of employment barriers are obvious examples of the limitation and distance from the criminal justice system. Therefore, only the concepts and the nature of the mentioned shortages in the criminal justice system will be briefly assessed.

1-Depenalisation

Depenalization includes any decentralization type of the criminal justice system to decrease and change it for non-criminal action (Gesens, 1991, p. 19) in the depenalization which is also called defective decriminalizing (Najafi Abrandabady and Hashem Beige, 1988, p. 29) the aim is not to negate the nature of the criminal act or omission, but also the purpose is the decentralization of the criminal justice system and adopting the criminal policy based on reducing the severity of punishment or negating criminal property (Kalantari, 2009, P. 312). Nowadays, due to the transformation that has emerged in the new criminal policy, one can imagine a behavior that is labeled with a criminal title, but there is no punishment against it since showing a repressive reaction is only one of the types of response to the criminal phenomenon and other various methods are recognized. Therefore, depenalization is one of the signs of the restriction of the criminal law's intervention, which seeks to prevent criminal labeling and to protect the freedoms of citizens' rights in the field of legislation, judgment, and execution.

The adjournment in the verdict issuance, the suspension of the sentence execution, and the parole system are examples of the depenalization that have been entered into the laws of the countries under the influence of the criminological and academic discourses. In the legal system of Islam, repentance, denial after confession, exclusion of punishment through doubt, and also intercourse doubt are some examples of depenalization.

2. Diversion

The diversion means eliminating or limiting the intervention of the justice system and changing the paths of the proceedings from the official criminal justice system to the law mechanisms by the quasi-judicial authorities, or shortening the process of criminal justice (Najafi Abrandabady, 20121, p. 187). In other words, the mission of the diversion is to prevent criminal proceedings through the non-judicial means that the criminal justice system is competent to deal with it. The diversion is not limited to the trial stage but is possible at every stage (Akrami, 2008, p. 22). Therefore, the use of the diversion mechanism is general and necessary at all stages of prosecution, investigation, and trial. The use of the diversion makes either the offenders not enter the criminal justice system or in the case of entering, they change their paths and some special measures are considered. The mediation, compromise, and adoption of any alternative solution for resolving the criminal cases and labeling are the salient judiciary phenomena, which are now reflected in the statutes especially when it is used for children and adolescents.

3-Decriminalization

Decriminalization means eliminating the criminal label from an act or behavior (Najafi Ebrahbandadi and Hashem Beigi, 2003, p. 77). The general approach of decriminalization is to increase the general rights and freedoms of citizens and to prevent labeling as well as opening a developed political, social, and cultural environment in front of them. Decriminalization is an attempt to fine the violent culture of society (including the government and the nation) and move towards civilizing the power responses to anomalies and problems (Mahmoudi Janaki, 2008, p. 238).

Although decriminalization is placed in depenalization, because from the point of view of classical criminal law, crime, and punishment are necessary, and a crime is not conceivable without punishment, due to the development of criminal laws and recent developments, the notion of a crime without punishment is possible, because the criminal response is only one of the types of response to a criminal phenomenon and non-criminal measures have been also anticipated in the countries' criminal policy to deal with it. Therefore, the term "punishment" is used when the strategy of withdrawal of criminal laws takes place in the form of the negation of the punishment (Rayjiyan Asli, 2002, p. 94). The European Council defines decriminalization as depenalization and negation of the punishment for a given behavior and has identified two types of (legal and practical) decriminalization. Practical decriminalization is: "The phenomenon of the gradual reduction of the criminal justice system's activities about some behaviors or circumstances, although, in the jurisdiction of that system any changes have not taken place formal and legally " (ibid., P. 97). Given this definition, the practical decriminalization is in the jurisdiction of the criminal justice authorities. For example, if the police did not consider interfering with the discovery of a crime, or referred the case to other social institutions, the prosecution office would issue the order of non-suit, or the judge would impose a symbolic punishment (such as one-day imprisonment) (Paradel, 2008, p. 137).

Although decriminalization has a significant impact on the reduction of criminal conviction, labeling, and the rate of prison population, it should not overdo in this regard, and therefore the social and cultural conditions of any society must be taken into consideration for the decriminalization, unless, it may play an opposite role. On this basis, criminologists always emphasize that decriminalization should be carried out in fields that do not harm the public and secure order (Rayjiyan Asli, 2002, p. 97). Based on this belief, theorists also consider legal decriminalization more in its second and third sense, namely the assignment of the behavior relevant title non-criminal authorities, and the use of legal mechanisms, rather than the elimination of the criminal title and the denunciation of that behavior, and on the other hand, the decriminalization has been recommended in specific areas, such as offenses without victim and the moral, chastity, economy and driving crimes (Mohtashemi, 2012, pp. 173 and 176).

4. Removing Barriers to Employment and Recruitment

As previously stated, labeling and criminal conviction cause the offenders and convicts to lose their jobs and enter the unemployed population, because the employment regulations of public institutions indicate that one of the criteria for employing volunteers is the lack of criminal record. These institutions consider this criterion even for hiring at their lowest organizational rate. This form of the rules which deprive offenders of work and social rights, not only is contrary to the ideals of criminal justice in the modern age, which seeks to reinstate the offenders in society, but these rules cannot prevent the crimes and even the convicts are encouraged to repeat the crime and involved in the criminal justice process. The best way is to create jobs and remove barriers to employment. In this regard, developing regular and accountable rules to reinstate the offenders and their enjoyment of social rights, or the removal of providing a clean record of the recruitment process will be a useful strategy. The mentioned mechanisms are strategies that have been adapted and experienced in some developed countries, and both the convicts and the community have benefited from them.

To reduce the legal harm arising from the criminal record, some US states removed the various restrictions related to the requirement for obtaining the employment license based on state law. Few states even developed "fair employment law" for former offenders. For example, New York forbids the lack of hiring people or the lack of issuing work licenses for criminal convictions. However, there are some exceptions (as if there is a direct link between the crime and the particular occupation or the license, or the employing a person has an unreasonable risk for other individuals or their property), by the principle of the direct relationship requirement, the behavioral nature that a person has been convicted for it, must be directly related to his/her suitability or ability to perform his/her duties or occupational responsibilities. (For example, a drug offender who works in the pharmacy of a hospital), according to the law, a public or private employer must write down the reasons for refusing his/her permission or following a volunteer's request. The New York State Human Rights Commission has passed the law (Winfrey, 2009, p. 310).

The use of Rehabilitation Institutions

The critical views of criminologists on criminal laws have finally come to fruition and today institutions that play an important role in rehabilitating offenders and eliminating the effects of criminal conviction and labeling are reflected in the statute laws in many countries. In this section, these institutions are briefly recognized in light of the labeling theory as an effective strategy to prevent labeling

1. Alternative Sanctions for Imprisonment

The criminal conviction in the form of an imprisonment sentence leads to an infamous label and rejecting the offender from society and ultimately accepting the criminal identity and occupation. The studies of scholars based on this type of conviction, indicate that its negative consequences not only affect the offender, but these convictions impact family, acquaintances, and in general the community (Paradel, 2008, p. 139), therefore, countries have been foreseen strategies for limiting or even abolishing it in the framework of the of alternative crime for imprisonment. In Iran, the movement of removing imprisonment began in academic gatherings about twenty years ago and then appeared in the form of a judicial movement. That is, from about twenty years ago, judges used the alternative sentences in some cases, by Articles 17, 22, and 728 of the Islamic Penal Code (1993) (Babaei and Gholami, 2015, p. 60). Finally, the numerous dangers of imprisonment obliged the legislature and judiciary to provide a bill of alternative sentences for imprisonment in the Fourth Development Plan to use modern methods of rehabilitation and treat the offenders. The bill was drafted in 2005 under the title "Social Punishment Bill" and then sent to the Islamic Consultative Assembly for approval. In Articles 64-84 of the Islamic Penal Code (2013), substitution strategies for imprisonment are foreseen, such as care periods, free public services, cash punishment, and daily cash penalties to reduce the prison population. Of course, the alternative sentences of imprisonment have less chance to perform in third-world countries due to their newness, corruption, lack of budget need, and being a customary criminal response, but it will be possible. Therefore, the use of ineffective punishment should be avoided as far as possible and we move toward removing the imprisonment and use of useful methods.

2. Adjournment of the Issuance of the Judgment

Adjournment in legal terms means delaying the issuance of the conviction. The sense that a competent judge who proceeds a criminal case can adjourn the issue of the sentence of an offender whose, /her crime has been proved by the judge in the case of establishing the condition for a certain period (Gheyasi, 2012, p. 19). The adjournment body, in addition to being a suitable alternative for imprisonment, also has a significant role in limiting the intervention of the criminal law's scope, avoidance of labeling, and the rehabilitation of the offender. The basis of the philosophy of adjourning the criminal sentence is consistent with the labeling theory and in addition, it is an alert to the offenders who do not have a criminal record also this adjournment can solve the psychological, economic, and cultural effects of the imprisonment, (Ardebili, 2012, P. 19). The adjournment of the sentence issuance causes that

offender can return to the community without a crime labeling that can be itself as the factor of the secondary deviation, because during the adjournment the offender attempts to rehabilitate him/herself, and this attempt and accuracy will affect on his/her future behavior and the community will be able to achieve its goal that is the offender's re-socialization without spending too much cost on imposing a punishment. There is no labeling in the adjournment institution due to the non-issuance of the sentence, and therefore the accused, especially their adolescents do not know themselves as an offender, and this prevents the repetition and frequency of the crime. (Williams et al., 2009, p. 155)

3. Suspension of Execution of the Punishment

One of the rehabilitation institutions is the suspension of the execution of the punishment. Adjourning the imposition of the punishment, in addition to reducing prison costs, also plays an important role in preventing crime and rehabilitating the offender. "Criminal policymakers hope that the convicts will try to rehabilitate their behavior more by following the orders of the court during the suspended period for the exemption of punishment and its effects, and in fear of execution of a sentence" (Ardebili, 2011, p. 241). The suspension of the execution of the sentence in addition that can prevent the labeling and the criminal conviction temporarily and it can be permanent in the case of the observation of conditions' suspension therefore it prevents the repetition of crime and the social, economic, and cultural losses on the offender and his family. Since the offender attempts to rehabilitate himself/herself during the suspension time and behave beside his/her family and other members of the community, as well as he/she can continue his/her social, economic, and social activities and thus any disruption does not appear in his social relations.

4. Semi-freedom System

The semi-freedom system is a modern phenomenon of decriminalization, and depenalization, which plays a major role in reducing the criminal population and maintaining the family stability of the offender and his/her rehabilitation, on the other hand, it also guarantees the principle of individuality of the punishments (Fakhraei, 2014, p. 43). The criminology findings and studies about prison show that imposing the uniform policy and management does not have any effect on the change and rehabilitation of all prisoners, and in some cases, other patterns should be used such as the semi-freedom system (Sekhavat, 2003, p. 21). In this method, the convicted can continue his/her job outside the prison for days and spend his/her nights and holidays in the prison environment, and it can be close to the weekend's imprisonment (Ansel, 2012, p. 99). The implementation of this institution prevents risks of imprisonment, including the antisocial behavior of the convicted after the end of the punishment and the loss of jobs as well their rehabilitation will be accelerated and their family and the community also use their work and services (Babaei and Gholami, 2012, p. 74) and the criminological goals are secured, in addition to preventing the emotional, familial and occupational disorders of the offenders.

Conclusion

The labeling theory, which is one of the branches of the social reaction criminology is not considered a crime or a deviation as an inherent phenomenon and scholars believe that anti-social behaviors are created by the feedback of social groups, and the institutions introduce them as deviation and anti-law people. This theory has introduced new and critical concepts in the etiology and thus, it transforms the cognitive angle of the criminology perspective in comparison with the previous criminology which focused on internal and external factors. The main issue of criminology is the classification of labeling, the analysis of the role of the social reactions in the labeling (formal and informal), in determining the deviance and crime, and ultimately accepting and creating deviance and taking sides of the offender to more severe and widespread crimes.

The criminal conviction and criminal label not only do not lead to rehabilitation, but they lead to committing crimes by the offender, and therefore the response of the criminal justice system against criminal behavior is more based on the type of policy of redirecting. In this sense, the preventive policies (Adjournment of the issuance of the judgment, parole, suspension of execution of the punishment, and restorative justice) should be used more than the criminal convictions that result and secondary deviation.

Social crimes as false and contractual deviances are inconsistent with inherent crimes such as murder, deception, abuse of confidence, and violation of the ownership and rights of others. There is not any rational justification for the offenders of the primary crimes, since the accused has committed the criminal behavior before the social reaction, but in cases where social institutions have defamed a person wrongly or intentionally and made a criminal label, or in cases that the convicted person has suffered the punishment and returned to the community, but he/she is still seen as an offender, makes the convicts re-commit crimes instead of rehabilitating. Therefore, the criminal conviction and the criminal label to a person, whether it is due to the interaction of informal institutions, or arising from mistake or judicial corruption in the criminal proceeding, even though a crime is not committed by the person, is a factor that will create future deviations or at least, it strengthens the bad behavior and the labeled person has less opportunity for righteousness and rehabilitation. Therefore, to prevent labeling, it is necessary to limit the intervention of the criminal law on the one hand, and, on the other hand, the criminal justice system uses rehabilitation and composition institutions.

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