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Subculture and its Role in the Emergence of Neighbourhood Gangs in Major Urban Cities: Algerian Society as a Model

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Abstract:

A dangerous criminal phenomenon has spread in Algerian society, mainly represented by "neighbourhood gangs," and this is what we see through our national channels and what is published in the official newspapers. Not to mention social networking sites in their various forms, which are also at the forefront of the matter. This means that the activity of this type of gang has multiplied significantly, as it threatens the safety and public security of individuals and society, as this threat affects the stability of residential neighbourhoods: their residents, their property,...etc. And this violation reaches the values of society. Firstly: in his customs, traditions, and beliefs .Algerian society, like the Arab Islamic societies, is a society that maintains those values and principles that have been deeply rooted in the mentality of every individual.The acts of violence that were considered deviant behaviours for which the gang was known were represented by assaults committed by gang members by assaulting victims, often with bladed weapons, leaving behind fear and anxiety and sowing terror among residential neighbourhoods .Therefore, the Algerian legislator sought to enact laws due to the significant growth of this social phenomenon of its kind by issuing (Law 20/03 of August 30, 2020) related to the prevention and control of neighbourhood gangs, and it is the first law in Algerian society related to neighbourhood gangs that affects various cases. The question that arises is: What is the historical process of neighbourhood gangs and what are the most important social motives for their emergence? From what standpoint was the law enacted?

Keywords: neighbourhood gangs, residential neighbourhoods, bladed weapons, values, terror, investigative methods, the Algerian legislator.

الثقافة الفرعية ودورها في بروز عصابات الأحياء في المدن الحضارية الكبرى: المجتمع الجزائري نموذجا

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مخلص:

انتشرت في المجتمع الجزائري ظاهرة إجرامية خطيرة تمثلت أساسا في "عصابات الأحياء "، و هذا ما نشاهده عبر قنواتنا الوطنية و ما تصدره الجرائد الرسمية؛ ناهيك عن مواقع التواصل الاجتماعي بمختلف أشكالها التي تتصدر الواقعة هي الأخرى. و معنى ذلك أن نشاط هذا النوع من العصابة قد تضاعف بشكل كبير، حيث أصبح يهدد سلامة الأفراد و المجتمع و أمنهم العام؛إذ يمس هذا التهديد استقرار الأحياء السكانية:قاطنيها، ممتلكاتهم،... و غيرها. و يصل هذا المساس إلى قيم المجتمع بالدرجة الأولى: في عاداته، وتقاليده و كذا معتقداته. و المجتمع الجزائري على غرار المجتمعات العربية الإسلامية مجتمع محافظ على تلك القيم و المبادئ التي ترسخت في ذهنية كل فرد منه. و تمثلت أعمال العنف التي اعتبرت سلوكيات انحرافية عُرِفت بها العصابة اعتداءات يرتكبها أفراد العصابة من خلال التعدي على الضحايا بالأسلحة البيضاء في غالب الأحيان،مخلفين خلفهم الخوف و القلق و زرع الرعب وسط الأحياء السكانية. لذا سعى المشرع الجزائري إلى سن قوانين بسبب التنامي الكبير لهذه الظاهرة الاجتماعية من نوعها من خلال إصداره (قانون 20|03 المؤرخ في 30أوت 2020) و المتعلق بالوقاية من عصابات الأحياء و مكافحتها، و هو أول قانون في المجتمع الجزائري يتعلق بعصابات الأحياء يمس حالات متباينة.و السؤال الذي يطرح ما هي السيرورة التاريخية لعصابات الأحياء و ما هي أهم الدوافع الاجتماعية لبروزها ؟ و من أي منطلق تم سن القانون الخاص بها؟

الكلمات المفتاحية: عصابات الأحياء، الأحياء السكنية، الأسلحة البيضاء، القيم، الرعب، أساليب التحري، المشرع الجزائري.

Introduction:

The phenomenon of violence in its various forms has grown in Algerian population centers through the emergence of the phenomenon of “neighbourhood gangs,” and this is what is reported in daily newspapers, national satellite channels, and others, of various types of attacks, physical, moral, verbal, and symbolic, through the gangs’ use of bladed weapons in most cases. Sometimes, this is what led the Algerian legislator to rush to enact deterrent laws every time as the situation requires, and social factors and backgrounds vary to commit this type of crime.

Subculture is one of those factors that would pave the way for the emergence of neighbourhood gangs.

Therefore, we decided to address this topic through the concepts related to neighbourhood gangs, which are neighbourhood gangs, neighbourhood gang crimes, investigative methods, insecurity, and bladed weapons, as well as subculture. It revolves around each concept and another concept that explains within the concepts themselves, and the second aspect through a sociological perspective, the subculture is represented by the theories explaining it, and the third aspect is represented by the reality of neighbourhood gangs in Algerian urban cities.

First: Concepts related to neighbourhood gangs: gangs, neighbourhood gang crimes, investigation methods,...

1- Neighbourhood gangs: The term neighbourhood gang means every group under any name made up of one or more individuals belonging to one or more residential neighbourhoods, which commits one or more acts for the purpose of creating an atmosphere of insecurity within residential neighbourhoods or in any other spatial space, or for the purpose of Imposing control over them through moral or physical assault on others, endangering their lives or security, or harming their property, while carrying or using visible or hidden bladed weapons.

Moral assault includes any verbal assault that would cause fear or terror in others, such as threats, insults, cursing, defamation, intimidation, or deprivation of a right. **(1)**

Sometimes some concepts emerge to explain other concepts that do not need to be identified, such as lack of security.

2- Neighbourhood gang crimes: Law 20|30 stipulates that the acts constituting the crime constitute neighbourhood gangs that constitute a moral or physical assault on others, or endanger their security, life, or freedom, or harm their property, or involve the carrying or use of bladed or hidden weapons.

3- bladed weapons: The same article defined in its second paragraph that what is meant by bladed weapons is all cutting or penetrating machines, tools, and devices, and all things that can cause damage and wounds to the human body or pose a threat to public security, as specified in the legislation and regulation related to the law in force. **(2)**

4- Investigative methods: those techniques used by the judicial police under the monitoring and supervision of the judicial authority, in order to search and investigate serious crimes stipulated in the law, collect evidence about them and reveal their perpetrators, without the knowledge and consent of the people concerned. **(3)**

5- Subculture: We focus on the content of this concept when there is a conflict between cultures and a clash between them. Subcultures in every time and place have

a prominent influence on the general culture of society. The possibility of finding compatibility or integration between the two cultures faces many obstacles, especially if the relationship between the two cultures is characterized by some kind of contradiction, conflict or rebellion.

The subculture that is characterized by these features, no matter how many reforms define its meaning, its meaning expresses one topic that has a direct relationship to the conditions of underdeveloped societies that suffer from crises in their cultural and social structure. The best expression of this culture is what is defined by the term marginal culture or the culture of poverty.

Marginal culture: It takes on a realistic dimension, because, as Brian Robert said, it is represented by the low and weak participation of low- and low-income groups in policy-making or modifying their general conditions, or the lack of the ability to reshape their traditional trends, which leads to their feeling of helplessness and lack of hope. **(4)**

Second: The reality of neighbourhood gangs in Algerian urban cities.

A new phenomenon has emerged, represented by neighbourhood gangs in Algerian civilized cities in Algerian society. Its causes are due to random deportations by local and state authorities of housing, especially fragile and tin neighbourhoods and overcrowded houses, from the logic of not taking into account the geographical origin in the deportation process, with no providing of a sufficient number of necessary public services and the lack of fair distribution of spaces among the population makes them vulnerable to violence and even crime, the spread of drugs, and the vandalism of public and private property.

Neighbourhood gangs have become among the topics that have occupied the minds of security specialists, those who study violence and crime, those in charge of building and reconstruction, those supervising deportation operations, and security personnel in various agencies.

This new phenomenon has put the security of Algerian society, especially in the last decade, in danger. As a result, the Algerian legislator sought to establish a new

legislative framework to prevent this phenomenon and fight it strictly because of its creation of an atmosphere of insecurity among citizens at the level of residential neighbourhoods and a significant increase in violent crimes and attacks committed with bladed weapons by criminal groups forming in residential neighbourhoods. **(5)**

So what are the rules for forming neighbourhood gangs based on the pillars on which they were founded...?

Third: The elements of neighbourhood gang crime:

Kamal Falih, one of the researchers, touched on the element of neighbourhood gang crime in his article, summarizing their elements with an analytical reading of the reality of the material for neighbourhood gangs, as neighbourhood gangs consist of several stages, the most important of which are:

The stage of forming neighbourhood gangs: This is the first and most important stage in the gang's life and success, which results in the gang reaching the next stages, which is implementing its criminal plans.

Therefore, the researcher has shown that many legislations have criminalized the formation stage due to its extreme danger to the success of the gang, even if that stage has not yet reached the point of causing actual and direct harm to the protected interests.

Accordingly, they tried to explain the legal element, then the material element, followed by the moral element of the crime of forming a neighbourhood gang through Order 20|03.

The legal element: In this regard, they adapt the criminalization of the act of forming a gang as a means of prosecuting all gang members, regardless of whether they committed the crime or not, and this is the approach taken by the Algerian legislator in Order 20|03 related to combating neighbourhood gangs.

There are several criticisms directed to this element, which were not mentioned solely for the sake of scientific integrity.

The material element: The material element is considered to be the most important element of the crime at all, as through it the offender's will to carry out the crime

comes out into the open and it is defined as the external material behaviour that the law stipulates criminalizing, in other words everything that enters into the formation of the crime and is of a tangible, material nature. There is no crime in the law that does not have a material element.

There are many forms of physical behaviour that constitute the crime of forming a gang, which can be limited to establishing, organizing, managing, and encouraging others to join the gang.

The moral element: The perpetrator's will is directed toward achieving the criminal result, despite his knowledge of that. It is of two types, as we know: general intent, which is present in some intentional crimes, and special intent, which the legislator sometimes requires, in addition to general intent in some crimes but not others, as required, for example, in the crime of journalistic defamation. If the writer describes someone as a thief or a fraud.

The position of the Algerian legislator appears clear from Order 20|03 that it required a special intent in the crime of forming a neighbourhood gang, as this order was issued specifically to confront residential neighbourhood gangs and not other gangs. **(6)**

Fourth: An introduction to the subculture from a sociological perspective on the reality of crime.

What is subculture: Its concepts are numerous, according to scholars, including that individuals often form different groups among themselves, and each of these groups has its own values and standards that each member of the group adheres to. These standards together form what is called a subculture, and Hence, the distinctive way of life of a group, whether this group is deviant or a compliant social group, is called the term subculture.

In this, a comprehensive definition can be given to it. The researcher Huger Ridng has defined it as a culture specific to energy or social group, which is distinguished by being a culture that is independent and different from financial culture, but it conflicts with it. **(7)**

Theories explaining subculture: In an article in one of the magazines, researcher Khalifi Hafidha gave several explanations about the emergence of deviant subcultures, including the theory of "cultural transformation," which some sometimes call the theory of subculture.

These studies indicate that the reason for the continued commission of crimes in some geographical areas is the result of the transmission of standards of deviance from one generation to another or from one period to another.

Some of them linked subculture and crime in terms of the conflict between standards that generates deviant behaviour. By saying that there are several social classes and several ethnic groups that adhere to cultural models of behavior that are not consistent with the orders in effect against certain types of crime, and that these behavioural models are illegitimate, supported and reinforced by subsidiary or special standards. They exert pressure on the individual, pushing him towards deviation from Socially acceptable standards.

Thus, a subculture arises where there are a number of actors who interact and face common problems for which they cannot find an effective solution.

Hence, the basic aspect of its existence is that it constitutes a set of behaviours and values that have symbols that are meaningful to the actors involved in it.

Regarding the general context from which the subculture arises, the presence of this culture is linked to modern society, where many subcultures exist, including the criminal subculture, which makes deviance and criminality its method. Where the subculture appears in particular in major cities and especially in areas where Inhabited by poor people. Therefore, there are those who explain the connection between the emergence of subcultures and their multiplicity in society with the spread of urbanization, as concentration in dense urban areas and other areas leads to the weakening of primary relations, and the increase in population density leads to complex structural differentiation, which in turn leads to alienation, social misunderstanding, population deviation, and non-standardization. Hence, cultural groups become more likely to deviate from the traditional norms of society. **(8)**

Conclusion:

Deviant subcultures, rather than those that comply with accepted societal standards, are considered a factor that contributes, directly or indirectly, to the emergence of neighbourhood gangs in major urban cities, especially those inhabited by the poor, because social relations weaken, according to what previous studies on the subject have proven in such cases. As well as population deviation, variation in the geographical origin of individuals...etc., all of these are social factors of their kind, leading to the emergence of these gangs.

That is why the Algerian state hastened to enact deterrent laws every time as the situation requires, as mentioned above.

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