

Identifying and Analyzing the Judicial and Disciplinary Factors Affecting the Goods Smuggling in Bushehr Province

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Abstract: Security is a critical and valuable issue for the individual and the social system. Strategically removing the factors that threaten security, has important role in the durability and dynamics of the order and security in the society. One of the things that threaten the personal and social order and security extremely in various dimensions, particularly in economic, cultural, political and administrative dimensions, is the harmful and destructive phenomenon, named goods smuggling. Therefore, the main objective of this study is to identify the judicial and disciplinary factors affecting the goods smuggling in Bushehr province. The research methodology is descriptive - survey and statistical population include all personnel and experts in judicial and disciplinary issues as well as some university professors who are familiar with the research topic. In order to sampling of experts in this study, simple random sampling method is used. Data collection tool is a questionnaire designed by the researcher. Data analysis was carried out at two levels: descriptive and inferential statistics. At the end, the judicial and disciplinary factors affecting the goods smuggling in Bushehr province were analyzed.

Keywords: Judicial Factors, Disciplinary Factors, Goods Smuggling, Bushehr Province

1. INTRODUCTION

Human being needed social relations and transactions since distant past, because the individual cannot cater his/her needs a lone and each person can provide one part of it. Since ancient times that man has felt this need, transactions were conducted by exchange. Little by little, this need was intensified due to the development of the human mind, and money became the intermediary of the transactions. In our country, this phenomenon has existed before the Islamic Revolution and after the revolution, it has been intensified. The concept of smuggling is defined as a phenomenon in the unregulated part of the informal economy out of the country's overall economic activities. A part which has illegal nature and despite the legal and permissible nature of the service, its way of distributing is illegal and contrary to law.

Smuggling deprives Bushehr province and the country from customs and tax revenues that can be spent on developing infrastructures, constructing plant and producing employment and in contrast, caused the factories and industries to be bankrupt and closed and in addition to cause damage to the manufacturing and economic infrastructure, it causes people to be unemployed. On the other hand, unemployment has become a social problem and has destructive effects on the health of individuals, families and society. Furthermore, the prohibited goods such as satellites, alcohol drinks and ...can be carriers of a cultural message that influence consumers (Khalifeh, 2009). Therefore, knowing the judicial and disciplinary factors of smuggling and ways of coping with this criminal phenomenon, makes this mission easier for the agents who are engaged in a struggle against goods smuggling.

2. LITERATURE REVIEW

So far, numerous studies have been conducted on goods smuggling. This article has been done based on a combination of previous studies that parts of this research are mentioned as follows.

Jafarzadehpour in 2002 in his research titled "role of women in goods smuggling in Hormozgan province" has investigated the causes, motives and social- cultural

consequences of women participation in goods smuggling in Hormozgan province and has studied the disciplinary, judicial (and customs) behaviors in relation to women who commit goods smuggling. Research findings show that women transfer the goods illegally in two ways of smuggling and quasi smuggling. First, due to geographical adjacency of Bushehr and Hormozgan provinces, the province societies have common features, second women of Bushehr will turn to smuggling less than men due to cultural issues such as family shame, small town and social control and their tradition based on not handing out hard and dangerous jobs to women. Eskandari in 2010 in a research titled "investigating the factors affecting the social harms in Bushehr province" which was done on 98 prisoners of the province, introduces the main causes of crime as follows: bad friends, bad family environment, economic problems and constraints, society unsuitable conditions and lack of educational , cultural and recreational facilities.

Abbasi in 2010 in a research titled "studying and investigating the environmental strategic dimensions of foreign currency and goods smuggling in Bushehr and Hormozgan provinces" has introduced the economic factor as the most important strategic - environmental factor affecting the smuggling phenomenon in Bushehr and Hormozgan provinces.

Zali and et al. in 2001 in a research titled "investigating the strategic dimensions of goods smuggling in West and East Azerbaijan provinces, Kurdistan and Sistan- Baluchistan provinces" showed that behavioral factors influencing the goods smuggling in the mentioned provinces are as follows respectively: lack of work motivation, incompetency of managers, lack of responsibility, non-compliance with customs laws and regulations, staff's insufficient information of rules and regulations and furthermore, they have considered low income and social inequality and poverty as the most important environmental factors that are effective in creating the phenomenon of unemployment and smuggling.

Further researches in the mentioned field are presented in the table 1 which can be observed as follows.

Table 1. Summary of the conducted research in the field of present case study

Name of researcher	Research subject
Karimipoor and Mohammadi (2004)	Understanding the mechanisms of goods smuggling, causes of formation, future and aspects of this phenomenon are crucial to the national economy. Smuggling and the current forms to struggle against it, particularly reasons for the inefficiency of the current approaches of Iran government to deal with this phenomenon are investigated and through investigating the national function and Hormozgan province, evidences about the weak outcome of the fight against this extensive phenomenon are presented and reasons for inefficiency are classified.
Khalifeh (2009)	Investigating the comparison of experts, merchants , shopkeepers and smugglers' attitude regarding the causes and consequences of goods smuggling in the Bushehr province
Kahzadi (2009)	Investigating and examining the factors affecting the goods smuggling and social and cultural consequences of goods smuggling from Bushehr perspective
Pazhooeshian and Maddah (2006)	They have presented a theoretical model for goods smuggling and relying on it and using the hidden variables method, they have estimated the size of the goods smuggling in 1970 to 2002 for Iran's economy. In both experimental and theoretical dimensions, the results show that tariff rates, the risk of smuggling, the rate of foreign currency in the black market and the rate of official foreign currency were the factors which affect the size of goods smuggling. Furthermore, the price index of imported goods and the general revenues of the government are the variables which are affected by the phenomenon of smuggling and the smuggling procedure in the mentioned period has had high volatility and in recent years it has had an upward trend.
Heidari (2006)	To confront the goods smuggling, there are a variety of approaches, such as applying reasonable tariffs. Customs' tariffs above 25% encourage informal import. To prevent this phenomenon, it is necessary to modify the tariff rate and since modifying this rate causes to reduce the price of tea import, sufficient attention to the price of domestic production and its quality difference is mandatory.
Alipoor (2009)	Evolution of police functions in the light of security theories
Zandi (2009)	In the absence of concurrency between smuggling and legal trade, goods smuggling will lead to a reduction in welfare, however, under certain conditions, there is also the possibility of increasing welfare. However, at the time of occurrence of both smuggling and legal trade of goods, social welfare decreases.

3. RESEARCH METHODOLOGY

The research method in this study is a cross-sectional survey. To analyze the collected information path analysis approach is used and all the statistical operations were conducted by SPSS software. Also, in this study, the content validity was used to measure the validity of the used measures, and Cronbach's alpha was used to measure the reliability of the used measures.

It should be noted that Cronbach's alpha for the used questionnaires in this study is 0.77.

4. RESEARCH FINDINGS

In order to achieve the research objectives, the following inferential statistics were used to analyze the data.

4-1. T-student test

After designing the final questionnaire and data collection, T-student hypothesis test is

used to confirm or refute the hypothesis titled "judicial failures cause the goods smuggling phenomenon to be spread" and the collected data

in the present case study was used through T-student test that its results are shown in table 2.

Table 2. Results of T test

Variable	df	Sig	Standard Deviation	Lower Level	Upper Level
Judicial failures	137	0.000	0.41184	0.347	0.476

The table shows that judicial failures due to positive upper and lower limits, and also significant level of zero (Sig = 0) contributes to growing the smuggling phenomenon. Also, to confirm or refute the hypothesis that

"disciplinary failures cause the goods smuggling phenomenon to be spread", the collected data in the present case study, was analyzed by the mentioned test that its results are shown in table 3.

Table 3. Results of T test

Variable	df	Sig	Standard Deviation	Lower Level	Upper Level
Disciplinary failures	137	0.000	0.465	0.396	0.533

The mentioned table shows that disciplinary failures due to positive upper and lower limits, and also significant level of zero (Sig = 0) cause to develop the smuggling phenomenon. So we can conclude that failure in both disciplinary and judicial parts, cause to develop the smuggling phenomenon in the present case study.

4-2. Chi square test

Chi square test is used to determine and measure the relationship between gender and judicial failures. Table 4 shows lack of relationship between gender and judicial and disciplinary failures.

Table 4. Results of independence test about the relationship between gender and judicial failures

	Statistics	df	Sig
Chi square	1.88	2	0.39
Number	138		

As the above table indicates, there is no relationship between gender and judicial failures

due to having Sig value above 0.05. Summary of the rest analysis is shown in Table 5.

Table 5. Results of independence test about the other relationships between categories

Variable	Sig	relationship	The Cramer's Phi (highly related)
gender and judicial failures	0.39	There is not	-
gender and disciplinary failures	0.042	There is	0.214
Age structure and judicial failures	0.827	There is not	-
Age structure and disciplinary failures	0.338	There is not	-

4-3. Drawing radar diagram

In order to determine the factors of disciplinary failures affecting the increase in

goods smuggling in the present case study, radar chart is used.

Table 6. Amount of influencing each judicial failures on increasing goods smuggling

Row		Average amount of impact
1	Lack of punishment	2.985
2	lack of transparency of customs rules	3.304
3	lack of proper and inhibiting regulations about smuggling	3.551
4	Conflict of laws	3.552
5	multiplicity of investigating authorities	3.659
6	weak judicial laws	4.015
7	weak predicted punishment	3.073
8	weak judicial knowledge	3.697
9	quantity shortage of manpower	2.964
10	shortage of judicial experience	2.956
11	reviewing the rules and regulations	3.949
12	legal protection	4.182
13	difficulty of legal trade	3.761
14	correctness of judicial decisions	2.188

These numbers show that the factor of legal protection, having influencing amount of 4.182 and weak judicial laws having the 4.015 level, are identified as the most effective judicial factors for increasing goods smuggling. After

calculating the average rate of influencing amount of judicial failures on increasing goods smuggling in the present case study, its radar diagram is drawn by Excel spreadsheet as figure 4.

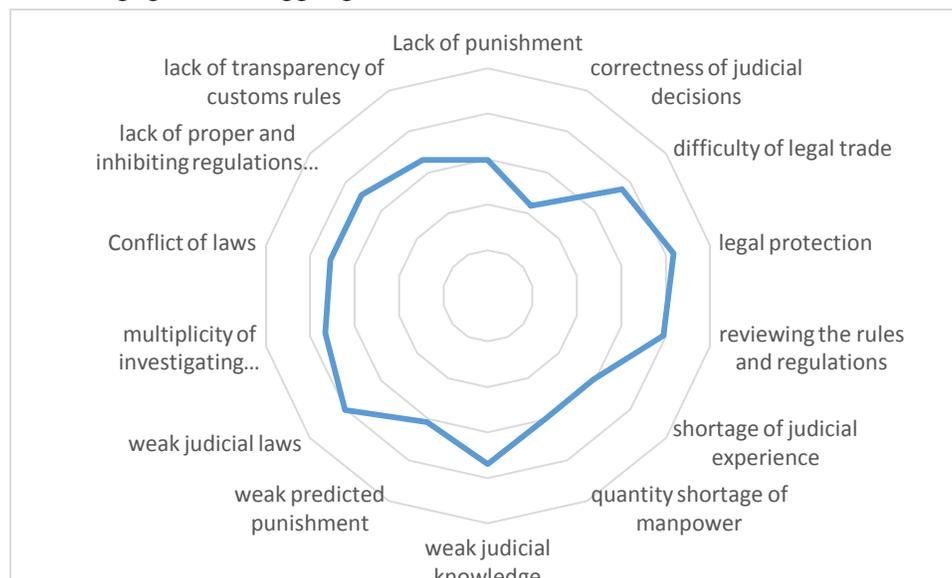


Figure 4. Radar diagram of influencing amount of each judicial failures on increasing goods smuggling

Furthermore, in order to determine the factors of disciplinary failures affecting the

increase of goods smuggling in the present case study, radar diagram is used.

Table 7. Influencing amount of each disciplinary failures in increasing goods smuggling

Row		Average amount of impact
1	Low probability of smugglers' arrest	2.985
2	Way of conflict	3.304
3	Low seriousness of security forces	3.551
4	Lack of drug discovery	3.552
5	Low knowledge	3.659
6	Administrative corruption	4.015
7	Low facilities of guarding the frontiers	3.073
8	Shortage of manpower	3.697
9	Lack of tools and equipment	2.964
10	Lack of experience	2.956
11	Lack of comprehensive plans	3.949

The numbers of the above table show that the factor of Low facilities of guarding the frontiers, having influencing amount of 4.079 and administrative corruption, having the 3.848

level, are identified as the most effective disciplinary factors for increasing goods smuggling.

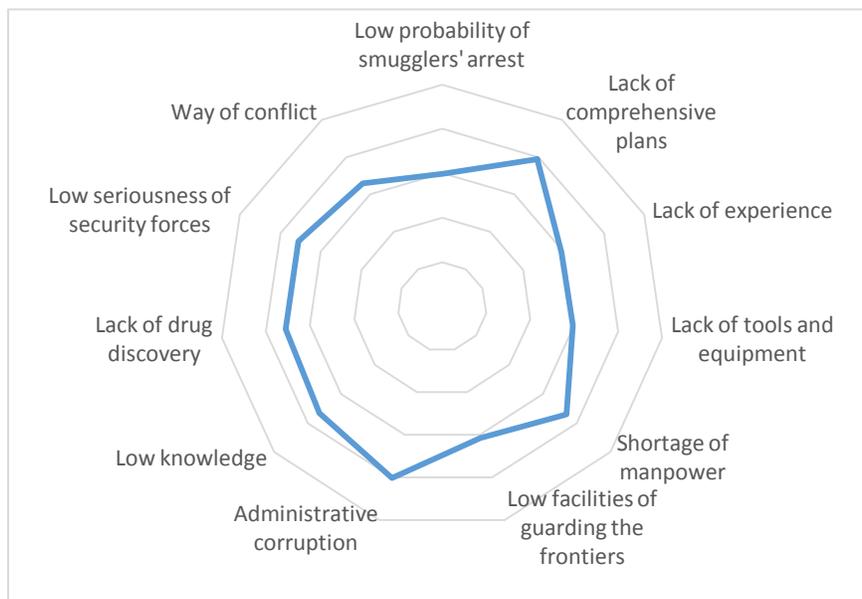


Figure 6. Radar diagram of influencing amount of each disciplinary failures on increasing goods smuggling

4-4. Correlation coefficient test

To assess the relationship between each judicial failures with increasing goods

smuggling, correlation coefficient test was used. Table 8 shows the amount of correlation coefficient of each judicial failures.

Table 8. Amount of the correlation coefficient for each of the judicial failures

Judicial failures	Sig.	Coefficient
Lack of punishment	.014	0.208
lack of transparency of customs rules	.000	0.344
lack of proper and inhibiting regulations about smuggling	.000	0.404

Conflict of laws	.000	0.447
multiplicity of investigating authorities	.000	0.416
weak judicial laws	.000	0.377
weak predicted punishment	.004	0.243
weak judicial knowledge	.000	0.329
quantity shortage of manpower	.001	0.275
shortage of judicial experience	.007	0.229
reviewing the rules and regulations	.000	0.322
legal protection	.000	0.317
difficulty of legal trade	.015	0.206
correctness of judicial decisions	.000	0.405

As indicated in the above table, all the judicial failures in the confidence level of 95% influence on increasing the goods smuggling, but amount of their influencing on increasing goods smuggling is different. Also, in order to

assess the intensity of the relationship between any of the disciplinary failures, correlation coefficient test was used. The results of data analysis are shown in table 9.

Table 9. Amount of correlation coefficient for the disciplinary failures

Disciplinary failures	Sig.	Coefficient
Low probability of smugglers' arrest	.001	0.29
Way of conflict	.000	0.472
Low seriousness of security forces	.000	0.389
Lack of drug discovery	.001	0.389
Low knowledge	.000	0.289
Administrative corruption	.000	0.31
Low facilities of guarding the frontiers	.000	0.494
Shortage of manpower	.000	0.41
Lack of tools and equipment	.002	0.429
Lack of experience	.000	0.227
Lack of comprehensive plans	.008	0.267

The above table shows that all the disciplinary failures in the confidence level of 95% have relationship with increasing goods

smuggling. But amount of their influencing on this category is different.

5. CONCLUSION

The phenomenon of goods smuggling is a multi-faceted phenomenon and economy is the most important aspect of it. Economically, goods and foreign currency smuggling cause to distract the economics from normal direction, cause to the formation of the underground economy, declining GDP, rising unemployment, and In this paper, in addition to identifying

judicial and disciplinary factors affecting the goods smuggling in the present case study, efforts have made to deal with this destructive phenomenon through providing suitable solutions. Summary of data analysis in the present case study highlights the fact that in the both judicial and disciplinary parts, there are failures to increase goods smuggling that disciplinary failures have had a more obvious effect and authorities can largely stop this

phenomenon in the realm of research via applying solutions such as constant monitoring of the process of smuggling, establishing control system, strengthen the lawfulness, making the regulations transparent, developing the scientific level of manpower, systematizing and reforming the rules and regulations, having appropriate judicial behavior with smugglers in the judicial section and increasing the number of disciplinary personnel, supervising the offices charged with guarding the frontiers and intensifying the fight against smugglers in the disciplinary section.

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