



Crime of Power, Rights of the Vulnerable: A Human Rights Inquiry

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ABSTRACT

This legal research article explores the intersection between power dynamics, crime, and the rights of vulnerable populations through the lens of human rights. It delves into the complexities of crimes committed by individuals or entities wielding power and examines how such actions infringe upon the rights of the vulnerable. By analyzing case studies and legal frameworks, this article aims to elucidate the importance of protecting the rights of the vulnerable and holding perpetrators of power-based crimes accountable under human rights law.

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1. Introduction

Power in all its appearances defines the essence of global society's functioning. It is the main tool by which governments, businesses, and individuals shape the distribution of resources, access to justice and realization of human rights. Nevertheless, the misuse of power defines the creation of the so-called crime of power, a range of abuses committed by those in power or position of authority. This phenomenon may include corruption, police misconduct and seizure, ecological disasters, human trafficking, and others. Crimes of power do not only pose a threat to the basic principles of democracy and the rule of law but address a serious violation of human rights. These violations are aggravated for those groups of society who belong to set vulnerable categories of social strata, such as ethnic minorities, women, children and other. Thus, the rights to life, liberty, dignity, as well as rights to equality in the area of culture, social benefits and political representation are recurring offenders (Khan & Jiliani, 2023).

In view of the problem, the human rights inquiry of the crime of power and its consequences for vulnerable populations appear to be of particular concern. The purpose of the article is to discuss the problem of power dynamics, the issue of crime, and the scope of rights protection, using the multi-disciplinary approach to the topic through legal and case study review and scholarly study review. The primary purpose of the present inquiry is to determine the types of crime of power to understand the variety of crimes against human populations and the impact on them. The second purpose of the talk addresses the issue of

the influence of cases of crime of power on specific vulnerable groups to reveal the nature of outcomes and the character of systemic treatment. The third purpose is to understand the existing laws that can be used to claim accountability for the crime of power. The fourth purpose is a study of selected cases and an assessment of their impact on policy and practice to identify the main drivers of changes and draw recommendations on social justice and administration of law. The talk is a call for action that has to be taken by policymakers and field workers, as well as advocates. Regardless of their standing and type of occupations, people must understand the relations between crime and the procedure of rights protection to prevent and eliminate injustice around the world (Hussain, Khan, & Chandio, 2023).

2. Literature Review

The literature on the crimes of power and their devastating impact on the human rights framework is extensive. However, this body of works is diverse and ranges from law and sociology to political science and criminology. As a result of that, many focuses, theories, and practical mechanisms have been produced to analyze this union or these phenomena. This literature review will represent the analysis of the key findings taken from the defined works and will offer some specific insights into the state of knowledge on power-related crimes and human rights.

One seminal work in this area is Michel Foucault's *Discipline and Punish* (1978), which explores the historical evolution of power relations and the mechanisms of social control in modern societies. Foucault's concept of "disciplinary power" sheds light on how institutions such as prisons, schools, and hospitals exert control over individuals' bodies and behaviors, often perpetuating inequalities and injustices. This framework provides a theoretical foundation for understanding how crimes of power operate within broader systems of governance and domination.

Building on Foucault's insights, David Garland's *The Culture of Politics* (2001) examines the shift from traditional forms of social control to a more punitive and carceral approach in contemporary societies. Garland argues that neoliberal policies, globalization, and the war on drugs have led to the expansion of the criminal justice system and the intensification of surveillance and punishment, particularly targeting marginalized and vulnerable populations. This analysis highlights the interconnectedness between economic, political, and social factors in shaping crimes of power and their impact on human rights.

In the realm of international human rights law, Rhona K.M. Smith's *Human Rights and the Rule of Law* (2017) provides a comprehensive overview of the legal frameworks and mechanisms for addressing human rights violations, including crimes of power. Smith examines key international instruments such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Convention against Torture, highlighting their significance in holding perpetrators accountable and providing redress for victims. This text serves as a valuable resource for understanding the legal principles and standards governing human rights protection in the context of crimes of power.

Furthermore, the intersectionality framework developed by Crenshaw (2013) sheds light on how multiple forms of oppression intersect and compound to exacerbate vulnerabilities and inequalities. Crenshaw's work underscores the importance of considering race, gender, class, sexuality, and other axes of identity in analyzing crimes of power and their differential impact on marginalized communities. This perspective challenges monolithic understandings of victimhood and emphasizes the need for inclusive approaches to human rights advocacy and research.

In addition to theoretical and legal analyses, empirical studies provide valuable insights into the lived experiences of individuals affected by crimes of power. For example, Ritchie (2017) documents the experiences of black women and women of color who have been subjected to police violence and highlights the intersectional dimensions of state-sanctioned violence. Ritchie's research exposes the gendered and racialized nature of police brutality and calls attention to the need for intersectional approaches to addressing human rights violations.

The existing literature on crimes of power and human rights provides a complex overview of these processes. Both theoretical and practical, law-oriented and empirical, it serves as a tool for understanding of the causes of the phenomenon, its nature, and consequences. To a considerable extent, it is a proper base for future research that can discover new means of addressing the problems of human rights violations and developing new strategies of protecting the rights of every individual.

3. RESEARCH METHODOLOGY

The qualitative research methodology will be used to attempt to understand fully and unpack the complex nature of crimes of power and their impact on human rights. The study design will use phenomenology to study the various aspects of these crimes and their effects on human rights. This study is important in understanding the subjective experiences lived by the affected parties. A case study design will be used to focus on specific aspects of crimes of power, which is essential in understanding the degree and context in which they affect human rights. This methodology will also be useful in analyzing the contextual factors and sociopolitical dynamics that fuel the crime of power. Research done in different locations will be compared to assess the overall phenomena or occurrences and their interactions in these areas.

Apart from focus groups organized to speak with survivors and witnesses, in-depth interviews with victims, activists, and the other (possible) stakeholders could contribute to research. Such semi-structured or unstructured interviews help to collect the diverse stakeholder voices and experiences on crimes of power and human rights. The stakeholders can be defined as survivors, activists, policy-makers, legal practitioners, and members of the affected community. Within the study, focus groups with the other stakeholders could be organized. Open-ended interviews will also positively influence the study. Snowball sampling might be used to get access to some of the marginalized or hidden stakeholders or those feeling too threatened to be interviewed by a stranger researcher.

Document analysis can be also one of the data collection tools because it helps to contextualize the subject of the study and make it clear for participants and stakeholders. The documents to be analyzed include legal documents, courts' decisions, policy-making papers, newspapers, blogs, etc. Snowball and purposeful sampling could be used in addition to the focus groups or the other methods to provide greater accuracy for the finding.

Thematic analysis is used for the qualitative data collected to identify recurring themes, patterns, and relationships. Also, the constant comparative method compares the data from one case to another or within a group, allowing one to identify any similarities, differences, or emergent trends. Another main feature is reflexivity, requiring the researcher to critically reflect on the biases, assumptions, or position from which they are working frequently for a better investigation. The ethical considerations for the said designs must provide informed consent from participants, maintain confidentiality and anonymity, dignity and autonomy, or safeguard against possible harm or discomfort. The means of data collected and knowledge transfer is also an important consideration to take, utilizing a variety of academic publications, policy briefs, consultation reports, or workshops, most notably the community engagement for better dialogue and raised awareness and action as a result.

Due to the practicalities of this design, the research described had used appropriate and effective measures to collect, analyze, and transfer knowledge. Finally, the purpose of this design is to facilitate a better understanding of the relationship between the control of crimes of power and their execution, as well as using evidence from the field for better decision-making or advocacy to reduce the negative impact of such crimes on human rights, calling for more justice, transparency, and accountability.

4. Doctrine Of the Crime Of Power

A term "crime of power" involves a wide range of offenses that constitute inappropriate use or misuse of authority, influence, or mastery. I believe that most conventional crimes committed by individuals simply qualify as criminal acts, and the term

“campaign of power” is reserved for a type of offense that originates from either institutional, political, or economic power. Besides, an agent of such crime is almost always social, economic, or political actor, being protected by a massive amount of resources that help them influence or avoid accountability. A crime of power can take several forms, and each of them mirrors the specific factors of legitimation by which a status of authority or power is provided. For instance, perhaps the most prominent form is corruption, where politicians, public officials, and corporate officers misuse or exploit their statuses for the benefit of the elite. Characteristically, the majority of corruption cases affect public resources or requires either perpetuation of inequity, or on the contrary, indiscriminate distribution of resources (Khan, Iqbal, & Ahmad, 2022).

Power crime that violates the humankind’s rights is police brutality. It implies that the authorities imposed to protect the citizens from menace misuse their power by beating the people with impunity, killing them extrajudicially and discriminating against them. Police brutality affects the minority and poor communities that face constant violations of their rights to safety and dignity. Apart from law enforcers, power crime transcends the state systems and includes other entities and individuals in the society. The act of trafficking humans to use their labor and sexual favors is an example to this type of the offense. Mighty gangs and multi-national corporations promote and oversee the spread of the crime as they coerce people into activities they do not want to engage in across borders (Khan, Javed, Khan, & Rizwi, 2022).

Environmental crimes are among the types of the crime of power because the latter is committed in ways that are associated with wielding of power, resulting in money production and pursuit of interests. Once corporations decide that making profit is more important than helping preserve the environment, they initiate pollution-related processes, deforestation, and other actions that are harmful to the environment. Depending on the environmental specifics, these crimes may result in the economic disruption of local population and taking away their work and safety, or killing people directly and indirectly. Therefore, such crimes are considered actual examples and aspects of the crime of power. Overall, this idea can take on numerous forms depending on the issue in question as the crime of power is a much broader notion than criminal behaviors (Khan, Bibi, Khan, & Ahmad, 2023).

5. Impact on the Rights of the Vulnerable

This type of crime affects the rights of vulnerable populations in lasting and far reaching ways. Power crimes deepen inequalities in vulnerable groups and infringe on justice, equality, and human dignity. Various vulnerable communities including ethnic minorities, women, children, and the poor suffer discrimination and violence as a result of power crimes. In terms to the rights of vulnerable populations, certain aspects of these rights are set down in the various sources of the human rights law (Hussain et al., 2023).

Right to Life and Security: Crimes of power, such as police brutality and extrajudicial killings, directly violate the right to life and security of vulnerable people. Members of minority communities, ethnic groups, indigenous peoples, and socio-economically disadvantaged populations become the targets of such crimes at a higher rate, with the increased risk of falling victims to generalized violence and persecution. Living in conflict zones and areas controlled by organized crime and other criminalized entities deprives targeted populations of their ability to avoid unlawful detention, enforced disappearance, summary execution and other violations of their most fundamental rights (Khan, Usman, & Amjad, 2020).

Right to Dignity and Non-Discrimination: Vulnerable populations are often victims of systemic discrimination and stigmatization. For instance, women and girls and other groups face risks of sexual violence, harassment, and exploitation. Protected by the law, those in power become the perpetrators, violating the natural dignity and rights of individuals. Similarly, numerous racial and ethnic minorities are exposed to racial profiling, hate crimes, and even institutionalized racism that strips them of their inherent human dignity and equal accessibility to the law (Khan, Usman, et al., 2020).

Right to liberty and due process. Power-based crimes include arbitrary arrests, enforced disappearances, wrongful convictions, and other similar actions that violate the right to liberty and due process of vulnerable individuals. Often, political dissidents, human rights defenders, and individuals from vulnerable minority groups who seek to uphold their rights and draw attention to abusers become targets of harassment, intimidation, and unfair imprisonment without trial. In authoritarian governments and areas affected by armed conflicts, due process rights are rendered practically devoid of protection, and populations become exposed to arbitrary detentions and abuses (Khan, Usman, et al., 2020).

Right to participation and access to justice: Crimes of power prevent the vulnerable populations from participating in the decision-making processes and getting access to justice. When legal institutions and law enforcement agencies are corrupt, people do not trust the judicial system. Marginalized communities are not able to seek justice for their human rights being violated. Moreover, other barriers such as legal representation, speaking power the language of the legal system and knowing their legal rights prevent the vulnerable groups from getting their rights and form cycles of impunity and injustice (Khan, Amjad, & Usman, 2020).

Right to Economic, Social, and Cultural Rights: Crimes of power have consequences that go far beyond that of just individuals being violated in their rights from time-to-time; instead, such people also contribute to social and economic imparities and structural injustices. The illegal dumping of waste, for example, is significantly hurtful as far as the crimes impact on the common man are concerned. People are exposed to toxic waste dumped in the areas where they live or where they work. Crimes poisoning clean air, water, good land is a crime not only on man also on his means of inheritance. More examples include labor exploitation, human trafficking, and forced displacement which can lead to poverty, food and social incapacibilities on a variety of people (Khan, Bhatti, & Jillani, 2021).

Violations of vulnerable populations' rights by the power all represent systemic crimes. Power crimes create a closed cycle in which injustice breeds inequality, which, in its turn, gives rise to impunity. This requires an integrated human rights response and response strategy. By confronting the impact of power crimes on vulnerable populations' rights, current societies could diminish existing disparities and create more inclusive and just communities for all citizens (Khan, Amjad, et al., 2020).

6. Legal Frameworks and Accountability Mechanisms

If addressing the crimes of power is the concern, international human rights law seems to provide a sufficient legal framework to do that. With the help of a series of international treaties, conventions, and general principles of customary international law, states have committed to guarantee fundamental human rights protection against abuse and ensure that victims are receiving the necessary remedy . In addition to that, a number of regional mechanisms and national legal systems are also used to enforce these standards and hold the perpetrators responsible (Kanwel, Hassan, & Ayub, 2023).

6.1. International Human Rights Law

- a. One of the most prominent international instruments in the current international system is the Universal Declaration of Human Rights . Adopted by the United Nations General Assembly in 1948, this international agreement sets a standard for human rights that apply to every person. The Declaration includes some of the most important human rights . These include personal and physical integrity rights such as the right to life, liberty, and security of person, and the right to equal protection of the law. All of the above rights are fundamental because they shape international human right law (USMAN, KHAN, & AMJAD, 2021a).
- b. International Covenant on Civil and Political Rights, Schabas (1995): The covenant and its two subsequent protocols establish legally binding obligations for the states to recognize and protect civil and political rights, including the right to freedom from torture, arbitrary deprivation of life, discrimination, and arbitrary detention. Also,

ICCPR advocates states to implement these rights in their domestic law and provide the proper remedies to the victims of human rights violation (Kanwel & Ayub, 2023).

- c. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: It prohibits the use of torture and other ill-treatment under all circumstances and requires states parties to take effective measures to prevent torture, investigate incidents of torture and hold the culprits accountable. The convention also prohibits the extradition or refoulement of persons to countries where there is a risk that they will be subjected to torture (Khan & Riaz, 2024).

6.2. Regional Human Rights Mechanisms

- a. European Court of Human Rights (ECtHR): The ECtHR is the judicial body responsible for the implementation and interpretation of the ECHR. It is essential in holding states parties to account in regard to violating human rights. The ECtHR can issue binding judgments and award remedies to the victims of human rights violations, such as groups and individuals, who may lodge complaints alleging convention violations.
- b. Inter-American Commission on Human Rights (IACHR): The IACHR promotes and protects human rights in the Americas through its monitoring, reporting, and advocacy activities. It also has the authority to receive petitions and conduct investigations into human rights violations, issuing recommendations to states parties and providing assistance to victims (Riaz & Usman, 2024).

6.3. National Legal Systems

- a. Domestic Legislation: Many states adopted domestic laws and regulations to reflect international human rights standards in their legal systems and provide mechanisms promoting accountability and redress. This type of law includes provisions associated with the criminalization of certain human rights violations, the creation of independent oversight mechanisms, and the right to justice for the victims (Khan, Nisar, & Kanwel, 2023).
- b. Courts and Tribunals: National courts and tribunals are the appropriate jurisdictions for handling cases of human rights violations. They do this by holding people accountable for their actions under the domestic law. This is achieved through judicial review, in which individuals or a group of individuals challenge a government's action or policy they see as infringing on their rights and ask the court to remedy the wrong they have suffered (Khan & Kanwel, 2023).
- c. Independent Oversight Bodies: Independent human rights commissions, ombudsperson offices, and other independent oversight bodies are useful in establishing whether the state is in compliance with human rights standards. Their role in investigating and responding to complaints about rights abuse and making recommendations is an important factor in the level of transparency, accountability and human rights protection at the national level (Khan, Shah, & Kanwel, 2023).

States can hold perpetrators accountable and address crimes of power through the use of international, regional, and national legal frameworks and accountability mechanisms. These legal frameworks and mechanisms provide tools that can be used to prevent impunity and ensure access to justice for victims of crimes of power. Civil society organizations, human rights defenders, and other stakeholders also play important roles in the work aimed at upholding human rights standards and holding perpetrators accountable (Usman, Khan, & Amjad, 2021b).

7. Case Studies and Implications for Policy and Practice

Case studies are examples of how crimes of power are a problem and the various implications it causes. For example, the #MeToo movement has seen a rise in the fight against sexual harassment with a predominant concern about the problem in places of employment. Numerous high profile cases of complaints against influential people, including

actors and the FIG, lawmakers and businessmen, brought the issue to the attention of the public. Reforms included legal overhauls, forcing corporations to reinforce their own accountability mechanisms, and taking steps in cultural shift toward gender sensitivity, sexual expressiveness, and respect to personal spaces. This case study indicates the importance of the victims of person crimes being empowered and abusers being stopped from getting away with their crimes by making them legally accountable (Usman, Amjad, & Khan, 2021).

Another example of a remarkable case study is corporate environmental crimes. Pollution, deforestation, habitat destruction, and other examples of environmental abuse by multinational for-profit organizations tend to be the most harmful for vulnerable people, such as indigenous tribes and other excluded communities. They suffer most due to the lack of tools that would help them prevent environmental crimes or eliminate the negative consequences. Governments and legislators need to ensure that regulatory mechanisms are well-developed, transparency is addressed, and organizations are responsible for the damage they cause. It may be achieved by giving them communities a voice and promoting sustainable development that benefits both companies, consumers, and the environment (Kanwel & Shah, 2024).

It has been established that discrimination based on skin color is a considerable issue that has remained embedded in the institutional and social structures of many countries down to the present day. Additionally, numerous incidents of police brutality and unjustified violence against the black population have occurred. This has been the catalyst for multiple protests, as well as for the call for police reform and the police force's compliance with the social control exercised by communities across the country. As such, instances of police brutality greatly emphasize the importance of fighting systemic bias, implementing de-escalation measures, and expanding community involvement for rebuilding trust between law enforcement agencies and local communities. Policymakers should strive for a commitment to equity, transparency, and accountability to help abolish the oppressive systems and enforce human rights and inclusive practices within their societies (Kanwel, Yasmin, & Usman, 2023).

Case studies present a detailed, engaging way to understand the many dimensions of crimes of power. By examining these real-world examples and deriving the goals and lessons from their outcomes, stakeholders can better develop solutions to prevent these abuses and promote accountability and human rights for all. A collaborative effort built on the shared values of justice and equality will give societies a chance to address such forms of crime at the grass-roots level and progress towards a fairer world (Kanwel, Khan, & Usman, 2023).

8. Conclusion

To sum up, it can be concluded that the study of crimes of power within the framework of human rights struggle indicates the horrifying fact that the abuse of authority and power is the threat to the rights and interests of underprivileged populations. By analyzing various cases, it becomes clear that such crimes as abuse of power, torture or inhumane treatment, corruption, police brutality and environmental degradation create the system that accelerates inequalities and deprives humanity of trust to the authorities. At the same time, there are different opportunities within challenges, and the #MeToo movement reflects the possibility of collective actions that should be aimed at combating violations and preserving accountability. It is also critical to say that the interests of companies should not be put above the needs of the environment and rights of communities which suffer. That is why, there should be adequate regulations and empowerment initiatives within the community to protect the environment and its people. It is evident that the recently abrupt increase in demands for defunding the police and equal rights and racial justice pertained to crimes of power. From the above episodes. It is clear that crimes of power cut across significant legal reforms about addressing the legality of impunity from arrest and punishment from police violations of substantial human rights standards. Many insights inform the approach to crimes of power. The first insight is that although impunity and power are critical aspects of most violations of human rights, impunity and power do always result in atrocities and abuses. However, all crimes of power

have impunity and power ramifications. The second insight is that all crimes of power violate substantial human rights and have significant power and impunity challenges. In simple terms, all crimes of power are the same in critical aspects. The third insight is that there are many power imbalances and impunity forms, which require equally varied approaches to appropriate legal and non-legal mechanisms and their solutions. In general, there are many legal, victim, perpetrator, and human rights, impunity, and institutional solutions to rampant power abuses and imbalances. The fourth insight is that all crimes of power demand obvious solutions — Government and non-Government inter-related, and all crimes of power must find lasting solutions. Can the demand for systemic reforms, and racial justice be exaggerated? Should the fight against crime be a fight for justice, humanity, and equality? Many approaches to crimes of power require significant human rights standards, accountability, and society's interests.

Authors Contribution:

Sidra Kanwe: Conceptualization, literature review, qualitative data analysis, and drafting of the manuscript.

Muhammad Imran Khan: Literature review, qualitative data collection, analysis, and interpretation.

Ishaq Ahmad: Supervision, guidance on research methodology, critical review, and editing of the manuscript.

Conflict of Interests/Disclosures

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