



# CRIMES OMISSIONS: A PSYCHO-SOCIOLOGICAL PERSPECTIVE

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## ABSTRACT

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This research was based on understanding and managing crimes of omission is a key strategy for reducing their harmful effects. The research aim was to analyze the personal and social characteristics of individuals responsible for crimes committed by inaction in Georgia. The study employed a mixed-methods approach to explore the psycho-sociological foundations of inaction and was conducted in two stages. The first stage discussed the theoretical framework surrounding inaction, while the second stage analyzed cases of inaction in Georgia. During the research process, significant gaps in public data were identified, highlighting the challenges of recording and accessing information about these crimes. Despite these challenges, a strong theoretical and empirical connection was identified between crimes of omission and the broader context of cultural and social passivity in developing post-Soviet Georgian society. This connection underscores the significant impact of the post-Soviet legacy in understanding the legal and psychosocial context of crimes of omission. As a result, to reduce crimes of omission and increase public involvement, the study suggests improving the judicial system, promoting legal knowledge, and encouraging civic activism and initiative within society.

## INTRODUCTION

The science of psychology is interested in human behaviour, including the nature of law-abiding and law-breaking cases. Violation/crime can be committed either by act or omission. Of special interest is when a person does not perform an action despite having a moral or legal responsibility.

In explaining criminal inaction, we must consider the social nature of humans and the influence of the environment on our formation. It is important to understand how moral norms are formed and how they influence our behaviour and attitudes. Understanding the psychological processes of inactivity helps us to study the socio-legal system, explain crime by omission, and plays a crucial role in preventing crime and ensuring the welfare of society.<sup>1</sup>

Discussion and study of crimes committed by inaction, in turn, play an important role in strengthening the accountability of the legal system, increasing legal awareness, and ensuring justice.<sup>2</sup> In the process of research, the nuances of justice are identified, and an opportunity is created to avoid the negative social and legal manifestations of inaction.<sup>3</sup> Both on the specific individual (who was directly harmed) and on the societal (individual, family, community, economic, social, and political) level and, as a result, on overall well-being.<sup>4</sup>

Today, in the discourse of Georgian society, there is no study of the features of crimes committed by inaction,<sup>5</sup> accordingly, when analyzing the relatively low statistics of registered crimes

committed by inaction (from 15 to 25 cases per year),<sup>6</sup> there is no basis for the belief that crime in Georgia is committed only by action. In addition, the paucity of registered crimes committed by inaction can be linked to the difficulties of recording the relevant facts, indicating, on the one hand, the lack of public legal awareness and, on the other hand, the malfunctioning of the relevant agencies.<sup>7</sup>

When discussing inaction in Georgian society, it should be taken into account that as a result of the collapse of the Soviet Union, Georgian society is undergoing a psychological, socio-legal, and political transformation. At this time, there is still a change in social, legal, and political values, norms, and expectations.<sup>8</sup> In Georgia, as well as in other post-Soviet countries, the inaction and passivity of the population can be explained by historical and cultural factors, including distrust of the system, fear of taking responsibility for results, and learned passivity/weakness<sup>9</sup> by situational and contextual factors<sup>10</sup> and by not feeling supported.<sup>11</sup>

There is also an opinion that the passivity and low social responsibility of a citizen who does not take action, despite having moral and legal responsibility, is not related to personal characteristics but to the high level of conformity of the citizen.<sup>12</sup> Conformity, in this case, is considered in a social context as adjusting one's behaviour, attitudes, or

- 1 Rockett, M. J., & Cuddy, A. (Eds.). (2015). *Current Opinion in Behavioral Sciences*, 3, 147–151. Retrieved from <http://dx.doi.org/10.1016/j.cobeha.2015.04.006>; 222 Ng, K., Niven, K., & Notelaers, G. (2021). Does bystander behavior make a difference? How passive and active bystanders in the group moderate the effects of bullying exposure. *Journal of Occupational Health Psychology*. Advance online publication. <http://dx.doi.org/10.1037/ocp0000296>
- 2 Ashworth, A., & Horder, J. (2013). *Principles of Criminal Law*. Oxford: Oxford University Press.
- 3 Kukhianidze, L. (2020). Theories about crimes committed by omission in German criminal law. *Academic Messenger*. Grigol Robakidze University.
- 4 Harvard François-Xavier Bagnoud Center for Health and Human Rights. (2012). Cost of inaction. Retrieved from <https://fxb.harvard.edu/cost-inaction/>
- 5 Kukhianidze, L. (2020). Theories about crimes committed by omission in German criminal law. *Academic Messenger*. Grigol Robakidze University.

- 6 Ministry of Internal Affairs of Georgia. (2021). *Annual report on crime statistics*. Retrieved from <https://info.police.ge/uploads/61cedae67c41e.pdf>
- 7 Transparency International Georgia. (2019). *The state of corruption and crime reporting in Georgia*. Retrieved from [transparency.ge](https://transparency.ge)
- 8 Nodia, G. (2002). The dynamics and sustainability of the Rose Revolution. *Journal of Democracy*, 19(1), 15-19.
- 9 Tatarko, A. N., & Lebedeva, N. M. (2023). Psychological adaptation of Russians in post-Soviet countries: The role of context. *Population and Economics*, 7(3), Article e107416 <https://doi.org/10.3897/popecon.7.e107416>
- 10 Ullman, S. E., Geller, N. M., & DeMartini, K. L. (2021). Understanding bystander intervention in situations of intimate partner violence: A conceptual model.
- 11 Albarracín, D., Sunderrajan, A., Dai, W., & White, B. (2019). The social creation of action and inaction: From concepts to goals to behaviors. In *Advances in Experimental Social Psychology* <https://doi:10.1016/bs.aesp.2019.04.001>; Wang, C. S., Vadera, A. K., & Liao, H. (2021). Silence speaks volumes: How awareness of organizational corruption prompts silence among non-managerial employees.
- 12 Cordonier, L., Nettles, T., & Rochat, P. (2018). Strong and strategic conformity understanding by 3 – and 5-year-old children. *British Journal of Developmental Psychology*, 36, 438–451.

beliefs to conform to the norms of a group or society, which plays a crucial role in shaping people's motivation for action and inaction.<sup>13</sup>

Understanding the explanatory variables of said inaction and the interrelationship dynamics of inaction is a necessary prerequisite for explaining, preventing, and promoting responsible behaviour regarding crimes committed by inaction.<sup>14</sup>

The purpose of the research was to analyze the circumstances of crimes committed by inaction in Georgia, identify the personal and social characteristics of the persons responsible for this crime, explain the crimes, and create recommendations for developing preventive strategies.

## 1. METHODS AND MATERIALS

To analyze the circumstances of crimes committed by omission in Georgia, the research was conducted in two stages. In the first stage, the theoretical and empirical framework of human inaction and crimes committed by inaction was discussed. In the second stage, the relationship between the theoretical factors of human inaction identified within the framework of the desk research and the economic, social, and political circumstances of the crimes committed by inaction in Georgia and the people convicted of these crimes was analyzed.

In the first stage of the research, we discussed the theory of conformity, obedience to authority, and situational factors and roles. We also examined the crime of omission and its determinants, conceptual foundations of variables, and contextual nuances. By synthesizing theoretical insights with empirical evidence, the interaction between personality, social factors, and legal responsibility for crimes of omission was analyzed.

In the second stage, the relationship between the identified factors of inaction and the circumstances of the crimes committed by inaction in the Georgian context was analyzed. Using systematic case study methods, publicly available decisions

in the civil court proceedings system of Georgia<sup>15</sup> were analyzed. These documents related to cases of abandonment in the trial and to allegations of non-assistance. The selection criteria for these cases were based on the specificity of the sample and the unavailability of other alternative samples.

The economic, social, and personal characteristics of the criminal acts were considered during the study of each case. Data analysis focused on extracting specific variables related to personal and social circumstances documented in the descriptive sections of court decisions.

## 2. RESULTS AND DISCUSSION

### 2.1. Desk Research

In the initial stage, the research examined the theoretical and empirical framework related to inaction and crime omissions.

**Crime omissions** – according to the legislation of Georgia, crimes can be committed by action or inaction. Abandonment, failure to help, and failure to report a crime are considered crimes of omission. For all three of them, the prerequisite for imposing criminal liability is the existence of a person's intention – their understanding of the situation, when they could, should have acted and did not act, and as a result, damage occurred.<sup>16</sup>

According to Georgian criminal law, inaction when there is moral and legal responsibility for it is punishable. However, public inaction in Georgia has more social nature and is related to a mixture of historical, social, economic, and political factors: the Soviet legacy of control; often political instability; poverty and unemployment; economic migration; constant corruption; weak institutions and cultural emphasis on acceptance (in the family and community). Additionally, the education system lacks emphasis on civic activism and media literacy and promotes learned helplessness and mistrust of civic institutions.<sup>17</sup>

13 Sorrels, J. P., & Kelley, J. (1984). Conformity by omission. *Personality and Social Psychology Bulletin*, 10(2) <<https://doi.org/10.1177/0146167284102017>>

14 Zimbardo, P. G. (1971). The power and pathology of imprisonment. *Congressional Record*, (Serial No. 15, October 25, 1971).

15 Georgian Courts Proceedings System. *Search system of court verdicts*. Retrieved from <<https://ecd.court.ge/Decision>>

16 Mchedlishvili-Heydrich, K. (2011). *Separate forms of crime detection* (Vol. II, p. 287). Meridian Publishing House.

17 Bogishvili, D., Osepashvili, I., Gavashelishvili, E., & Gugushvili, N. (2016). Georgian national identity: Conflict

There is an opinion (actus reus) that only actions and not inaction can be a crime; however, the law recognizes situations when a person's inaction should be considered a crime. It usually refers to cases where someone neglects their legal and moral responsibility to prevent harm to others. It is crucial to recognize that an omission must be considered a contributing factor to the resulting harm when the individual had the opportunity to avoid it and did not use it.<sup>18</sup>

However, it is a challenge to determine moral and legal responsibilities when a person must be given a clear duty, and the ability to act must be established. When considering a person's legal responsibility, their psychological and social nature (intention, ability to understand, profession, activity, and relationship with the victim) should be considered. The degree to which the causal link between the omission and the resulting harm is determined whether the person is responsible for the inaction. At this point, the level of awareness and the ability to realize the person's responsibility at the time of the inaction is decisive.<sup>19</sup>

**Theoretical framework** – to explain the psychological nature of inaction and crimes committed by inaction, the research relies on the theoretical frameworks developed by scientists Solomon Asch (1951), Stanley Milgram (1963) and Philip Zimbardo (1971). Among them:

Solomon Asch – Conformity theory attempts to explain human actions and inactions to gain acceptance from the group and/or to avoid ostracism and exclusion from the group.<sup>20</sup>

Stanley Milgram – According to the theory of obedience to authority, people obey authority orders even at the cost of harming others. To understand why a person may be inactive, it is possible to consider the authority's responsibility for action and their lack of understanding of responsibility

at a particular moment. At this point, they may assume that another authority will intervene if necessary.<sup>21</sup>

Philip Zimbardo – According to the theory of Situational Factors and Social Roles, individuals act in certain situations because of their perceived social roles and environmental influences. When they have a passive role, and this is the norm for them, they show less initiative.<sup>22</sup>

In the context of crimes of omission, inaction is explained by these theories: escape from social displeasure (Conformity Theory), attribution of responsibility (Obedience Theory), and inappropriate situational factors for action (Situational Factors and Role Theory). The mentioned theoretical framework for people's inaction in situations where they have moral and legal responsibility for it.

**Factors affecting inaction/omission crime** – Several studies confirm the content of the considered theoretical framework in practice by distinguishing the role of social psychology, legal aspects, and cultural factors in criminal behavior committed by inaction. For example:

Disorganized environment – When the enforcement mechanism of the regulatory framework for the protection of norms is inadequate or does not exist at all, this may result in inappropriate inaction of citizens' moral and legal responsibility, considering the inadequacy, untimeliness, and infallibility of the punishment;<sup>23</sup>

Demographic characteristics – A high level of education is associated with citizen activity, high employment and achievement rates, and, as a result, a low level of crime. Conversely, a low level of education is associated with low self-efficacy, passivity, and both active and passive crime.<sup>24</sup>

Awareness – The level of legal awareness of a

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and integration. Center for Social Sciences. Publishing House "Nekeri". Retrieved from <https://ascn.ch>

18 **Tskitishvili, T.** (2020). Review of Merab Turava, *Criminal Law, General Part, Doctrine of Crime* (p. 690). University Publishing House.

19 **Mchedlishvili-Heydrich, K.** (2011). *Separate forms of crime detection* (Vol. II, p. 287). Meridian Publishing House.

20 **Asch, S. E.** (1951). Effects of group pressure upon the modification and distortion of judgments. In H. Guetzkow (Ed.), *Groups, leadership and men* (pp. xx-xx). Pittsburgh, PA: Carnegie Press.

21 **Milgram, S.** (1963). Behavioral study of obedience. *Journal of Abnormal and Social Psychology*, 67(4), 371-378 <https://doi.org/10.1037/h0040525>

22 **Zimbardo, P. G.** (1971). The power and pathology of imprisonment. *Congressional Record* (Serial No. 15, October 25, 1971).

23 **Greenwatch Uganda.** (n.d.). *Criminal aspects of environmental law*. Retrieved from [https://greenwatch.or.ug/sites/default/files/documents-uploads/Criminal\\_aspects\\_of\\_environmental\\_law.pdf](https://greenwatch.or.ug/sites/default/files/documents-uploads/Criminal_aspects_of_environmental_law.pdf)

24 **Gupta, M., & Sachdeva, P.** (2017). Economic, demographic, deterrent variables and crime rate in India. Goa Institute of Management. Retrieved from <https://mpr.ub.uni-muenchen.de/80181/>

person is related to their implementation of actions under the conditions of moral and legal responsibility;<sup>25, 26</sup>

Social factors – refers to: a) social norms and cultural values about what is right and wrong for a person. It affects the motivation of their action and inaction;<sup>27</sup> b) Expectations and feelings of support refer to services and practices in the community. A lack of expectation and feeling of support can prevent a person from intervening in a certain situation; c) The situational environment implies the presence of others in a specific situation and, if they are present, their actions and inactions according to their attitudes.<sup>28,29</sup> d) Social reservations establish the rules of behavior at a particular moment and determine a person's decision on action or inaction.<sup>30</sup>

Economic factors – The fewer economic resources a person has, the less chance they have to act. Research shows that having fewer resources makes people feel powerless and pushes them toward inactivity, including committing a crime by inaction;<sup>31, 32</sup>

Psychological characteristics – Individuals may commit crimes by inaction if: a) they do not have an appropriate upbringing; b) they are cognitively

biased and/or emotionally unstable/labile; c) they lack the ability to empathize and/or are anti-social; d) they have mental health problems.<sup>33</sup> e) They assign responsibility to someone else; f) They are afraid of failure; g) They cannot understand the severity of the situation and their responsibility; h) The situation is ambiguous and confusing; i) The situation puts them under stress.<sup>34</sup>

Criminal history – The presence of past criminal experience can result in inactivity because: a) The sense of justice has decreased, leading to inaction; b) By being inactive, the person avoids drawing attention to themselves; c) They distrust the system and do not want to intervene in a case where they would have to contact the system; d) They have low self-esteem and a feeling of weakness or uselessness.<sup>35</sup>

Cultural norms – The cultural attitude towards authority differs in individualistic and collectivist societies. These differences create varying cultural norms regarding passivity and activity when needing help from others.<sup>36, 37</sup>

In summary, the desk research provides a comprehensive overview of the existing theoretical and empirical framework of inaction and crimes committed by inaction. The analysis of Ash, Milgram, and Zimbardo's theories, along with empirically proven factors influencing inaction, highlights the importance of various circumstances in understanding crimes committed by inaction. These circumstances include the social environment, demographic characteristics, legal awareness, social norms, economic resources, psychological qualities, criminal history, and cultural norms. The first stage of the research emphasized the role of the complex interaction of individual, social, and

25 **LawTutor.** (n.d.). Omissions. *LawTutor*. Retrieved from <https://lawtutor.co.uk/articles/omissions-o2Rl6>

26 **Rodrigues, C. M. de O., Almeida, J. P. A., Ferreira, P. A. D., & Guizzardi, G.** (2020). Handling crimes of omission by reconciling a criminal core ontology with UFO. *Applied Ontology*, 15(1), 37-62 <https://doi.org/10.3233/AO-200223>

27 **Axinn, S.** (2008). An act of omission. In R. L. Heath (Ed.), *Encyclopedia of Violence, Peace, & Conflict* (2nd ed.). Retrieved from <https://www.sciencedirect.com/science/article/abs/pii/B9780123739858001112>

28 **LawTutor.** (n.d.). Omissions. *LawTutor*. Retrieved from <https://lawtutor.co.uk/articles/omissions-o2Rl6>

29 **Silva Sanchez, J.-M.** (2008). Criminal omissions: Some relevant distinctions. *New Criminal Law Review*, 11(3), 452-469 <https://doi.org/10.1525/nclr.2008.11.3.452>

30 **Rodrigues, C. M. de O., Almeida, J. P. A., Ferreira, P. A. D., & Guizzardi, G.** (2020). Handling crimes of omission by reconciling a criminal core ontology with UFO. *Applied Ontology*, 15(1), 37-62 <https://doi.org/10.3233/AO-200223>

31 **LawTutor.** (n.d.). Omissions. *LawTutor*. Retrieved from <https://lawtutor.co.uk/articles/omissions-o2Rl6>

32 **Rodrigues, C. M. de O., Almeida, J. P. A., Ferreira, P. A. D., & Guizzardi, G.** (2020). Handling crimes of omission by reconciling a criminal core ontology with UFO. *Applied Ontology*, 15(1), 37-62 <https://doi.org/10.3233/AO-200223>

33 **Silva Sanchez, J.-M.** (2008). Criminal omissions: Some relevant distinctions. *New Criminal Law Review*, 11(3), 452-469 <https://doi.org/10.1525/nclr.2008.11.3.452>

34 **Rodrigues, C. M. de O., Almeida, J. P. A., Ferreira, P. A. D., & Guizzardi, G.** (2020). Handling crimes of omission by reconciling a criminal core ontology with UFO. *Applied Ontology*, 15(1), 37-62 <https://doi.org/10.3233/AO-200223>

35 *Ibid.*

36 **LawTutor.** (n.d.). Omissions. *LawTutor*. Retrieved from <https://lawtutor.co.uk/articles/omissions-o2Rl6>

37 **Rodrigues, C. M. de O., Almeida, J. P. A., Ferreira, P. A. D., & Guizzardi, G.** (2020). Handling crimes of omission by reconciling a criminal core ontology with UFO. *Applied Ontology*, 15(1), 37-62 <https://doi.org/10.3233/AO-200223>

situational factors in determining moral and legal responsibility for inaction. This stage played an important role in the second stage of the research, which involved analyzing and explaining crimes committed by inaction in Georgia.

## 2.2. Qualitative Study

In the second stage, the research delved into the multifaceted landscape of individuals sentenced for criminal omissions in Georgia, investigating various dimensions, including their conformity, to understand their involvement in criminal inactions.

Only 8 of the decisions made by the courts of Georgia on the crimes of neglect and failure to help were found to be publicly available. This number is less than the small statistical indicator that the National Statistics Office publishes every year. Additionally, all available cases were not independent offenses (omission) as a separate charge, but in all eight cases, the failure to stand trial charge was accompanied by a traffic safety or operating violation case.

Legal Statistics – Although the registered crimes committed by inaction are small and refer only to the episodes of failing to test during traffic accidents, the inaction of society in the case of domestic violence is also noteworthy. For example, an entire neighborhood may know someone is abusing a family member but, despite a moral duty to act, not report it. The lack of charges for such inaction is explained by the low level of cultural and social responsibility. This once again confirms the civil passivity and conformity of the Georgian tendency in the form of avoiding responsibility or initiative. This argument is also supported by linguistic determinism, which can be seen in Georgian phrases such as: “One is wise in another’s business”, “Whatever happens to you, David, take it all yourself”, and “The fool thought that the quarrel between husband and wife was right”. The reluctance of domestic violence victims in Georgia to acknowledge their victimhood or seek help contributes to the inaction of others and can be explained by the theory of obedience. This circumstance reduces the likelihood of bystander intervention, as the victim’s refusal to report the abuse to the police serves as an authoritative signal to

others not to interfere in their situation.

Legal and social context – a) The statistics of registered crimes committed without action in Georgia are small, and the number of court decisions available on the mentioned cases is even smaller. However, this scarcity does not imply that crimes are not being committed by inaction. Passive inactivity represents a cultural and social legacy common in post-Soviet countries.<sup>38</sup> Several factors contribute to this phenomenon. Firstly, the low registration of crimes committed by inaction (few registered crimes) can be attributed to limited awareness—people may not know when and what type of inaction is considered a crime. Additionally, weak law enforcement and judicial systems, characterized by corruption or low capacity to adequately assess blame, may hinder proper registration. Cultural and social norms also play a role, as they tend to recognize crimes committed by action more readily than those committed by inaction. Social passivity, which avoids social confrontation, further prevents accusations from being made. Moreover, the low funding of relevant agencies often prioritizes other, more straightforward cases.<sup>39</sup> Overall, these factors highlight the challenges in accounting for and providing public access to similar cases within the legal system. The fact that the victim died in all recorded cases can be explained by the legal system’s focus on recording only those cases of inaction that have serious consequences. b) Connection with traffic accidents: It should be noted that all the analyzed cases of crimes committed by omission in Georgia were related to traffic safety. This association underscores the peculiarities and challenges of Georgia’s legislative practice. Law enforcement agencies may prioritize recording and investigating traffic violations rather than inactions per se. This perspective is reinforced by the cultural-legal emphasis on road safety and the existence of statistics on traffic accidents and other related crimes in Georgia.<sup>40</sup>

38 **Nodia, G.** (2002). The dynamics and sustainability of the Rose Revolution. *Journal of Democracy*, 19(1), 15-19.

39 **McCarthy, L., Gehlbach, S., Frye, T., & Buckley, N.** (2021). Who reports crime? Citizen engagement with the police in Russia and Georgia. *Europe-Asia Studies*, 73(1), 8-35 <<https://doi.org/10.1080/09668136.2020.1851354>>

40 **Ross, H. L.** (1999). Alcohol and highway safety: Problems, research approaches, and challenges. *Alcohol Research & Health*, 23(1), 4-14 <[https://doi.org/10.1002/1097-4679\(199901\)55:1+<::AID-JCLP6>3.0.CO;2-I](https://doi.org/10.1002/1097-4679(199901)55:1+<::AID-JCLP6>3.0.CO;2-I)>

Personal characteristics – a) Alcohol consumption – the analysis showed a potential relationship between alcohol consumption while driving and the crime of omission. In all cases of crimes committed by inaction, the fact that the criminal was in a drunken state is explained by cultural and social characteristics. Georgia is a wine country where alcohol consumption is socially encouraged. Added to this is the low law awareness of citizens, which is related to the lack of focus on law enforcement and crime prevention at the general level; b) Absconding – in most of the discussed cases, the defendants absconded from the scene, and only later reported to the police. The fact that all the criminals fled the scene reflects the social nature of the lack of responsibility, which leads to the passivity of society. In this case, the perpetrators' absconding may be due to panic, guilt, or a desire to avoid legal consequences after an accident. They may have created a moral conflict between their actions and duties, which could not be balanced/understood by the influence of alcohol, as a result of altered consciousness.<sup>41</sup> In addition, it is considered as a case of avoiding legal consequences, fear and/or lack of understanding of the situation (legal awareness, affect, alcohol, etc.);<sup>42</sup> c) Repentance and cooperation: Despite initial attempts to evade responsibility by hiding, the majority of criminals eventually repented and cooperated with the authorities. This behavior may stem from feelings of guilt or remorse, as well as their sense of accountability and recognition of the importance of adhering to societal norms. Their eventual return and cooperation underscore their conformity and desire for social recognition (which is encouraged by law). Research supports the notion that a perpetrator may be motivated to confess and cooperate with the authorities for several reasons. Firstly, there may be feelings of guilt or remorse. Expectations of a reduced sentence can also serve as motivations for returning and/or assisting after absconding.<sup>43</sup> Furthermore, societal legal and ethi-

41 **Sener, I. N.** (2018). Hit-and-run crashes: Evidence from China. *Journal of Safety Research*, 64, 83-89 <<https://doi.org/10.1016/j.jsr.2017.12.005>>

42 **Tyler, T. R.** (2006). *Why people obey the law*. Princeton University Press. Retrieved from <<https://press.princeton.edu/books/paperback/9780691126739/why-people-obey-the-law>>

43 **Bandura, A.** (1990). Mechanisms of moral disengage-

cal principles, along with expectations of responsible citizenship, may influence their remorse, desire to maintain social order, and sense of meaning.<sup>44</sup> Repentance of offenders after absconding may be influenced by societal norms and cultural values that emphasize the importance of taking responsibility for one's actions and seeking ways to make amends. While hiding from the scene, individuals may come to regret their actions and feel compelled to make amends by confessing and cooperating with the investigation.<sup>45</sup>

Cultural and Social Context – The social passivity observed in Georgia, influenced by historical, social, economic, and political factors, adversely affects the process of registering, accusing, and proving crimes committed through inaction. Cultural norms, along with social passivity, encourage avoidance of confrontation, reluctance to intervene, and, in certain instances, a lack of concern for preventing harm.<sup>46</sup>

Psycho-Social Features – Demographic and psychological factors, including gender, age, place of residence, attitudes, and values, are also crucial for analyzing crimes committed by inaction. Unfortunately, we were unable to analyze these factors due to the lack of documentation and the absence of recorded circumstances in the available documents.

The theoretical and empirical framework analyzed in the first and second stages of the research provides an opportunity to explain human passivity and inaction. However, the level of passive behavior and obedience may differ significantly between developed and developing countries due to cultural, socio-economic, and historical factors.<sup>47</sup>

Additionally, the fact that Georgia currently

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ment. *Wiley Online Library* <<https://doi.org/10.1002/ejsp.2420200106>>

44 **Cialdini, R. B., & Trost, M. R.** (1998). Social influence: Social norms, conformity and compliance. In D. T. Gilbert, S. T. Fiske, & G. Lindzey (Eds.), *The handbook of social psychology* (Vol. 2, pp. 151-192). McGraw-Hill.

45 **Tangney, J. P.** (2015). Shame and guilt in antisocial and risky behaviors. In *APA Handbook of Personality and Social Psychology, Volume 2: Group Processes* (pp. 703-728) <<https://doi.org/10.1037/14341.026>>

46 **Bogishvili, D., Osepashvili, I., Gavashelishvili, E., & Gugushvili, N.** (2016). *Georgian national identity: Conflict and integration*. Center for Social Sciences. Publishing House "Nekeri". Retrieved from <<https://ascn.ch>>

47 **Matsumoto, D., & Juang, L.** (2016). *Culture and psychology*. Cengage Learning.

holds the status of a developing country<sup>48</sup> parallel to the post-Soviet legacy emphasizes the validity of explaining passivity and inaction in Georgia with social and cultural preconditions.

1. Cultural dimensions – In collectivistic cultures (developing countries) compared to individualistic cultures, a higher rate of conformity and obedience exists;<sup>49</sup>
2. Socio-economic factors – Economic instability and authoritarian rule characteristic of developing countries, which are related to passivity and inactivity of citizens;<sup>50</sup>
3. Historical and Social Context: Historically, the presence of colonial experiences also contributes to attitudes towards authority and conformity.<sup>51</sup>

### 3. FINDINGS

Based on the theories of Ash, Milgram, and Zimbardo, the research analyzed the circumstances of crimes committed by inaction in Georgia to identify the personal and social characteristics of the perpetrators and formulate recommendations for preventive strategies.

From the perspective of Ash, Milgram, and Zimbardo's theories, analyzing the circumstances of crimes committed by inaction in Georgia highlighted the personal and social characteristics of the perpetrators.

The results indicate a significant influence of the social context on crimes of omission in Georgia. According to Ash's studies of conformity, individuals may refrain from acting due to social pressure or a desire to conform to perceived societal norms, leading to social passivity and inaction despite their obligations. Milgram's obedience experiments also illuminate the power of authority

to influence human behavior. In cases where individuals act regardless of moral or legal responsibility, obedience to authority can be a critical factor. Offenders may see themselves as subordinate to authority figures, such as the law enforcement system, and therefore refrain from acting without clear guidance. Finally, Zimbardo's Stanford Prison Experiment highlights the impact of situational factors on behavior, and the analyzed data reveal how situational factors, such as intoxication, can influence decisions regarding inaction.

The research's novelty lies in its holistic examination of the relationship between economic, social, and psychological circumstances and crimes committed by inaction. Through theoretical analysis and empirical research, the paper contributes to understanding crimes of omission in Georgia and offers valuable insights for policymakers, legal practitioners, and scholars in the field of crime prevention.

### CONCLUSION

Research on crimes of omission in Georgia emphasizes the complex interrelationship of cultural, social, and legal factors that lead to such crimes. Specifically, the cultural legacies of post-Soviet societies, such as alcohol consumption and a low sense of responsibility, and the social and cultural features of Georgia as a developing country foster an environment where passive inaction is normalized. This social passivity is further reinforced by Georgian linguistic determinism and collective behavior patterns that reduce the likelihood of taking action to reduce harm to others.

This complicates the criminogenic situation, reduces the legal and social response to such crimes, and negatively impacts civil well-being. To overcome civil passivity in the country and ensure social and legal well-being, the research suggests issuing recommendations. In particular, it is recommended to ensure a response to inaction by improving the existing litigation system and, in parallel, raising public legal awareness and culturally encouraging civic responsibility and involvement in society.

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### *Study Limitations and Future Research Interests:*

Firstly, the study's limitations include the sample size and the insufficient amount of analyzed data. Secondly, the reliability and validity of the analysis of the collected data can be questioned due to the incomplete content of the decisions considered. As a result, the study did not consid-

er contextual factors such as cultural norms and socio-economic differences, limiting the findings' generalizability.

Therefore, future research interests include studying the peculiarities of proceedings of crimes committed by omission and researching circumstances that were not possible to explore within the scope of the present study.

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