



Research Paper

## Concept of Plea Bargaining under Bharatiya Nagarik Suraksha Sanhita, 2023: An Overview

Nishit Sharma

Research scholar,

Dr. B.R. Ambedkar National Law University, Sonapat, Haryana.

### Abstract

Plea bargaining is a novel notion in India. Plea bargaining constitute the predominant majority of criminal convictions in the contemporary criminal court system. In a criminal case, it is the procedure through which the prosecution and the defendant attain a mutually agreeable conclusion, pending court approval. The defendant typically acknowledges guilt to a lower charge in one or a few courts of a multi-count indictment in return for a more lenient punishment than that which could be imposed for the more severe allegation. Plea bargaining refers to pre-trial negotiations between the defendant and the prosecution, wherein the accused agrees to plead guilty in return for a lesser sentence. This article analyses the definition and idea of plea bargaining, together with the Law Commission's 2005 observations and amendments aimed at protecting the right to a prompt trial, as ensured by Article 21, and expeditious justice. It also talks about the different provision of plea bargaining under Bharatiya Nagarik Suraksha Sanhita, 2023 and differentiate the concept of plea bargaining under the Bharatiya Nagarik Suraksha Sanhita from the code of criminal procedure.

**Key Words:** Plea bargaining, Accused, Bharatiya Nagarik Suraksha Sanhita 2023.

### I. Introduction

Justice Bhagwati in the **Maneka Gandhi case** observed that:

“The expression personal liberty in Article 21 is of the widest amplitude and it covers a variety of rights which go to constitute the personal liberty of a man and some of them have raised to the status of distinct fundamental rights and given additional protection under Article 19”

Justice must not only be administered but also perceived to be administered, which is ensured by expeditious justice or speedy adjudication. The Indian Constitution guarantees the right to a swift trial as a fundamental right under Article 21; however, this right is mostly theoretical due to the notoriously sluggish nature of the Indian judiciary in delivering justice.<sup>1</sup> The duration of criminal court trials is increasingly protracted, often resulting in significant delays, with proceedings frequently commencing many years after the accused has entered judicial custody. Due to the criminal justice system, individuals awaiting trial in India are compelled to inhabit jails nationwide. A considerable proportion of individuals charged with crimes are unable to obtain bail for various reasons, including prolonged incarceration as under-trial detainees, resulting in considerable emotional distress and suffering. Another argument posits that if there is inadequate evidence to establish the accused's commission of the crime, the accused ought to be acquitted.<sup>2</sup>

Our legislators formulated various measures to expedite the resolution of trials.<sup>3</sup> Plea bargaining is a method, partially patterned on the American judicial system, often employed to accelerate the processing of defendants. For the past 150 years, it has served as the primary instrument for securing convictions, owing to its efficacy and adaptability.

### What is plea bargaining?

Plea bargaining is a term including two components: 'plea', which signifies a request. Prayer or an emotional appeal can be viewed as a form of negotiation or settlement, often evident in daily life

<sup>1</sup> Jain, H., & Rautela, M. (2018). Overview of Plea Bargaining in India. Available at SSRN 3151302.

<sup>2</sup> Jeevalaya.V A comparative study on plea bargaining in India and other countries PARIPEX – INDIAN JOURNAL OF RESEARCH Volume-7 | Issue-9 | September-2018 | PRINT ISSN No 2250-1991

<sup>3</sup> Through Lok Adalat's, Alternative Dispute Resolution methods and Fast track Courts

when bargaining over prices with a shopkeeper. In criminal law, the objective of this notion remains consistent; however, the defendant negotiates a plea to receive a reduced or more lenient charge in exchange for a guilty plea.<sup>4</sup>

The Indian notion of plea bargaining is derived from the United States idea of *nolo contendere*, which translates to "I do not wish to contest." This doctrine has been evaluated and applied in a manner that considers the prevailing social and economic situations in our nation. Plea negotiating enables both parties in a criminal case to circumvent an extended trial and may permit defendants to evade the possibility of conviction on more severe charges. A definitive definition of plea bargaining does not exist. Plea bargaining refers to a negotiation procedure in which an offender may admit guilt in court in return for a reduced sentence compared to what would typically be imposed for the offence. Plea bargaining typically transpires at any point prior to the court's pronouncement of judgement.

The definition of plea bargaining differs according on jurisdiction and contextual use. **Black's Law Dictionary** describes it as "The process by which the accused and the prosecutor in a criminal case negotiate a mutually agreeable resolution, pending court approval." The accused typically pleads guilty to a lesser offence or to only one or a subset of the charges in a multi-count indictment in exchange for a more lenient sentence than that associated with the serious accusation.<sup>5</sup>

The **Oxford Dictionary** defines plea bargaining as "an arrangement between prosecutor and defendant whereby the defendant pleads guilty to a lesser charge in exchange for a more lenient sentence or an agreement to dismiss other charges."<sup>6</sup> Plea bargaining entails the exchange of official concessions for a defendant's admission of guilt<sup>7</sup>. It is a pact wherein the defendant consents to plead guilty in exchange for the assurance of a certain advantage.<sup>8</sup> The parties involved in the agreement typically include the accused and the prosecution; however, it is also feasible for the police or the court to participate in plea bargaining.<sup>9</sup>

### **Categories of Plea Bargaining:**

Plea bargaining can be categorized into three types.

**(1) Sentence Bargaining:** This refers to the reduction of sentence in exchange for compensation awarded by courts, based on an agreement between the parties involved. The sentence is not abandoned; it is merely reduced. This agreement is applicable in England and India.

**(2) Charge Bargaining:** In this process, the accused pleads guilty and agrees to pay reparations, resulting in a charge for a lower offence for which they are liable. For instance, if an individual is indicted for murder and aggravated assault, a prosecutor may, with the court's consent, accept a 'guilty' plea for aggravated assault in exchange for the dismissal of the murder charge. This form of agreement is utilized in the USA.

**(3) Fact Bargaining:** The third and least prevalent form of plea bargaining is fact bargaining, which entails acknowledging certain facts (or "stipulating" the veracity and existence of specific facts, thereby eliminating the necessity for the prosecution to substantiate them) in return for an agreement to refrain from presenting other facts.

### **Origins of plea bargaining in India**

Plea bargaining has a longstanding history in India, originating from the Vedic period. The Dharmasastras contain a chapter called *Prayaschitta*, which outlines corrective methods for *Atmashanti*, or self-purification by the confession of faults. Plea bargaining was prevalent during the post-Vedic period, specifically in the Mauryan era, where it manifested as conciliation, and in the Mughal period, where it took the form of the *Quisas* system, requiring an accused to compensate the next of kin of a homicide victim. Subsequently, in the post-independence era, the concept of plea bargaining was officially instituted based on the recommendations of the Law Commission's reports through The Criminal Law (Amendment) Act, 2005.<sup>10</sup>

---

<sup>4</sup> Plea Bargaining: A Silver Lining or a Compromised Mockery Indian Journal of Law and Human Behavior Volume Number 2 (Special Issue), May - August 2019 DOI: <http://dx.doi.org/10.21088/ijlhb.2454.7107.5219>

<sup>5</sup> Bryman A Garner and Honey Campbell "Blacks Law Dictionary" 8th Ed. (2004), West Publishing Co, p.1190

<sup>6</sup> Oxford Dictionary. Fourth Edition, Oxford University Press, 1995.p.393

<sup>7</sup> Alschuler, A. W. (1979). Plea bargaining and its history. *Columbia Law Review*, 79(1), 1-43.

<sup>8</sup> Clark, P. (1986). The public prosecutor and plea bargaining. *Australian Law Journal*, 60(4), 199-214.

<sup>9</sup> C.SPatil "Due process Analysis of plea bargaining", *Kerala University Journal of Legal studies*, (1998),p.186

<sup>10</sup> Jain, H., & Rautela, M. (2018). Overview of Plea Bargaining in India. Available at SSRN 3151302.

### **Observations of the Law Commission Regarding Plea Bargaining**

The Law Commission of India endorsed the notion of plea bargaining in its 142nd, 154th, and 177th reports. The 142nd report of the Law Commission of India advocated for the implementation of "concessional treatment for individuals who opt to plead guilty without negotiation,"<sup>11</sup> under legal authority, aiming to introduce remedial legislative measures to mitigate delays in the resolution of criminal trials and appeals, as well as to alleviate the hardships faced by under-trial prisoners in custody awaiting trial commencement. This report addressed multiple concerns pertaining to the concept of plea bargaining. The study also analyzed the notion of plea bargaining implemented in the United States and Canada. The paper also considered the concerns to the implementation of plea bargaining in the Indian legal system for all offences.<sup>12</sup>

Five reasons are presented to substantiate this concept:

- Many individuals who are arrested admit their guilt, rendering a trial seemingly unnecessary.
- why should we squander public funds?
- Plea bargaining is a negotiation in which both parties concede certain aspects to achieve mutual benefit.
- Trials incur time and expenses.
- Plea bargaining benefits both sides by saving time and resources and often reduces the defendant's punishment.

This study presents two questions for discussion. The initial inquiry pertains to the appropriateness of incorporating plea bargaining into Indian Criminal Jurisprudence. The subsequent inquiry, contingent upon a favorable response to the initial issue, pertains to whether the scheme should be universally applicable to all types of offences without discrimination, or only to the designated offence.<sup>13</sup> The majority of judicial officers advocated for the implementation of plea bargaining; nevertheless, most opposed its application to all types of offences, suggesting it should be limited to less serious offences. "The report presents several objections to the incorporation of plea bargaining within Indian criminal jurisprudence."

The nation's social circumstances do not warrant the implementation of the notion as:

- Plea bargaining may elevate the frequency of criminal activity.
- The nation's socioeconomic circumstances do not warrant the implementation of the concept.
- Pressures from prosecutorial entities may lead to the wrongful convictions of the innocent.
- Criminals may evade accountability.
- The impoverished will ultimately suffer from this concept.

The Law Commission suggested that the scheme could be extended to offences punishable by imprisonment of 7 years or more, following a thorough evaluation of the scheme's application to offences punishable by less than 7 years of imprisonment.<sup>14</sup> The plan may be rendered inapplicable to socio-economic offences and offences against women and children.

The Law Commission of India, in its 154th report, advocated for the implementation of plea bargaining inside the Indian criminal court system. The report stated that the rationale for implementing the idea of Plea Bargaining is best articulated in the 142nd report of the Law Commission of India. The court, after considering the arguments of the public prosecutor and the accused, may approve the plea-bargaining application and impose a sentence of up to one-half of the minimum prescribed penalty.<sup>15</sup> A distinct chapter XXIA on Plea Bargaining should be included in the Code of Criminal Procedure.

The Law Commission of India, in its 177th report, recommended the prompt implementation of the 14th Law Commission's suggestions from the 154th report regarding plea bargaining in Chapter 13 of the Criminal Procedure Code. The report recommended including plea bargaining measures in accordance with the 142nd and 154th reports and other Supreme Court judgement decisions.

---

<sup>11</sup> 142nd Law Commission of India Report, "Concessional Treatment for Offenders who on their own initiative choose to plead guilty without any Bargaining", 1991, available at <http://lawcommissionofindia.nic.in/101169/Report142.pdf>

<sup>12</sup> Ibid, at Chapter VII

<sup>13</sup> Ibid, at Chapter IV

<sup>14</sup> Ibid at Chapter VII

<sup>15</sup> 154th Law Commission of India Report, "The Code of Criminal Procedure", 1973.

### **Judicial Observations Regarding "Plea Bargaining"**

#### **(i) Re Policy Strategy for Grant of Bail (2022)<sup>16</sup>**

The Supreme Court of India, in a recent judgment has introduced a policy strategy to streamline bail proceedings and address the backlog of criminal cases, including the concepts of plea bargaining, compounding of offenses, and the application of the Probation of Offenders Act, 1958.

#### **(ii) State of Gujarat v. Natwar Harchanji Thakor (2005)<sup>17</sup>**

In this case the Hon'ble Gujarat High Court recognised the concept of plea bargaining, asserting that the fundamental objective of the law is to deliver straightforward, cost-effective, and expeditious justice through the resolution of disputes, encompassing the adjudication of criminal cases. The court additionally determined that, considering the present realistic state of case backlog and delays in legal proceedings, fundamental reforms are imperative. Nothing should remain unchanged. Consequently, it can be asserted that it constitutes a genuine measure and cure that will provide the judicial system with a renewed perspective.

#### **(iii) Uttar Pradesh v. Chandrika (2000)<sup>18</sup>**

The court adjudicated that- It is established law that the Court cannot resolve criminal matters based on plea bargains. The mere acknowledgement of guilt should not serve as a basis for sentence reduction. The accused cannot negotiate with the Court for a lesser sentence based on a guilty plea. In this landmark case the Supreme Court of India explicitly rejected the concept of plea bargaining in the Indian criminal justice system. The Court deemed plea bargaining as unconstitutional, illegal, and harmful to the integrity of the legal process. The Court argued that plea bargaining could lead to corruption, collusion, and a weakening of the justice system's fairness.

#### **(iv) Kasambhai Abdul Rehman Bhai Sheikh v. State of Gujarat (1980)<sup>19</sup>**

In the case of the court determined that- The practice of plea bargaining is unlawful, illegal, and likely to foster corruption, collusion, and compromise the integrity of justice.

#### **(v) Murlidhar Meghraj Loya v. State of Maharashtra (1976)<sup>20</sup>**

The court determined that- "Speculating on the merits of negotiated settlements in criminal cases, as practiced in the United States, is futile in our jurisdiction. Particularly concerning serious economic crimes and food offences, this practice undermines societal interests by contravening the legislative establishment of minimum sentences and subtly subverting the law's mandate." The Supreme Court noted that an efficient system must be established for the state to administer justice through plea bargaining.

### **Plea bargaining in the Bharatiya Nagarik Suraksha Sanhita (BNSS)**

Plea bargaining within the Bharatiya Nagarik Suraksha Sanhita herein referred as (BNSS) is governed by Chapter 23, particularly from section 289 to 300 which has been enforced from first of July 2024. It permits a defendant to enter a guilty plea in return for a mitigated punishment or a lesser offence. The BNSS underscores a time-sensitive procedure, stipulating that applications for plea negotiation must be submitted within 30 days of the charge being established.

#### **i. Section 289: implementation of chapter.**

It covers accused individuals who have been reported by the police station officer under section 193 for an offence not punishable by death, life imprisonment, or more than seven years or taken cognizance by a Magistrate. It does not apply to crimes against women or children or that affect the country's socioeconomic status.<sup>21</sup>

#### **ii. Section 290: Application Procedure**

Within thirty days of the charge being presented in court, an individual who has been accused of an offence is eligible to submit an application for plea bargaining. The application must contain a concise case description and an affidavit that certifies the voluntary nature of the plea, the comprehension of the punishment, and the absence of any prior convictions for the same offence. The court notifies the Public Prosecutor or complainant and the accused to appear on the fixed date upon receiving the application. The court conducts a private examination of the accused on that date to verify their voluntariness. If satisfied, it establishes a date for a subsequent hearing and provides a maximum of sixty days to negotiate a mutually acceptable resolution, which may include compensation for the victim. The court will proceed with the trial in accordance with the law if the application is determined to be involuntary or if the accused has a prior conviction.<sup>22</sup>

---

<sup>16</sup> (Cr.L.J) No. 529 of 2021

<sup>17</sup> (2005) Cr.L.J. 2957

<sup>18</sup> AIR 2000 SC 164

<sup>19</sup> (1980) 3 SCC 120

<sup>20</sup> AIR 1976 SCC 1929

<sup>21</sup> Section 289, Bharatiya Nagarik Suraksha Sanhita 2023

<sup>22</sup> Section 290, Bharatiya Nagarik Suraksha Sanhita 2023

**iii. Sections 291 : Disposition**

To achieve a mutually agreeable resolution under section 290(4)(a), the Court, in instances involving a police report, must inform the Public Prosecutor, investigating officer, accused, and victim to participate in a meeting, ensuring the process is voluntary, with the accused permitted to bring legal counsel. In instances not predicated on a police report, the Court is obligated to inform the accused and the victim to partake in such a meeting, guaranteeing voluntariness and for either side to enlist an advocate if desired.<sup>23</sup>

**iv. Section 292: Reporting the Result**

If a satisfactory disposition of the case is reached in a meeting under section 291, the Court shall prepare a report of such disposition, which shall be signed by the presiding officer and all other persons who participated in the meeting. If no such disposition is reached, the Court shall record such observation and proceed further in accordance with this Sanhita from the stage the application under sub-section (1).<sup>24</sup>

**v. Section 293 : Case Disposition**

Upon achieving a mutually agreeable resolution pursuant to section 292, the Court shall conclude the matter by granting compensation to the victim and evaluating alternatives such as probation or admonition in accordance with section 401 of the Probation of Offenders Act or other applicable statutes. Should probation be deemed suitable, the Court may release the defendant accordingly. If the minimum penalty is applicable, the Court may mitigate it to fifty percent, or twenty-five percent if the defendant is a first-time offender. In other instances, the Court may impose one-fourth, or one-sixth for first-time offenders, of the required punishment.<sup>25</sup>

**vi. Section 296: Compliance**

When it comes to the arena of plea bargaining, the court has the authority to exercise all of the powers that are outlined in the BNSS with regard to bail, the trial, and the ultimate resolution of the case.<sup>26</sup>

**vii. Section 297: Duration of Detention**

The stipulations of section 468 shall be applicable for offsetting the duration of detention experienced by the accused against the imposed sentence of imprisonment under this Chapter, analogous to their application to incarceration under other sections of this Sanhita.<sup>27</sup>

**viii. Section 298: The Act's Savings Clause**

No other provision of this Sanhita shall be deemed to restrict the interpretation of any provision within this Chapter. Clarification. This chapter delineates "Public Prosecutor" as clause (v) of section 2 and encompasses an Assistant Public Prosecutor appointed pursuant to section 19.<sup>28</sup>

**ix. Section 299: Declarations by Defendants**

Notwithstanding any existing legislation, the statements or facts provided by an accused in a plea bargaining application filed under section 290 shall be utilized solely for the purposes of this Chapter.<sup>29</sup>

**x. Section 300: Exclusion of Minors**

The sections of the chapter related to plea bargaining are inapplicable to juveniles or children, as delineated by the Juvenile Justice (Care and Protection of Children) Act of 2015.<sup>30</sup>

**Comparative Analysis of Criminal Procedure Code (CrPc) and Bharatiya Nagarik Suraksha Sanhita (BNSS):**

**(i) CrPc:** In accordance with the Criminal Procedure Code, there is no time limit for the submission of an application for the negotiation of a plea bargain.

**BNSS:** In order for the accused to be in compliance with the provisions of the BNSS, they are required to file an application for plea negotiating within thirty days of the date when the charges were formed.

**(ii) CrPc:** As a general rule, the Criminal Procedure Code (CrPC) allows for the practice of plea bargaining, which makes it simpler for the accused and the prosecution to discuss the charge, the punishment, or both between them individually.

**BNSS:** Sentence negotiation is the only form of plea bargaining that is permitted by the BNSS. This is a process in which an accused individual can request a lesser sentence in exchange for pleading guilty.

---

<sup>23</sup> Section 291, Bharatiya Nagarik Suraksha Sanhita 2023

<sup>24</sup> Section 292, Bharatiya Nagarik Suraksha Sanhita 2023

<sup>25</sup> Section 293, Bharatiya Nagarik Suraksha Sanhita 2023

<sup>26</sup> Section 296, Bharatiya Nagarik Suraksha Sanhita 2023

<sup>27</sup> Section 297, Bharatiya Nagarik Suraksha Sanhita 2023

<sup>28</sup> Section 298, Bharatiya Nagarik Suraksha Sanhita 2023

<sup>29</sup> Section 299, Bharatiya Nagarik Suraksha Sanhita 2023

<sup>30</sup> Section 300, Bharatiya Nagarik Suraksha Sanhita 2023

### **Merits of plea bargaining:**

- **Expedited justice:** Currently, the Indian Judiciary is inundated with numerous litigations, leaving little time to address all cases. Consequently, engaging in plea bargaining would facilitate expedited justice and enable swift resolution.
- **Financially burdensome:** Substantial resources and time are expended on preparing legal arguments, only to discover that the other party is requesting a postponement of the hearing date. Plea bargaining is cost-effective and would facilitate justice.
- **Enhanced collaborative dynamics:** Plea bargaining fulfils what certain scholars describe as "an irrepressible tendency towards cooperation among members of the courtroom work group." It enables this "courtroom work group" to achieve their "shared interest in circumventing conflict, diminishing uncertainty, and preserving group cohesion."
- **Alternative Dispute Resolution:** Plea bargaining is regarded as a form of alternative dispute resolution, and advocates assert that it is beneficial to provide both the accused and the State the opportunity to resolve factual and legal disagreements through compromise.
- **Expedient resolution of cases:** A trial typically necessitates a significantly longer duration and induces considerably more stress than accepting a plea deal.

### **Demerits of plea bargaining:**

- **Unjust to the Judicial System:** It is unjust to the judicial system since it permits an accused individual to evade appropriate justice.
- **Conviction of the Innocent or Proxy Accused:** This may result in the conviction of a seemingly innocent defendant who pleads guilty on behalf of the actual offender for financial or other motivations.
- **Coercion of the Defendant:** It encompasses coercion through force, hard coercion (when the prosecution presents incentives to defendants, rendering them unable to decline signing a plea deal), and soft coercion (where inducements are offered to the defendant to select what appears sensible).
- **Corruption and Miscarriages of Justice:** Corruption may ensue if an accused individual bribes the prosecutor for a mitigated sentence, and the pressure to maintain a high conviction rate could result in the wrongful conviction of innocent individuals.
- **Coercion of Victims by Bribery:** A bribe may be employed to induce a victim to acquiesce to a lesser accusation.
- **Promotion of Criminal Behavior:** Plea bargaining incentivizes criminal behavior, exacerbates crime rates, and fosters corruption by permitting unlawful actions to be tolerated in return for monetary penalties, restitution, or both.
- **Exploitation in Populations with Low Literacy:** The plea-bargaining procedure in India may be susceptible to misuse due to poor literacy levels.
- **Incomplete and Mitigated Guilty Pleas:** A guilty plea represents a diminished and selective acknowledgement of only some claims.<sup>31</sup>

## **II. Suggestions:**

To enhance the plea-bargaining process, it is imperative to foster an environment of transparency and accountability within it. This objective can be attained by the implementation of random audits of plea agreements and by ensuring that critical information, including charges and penalties, is available to the public. Moreover, it is imperative to create clear rules for the classification of socio-economic wrongdoing. To ensure equity and avert coercion, defendants must be apprised of trial outcomes rather than plea agreements, the penalties in plea bargains should correlate with the sentences that would be rendered in a theoretical trial, and an impartial entity should assess the procedure. Streamlining can be accomplished through several techniques, including the implementation of stringent time limits for trials, the establishment of a dedicated forum for plea negotiations, and the training of judicial personnel on the process. Moreover, to alleviate the excessive pressure imposed on offenders, it is essential to modify the existing bail and sentencing systems. Furthermore, to offer suitable guidance and avert coerced pleas, it is essential to enhance the system employed by public defenders.

## **III. Conclusion**

Plea bargaining is undeniably a boon in the present condition of our justice delivery system. The burden of unresolved cases renders the administration of justice unfeasible. Numerous leading nations have

---

<sup>31</sup>Mohd. Ajmal Amir Kasab v. State of Maharashtra, (2012) 9 SCC 1.)

embraced this model, enabling India to expedite case resolution. Both parties conserve time and resources, resulting in a mutually beneficial outcome.

Nevertheless, not all admirable entities are flawless; some possess imperfections. This methodology mitigates the penalty solely based on the accused's guilty plea, which is inequitable and reflects a misunderstanding of deterrence, the gravity of the offence, and the suffering experienced by the accused. Assessing the efficacy of plea bargaining in India is premature; adaptation to the specific context requires time. Although this concept has not yet garnered the approval of judges, its implementation is imperative. We anticipate that reforms will be introduced to streamline its application and address its deficiencies.

#### **References:**

- [1]. 154th Law Commission of India Report, "The Code of Criminal Procedure", 1973
- [2]. Dungdung, A. (2012). Plea Bargaining: The Indian Experience.
- [3]. Alschuler, A. W. (1979). Plea bargaining and its history. *Columbia Law Review*, 79(1), 1-43.
- [4]. Amrit Pal Kaur, Aarti Goyal, Justice in plea bargaining-It is coercion to compromise. *Bharati Law Review*, April – June, 2016. 213.
- [5]. Jain, H., & Rautela, M. (2018). Overview of Plea Bargaining in India. *Available at SSRN 3151302*.
- [7]. Singh, P. K. (2021). Plea Bargaining and Criminal Justice in India. *Athens JL*, 7, 33
- [8]. Plea Bargaining: A Silver Lining or a Compromised Mockery *Indian Journal of Law and Human Behavior* Volume 5 Number 2 (Special Issue), May - August 2019.