

# LEGALFOXES LAW TIMES

## PSYCHOLOGY BEHIND CRIMES

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### OBJECTIVE

To validate various theories related to the factors influencing crimes.

### 1. INTRODUCTION

Crime in the simplest term is defined as any unlawful act; which is punishable under the rules of the state. The basic elements each crime should possess includes an actus rea and mens rea for it being punishable by the state. But here a question arises that are criminals born like one or is it their environment responsible for the delinquency in their behavior? How is it that they decide to commit a crime, even after knowing about the consequences they could face? Criminologists have come up with many theories describing the factors that influence the commission of a crime along with the reason why one possibility could have become a criminal.

Many empirical studies have been conducted on the way a criminal's behavior and mind are influenced by the external and internal factors. Many researches such as the belief that crimes are committed under the possession of an evil soul and single factor approach, such as a low IQ, or, physiological character dependence on crimes have been discarded. Criminologists today believe that a combination of cultural as well as personal and environmental factors, all together play a role in making a criminal.

### 2. FACTORS AFFECTING CRIMES

Theories such as the classicist theory, biogenetic theory, psychogenic explanation, economic theory, sociogenic theory, cultural theory, multiple factor theory, culture conflict theory, sub-cultural theory and labelling theory etc. that tried to explain the psychology behind being a criminal, but each of the theory had more or less a similar drawback of considering one single character at a time, leaving behind the other factors masked.

The reasons for commission of a crime deeply could be categorized into two types; one being the personal factors and the next being environmental factors. Personal factors contributing to the commission of crimes includes the characters one possess, including the genes inherited, physical defects, frustration, self-blaming tendency, mental abnormalities. The environmental factor on the other hand, includes ones, surrounding, such as being from a broken family or a poor home, having

a delinquent neighborhood, lack of discipline in the childhood, abusive peer group and the varied beliefs between culture and law. Though crime cannot be considered as being a single cause and effect principle on just one factor. Crime prevails as a result of interaction between both environmental and personal factors.

## **2.1 PERSONAL FACTORS**

Humans are believed to be the genes they inherit, so is the case in the criminal behavior as well. Though the external factors play a significant role in which they are being shaped. Positivists gave the explanation for the biological theory of being a criminal.

### **2.1.1. BEING BORN AS A CRIMINAL**

Lombroso, Ferri and Garofalo stressed on the genetic theory of criminal behavior. They claimed criminals as being born as with a “distinct type”, later named as “born criminal” based on degeneracy in the genes or occurrence of atavism. Lombroso also suggested physical deformities being as one of the common characters of criminals. Theory based on atavism and degeneracy of the allographs was further subdivided into two subtypes, criminality and occasional criminals. Positive school of criminology though was criticized on the grounds of being descriptive rather than experimental. The nature vs nurture theory also comes here in account, being more driven towards the aspect of nature is as born.

#### **2.1.1.1. CRIMINALOID CRIMINALS**

These are the occasional criminals, though born with atavistic characters but only commits crime when perceptible characters are present. Otherwise they live a normal life.

#### **2.1.1.2. CRIMINALS BY PASSION**

These includes the born criminals. They are the ones who commit crimes based on their emotional severity; giving them motive to commit crimes so as to fulfil their desires.

## **2.2. PHYSICAL HANDICAPS**

Society often considers the people born with deformities as inferior, promoting a sense of aggressiveness or guilt, within the victims, leading them to path of delinquency so as to prove their superiority. Smith explained the importance of glands hyperactivity or hyperactivity, being a causative factor for criminal behavior. Hooton suggested criminal behavior as a result of biological inferiority. The physical characters that could be linked to corresponding criminal behavior, if provoking environmental conditions are present, could be summarized as under.

- Person with morphological characters such as long thin neck, sloping forehead, small ears, sloping shoulders are more inclined to criminal tendency due to the humiliation faced by them.
- Tall and thin people are more inclined towards becoming murderer and robbers.
- Short heavy people are prone to commit sexual offences.
- Tall and heavy people are inclined to cheat.

Further studies on the theory though gave different results as different environmental conditions were provided during their lifetime. Johanness-et-al studied identical twins for their proneness to crimes. Results suggested that 10 out of 15 monozygotic twins had similar chances of being a criminal when provoked by environmental factors and 15 out of 17 dizygotic twins showed concordant results for them being prone to criminal behavior. LGBTQ focused hate crimes recorded in the 2009 USA, saw a hike as 10,690 cases in a year.

### **2.3. MENTAL ABNORMALITIES**

The psychogenetic school of criminology aims to understand the defect from “within” the criminal. The criminal act performed is not under the conscious of the perpetrator but is something is not aware of while commission. Henry Goddard reported that the greatest single reason for having a delinquent behavior was having a low IQ, along with the influence of major environmental factors, along with his temperament. Sutherland, 1928 found that 50% of the criminal are feeble minded.

#### **2.3.1. LOW IQ**

Being a moron, i.e., having an IQ between 50 and 70 contributes as one of the major reason for criminal behavior, as the perpetrator does not have a proper control over his actions and is more often not aware of consequences. Though the process of criminalization includes clubbing with negative environmental factors.

#### **2.3.2. MENTAL ILLNESS** “OUR MISSION YOUR SUCCESS”

Each person is unique in personality which can only be understood by an in-depth analysis of the factors one possess. It is either the effect of the way in which his childhood, might had been spent, or any emotional interaction with an inmate. Analyzation of psychological factors plays an important role in differentiating as whether being delinquent or not. A crime committed by an insane is devoid of mens-rea. Healy’s research distinguished mental psychoses, leading to crime into three categories:

- Schizophrenia: these includes the individuals living in a state of delirium, causing real world and their imaginary world to merge. Raman Raghav aka India’s jack the ripper, committed most of the crimes due to him being a schizophreniac patient.
- Manic depressive: the ones possessing drastic mood fluctuations.
- Paranoid: they have a feeling that everyone present near them is there to harm them.

The other diseases that add on to the behavior of being a criminal are multiple personality disorder, depression. The factors explained above were further explained in a mathematical equation given by David, stating that crime is committed as a tendency to respond in a particular situation based on the psychological condition. The formula being:  $C = T + S \div R$

[Where C = the crime committed; T= the tendency of the criminal to commit the crime; S = situational circumstances and R = the resistance of individual for impulse]

But the overall factor influencing criminal behavior could not just be said based on the psychological illness or the causative factors mentioned above, environmental factors also play an important role.

## **2.4. PERSONALITY TRAITS**

Various characters such as an individual's aggressive behavior, his response to failure and events of excitement gives an idea about his proneness of him being a criminal. Criminals have a differential way of handling life problems. Beccaria in classical theory explained crime being done so as to gain pleasure. Other traits criminals include are short temperedness and inability to balance the unconscious and conscious parts of the brain, promoting him to commit crime.

## **2.5. LEARNT ATTITUDE**

Differential proportional theory suggests the importance of learnt attitude as in being a criminal. Sutherland divided criminal in two categories: situational and genetic. A situational criminal is the one who commits the crime as a reaction to the particular situation. Whereas genetic approach is learnt from our own belief about something. This basically aimed to say that a criminal does a crime because of his belief about a particular way being right. Merton's theory suggested crime being done so as to bridge between the culture and the structure based on the rules of the society and the individual.

## **3. ENVIRONMENTAL FACTORS**

Environmental factors play a major role in deciding the personality of an individual. It is an age saying that, "you are what your surroundings are", and similar is the case here. In cases involving juvenile delinquency, it is mostly observed that the juvenile either belongs to a community where criminal activities prevail, or, is a victim of defective household discipline etc. Social media plays an important role in an individual due its high visual impact. There have been many cases seen where criminals were influenced by a movie actor for choosing his modus operandi.

### **3.1 BROKEN HOMES**

Bronner suggested that 50% of delinquents in United States were from broken homes. The absence of parental support, guidance often leads the child to search for that love and affection outside,

leading to fall in the trap of organized crime groups, making him a delinquent and a criminal in future. Sutherland found 70% of juvenile delinquents belonged to broken homes. Though the factor also depends on the childhood conditions faced. The general definition of a broken home being the situation in which either of the parent is not there. But if that place is filled by any other responsible family member the path of delinquency could be stopped there and then.

### 3.2. POOR HOMES

Stephan-et-al found that a major proportion of the criminals belonged to a poor home. Delinquent subculture theory also highlights the humiliation faced by the children belonging from a lower - class often residing them to join a syndicate, so as to prove their worth. Cloward-et-al in differential opportunity theory suggests the reason of crime being the absence of freeness in the legitimate methods used by an individual, leading him to reside over much easier criminal methods.

Children belonging to poor homes are often resided to committing crimes due to the absence of a positive role model. So they reside to the more easily available criminal subculture, satisfying their wishes through illegitimate deeds. A poor juvenile being more prone to harassment may start to have a belief that it is violence that could gain him back his status. Conflict subculture gives an answer to this approach as in poor homes , so as to gain status young ones group themselves and begin being involve in violence and illegitimate later being a part of a bigger gang and so on , the chain goes on .

### 3.3. FAMILY

Family has an important influence on how a person is. We are what our family has taught us in childhood. Lower-et-al gave the exact definition of a normal family, idle for a healthy growth of an individual. The factors included,

- Structural completeness: which involved presence of both the parents to ensure best growth of the child.
- Economic stability: As told above monetary status plays and important role in shaping an individual. It is the economic stability that enables us to maintain necessary health and status in order to fulfil our goals.
- Moral conformity: which involves the fact that is the family living as per the moral values of the community.
- Physical normality: involves the idea that all the family members are psychologically stable.
- Functional adequacy: the most important factor of all; being the absence of any kind of abuse and riots amongst the family members.

Experiments conducted based on the factors mentioned above stated that these factors if absent, leads to a higher chances of inclination towards criminal behavior.

### 3.4. PEER GROUP

Walter Gluecks, out 107 factors chosen for finding the factors that affect criminal behavior found “delinquent companions” to be in the first place. Shaw-et-al in social disorganization theory suggested the presence of “delinquency area” having the highest number of delinquents in the region. So the people with lower income, tends to live in the area due to its lower cost, making the chances of getting attached to a delinquent peer even higher, leading to the person committing crimes. It is often seen that crimes are committed only oneself in a specific delinquent peer group.

### 3.5. NEIGHBORHOOD

Ecological theory suggests the presence of delinquency area, as one of the most cheaply available area of the town. People of the area being unsuccessful, mostly residing their lives by criminal activities. Being in their neighborhood increases the chances of being engaged in criminal behavior, so as to earn for living. Again, here the too it is the other factors that would influence the decision of the criminal of being one or not.

### 3.6. UNEMPLOYMENT

With the growing population and the in-ability of the authorities to meet the population demands, delinquency is also increasing. As a result of unemployment, the ones having a deformative mindset are attracted towards criminal opportunities so as to lead their means of living. Unemployment and criminal behavior are directly linked to one another. Wales’s police in 1996, showed the relation between the increases in crime as the wage of workers was decreasing.

## 4. CONJUNCTION OF ENVIRONMENTAL AND PERSONAL FACTORS

So far we discussed individually about the personal as well as the environmental factors that influenced the delinquent behavior. As observed it is never a single factor that cause a criminal behavior to exist. The simplest definition of why a crime was caused is  $C = \frac{S}{I}$  ; where S is the deficiency of the social order and I being personal as well as environmental factor that either strengthened the person or weakened his will against a crime.

Motivational mechanism as said by Cohen, plays an important role between the criminal and the crime. The drive inspiring the criminal, his goals, perspectives, values, situation, extent a deviance in behavior is what acts as the motivation for crime. A criminal’s tendency to commit a crime, is similar to any other human behavior which is either acquired or inherited, brought in to consideration due to various factors involving both intrapersonal and interpersonal interactions.

It is the difference between dreamt and reached goals and the situations because of which the goal wasn’t fulfilled acts a catalyst to his criminal tendency. In most of the cases, it is seen that a crime has not been pre-planned but was an immediate act, suggesting the learnt attitude approach towards criminal tendency.

There is a need to understand the psychology of a criminal while committing the crime in order of the punitive aspect. All the criminals should not be treated alike. Criminals are not anti-social, instead they too are a victim of the unbridged gap between the societal and the personal belief.

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