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RESEARCH ARTICLE

A STUDY OF CRIMINAL BEHAVIOUR (CAUSALITY & PREVENTION OF CRIME)

Aman Tiwari

(Penultimate Year Student of Law B.A. L.L.B, National Law University Odisha)

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Abstract

This research is set out to carefully analyze the psyche of the criminals and to identify commonality in their behavior irrespective of the demographic aspect. The research aims at analyzing criminal law theories and their practical usage in modern scenario. Crime is defined as an act of deviance from socially accepted norms translated as criminal code. Countries all around the world have a definite set of criminal code compromising principles of morality and ethics as per their unique culture and society. But in practicality, these principles have failed to culminate the desired result of prevention of crime upon implementation by the traditional methods of enforcement. Deviance relates to the subjectivity of society. Considering morality as a subjective aspect would propagate deviance among individuals formed out of different circumstances than the majority. Hence, crime is often committed by the minority upon the majority in a society. The ultimate aim of the research is to identify the principle of causality in relation to crime and eventually portraying an effective approach for the prevention of crime.

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Introduction: -

“Man is condemned to be free; because once thrown into the world, he is responsible for everything he does. It is up to you to give [life] a meaning.”
 -Jean-Paul Sartre

Crime is an act of deviance from what society has construed as against the societal norms translated into a criminal code. An act involving intention at its core, the intention to deviate from socially accepted actions without any legal justification. The word "crime" has its origin from a Latin term "crimen" which means "to charge". As per *Blackstone*, a crime is "an act committed or omitted in violation of a public law either forbidding or commanding it". Crime has an umbrella effect on the society irrespective of the victim. Unlike any civil act, it poses great threat to the psychology of the people constituting society at large. Crime at the surface is considered as a single act but most of the time it involves a series of complex psychological decisions to which the criminal is often seems unaware of as it is influenced by the unconscious self. "Every criminal is such by reason of unconscious forces within him" [1]

Are people born criminal or are formed by circumstances? (The Nature versus Nurture Debate). An individual may not possess the characteristics of a criminal by birth itself, but may develop such characteristics over the passage of time. The Differential Association theory commonly known as Social Learning theory was propounded by *Edwin H Sutherland*. It states that upon interaction with others, people tend to learn the values and develop motives for criminal behavior. The theory is formed around the assumption that human beings are born neutral (i.e. neither with

conformity nor unruly). Humans learn through imitation. People learn from the social surroundings and the behavior of others around them. Many sociological factors such as educational drop out, loss of parent and bad childhood etc., may cause the development of negative character in an individual. These factors for the purpose of research are termed as 'strains'. Strains are contributory factors which forces an individual to have a myopic perspective and to make a hostile choice of acting in a certain manner which would fulfill his or her desire but through illegal means. They will be dealt in greater detail in Part I of the paper. Strains are responsible for developing negative characteristics amongst individuals. One such character which is a commonality in criminals is 'apathy' (i.e. lack of empathy or desire of welfare of others). [2] The process of determining such personality traits is called criminal profiling. [3] The process helps to determine motive by categorizing the individual's behavioral tendencies, demographic variables and geographic location. It forms a database of an individual's life instances and their psychological consequences over his psyche which further determines whether the individual have a tendency to become a repetitive offender or not.

Do they satisfy themselves by way of self-pity or they act regardless of guilt?

It is a matter of concern as what all goes through the criminal's mind while deviating from socially acceptable norms and commit crime. 'Guilt' is a psychological feeling which arise out of conformity and is largely influenced by the society's changing perspective towards human actions. It differs with passage of time as society evolves and what may earlier be a condemnation may not be so at present scenario. In order to actualize the answer to the abovementioned question, one may have to delve in the Positivist theory, which states that there are psychological, biological and sociological aspects which govern the mind of individuals. It is parallel to the idea of *determinism*, which states that free will is often undermined by prior experiences and influences, which determines the present behavior. It does not mean that criminals are born but the fact that owing to biological and sociological factors the individuals unable to realize their free will. Subversion of free will allows an individual to generate a feeling of 'self pity' and enshroud the feeling of 'guilt', deep within their unconsciousness. Hence, upon close observation, one could conclude that the criminals after committing the offence, often seem deprived of 'guilt', even after condemnation by society through punishment.

Do they act despite of consciousness or they act in void of consciousness?

There are two perspectives for determining the human nature. First, is the conformity perspective, which view humans as creatures abiding to conformity upon their desire to do what they deem as right. There exists an underlining assumption that humans are inherently 'good' and have a 'tendency to abide by rules and regulations'. This conforming nature of humans are largely governed by the attitude and values of others in the society. Strain theory by *Robert K. Merton*, follows the *conformist* view, while stating that people when come in contact with strains, tend to shed their natural conforming nature and deviate from acceptable norms in order to fulfil their needs. Strain theory and differential association theory are similar in many aspects as both involve the presence of 'strains' in the society. But there exists fundamental difference in the assumption as one assume humans as 'neutral' in nature by birth while the other assume humans having 'conforming' nature. Moreover, the major difference lies in the motive as in Differential Association Theory, people because of the strains, transform their neutral nature towards deviance in order to fulfil their desires, while as per Strain Theory, people deviate from their natural conforming nature in order to meet their needs. Discrepancies in materialistic needs and means to accomplish, result into formation of strains.

The other perspective is that of *nonconformist*, which assume that humans are fundamentally unruly or anti-social and deviance is in their fundamental nature. The General Theory of Crime by *Gottfredson & Hirschi* explicitly states that the deficiency in self control leads to crime and delinquencies. The theory consists within, the aspects of Social Control Theory by *Travis Hirschi*, which follows the *nonconformist* perspective. Upon socialization, such inherent characteristics are kept in check. This theory cannot objectively be applied as the non-conformist attitude are found not in all but in exceptional cases owing to certain biological and psychological aspects.

What changes are required in dealing with the criminality in order to prevent the crime?

Cesare Beccaria, initially came up with Classical theory which view human behavior as fundamentally driven by choices made upon weighing down the pleasure in seeking the act with the amount of pain he would endure as a repercussion and therefore forming an informed choice. Hence, the theory emphasis that the punishment must be swift, certain and severe enough to weigh down the pleasure in seeking the act of deviance. It is based on a principle assumption of humans as masters of their own fate owing to the existence of free will and choice. This theory in modern world is known as deterrence theory, marking the free will as a hallmark of human behavior.

In order to govern the society, the government has to form a formal organization such as police, to control individuals' behavior and to achieve a minimum degree of order in a civil society. The police were equipped with coercive power for their proper functioning. But the way they have used their power have created a huge gap between the community and the police. Police are often seen as oppressor than their designated role of protector by the community. Community Policing, is a modern method of police department striving for reduction of crime and disorder and concern with the quality of life in the community. Unlike present scenario where community is considered as a passive subject to govern, it perceives community as its agent in promoting peace and tranquility and thereby adopting an active role. Part II deals with reforms pertaining the department of police reinforcing trust with community and emphasis on moral restructuring with an objective perspective.

Factors For Development Of Strains: Origins Of Criminal Behavior:

Sociological criminology has a huge impact in framing the psychological criminology of the criminal. Sociological criminology consists of social patterns around an individual which forces him to opt for unlawful means in order to fulfil his desires. One such social pattern is the class difference within society. The unequal apportioning of power within the society tends to create social constrains amongst individuals which are at the unprivileged side of the society. Eventually, it compiles around the psychology of the individual and induces the criminal aspect of their behavior to arise at the surface. A major portion of psychological criminology consist of the cognitions in form of beliefs and values accompanied by thoughts attached to a person about the social surroundings and humane interactions. These cognitions are largely influenced by sociological criminology as all those social strains which an individual perceive, forces him to make a choice which is not socially accepted and are considered abhorrent. Prejudice is one such cognition which distort social reality and is often found embedded within the core of hate crimes or bias crimes. Crimes influenced by prejudice are inflicted on the victims on the basis of a belief which has no substantive backing and is simply out of biasness or hatred. Religion, gender or race are some of the grounds upon which the criminals put their prejudice and inflict the crime. Antisocial or criminal behavior in an adult often traces back to the childhood as each individual's life has gone through a specific developmental pathway. Each such pathway may have a presence of risk factors which turn the pathway towards deviance and introduce negative character in one's personality.

Social Risk Factors:

Poverty:

Poverty is considered a state of deprivation where basic resources are in absence which are required to maintain an average standard of living. It involves sufficiently low income to meet the basic requirements in order to meet the necessities. According to the Asian Development Bank, approximately 21.9% of the sum total of population of India is below the National Poverty Line as per 2011 Census. [4] The World Bank states that one in every five Indians is suffering from poverty. [5] Antonio Mario Costa, the Executive Director of the United Nations Office on Drugs and Crime (UNODC) have often reiterated that crime is subject to causality as both cause and effect of poverty and hence be dealt simultaneously and not independently. [6] Individuals having their childhood spend in dire economic conditions involving low-income family accompanied with poor housing and unemployment are more prone to exhibit either the role of victims or offenders of violent crimes. Presence of poverty is always accompanied by its co-factors including discrimination, racism, social isolation along with inequities of resources.

All above factors diminish the parental capacity to provide supportive and consistent parenting resulting into lack of social support and opportunities. Parent often opt for coercive approach towards children which generate a negative self-concept among them. [7]

Impact of Peers (Rejection & Association):

During the stage of adolescence, the influence of peers overpowers the parental influence. [8] This is because adolescents easily get connected with their own age group. During the period of adolescence, every individual goes through tremendous changes both in terms of biological and mental aspect. Parents are not able to connect themselves that efficiently as the children of that age group. Moreover, if during this stage of life, any individual suffers from social rejection by the peers, it increases the probability of deviance and antisocial behavior. [9] A research exhibited by *Cowan & Cowan* in 2004 [10], suggested that the marital life of their parents plays a significant role in the causation of rejection by peers as a disturbed environment of home, affects the psyche of the children which further can be witnessed by the way of their interactions with other children. The rejection by the peers caused by their actions attract them towards antisocial peer groups. The association with such groups at the

stage of adolescence may result into growth of negative characteristics in the nature of the children. They may indulge into substance abuse as well. [11]

Parental & Family Aspect:

Family environment is quintessential in determining children's behavior. The way parents interact with their children may become a risk factor to cause deviance in the behavior of the children. Presence of any kind of aversive events, including child abuse, coercive interactive amongst parents and parental rejection are core components in analyzing parenting intervention. [12]

Parental practices refer to parent's behavior pattern and have an exemplary role in the development of any form of specific behavior and characteristics in children. These are strategies opted by the parents to inculcate specific aspect in child which would be beneficial in achieving academic, social or other other goals which they desire from their children. [13]

As per *Diana Baumrind*, there are four types of recognized parental styles. These styles are different from parental practices as they refer to the parental interaction and attitude with the children eventually framing the emotional aspect of parent-child relationship. [14] The four types of parental styles are categorized under, authoritarian, neglecting, authoritative and permissive.

Parents opting for authoritarianism as style often attempt to shape their children's behavior by controlling and scrutinizing them as per some pre-established stagnant standards. Parent discourages any contact with their children which would imply equality between them as parents are in absolute authority. The parents demand unquestionable respect towards their authority and any kind of deviant behavior or action is met by punitive and forceful measures. Upon ineffective application of coercive measures by the parents, every member of the family exhibit aggressive behavior. [15]

The complete opposite to authoritarian style is the permissive style of parenting which involves a more tolerant and non-punitive attitude towards children. They avoid asserting their authority over children or even impose social controls over their behavior. The parents are of the opinion that children may learn through their own mistakes and permit them freedom and independence. Research have not recommended this style of parenting. [16]

Authoritative style of parenting is a balanced mixture of both authoritarian and permissive styles. Parents aim to firmly establish family rules and standards in their children's behavior while encouraging independence to maintain their individuality. At last, the neglecting style of parenting which is considered as the most influential style of parenting to induce risk factors among children. [17] Parents opting for such a style are neither demanding nor responsive towards structuring their children's behavior owing to lack of interest.

Lack of Attachment:

All these parental practices and styles have a huge impact on the psychology of the child. According to *John Bowlby's* attachment theory, early parent-child relation craves out the framework of social relations of children at their later stage in life. Attachments can broadly be divided into two types, secure attachments and insecure attachments. Infants with secure attachments exhibit confidence when in the presence of their mother in an unfamiliar environment. While in their caregiver's absence, they tend to become distressed, but easily get delighted upon their return, hence demonstrating positive social behavior. Mothers who are sensitive and affectionate while being responsible tend to nourish such type of attachment in their child leading to development of positive psychology. [18] However, the opposite can be expected from children having insecure attachments. These insecure attachments can further be categorized into anxious or ambivalent style and avoidant style. The infants having anxious style of attachment get intensely distressed and anxious upon the absence of their mother and refuse to explore when kept under unfamiliar environment. Moreover, they push away the return of their mother by crying and become hostile towards their mother. The avoidant style, however, infants exhibit distress irrespective of the presence of the mother and rarely show any kind of emotion on the reunion or separation from their mother. Avoidant attachment during the early stages of life inclines an individual towards detachment in adulthood. *Adshhead* [19] in his research has found that majority of the violent offenders have the tendency to exhibit redundant attachment style, resulting into lack of capacity for empathy towards human relations.

Psychological Risk Factors:**Lack of Empathy:**

Empathy broadly exist in two forms: cognitive and affective. The cognitive empathy is the ability empowering individuals to understand the pain of others by placing themselves in their shoes. It requires change of perspective. However, affective empathy is “an emotional response characterized by feelings of concern for another and a desire to alleviate that person’s distress”. [20] Person exhibiting affective empathy has the ability to experience another person’s emotions while those having cognitive empathy can understand another person’s emotions. As per *Jolliffe & Farrington*, they both can coexist and are not mutually exclusive to each other.

Low affective empathy is considered as a core component of psychopathy. It’s a condition prevalent in psychopaths having multiple psychological and behavioral factors inclined towards deviance and antisocial behaviors. Upon analyzing the behavioral tendencies in psychopaths, often it seems that they do have the ability to understand other’s emotions but they lack the ability to experience them. In other terms, they do show characteristics of cognitive empathy but they lack affective empathy. [21]

Cruelty towards animals is considered to be connected with the lack of empathy and induces violent behavior towards humans. [22] Cruelty to animals is explained as “socially unacceptable behavior that intentionally causes unnecessary pain, suffering, or distress to animals”. [23] Deficiency in affective empathy is considered to have strongly linked with future tendency of violent criminal behavior, as the inability to experience the pain of others corresponds to violence in both men and women. [24]

Cognitive and Language Deficiencies:

Notwithstanding the mass generalization, majority of boys develop antisocial behavior in response to cognitive and language impairments. [25] Language impairment is referred to problems associated with expressing oneself or understanding others. Children experiencing such impairments during their childhood; usually between five to ten years of age were seen more prone to delinquent behavior in adolescence when compared to those who haven’t had such impairment. Upon close observation of causality of such effect, it can be understood that the rejections and negative reactions from different parts of society, be it peer groups or teachers at schooling level have an enormous impact on the development of delinquent behavior.

The inception of deviance is thus quite evident as children having language impairment often project poor and disinterested performance on academic level which further degrade their stability and confidence. Frustration is also an additional component which is often borne by them and its mismanagement leads to aggressive and disruptive behavior initiating from home and spreading across all levels of societal interaction.

Prevention Of Crime: Moral Restructuring & Community Policing:**Moral Restructuring: A Shift from Subjectivity towards Objectivity**

Our beliefs often lead us to consider the perception of reality rather reality itself. Moral code if interpreted subjectively as based on one’s belief result in creation of deviance. [26] Subjectivity corresponds to the circumstances influenced by perceptivity. Perspective is a view from which we analyse an objective aspect of life subjectively. It is only natural to deviate from reality as one is governed by circumstances and not the other way around. In order to counter deviance in society, we must encourage to develop and implement an objective construction of moral code. Community Policing allow people to shed their subjectivity and work in collaboration with community to preserve objective interpretation of the moral code.

Philosophy in Conceptualization of Community Policing:

The theory of community policing has evolved into a practical aspect of governance owing to the failure of the traditional model of law enforcement. Often the reasons can be attributed to its repressive techniques promoting alienation from the citizens. The embedded philosophy of community policing states “that police officers and private citizens working together in creative ways can help solve contemporary community problems related to crime, social and physical disorder and neighborhood decay”. [27] It involves drastic shift in the perspective of governance by enforcing recognition of community by police as its best resource as well as its greatest ally against its fight to prevent crime while establishing a strong partnership.

The acknowledgment of such paradigm shift must be based upon the understanding that police alone cannot resolve the problems associated with crime and disorder. Moreover, the responsibility must have acquiesced by both public at large and police as government functionary. It was Whitaker who coined the term, 'co-production' in 1982 to represent the ideal cooperation of police and community as "citizens and agents interact to adjust each other's service expectations and actions". The denial of the logical consideration that crime compromises of a wide range of human activity and unpredictability and the fact that no singular agency of a democratic society is empowered to impact the same has led to the failure of traditional method of prevention of crimes. The direct relation between social order and crime has been acknowledged by majority in the past. The findings of the 'foot patrol experiment' in Newark (New Jersey) in early 1970s pointed out to a fact that irrespective of the rate of crime in the areas where police foot patrolled, people of the concerned area felt an enormous sense of security and safety from criminal activities thus removing social and physical incivilities. Criminals are born out of society as a percussion of social incivilities and moderating the same does tantamount to reduction of criminal activities born out of such aspects of society. "The essence of the police role in maintain order is to reinforce the informal control mechanisms of the community itself". [28] Foot Patrol Experiment conceptualize the importance of proximity in the relationship between police and community.

Community: A Concept

Community policing presupposes an active participatory role of community combined with the efforts of police by pooling the resources to maintain peace and order while addressing deviance. Owing to the subjective characteristics of 'community' and its intrinsic connection with deep seated emotions, sentiments and beliefs, it has been a tedious job to define the term objectively. According to the Blackwell Dictionary of Sociology [29], "a community is a collection of people sharingsimilarities - as in "the artistic community" –not mandatorily living in a particular place. It can be a proximity with others, such as belonging and identification, as in "community spirit" or "sense of community." It can compromise a set of people who do work of similar nature, as in "the health community" or "the academic community." And, possibly in its most concrete sense, be a collection of people sharing geographical territory or some measure of interdependency that provides a reason for living in the same place. There are exceptions to it, such as hunter-gatherer bands (nomadism) moving from place to place. However, geographically based communities involve living, working, and carrying out the basic activities of life within a territory defined by residents as having geographic identity, prominently reflected in the assigning of place names and the drawing of boundaries.

Hence, not only the local government and the neighborhood residents compromise as members of a community but also the schools, hospitals, places of worship and other private and public agencies too. Due to diversity and multiculturalism, conflict of interest is evident among various communities. In order to maintain public order and peace, police must take into consideration both conflicts and commonalities among existing communities. "Relying on such neighborhood networks may be the first step in recognizing community forces at work, may minimize apathy and lack of co-operation and may create or increase a sense of community among the citizens involved." [30]

Community Mobilization:

Community policing consist at its core the essence of 'trust' between police and community at large. It recognizes the value of activities which contribute to effective orderliness in the society. Some of these activities may include helping a victim of crime or accident, voluntarily providing emergency medical assistance, resolution of domestic and local neighborhood conflicts, protecting civil rights, controlling and maintaining traffic and automobiles, and actualization of model of citizenship. The abovementioned activities are the means to establish trust and working relationship with the community.

The order to achieve successful mobilization of community, the police shall ensure two conditions. Firstly, it must identify all available existing community resources and pool them together to bear upon community problems. Secondly, to develop various local organizations such as block associations which would eventually act as a resource for police to carry out its responsibilities by consultation and formation of joint strategies.

Problem-Oriented Policing:

Problem-Oriented Policing is a singular method deviating from the traditional method of "professional policing" and consist of both intrinsic and extrinsic aspects of governance. The extrinsic aspect foster and develop a new relationship with community in totality aiming to reduce tension and create a reservoir of goodwill enabling the police to work in consonance with the community. However, the intrinsic component focuses narrowly on the

specific nature of problem or dispute in concern. The police determine whether the problem can be eliminated by a collaboration with any form of community involvement or not and act accordingly. Problem-Oriented policing strikes a balance between the proactive and reactive roles of the police. "In the broadest context, problem oriented policing is a comprehensive plan for improving policing in which the high priority attached to addressing substantive problems shapes the police agency, influencing all changes in personal, organization and procedures." [31]

It involves change in perspective in dealing with the issue at hand. Police has to move beyond mere handling of the incidents and must recognize the causality behind the entire scenario. It must recognize the incident as an overt effect of substantive hindrances underlining the complex life patterns of the community.

The problem-oriented policing marks a drastic shift from professional policing which is based on promoting operational efficiency with respect to rapid response, centralized control and objective neutrality. It renders the police as mere responding and reactive agency of society.

Problem Solving Nature:

Community policing adapts problem solving philosophy as a crucial component of its functionality. It is based on an underlining assumption that every crime and act of incivility can be sourced down to specific areas by understanding the characteristics of region specific problems and then apply available resources. An assumption that individuals inclined to make opportunity based choices affected by instantaneous physical and social characteristics of concerned area. Thus, any positive institutional change regarding these factors will decline the probability of occurrence of offensive activities. "The incidents will continue so long as the problem that creates them persists." [32]

Such collaboration with the community to resolve problems shall reinforce trust and facilitate exchange of information leading to identification of other connected areas which could be resolved by availing the benefit of mutual understanding between the police and the community.

Police working at the ground level and having a direct interaction with the community often act as a catalyst to resolve any imminent threat. They interact with the community on daily basis and understand its complexity and social as well as physical characteristics. Hence, it becomes imperative to identify the local problems and articulate the needs of community members.

Professor David H. Bayley came out three essential components of community policing as:

1. Consultation between police and local community (neighborhood) regarding persistent social, economic and welfare problems, policies and establish priorities.
2. Adaptation of strategies to curb local menace pertaining to specific region.
3. Mobilization of all extrinsic and intrinsic resources of community.

Actualizing "community policing" is considered as a paradigm shift from the contemporary methods abided by various government functionaries all across the globe. A shift from a view of seeing the functioning of society as a separate entity independent of the societal structure to an integrated social vision considering both police and community as proactive members and contributors in the development of social values and ethics.

Conclusion:-

"The victim mindset dilutes the human potential. By not accepting personal responsibility for our circumstances, we greatly reduce our power to change them."

-Steve Maraboli

The **Victim Drama Triangle**, a study by *Stephen Karpman* published in 1968 is quite pertinent in the current scenario worldwide. It incorporates the relationship between responsibility and power and their importance in drawing out the boundaries. It acts as a tool to actualize self-awareness and allow oneself to be independent from his or her perspective roles in the society. It is upon improving interpersonal relationships and realizing their responsibility that the people can be empowered to make wiser choices. People in the society adopt a role as per circumstances among: the rescuer, the persecutor, or the victim. They all shed their true values and adopt the values of the label that they self imposed upon themselves. The Rescuers are the classic enablers and are responsible for

cultivating a culture of co-dependency by maintaining the status quo. Whereas, the victims act accordingly and refuse to take responsibility of their acts and circumstances propagating the persecutors to fulfil their role by acting out of authority, anger, rigidity and superiority. The persecutors deny their empathetic nature of being and act disproportionately to satisfy their beliefs.

Thus, we as a society must find our independence once again from our self imposed labels and realize our potential by proactively participating with the functionaries of government to resolve a social issue of deviance and incivility. We must conceive the principle of causality and remove ourselves from this framework of victim drama triangle.

The concept of "community policing" allows us to actualize our freedom and empowers us with responsibility to collaborate with police to tackle criminal mentality and reduce incivility. A bond of trust and reliability is formed between society at large and government functionary allowing local community to not only act as a subject of law & order but also to exhibit a proactive role in minimizing the deviance. Moreover, an objective perception of moral code is developed amongst community allowing little scope for deviance encouraged by subjectivity arising out of individual beliefs and enforcing conformity to preserve society.

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