

“Thread between Criminology and Psychology: Are some people more prone to break the law than others”

*Priyanka Mangaraj
Galgotias University
Greater Noida*

The word ‘criminology’ refers to analysing the causes and prevention of crime, whereas, ‘psychology’ focuses on the thoughts and feelings of individuals. Both focuses on different aspects but somewhere down the lane, both the terms are connected to each other. From the time of early history, a king has always been praised for being just full, helping the poor and punishing the black hearted. But not even a king or his philosophers or modern day psychiatrists hasn’t been able to give a comprehensive and impeccable answer of why an individual commits a crime. In this new era, law breakers aren’t only the one who break the law due to external factors or circumstances, but also individual committing crime because of their impulsiveness, criminal tendencies, anti-social attitude and their mental illness. Nobody is a born criminal but every criminal has an emotional stigma, which does not justifies the crime but the least can be done is to understand them. These criminals due to their hot blooded or cold blooded murders are labelled as ‘psychos’ and are believed to possess characteristics different from a normal person. All law breakers aren’t suffering from mental sickness, so there’s also possibility of other sane people around that individual who can put him/her into that state of mind. So here’s a question of who is actually to be held responsible in these cases?

The aim of this article is to introduce to some of the theories to explain criminal behaviour such as their personality, mind set and the other social factors, along with that it will also explain the difference between an impulsive reaction and a cold blooded reaction, supported by some real life cases. It’s vital to know about how criminology has been evolved from ancient times to the modern era with different kinds of criminals along with their personality traits which makes them a complete distinct set of human beings and why are they more prone to commit crime. Social process theory of what measures can be taken towards these individuals and psychological effects on non criminals shall also be discussed.¹

The objective is to study the thread between causes of crime and the mindset of individuals committing these crimes. The common response to crime has always been revenge, to make the offender feel the exact way as the victim or his family has suffered. Due to development of first laws and codes it has been observed that a crime committed not only has a take on victim’s life but also on the offender’s life. In this article we will discuss how crimes changed from time to time along with people’s mindset towards it.

Punishments have been consistent from the time of lord and lordships. It is important to understand its development through its formulation of theories. Earlier there were several theories of punishments before modern times². Some of the major theories are,³

¹https://is.muni.cz/el/1423/podzim2015/BSS166/um/Ian_Marsh._2011._Psychological_Explanations_for_Criminal_Behaviour.pdf

² <http://jaapl.org/content/jaapl/39/1/135.full.pdf>

³ http://ati-psychology.co.uk/app/webroot/img/uploads/unit_pdf/bdf37ba08a9.pdf

1. Deterrent Theory:

To deter means to abstain a person from doing a certain action. The main objective is to punish the criminal severely so as to prevent others from committing that crime by creating a sense of terror amongst them. In some of the countries even today, their jurisprudence is based on this theory.

2. Retributive Theory:

Retributive simply means “tit for tat”. The aim is to make the criminal suffer as much as the victim has suffered so that the abuser would be able to feel the same and not commit such an action again. The state gives this kind of treatment as if not then the individual (victim) will take personal revenge or will be too scared to file a complaint against the criminal and therefore the state would be vulnerable in dealing with these criminals.

3. Preventive Theory:

In this theory it was discussed that the criminal should be totally cut off from the society. Punishments like death penalty shall be given or the criminal should be locked up in the jail forever so that he would remain far away from the public and hence this would be the best method to prevent the criminals from committing crimes.

4. Reformatory Theory:

The object of this punishment is to change the mental state and environment of the criminal. The point is if one only gets punishment he/she would only be in fear or suffer, but the state of mind will remain the same. So in order to uproot the crime his mentality should be changed. Such an atmosphere should be created where the criminal will find peace with himself and repent for his action by means of rehab centres.

5. Theory of Compensation:

In this theory, victim loss was the crucial objective, where not only the criminal shall be punished but also the victim shall be compensated for his loss.

Over the years, despite all the developments from theories to formation of civil and criminal codes, the criminal behaviour has been same. Some of the crimes are so heinous and cruel that its hard to deal with the mentality of such kind of criminals. Punishment do not bother them as its their mind which is sick, whether it be an impulsive reaction or a cold blooded revenge. In due course of time, with advancements of other technologies, even crime has reached into a whole new level.

The law breakers can roughly be divided as; individual who is mentally unstable, individual who is driven by circumstantial impulses, neurotic criminals and genuine criminals who takes pride for their own sins.⁴

In one the chilling case of 2011, which thrilled the whole of Delhi-Noida, is that of Nithari murder case⁵ where the accused Surender Koli had admitted of killing girls by strangling them and chop them and eat up their body parts after cooking them. The bones of the killed girls were found beside their house. It should be noted that these murders are not for any

⁴ <https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=3432&context=jclc>

⁵ <https://indiankanoon.org/doc/659859/>

particular reason but just the state of mind of a person who does not have any sympathy or humanity towards other's pain.

In another late case of 1988⁶, suspiciously some school girls were being missing from a particular section of Chennai. The police and the investigators couldn't determine their locations so concluded that those girls would be sold to prostitution, but during further investigation through a suspect it was found that an auto driver named Shankar would kidnap girls, kill them, cremate them and drop their ashes in Bay of Bengal.

In 2005-2009⁷, another psychological case of Cyanide Mohan came into news where a man used to lure girls to have physical relationship with him which would get them pregnant and make them eat contraceptive pills which in reality would be cyanide tablets. The moment an individual consumes these tablets it leads to the death.

Whether it be the most recent heinous crime Nirbhaya case⁸, where a young woman was gang raped by a group of men and steel rod was inserted into her private parts and her intestine was pulled out, or Kathua rape case⁹ where an 8 year old from Jammu & Kashmir in 2018, was raped and murdered. Along with the enhancement of technologies even criminal minds have been evolved, in Arushi murder case, the murder of a young girl was done with such a caution that finding the criminal itself was an impossible task. All these cases have been so inhumane that even death penalty or life imprisonment seems to be less for them.

However, it shall be noted that all these method does not abolish crime but rather make it even worse. The society in an implied way has a very sadistic approach towards it, firstly with commitment of crime and then punishing it severely. This however does not change the urge to do actions which makes other vulnerable or suffered. The problem should be removed from its roots, which is a treatment for psychological behaviour is need the most rather than only punishing. At a certain stage even criminals don't fear the consequences anymore as their mind is still criminal in nature. It would take a much longer time for the society to have a rational approach in this field and many more improvements is needed from a perspective of the state of mind of an individual who commits an unacceptable action.

⁶ <https://indiankanoon.org/doc/501107/>

⁷ <https://www.thenewsminute.com/article/k-taka-court-gives-serial-killer-cyanide-mohan-life-term-rape-and-murder-case-76982>

⁸ Mukesh & Anr. v. State (NCT of Delhi) & Ors (2017) 6 SCC 1

⁹ Mohd. Akhtar vs The State Of Jammu And Kashmir on 7 May, 2018