

THREE

Crime Causation

Multitudinous criminogenic factors are attributed to the incidence of crime. The complexity of criminal behaviour has been analysed and conclusive proofs have been arrived at by various erudite scholars. They have enunciated analytical, systematic and scientific theories to explain the causative factors of crime.

Incidence of crime has socio-economic and political ramifications. As crime causes damage to the society, it has a right of intervention into the private lives of the citizens whosoever deviates from the established social norms. And therefore, there is a dire need to analyse the causative factors so that remedial measures can be introduced to minimise the crime rate; incidence of crime can be mitigated. The study paves ways for administering curative methods. Correctional method, moral therapy and rehabilitative programme can be launched to transform the criminal behaviour to normal behaviour to emerge out as good citizens.

"Crime is the result of manifold causes, which, although found always linked into an intricate network, can be detected, however, by means of careful study. The factors of crime can be divided into individual or anthropological, physical or natural, and social. The anthropological factors comprise age, sex, civil status, profession, domicile, social rank, instruction, education, and the organic and psychic constitution. The physical factors are: race, climate, the fertility and disposition of the soil, the relative length of day and night, the seasons, meteoric conditions and temperature. The social factors comprise the density of population, emigration, public opinion, customs and religion, public order, economic and industrial conditions, agriculture and industrial production, public administration of public safety, public instruction and education, public beneficence, and, in general, civil and penal legislation."¹

Another penetrating statement regarding causes of delinquency and criminal behaviour was made by the outstanding British psychologist, Dr. Cyril Burt. "Crime is assignable to no single universal source, nor yet to two or three: it springs from a wide variety, and usually from a multiplicity, of alternative and converging influences." Professor George B. Vold avowedly concerned with an analysis of criminal causation, "Crime must be recognized clearly as not being a unitary phenomenon but as consisting of many kinds of behaviour occurring

1. Harry Elmer Barnes & Negley K. Teeters, New Horizons in Criminology Englewood Cliffs N.J. p 206-207.

under many different situations. No single theory therefore should be expected to provide the explanations for the many varieties of behaviour involved."

According to Korn and Mc Corkle 'Crime is not only normal but inevitable, without it, society as we know it would be inconceivable and not quite desirable'². They further add that crime is one expression usually an undesirable expression of a tendency that is supremely desirable in society. While acknowledging the importance of combating crime, Emile Durkheim suspects that even in its most noxious forms, crime serves some useful social function. Durkheim further adds that crime is present in all societies of all types. Its form changes; the acts thus characterized are not the same everywhere; but everywhere and always, there have been men who have behaved in such a way as to draw upon themselves penal repression. As the genesis and development of criminality are attributed to social process it becomes important to understand the causes of crime. Criminologists have evolved different approaches to explain the phenomenon of crime.

The criminogenic factors can be mainly divided into two forms:

- ✓ 1. Individual Centric causes.
- ✓ 2. Society Centric causes.

However, there cannot be a specific demarcation between the two. They are complimentary to each other. Sometimes one particular pattern may be predominant; they are interrelated; sometimes they are overlapping.

1. Individual Centric causes

'The oldest theory advanced to explain the criminal conduct was a diabolical possession and instigation'. Crime was the result of a person succumbing to the blandishments of the evil spirits. This view flourished in primitive, oriental and medieval societies. Since evil spirits infested the person and had to be driven out, the conventional notion of primitive punishment was either to exercise the evil spirits or to get rid of the one possessed by death or exile - 'social death'. The demonism came into disrepute with the advent of rational thinking.

i) Phrenology - Gall

'One of the most ambitious, systematic and influential attempts to gauge character from physical confirmation was phrenology. Founded in the early 1800's by the famous Anatomist Dr. Franz Joseph Gall, phrenology was based on the theory that character and behaviour determined by the balance among thirty-five faculties or 'propensities' localized in the brain.'⁴ The phrenologists were among the first to

2. Richard R. Korn and Lloyd W. Mc Corkle, Criminology and Penology, p.276.
3. Harry Elmer Barnes & Negley K. Teeters, New Horizons in Criminology p.119.
4. Ibid p. 212.

maintain that 'Crime was a disease as well as a sin; in general they favoured more humanitarian treatment of criminals and opposed retributive justice.'⁵

ii) **Atavism-Criminoid**

'One of the most influential constitutional theories of crime was that of Cesare Lombroso the Italian military physician. He proposed a biological theory of criminality, hypothesizing that atavistic physical features characterized criminals.'⁶

He claimed that there was a relationship between criminality and physical traits. He observed that criminals can be identified by certain physical characteristics such as slanting forehead, long earlobes or none at all, a large jaw, flattened nose, scanty beard, heavy supraorbital ridges, either an excessive hairiness or absence of hair, either extreme sensitivity or lack of sensitivity or lack of sensitivity to pain. He classified the criminals as 'born-criminals', 'insane criminals', 'occasional criminals', 'habitual criminals' and 'criminals by passion'. Lombroso's followers remarked that dangerous criminals such as murderers, sex offenders and thieves could be differentiated by their physical features. However, subsequent empirical research invalidated this hypothesis. The features he described as unique to criminals were also frequently characteristic of non-criminals.

The theory based on "physical type" got the support of the totalitarian regimes because it was based on the notion of 'racial superiority'. A German Psychiatrist classified the physical characteristics into three types: pyknic type (large trunks with short legs), athletic-type (well proportioned body) and leptosome or asthenic type (long body and little weight) : and the three types showing different behaviour.

Ernest A. Hooten supported the theory of race and 'criminal stock'. He made a study of 13,873 male prisoners and 3,203 non-prisoners and divided them into nine racial types. He concluded that biologically inferior people were criminals. Several studies were made subsequently to establish that body-built has a relation with criminal behaviour.

According to Hooten, criminals were characterized by low and sloping foreheads, thin lips, compressed jaw angles, straight hair, thin beard and body hair, thick hair on the head, red brown hair, blue grey and mixed coloured eyes, basal bridges and tips varying to both extremes of breadth and narrowness, protruding and small ears, tattooing, long thin necks and sloping shoulders. He, however, failed to demonstrate why he regarded these traits as organically inferior. Hooten

5. Ibid p. 213.

6. Encyclopaedia of Crime and Justice. Ed. Sanford H. Kadish p. 308.

also made an effort to establish a nexus between physical characteristics of the person and the type of crimes committed by him. He said that murderers and robbers were of tall and thin stature, thieves and burglars were undersized and persons of short and heavy constitution were responsible for sexual offences and assaults. However, this claim of Hooten was refuted by other scholars.

iii) **Somatotypes**

William H. Sheldon and Eleanor T. Glueck have also concluded that body-built portrays a delinquent behaviour. Physical appearance also plays a vital role in the matter of interpersonal relationship in politics, work environment, social functions etc., Physical disfigurement is an important element in deviant behaviour including delinquency and crime.

According to Sheldon, three basic somato types are identifiable in the human population. Endomorphs are plump, round individuals with warm and affable personalities. Ectomorphs are tall and thin persons with reflective, sensitive personalities. The muscular, athletic mesomorph is socially assertive and vigorous. Empirical research has revealed that there is little evidence for the unique temperamental traits.⁷ Nevertheless studying somato types in relation to criminality may be an interesting adjunct.

Intelligence and Mental deficiency

It is said that intelligence and capability are inherited. Aristotle proposed an analogy of human behaviour to the growth of an oak tree and a birch tree from its original seed. He illustrated that the rainfall provided the immediate or precipitating cause for germination and growth but the final or predisposing cause that germinated into 'oakhood' or 'birchhood' was in the seed itself. This thinking may have been behind the concept of "bad seed".

The two factors- 'mental disease' and 'mental defect' were differentiated. The definition of insanity was formulated in 1843 when the Mc Naghten Rules were developed by a Commission appointed by the King of England. The term 'idiot' was coined by Issac Ray and it was described as 'feeblemindedness' in all statutes in England after the Mc Naghten Rules. However, Goring found that mental deficiency was a major cause in all criminal behaviour except in the case of fraud which required cleverness. Mary Woodward examined all the studies of low-intelligence crime and was convinced that low intelligence has no relation with delinquency.

Shulman has listed seven hypothesis that seek to explain this relation (i) the

7. Encyclopaedia of Crime and Justice. Ed. Sanford H. Kadish p. 308.

mental defective is a 'born criminal'—a 'moral idiot' (Lombrosian), (ii) Feeble-mindedness is a Mendelian unit-characters linked to criminality. (iii) The feeble-mindedness are prone to crimes of violence and sex-offences- either they lack the intelligence to satisfy their needs by more indirect means or because they cannot control their impulses, (iv) The feeble-minded are unable to grasp the social values of their culture (v) The feeble-minded cannot foresee the consequences of their behaviour, (vi) The feeble-minded are easily led into crime and cannot be deterred by the threat of punishment. (vii) Feeble-mindedness in neighbourhoods are common leading to delinquency.

Intelligence Quotient

According to Goddard people having higher I.Q. (Intelligence Quotient) were better organised, well disciplined and were found to be law-abiding. The greatest single cause of delinquency and crime is 'low-grade mentality', much of it within the limits of feeble-mindedness. According to his theory criminals were having low I.Q. level. But his theory had been repudiated in the beginning of 20th century. Psychologists have developed a relatively objective and reliable techniques for measurement, description and comparison for the test responses of a large number of people. In the research methodology Simon-Binet scale had been used to differentiate the I.Q. level of the criminals and that of the non-criminals of different age groups. Enough researches have been done by Pinter, Sutherland, Carl Murchison, Simon Tulchin in this regard. If 'feeble-mindedness' is taken as one of the important criminogenic factors, probably many of the well knit organised crimes, crime syndicates, white-collar crimes, super-crimes and modern crimes may not be committed by criminals. Proper planning and timely execution of such plans require not only intelligence but also cleverness, manoeuvring techniques, even appear to be from an affluent society and also with well refined manners and etiquettes who take part in the commission of white-collar crimes. Embezzlement, extortion, illicit trafficking in narcotics drugs, scam, money laundering, hawala transactions and such other white-collar crimes are committed by men of so-called respectability and affluence. And, therefore, it would not be correct to generalise hastily that all the criminals are morons, imbeciles or idiots.

Heredity

Many studies by criminologists have been made to establish a relationship between the delinquent behaviour and heredity. There are equally opposing findings on this subject. In 1877, Richard Dugdale made a study of a family, called 'The Jukes' a mentally retarded family and focussed attention on poor heredity as basic factor in intelligence and crime. The background of this study is that a person,

named Max married one Ada Juke, an illegitimate girl and then produced a number of descendants. Dugdale was able to trace well over 1000 descendants from this union and all of them were found to be criminals of one type or the other. Therefore, in course of time, Ada Juke came to be known as a 'mother of criminals'. Of the 1000 descendants were found 280 paupers, 60 thieves, 7 murderers, 140 other criminals, 50 prostitutes, 440 VD patients and other deviants.

Goddard reported in his study 'The Kallikak' family, that Martin Kallikak met a feeble-minded girl, during the war and became a father of the feeble-minded son from her. By the year 1912, there were 480 known direct descendants from this union and he found that 143 of them were feeble-minded and many others were illegitimate by birth, alcoholics and prostitutes. Returning from the war, Kallikak married a respectable girl from a good family and set up a home. And from this union also Goddard traced 496 descendants and found that there were no feeble-minded persons, no illegitimate persons, no prostitutes, no criminals; instead found that many of them were lawyers, doctors, judges and other distinguished persons.

However, the above studies cannot be said to be based on sound methodology to establish delinquent behaviour or heredity as a cause of crime. It is only the transference of feeble-mindedness. A study made subsequently by Murchison in 1924 revealed that there was no such direct relationship between intelligence and crime.

Even though it is impossible to determine the exact role of heredity in the commission of crime, this factor cannot be entirely neglected or ruled out. It does lead to analyse the emotional instability or irascible temperament or abnormal sexual drive or feeble-mindedness which are partly-rooted qualities in the commission of crime. 'Heredity in the causation of crime may be defined as a quality of an individual's genetic constitution that will make him, under a given sequence of parental and postnatal situations, more liable to commit acts defined as criminal by his group than is another individual with different genetic constitution when subjected to identical experiences.⁸

Studies conducted by Charles Goring could not prove the correlatives beyond doubt. Johannes Lange's work on the heredity and crime with identical twins was influential herald by many a people as an authoritative and indubitable proof of inheritance of criminality, even though the latest studies by A.J. Rosanoff and others have disputed this.

The Lombrosian physical traits "stigmata of degeneracy" had been shattered by Goring's work. In as much as Hooton revived the Lombrosian theory by propounding the primary cause of crime is Biological inferiority. The researches of Merton and Montagu enunciated and brought about the inferior groups and super

8. Donald R. Taft, Criminology. A Cultural Interpretation p. 60.

groups in the criminals and non-criminals in relation to the Anthropoid Aps. Further researches have been carried out by Sheldon, Kretschmer in relation to the characterisation of the Somatotypes.

In as much as Healy and Bronner also conducted studies and concluded that although there seems to be no proof whatever from an extensive material that there is such a thing as criminalistic inheritance apart from some other significant physical or mental trait.

In conclusion, it may be stated that the influence of heredity on a person's behaviour cannot be established satisfactorily and that the mental deficiency does not play any direct role in the causation of criminal tendency in a person. It has however been admitted by criminologists that certain physical and mental traits may be inherited which can directly result in delinquent behaviour.

Chromosomes and Criminality

Various studies have been made in America to find out whether persons (male or female) with abnormal combination of chromosomes are susceptible to criminal behaviour. All the reports have been inconclusive.

The XYY Chromosomal abnormality has been studied in depth by Patricia A. Jacobs in 1960s. The studies do indicate that the XYY male is more introverted and has social attitudes than the rest of the population and that he has a tendency toward homosexuality and aggressiveness. But because of the methodological problems in the studies, no reasonable conclusions can yet be drawn on the causal relationship, or even the correlation between the presence of XYY syndrome and criminal behaviour.⁹ G. Fox, Theodore Sarbin and Jeffrey Miller contend that the argument about XYY Chromosomes is a modern version of demonism, in which fruitless attempts are made to locate the causes of crime in internal defects within the offender rather than in operation of social and cultural factors.¹⁰ The surveys undertaken during 1960s suggested that XYY men are disproportionately represented in the maximum security hospitals has been contradicted from the findings of other studies. And, therefore, with a view to overcome the sample bias introduced by limiting such studies to observations on men already incarcerated, subject of XYY in the general population was expedient. Such a study was undertaken at the Psykologisk Institute of Copenhagen (Witkin et al.). Investigators identified a cohort consisting of all 31,436 men born in the municipality of Copenhagen between 1944 and 1947. After extensive search, 12 XYY men were found in a sub-group of the 4,139 tallest members of the cohort. (XYY men have

9. Sue Titus Reid. Crime and Criminology, The Dryden Press, Hinsdale, Illinois p. 138.
10. Don C. Gibbons 'Society, Crime and Criminal Careers-An introduction to criminology. Printice-Hall of India Ltd.

above-average height.) The XYYs and controls were checked in the official Danish criminal records. There was no recorded evidence of violent behaviour among the XYY men. These men, however, manifested significantly more criminal behaviour than did XY men of their age, height, intelligence, and social class. Because this study selected all of the XYYs from among a total birth cohort of Danish men, the results are reliable despite the small number of XYYs, and the findings can be generalized to the population represented by the cohort.

Endocrine Disorders

Louis Berman attributes abnormal personalities to the malfunctioning or abnormal functioning of endocrine glands. He adds that failure to mature properly sexually means failure to mature socially. To him, glandular balance is essential to happiness and to the avoidance of crime.¹¹

Unfortunately, not all research support this contention. For example, a series of research studies by Dr. Matthew Molich and largely negative results when delinquents with endocrine disorders are compared with a control group of normal delinquents. In spite of certain potentially significant findings, he concludes: "There is nothing distinctive in the behaviour of any one of the groups of endocrines which could be used as an aid in diagnosis."¹²

The striking similarities between many symptoms of behaviour pathology and endocrine insufficiency and the equally dramatic results obtained by treatment with appropriate hormone extracts have persuaded some that the cause and the cure for most behaviour disorders may be found in the endocrines. In 1924, M.G. Schlapp and E.H. Smith published a treatise on criminology in which all criminality were attributed to glandular dysfunction. In 1933, Louis Berman asserted that a 'definite, detailed and systematic study of the condition of the different endocrine glands in juvenile delinquents and criminals' had led to the conclusion that:

- (i) Crime is due, in a Gestalt sense, to a perversion of the instinctive drives dependent upon a deficiency and imbalance of the endocrine glands.
- (ii) Certain types of crimes are associated with certain types of endocrine malfunctioning.¹³

Edward Podolsky in his report entitled 'The Chemical Brew of Criminal Behaviour' demonstrated that many categories of offences are associated with hypoglycemia, an endocrinologically produced inability of the body. This is

11. Donald R. Taft, Criminology-A cultural interpretation p. 78.
12. Matthew Molitch, "Endocrine Disturbances in Behaviour Problems," American Journal of Psychiatry, March, 1937, P. 1179
13. Richard R. Korn & Lloyd W. Mc Corkle. Criminology & Penology p.205 - 206.

otherwise known as 'hypoglycemic crime' such as theft, violence, traffic violations, clashes with policemen, murder, cruelty to children and other domestic offences. It also exhibited the psychological symptoms like impairment of will-power, irritability, loss of associational power, decreased moral sense and so forth.¹⁴ In the realm of the theories of criminal behaviour one of the theories attributed its cause to the imbalance of the endocrine system of the offender. The proponent of this theory in the book "New Criminology" brought out that "the glandular theory accounts for all the discrepancies, errors, oversights and inadequacies of the earlier explanation."¹⁵ "The fact is that as far as the endocrine system and its relation to personality and behaviour are concerned, we are still almost completely in a world of the unknown, and that to resort to that system for an explanation of criminality is merely to attempt to explain the known by the unknown."¹⁶

However, there is no medical evidence to show that the rate of endocrine and metabolic disturbances among criminals is significantly different from that of non-criminals. Nor the great majority of criminals suffer from any discovered endocrine or metabolic disturbance. William Young a physiological exponent in his authoritative book 'Glandular Physiology and Therapy' summarized, by lifting the veil of enigmatic problem about the relationship between hormones and behaviour as not demonstrably conclusive.

Sex

Sex is of great significance in differentiating criminals, from non-criminals than any other trait. Studies have revealed that the crime rate of men is far more excess than that of women in all periods of history and for all types of crimes for which statistics are available.

The disapproved sex behaviour is due to the perpetration of crime like homicide with sexual motive, rape, prostitution, homosexuality (sodomy or pederasty) bestiality, and habitual sex offenders. In the under world, it generates and propogates crime. Commercialization of sex breeds various types of crimes under the banner of sex crimes, drug trafficking and terroristic activities. Sex delinquency and sex crimes not only demoralize the society but also instigate the children to imitate thereby hurling them into exploitative crimes. Ethnological studies have shown that sex, morals and values have varied with the nature of the culture and place.

14. Ibid p. 207

15. Ashley Montagu, "The Biologist Looks at Crime," Annals of the American Academy of Social and Political Science 217:53 (Sep. 1941).

16. Ibid p. 54-55

The causes of sex delinquency have been summarized by Donald R. Taft as follows:

- (i) The general physiological urge and its repression.
- (ii) Alleged individual differences in the strength of the sex impulse and in other personality traits.
- (iii) Economic factors, fear for starvation, poverty, jealousy of other companies, lack of economic support etc.,
- (iv) Home situation-broken homes, troublesome homes, lack of moral values etc.,
- (v) Neighbourhood situation.
- (vi) Degree of sex stimulation-dress habits, books, movie, TV, media, sex conversation etc.
- (vii) Inferiority complex and loss of social status.
- (viii) Influence of group patterns and new morality-lack of moral codes. Mostly unmoral rather than immoral.
- (ix) Compulsion-organized crime victims, kidnapped victims, fallen as a prey in the bad company, exploitation etc.
- (x) Influence of contraceptives, preventive techniques and treatment for venereal disease.

It is worth quoting the discussions in an abridged form regarding the fallacies and evidences refuting them for objective knowledge from the New Jersey Commission on Habitual Sex Offenders.

1. That there are tens of thousands of homicidal sex fiends around.
2. That sex offenders are usually recidivists.
3. That the sex offender progresses to move serious types of sex crimes.
4. That it is possible to predict the danger of serious crimes being committed by sex deviants.
5. That 'sex psychopathy' or sex deviation is a clinical entity.
6. That these individuals are over-sexed.
7. That effective treatment methods to cure deviated sex offenders are already known and employed and so forth.

There are dangerous, mentally abnormal sex offenders, sexual psychopaths, sex deviants and sex fiends. They may be under-sexed or, hyper-gonadial type or over-sexed. Majority of them are passive or non-aggressive.

Age and Crime

'Adolphe Quetelet, on the basis of statistical analysis concluded that as people age, their rates of involvement in crime decline whereas criminality has been

98422/69531 Manima Hee

linked with youthfulness, criminal victimization is popularly thought to occur most often in old age'.¹⁷ According to age, the crime pattern also changes. For example theft, burglary, motor vehicle theft and vagrancy may be more in adolescent period. Homicide, rape, assault, alcoholism, drug addiction, prostitution, forgery, counterfeiting etc., can be at the peak of twenties. Embezzlement, drunkenness, gambling and cheating may be in adulthood and in the middle age. Even though there is no evidential correlation for age and crime at different levels with different patterns of crime, it is mainly because of the fear-risk element of arrest, punishment, labelling, reputation, notoriety and fear of shame in the eyes of the relatives, family members and in the public.

One of the theories referred to the supposed decline in criminality with age is 'maturation effect' implying that delinquency may be a result of physical or mental immaturity. By means of Cohort effects (Group of individuals who experience the same significant life event at about the same) and period effects (that does not persist at a later time) non-enduring effects and sensitive age Glenn and Pullum tried to explain the influence of age in the commission of crime. Females differ from males with regard to criminality. According to Goring, persons predisposed by heredity to commit crime at a very young age, while those with weaker tendency delay longer. The biological theories do not explain many of the variations in the age ratios in crime. The correlative figures of age and crime also have the nexus to the place i.e. rural, semi-urban, urban and metropolitan city. For example, juvenile crimes are more in Bombay (Maharashtra) as per the report of crime in India.

Alcoholism

Alcoholism is also a significant factor in criminal behaviour. It may be a crime in itself or may be directly related to violation of certain laws, offences like murder, rape, assault, vagrancy and neglecting of the family. There are two questions which are very difficult to answer.

(i) Whether the man who is under the influence of alcohol will violate the laws which he would not have violated if he were not under the influence of liquor, or if he does violate the law under such circumstance, he may not be acting under the influence of differential association, and (ii) whether alcoholism is a form of psychopathy?

The usual explanation for drunken behaviour is that alcohol, which is a physiological depressant, impairs operation of the higher brain centres more rapidly than it affects the lower nervous system. Consequently, it impairs

17. Encyclopaedia of Crime and Justice. Ed. Sanford H. Kadish p. 30.

reasoning and inhibition powers before it depresses the ability to act and to express emotion. However, sufficient alcohol will depress the latter functions too.

The purely physiological effects of alcohol are very much like those of fatigue. Individual personality, social and cultural influences apparently determine how these effects are reflected in changed behaviour as alcohol is consumed. Therefore, one can assert that alcohol alone does not "cause" drunken behaviour; drunken behaviour expresses personal character, cultural traditions, and social circumstances, as they influence a person's reactions to the physiological effects of alcohol on his body. For some people, and in some circumstances, these personal, cultural and social factors may readily express themselves as criminal behaviour.¹⁸

According to Walter C. Reckless 'one can become drunk without being an alcoholic, but one can also become drunk and be a chronic alcoholic'. The chronic alcoholic usually begins as an occasional drinker and progressively becomes a moderate, heavy and finally uncontrollable drinker.

Phases of (alcoholic addiction) Alcoholism

As per the analysis of Jellinek different phases of alcoholic addiction are mentioned as under:

- (i) Pre-alcoholic symptomatic phase. This phase is basically a socially motivated one but ends up in a prospective alcoholic.
- (ii) Prodromal phase.
 - (a) Amnesia and total dependence on alcohol.
 - (b) Surreptitious drinking
 - (c) Pre-occupation with alcohol
 - (d) Avid drinking (gulping the first two or three drinks)
 - (e) Guilt feelings about alcohol
- (iii) Chronic phase

This is prolonged period of intoxication. He loses his tolerance for alcohol. He suffers from undefinable fears. He develops tremors. His psychomotor abilities become inhibited. His drinking takes on an obsessive character. He generates vague religious desires. His powers of rationalization fail. He admits defeat. As a chronic alcoholic, he is not accessible to treatment.

According to Ullman, the three following "conditions in a person's experience with alcohol produce an addiction: (a) a degree of emotional arousal with regard to drinking, (b) the repeated occurrence of stress situations along with

18. The Alcoholic Offender Publication VI New York, The National Council on Crime and Delinquency, August 1964, p. 1-6.

Prodromal
Symptoms

drinking, and (c) taking in enough alcohol on such occasions so that a tension-reducing effect is felt."¹⁹ In comparing 113 workhouse cases of alcoholics with 250 male college students, he discovered that more addictive than non-addictive drinkers remembered their first drink, got intoxicated at their first drinking experience, took their first drink at a place other than home and with persons outside the family, and had their first drink at a later age.²⁰

Interpretations of how and at what point the resort to alcohol fits into the dynamics of personality tend to stress the escape from reality are enumerated as follows:

Alcohol, generally speaking, is used as an escape from the burdens and responsibilities of life.

Resorting to alcohol and drugs is a manifestation of how inadequately human beings are equipped to handle their responsibilities.

The abnormal drinker is a person who "cannot face reality without alcohol" and yet cannot handle reality "as long as he uses alcohol."

The normal drinker "drinks in moderation socially, in order to make reality become pleasurable," while the abnormal drinker "drinks in order to escape from reality."

The abnormal drinker develops feelings of insecurity and inferiority and he excuses his failures in life on the basis that excessive drinking prevented his becoming the outstanding person he was originally destined to become - a rationalization in a vicious circle.²¹

Seliger, however, finds that the personality motivation of alcoholics cannot be eclipsed by the escapism principle. His list of dynamics includes:.... self pampering tendencies illustrated by a refusal to tolerate all unpleasant state of mind; a drive for self-expression without the resolve to take the practical steps to attain it; a more than usual craving for excitement and pleasure to the senses; a habit of sidestepping duties and obligations leading to the substitution of the rosy anesthesia of alcoholic day dreams; a definite insistent need for the feeling of self-confidence, self-importance, calm and poise that come temporarily from alcohol.²²

19. Albert D. Ullman, "The First Drinking Experience of Addictive and 'Normal' Drinkers," *Quarterly Journal of Studies on Alcohol*, Vol. 14 (1953), p. 181.

20. *Ibid.*, p. 190

21. Edward A. Strecker and Francis T. Chambers, Jr., *Alcohol, One Man's Meat* New York, Macmillan, 1938 pp. 12, 19, 35, 38, 87.

22. Robert V. Seliger and Victoria Cranford, "Psychiatric Orientation of the Alcoholic Criminal," in Robert V. Seliger, et al., eds., *Contemporary Criminal Hygiene* Baltimore, Oakridge Press 1946, p. 169.

Alcoholism is "located" as a disease of the "psychobiologic unit". It is assigned etiologically to the "disorders of psychogenic origin or without clearly defined tangible cause or structural change"; more specifically still, to a category of "sociopathic personality disturbances." It is a disease in the category of addictions. It is a personality disorder.²³

Many researches have been made in America where alcoholism is at its zenith. And they have interpreted alcoholism as a form of vagabondage, or an abnormal method of escaping from reality. The results have revealed that alcohol does play an important and damaging role in the lives of offenders and in the production or commission of crimes. However, it cannot be said with certainty whether the consumption of alcohol was the root cause for the commission of crime and the offender would not have committed any crime during his non-alcoholic moments. However, all such studies have been made on the apprehended offenders to establish a relationship between consumption of alcohol and crime. No statistics are available about offenders who were able to evade arrest.

Alcoholism is the root cause of the family disruption, broken homes and facilitates the delinquency of children as no paternal control remains in the home. Sex offences are most likely to be committed after intoxication. Street brawl, assault, rape and murder also are the outraging forms of alcoholism. Many drunkers are also drawn into crime as they are hardpressed for money and landed up in pauperism. Some alcoholics behave like savage. The dormant and latent tendency ebbs up and comes to surface in an aggravated form leading to the commission of crime. The causative connection of alcoholism with crime can be well said as follows: drinking in combination with other criminogenic factors can result in the commission of crime. However, pharmacologically how alcoholism is connected with crime, criminal behaviour or deviance is not established.

Narcotic drugs

Studies made in America about the criminality among addicts show that there is much greater association between criminality and addiction to drugs. The Federal Bureau of Narcotics have described the addicts in the following words:

"This parasitic drug addict is tremendous burden on the community. He represents a continuing problem to the police through his depredations against society. He is a thief, a burglar, a robber, if a woman, a prostitute or shoplifter. The person is generally a criminal before he becomes addicted. Once addicted he has the greatest reason in the world for continuing his life of crime".²⁴

23. Mark Keller, "Definition of Alcoholism" *Quarterly journal of Studies on Alcohol*, Vol.21, No.1 March, 1960, p. 126.

24. Also see Chapter 8 Marginal Crimes and Victimless Crimes- Drug Addiction for more details.

Drugs and crime

'Drug addiction, like alcoholic intoxication is often regarded as a symptom of psychopathy; it is one of the classes of psychopathies, co-ordinate with paresis and schizophrenia. Lindesmith has shown conclusively that no distinction can be made between psychopathic and normal persons in the genesis of drug addiction'.²⁵ Gangsters, bandits and desperate criminals use drug as excitant prior to the commission of crime. It is also said that criminal behaviour is established before the drug is used. Drug addicts indulge in theft, burglary, smuggling, forgery etc., They also come in contact with underworld and associate themselves in various types of crimes like counterfeiting, drug trafficking, smuggling, espionage and so forth. Narcotic drugs and crime are directly as well as indirectly related. There are pre-addiction and post-addiction criminality of the drugs. O'Donnell's research speaks about crime leading to narcotic drug use. There is no denial of the fact that addiction and criminal behaviour tend to run a parallel course.

An exhaustive discussion on Drug Addiction is elaborated in the Chapter 8 in this book.

Psychology

In studying the delinquent behaviour some form of psychoanalytic theory is applied for explaining the criminality, and it has been emphasized that there are 'unconscious emotional difficulties' of some kind in the causation of crime. The conventional Freudian theory contends that the mind is composed of three portions; *id*, *ego* and *super ego*. The impulses are not adopted to social life and must be repressed or expressed in socially acceptable ways if a person is to maintain himself in the social life. A person who fails to tame the *id* impulses sufficiently, becomes a criminal. Behaviour among individuals is therefore a direct expression of original and natural urge. For that matter every person has an urge for criminal behaviour, what matters is the amount of control exercised by an individual to tame the urge.

In conclusion, various studies have revealed that no trait of personality is associated with criminal behaviour. No differences have been found in the traits of criminals and non-criminals. The explanation of criminal behaviour must therefore be found in social interaction in which both the behaviour of a person and the prospective behaviour of the other person play their parts.

Mental deviations can be divided into psychoses, neuroses, psycho-pathic states, and abnormal personality types. Psychoses may be organic or functional. Mental disease and abnormal personality may be causative factors of crime: When the individual is deprived of status-conferring social relationships, the patient may

25. Edwin H. Sutherland and D.R. Cressey. Principles of Criminology p. 132.

attempt to compensate through attention-getting criminal behaviour for his unsatisfied craving for social recognition.²⁶ Schizophrenia is the most frequent psychoses which represents the extreme of the shut-in type of personality. Its delusions, sudden impulses, hallucinations etc. at time may lead to criminal behaviour.²⁷

With regard to the neurotic, the conditions can be classified as neurasthenia, psychasthenia and hysteria. According to the well-known Freudian hypothesis neuroses are associated with frustrations of basic desires.²⁸ This makes the individual to stumble into crime.

There have been in-depth studies that have been conducted on the psychopaths. It has been observed that psychopaths are unbalanced, unsocial egocentrics, whose abnormality manifests itself through conduct rather than through other mental symptoms. It has been contended by Alex J. Arieff and David B. Rotman that it is difficult to define a psychopath and it is very difficult to explain some types of crime; the term psychopath has become a sort of waste basket category of chronically unadjusted individuals, and an easy "explanation" of crime through attaching a label which explains nothing.

The epileptic is subject to sudden convulsions during which there is a complete loss of consciousness which is known as grandmal. Before and after these attacks there is liable to be much impulsive behaviour, and violent crime, though rare, may result. The characteristic of epileptics are lack of social adaptability, conceit and assurance, out of proportion of accomplishments, moodiness and egocentricity, moral atrophy and general blurring of thought and judgment, and optimism as to their condition, leading them to meet situations with which they cannot cope.²⁹

A new tool which promises to add much to our understanding of epilepsy, organic brain diseases and psychopathic states as related to criminal behaviour is electroencephalography. The electric energy of clusters of cells in the cortex of the brain may be magnified and irregularities in their frequency, duration, amplitude, and shape of curves recorded on the electroencephalogram. This method is used to diagnose some of the types of epilepsy, locate brain tumors, and detect brain injuries or diseases. In psychomotor epilepsy, the patient may show impaired judgment, lack of inhibition and unsocial behaviour.

26. Donald R. Taft Criminology-A cultural interpretation, p. 84
 27. Ibid p. 85
 28. Ibid p. 86
 29. Ibid p. 87

Epilepsy

'Temporal-lobe epilepsy (also termed psychomotor seizure) has been extensively investigated in relation to crime, especially violent crime'.³⁰ Evidence collected regarding the relationship between non-violent crime and epilepsy has been quite contradictory. The total number of epileptic is comparatively minimal as against the population who can be accounted for in the significant criminal activities.

Physical Environment—Ecology

Some old studies have revealed that physical conditions affect the criminal behaviour, that crimes against property are more frequent in winter months, and crimes against body are more frequent during summer months, and the crimes are more frequent near the coastal regions and infrequent in the interior. However, this theory could not hold much water as the climatical conditions are not the only criminogenic factor. Moreover urban crimes are more as compared to rural crimes.

The ecologists viewed crime as more or less normal and inevitable by-product of social change. In the course of social change there occurs sharp discontinuities in the physical and interpersonal modes of life - discontinuities unevenly operating in space and, for this reason, unevenly and unequally affecting people at different times and places.³¹ After having established this fact with empirical evidence, the ecologists started investigating as to how people learned different behaviour which were exhibited in the milieu in which they live in. They also found that some of the behaviours were inappropriate to a set of particular sociological norms which were taken as the standards for the society as a whole in general. In this theory of criminalization which was basically emerged out from the empirical evidences, the ecologists admitted to explain as to how the individuals respond to their environment bringing out certain revelation on an interpersonal level, the stress and strain of discontinuity starts affecting the society at large. The human ecology has been very well defined by the famous sociologist McKenzie - with the spatial aspects of the symbiotic (i.e. mutually dependent) relations of human beings and institutions. It aims to discover the principles and factors involved in the changing patterns of spatial arrangements of populations and institutions resulting from the interplay of human beings in a continuously changing culture.³²

30. Encyclopaedia of Crime and Justice. Sanford H. Kadish p.312.

31. Richard R. Korn and Lloyd W. McCorkle, *Criminology and Penology* p. 282.

32. R.D. McKenzie, cited by Emma Llewellyn and Audrey Hawthorne in George Gurvitch and Welbert E. Moore, *Twentieth Century Sociology* New York: The Philosophical Library, 1945, p.468

Llewellyn and Hawthorne have carried out certain surveys in the theories of human ecology and amplified that certain writers have regarded ecological factors as distinct from cultural factors while others consider ecology in terms of the spatial distribution of cultural phenomena leading to the distinction of cruciality. The cultural factors concept plunge into the explanations that ecological factors determine the cultural relations and the behaviour thereof. On the other hand the later concept propels that cultural factors determine the ecological framework and the behaviour occurs within that. However none of the proponents of the former school of thought deny the importance of the cultural factors but within the society. In as much as the same writers every now and then use the concept in both the senses as well.

Thrasher, for example, compares the physical living arrangements of a pueblo in New Mexico with those of a neighbourhood gang of delinquents in order to show how "the size the character of membership and even the solidarity are sometimes determined for a group by the nature of its physical surroundings."³³

According to the milieu studies of crime, an individual's effective environment i.e. milieu may be broadly brought out as the area within which significant things happen to him. Conditions that are prevailing within this area which do not influence or affect him or do not bring about any particular difference in his behaviour can be considered outside his milieu for all practical purposes, however close they may be. The complex idea of milieu which was developed essentially from the geographical concept of ecology is the outcome of the new school of thought of sociologists known as "Chicago School". The pioneering proponents of the school are Park, Burgess and McKenzie. Burgess had taken up the analysis of the human struggle in different zones and neighbourhood in which people live.

Thrasher sees similar factors operating to influence the organization of delinquent groups, where "boys living in a restricted or cut off area tend to form a play-group or a gang set off from their neighbours." Nevertheless, at an earlier point in his discussion Thrasher also speaks of "two-and-three-boy relationships," "intimacy," and "palships," and asserts. "It is relations of this sort, existing before the gang develops, that serve as primary structures when the group is first formed and that shape the growth of its future organization."³⁴

This examination was undertaken by Burgess, and resulted in his theory of the "radial expansion" of cities and enunciated various observations. He also found that the decline of neighbourhood occur in a large and reiterated stages and postulated as follows:

33. Frederick Thrasher, *The Gang*, 2d ed. Chicago: The University of Chicago Press, 1936, p. 325.

34. *Ibid*, p. 322