CHAPTER-V

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One of the most socially visible deviations from conduct norms is homicide. It is reflective and responsive to a given community norms of a particular time. Like any other human behavior it may also be viewed in terms of given socio-cultural mould. Therefore, it may be a specific part of a general theory of human behavior. That means, explanation of homicidal behavior may be specific part of general theory of human behavior. Its specific task is to differentiate murderer from non-murderer.

The researcher may explain the homicidal behavior by posing questions such as: why does murderer commit a homicide? What is the impact of various social institutions on him, to commit murder? In what way his personal characteristics constitute to such to such a behavior? If he sees murder as the product of interactions between the murderers and the victims, the result of this study should focus on the general proposition that would be formulated about the development of interactive processes that produced homicide. When a researcher approaches homicidal behavior from these different dimensions, he may arrive at various conflicting explanations.
The classical approach is that, crime involves a moral guilt, because it is done to the free will of the individual who learns the path of virtue and chooses the path of crime. Individual was a rational agent, capable of defining their own actions according to the dictates of reason. The social order is based on the social contract. According to classical framework, homicide is defined in terms of an act that violates the social contract by killing another individual. It concentrates, not on the circumstances and influences but on the criminal act itself. The cause of homicide relates to the question of rational motivation. Hence, the source of cause of homicide is located within the rational individual. The penal is the policy of the criminal at itself. The punishment is based on the responsibility of the offender. This punishment is proportional to the actual harm it has caused.

The classical approach does not agree in sending a murderer to the prison, because imprisonment does not embody principle of justice. Punishment is strictly applied to all irrespective of the status of the individuals. The principle purpose of the social contract, is to defend the liberties of men and the liberty to employ the labour of others to acquire property and accumulate wealth. These generate as the necessary consequence of competitive system, massively unequal distribution of advantages and disadvantages. But the classical theory attempt, to abstract
from these real material conditions to pose a state of formal equality. Therefore, it constantly confronts all the contradictions that flow from a penal philosophy, based on formal equality, which is required to operate justly in conditions of substantive inequality.

If the men are free and rational and the contract is just, then the question arises why an individual commits homicide? Is to be answered. The source of homicide is located within the rational individual. Therefore, classical approach of homicide is philosophical rather than empirical or scientific.

The positive school maintains that it is not the criminal who wills; to become a criminal. In order to be a criminal it is rather necessary that the individual should find himself permanently of transitory in such personal, physical and moral conditions, and live in such an environment, which becomes a chain of cause and effort for him both externally and internally, that disposes him towards crime (Enrico Ferri, 1913). Lombroso said that “the criminal is primarily a born type and is marked by definite physical and mental stigma”. According to Lombroso, the typical murderer was a born criminal and attributed this to atavism and savage life. The positive thinking has been found lacking on empirical and methodological ground in their studies. It is observed that murderers are not showing any facial asymmetry
and physical anomalies. It is difficult to distinguish murderers and non-murderers.

Psychopathic personality is perhaps more significant by an apparent absence of common moral and ethical sensibility, or the ability to make a fundamental distinction between what is right and what is wrong according to the generally accepted criteria adopted by the society. The Schzoid psychopathic who has committed murder will have a tendency, according to Bromberg’s rationalization, to identify himself with his victim; this completely shows the significance of suicide. One is aware that much appears to be made of an alleged affinity between psychopathic personality and the propensity towards crime. The mathematical precision is never to be attained in the sphere of personality study, yet the loose terminology prevails even today but in scientific quarters no grounds whatsoever have been justified.

Paranoid personality is characterized by progredient system of delusions, persecutory, erotic, qwuerulent, has been assumed by dementia paranoxia. Some pointed out that it presents a grave social problem. Due to delusional insanity and jealously one may commit homicide. The paranoxia murderers frankly report to the police about their deeds and imaginary evidences to defend themselves from the situation.
Psychopathic are marked by the morbid elaboration of normal stimuli as manifested in a morbid misdirection of thoughts and feelings. The rough Anthropological departures from the norm are conspicuous. Existable type of psychopathic may commit murder with pathological fears. The psychopathic may be measured by social criteria egocentric, inadequate, emotionally unstable etc. The murderer is emotionally the most unstable man.

The weak and degenerate parents may transit their afflictions to their offspring which has been the basic theory of heredity, Charles, Goring proved that a genera tendency to commit crime is inherited. Longe conclude by saying that crime is destiny. Some studies tend to show greater similarity of criminal behavior among identical than among greaternal twins. Max. C. Schlappand Edward H. Smith’s argument shows that crime is due to emotional disturbance growing out of glandular imbalance. Denis Hill and D.A.Pond, found that approximately one-half offenders have a normal Electroencephalograph. But, F.A.Gibb’s and B.K.Bagehi found that there is a significant co-relation between EEG and the type of criminal behavior involved. Lorenz, believes violence to be a fundamental and unalterable part of the human genetic inheritance.
Murderers behavior, therefore, according to him, is inherited through genes to a certain extent Eysenck, also agrees with this view.

Goddard (1927), thought that every feeble minded person is a potential criminal. Juan B. Cortes (1968), emphasizes that constitution is a result of genetic and environment. He found delinquents to be more mesomorphic and related to aggressiveness, extroversion, and impulsivity.

Endocrinology researchers indicate that among sub-human animals, the greater aggressiveness of male is dependent on androgen, the male hormones. Among women, pre-menstrual tension, appears to be associated with the imbalance of female hormones. Thus, the criminal behavior is attributed to its cause by imbalance of the endocrine system of the offender.

Ardey (1979), believed that the instinctive nature of human aggression is the cause of criminal homicide. But, many authors have criticized the instinct theory on the following grounds.

Firstly, the instinct theories underestimate the extent to which animal behavior is learned rather than innate. Secondly, it cannot be generalized from the lower beings to human without explaining why differences between the two are unimportant, Thirdly, an instinct is present in all normal members of a given species.
Freudian theories held that criminal behavior is the product of psychi
adjustment arising out of conflicts among the Ego and Superego. They
stressed the functional aspect of mental illness and personality
maladjustments are the characteristics of criminals. Healy and Bronner, held
that emotional disturbances are due to frustration by dissatisfaction of
psychic needs.

The emotional disorders recognized by medical profession is being
disabling to some extent. Anxiety state, depressions, compulsive drive,
absorptions, irresistible impulses and phobias are conditions in reality which
is an exaggeration of normal behavior patterns, though they may be
preceding manifestations of a definite abnormal disorder. Some neurotics
may commit murder.

Organic psychoses are disorders known to have a definite anatomical
basis, while those without an anatomical origin are termed as functional
psychoses, Depression, irritability, delusions and a confused state
characterize most of the organic psychoses. The psychoses stupor
individuals are quite dangerous and may kill or attack any nearby person if
they are not carefully handled during this period.

Manic depressive psychoses are characterized by the feeling of either
elation and depression. The symptom of the manic stage is excitement.
Such an individual is restless and may make a dangerous assault upon others.

The individualistic approach scientifically traces the causes of criminal behavior but still it has so many defects. Individual personality is not only the outgrowth of hereditary factors. But it is the result of cultural definitions and meaning of these affect the society’s reaction to the possessor of such physical characteristics. The anatomical and psychological factors may be very important but the other factors that operate indirectly by social reactions are also equally important.

The constitutional psychiatric and psychological theories presume that criminal behavior is either inherited or affected by a physical or mental factors i.e. inherited or it may be the result of early childhood experiences that has been suppressed into the unconscious level. This has been criticized by sociologists, who argue that behavior is learned and that it is conditioned by environment. The terms of an individualistic behavior is loose and vaguely defined. The tasks for measurements are not precise. The samples do not represent the total population of criminals. The control groups are poorly selected. They assume that there are two groups of people, criminals and non criminals. But criminal behavior is like any other behavior yet no other theory that concentrates on trails that cause behavior are successful to
explain what crime is. They have not defined the crime properly. Even the use of personality scales is limited in predictive value. These theories are not generally rejected, but some theories have a greater relationship to criminal behavior. But the problem lies with the inability to test that relationship.

The casual relationships between physical conditions and homicide are not fully established. But physiology, neurology and chemistry may affect learning, mood etc. These in turn are likely to have some effect on certain aspects of behavior, including homicidal behavior.

Aichihorn, claims that homicide is due to unconscious desire of an individual. Friendlander says that "unfavourable environment play a part in homicide by only as a precipitating cause that encourages homicidal behavior repressed in normal person". Johnson, suggests that "parents encourage violent acts of their children so as to gratify their own forbidden impulses".

The psychoanalytical theory of homicidal behavior is wrong because it also assumes only instincts. The human behavior is not a product of biological forces. This theory minimizes the influence of social factors as behavior of criminal homicide. The personality traits and homicidal behavior correlations tend to be weak. Homicidal behavior results when the
restraining forces are weak to curb inherent aggressive and destructive tendencies.

Some researchers have found a positive correlation between alcohol and homicide. It is also noted that homicide often occurs when a good number of people are intoxicated.

Frustration aggression theory suggests that homicide may occur when a person is frustrated, when his efforts to obtain some goal is obstructed. But it is noticed that frustration does not always lead to aggression, but sometimes aggression may occur in the absence of frustration.

Some researchers (Zigler and Child, 1973), have shown that violent behavior among children may be increased or decreased by controlling whether such behavior is reinforced or not? Homicidal behavior is leaned that means, if an individual is involved in violent behavior he may tend to repeat it. Children often may learn violent behavior without training. This learning may be copying another’s behavior. That means children may have model aggressive acts by observing the inmate adult group.

Cartographic or Ecological theory attempts to explain crime as the function of social change that occurs with environmental change. Guerry and Quetelt, established a relationship between the geographical facts and
the social institutions. These theories recognized that the influences on the individuals are thought association of contacts around their surroundings. Some researchers have characterized urban-rural differences, delinquency areas, etc. rests on the process of learning and of community influences, but does not depend upon individual deviance. This has been criticized on the ground that they do not explain all types of deviant behavior. Richard Quinney (1974 a, b), observed that crime and delinquency are related to the basic dimensions of urban social structure, as measured by the social areas topology. These studies have not been clear in specifying or translating the ecological components of these theories.

The economic theories maintain the economic conditions influence on human arrangements. These factors were conceived of as determining for all other aspects of social relations and social institutions. If economic conditions are influencing the social structure, it is equally true that the existing social and institutional structure moulds and influences the very existence of norms. According to him crime is also functional. He believed that crime is normal and state of anomie or normlessness provides for antisocial acts. It fails to consider the structural elements which predisposes an individual to select one alternative response rather than other. It is rather limited to explain certain types of deviant behaviours.
Merton’s thesis is that social structure exerts pressures on some persons to behave non-conforming rather than confirming of much juvenile delinquency. Merton states that the criminal behavior is highest where people have little access to socially legitimate means for achieving culturally induced goals. Where the conflicts between cultural goals and institutionalized means for their achievement is great, a condition of anomie develops. It is the breakdown of the regulative norms, and people turn to what even means to achieve the goal.

The sociological theories assume that the character of individual is moulded by his environment. This investigates the differences of environment of criminals and non criminals. Gabriel Tarde-saw criminal behavior as primarily the result of social factors. According to him men imitate one another in proportion as they are in close contact. E.H. Sutherland, connected criminal behaviour with group influence on the individual land held that a person becomes a delinquent because of an excess definitions favourable to violation of law over definitions unfavourable to violation of law. His different association theory concentrates the attention on social relations the frequency, intensity, and meaningfulness of association rather than on individual’s qualities. It is learning by
association. It is said that "he who runs with thieves is very likely to become a thief".

Donald R. Cresscy, criticized Sutherland's theory and pointed out that his theory simplifies the process of learning criminal behavior. Jeffery, condemned this theory and held that this theory fails to explain the origin of criminality, since criminality has to exist before it can be learned from someone else. It is unable to establish the frequency of contacts with the criminal patterns, that has anything to do with the individual's criminal behavior.

The social system approach relates crime with the social and cultural system. Richard Cloward and Ohlin (1985), have said that "delinquent behavior arises due to socially induced stresses". The deviation is the result of reaction towards activity or change generated in the actor. This theory is in complete as it analyses only the role of situation and not the personality.

Cloward and Ohlin (1986), attempt to remedy this deficiency of offering the concept of legitimate and illegitimate opportunities. This theory is built on delinquent sub-culture, emphasized on relative availability of illegal alternations. Scrag, criticized this theory on the ground that this theory seems far from fulfilling the foremost logical requirement of a scientific explanation. It does not answer the question how a young person
who belongs to the lower class does not involve in activities of delinquent group.

The conflict theory rests on social interaction theories of personality formation and the social process conception of collective behavior. Conflict is said to be a universal form of interaction. The groups come into conflict with one another as the interest and purpose they serve tend to overlap. This results in conflict of group interests and their struggle for the organization in the society. This theory is strictly limited to those kinds of situations in which the individual act as a criminal flow from the collision of groups whose members are legally upholding the in-group position.

Donald Taft (1964), related crime with the characteristics of society's culture where in it is deeply rooted criminogenic. Thoursten Sellin (1938), held that crime in terms of culture conflict i.e. conflict of meaning social values, interests and social norms. Albert Cohen's theory (1955) revolves around the supposition since middle class goals are unattainable. Therefore, it is meaningless to the working class boy, so that the content of the delinquent sub-culture constitutes an inversion, to speak of middle class values, by which he formulates the negativistic, malicious, and non utilitarian values which are not accepted by the society. This theory is criticized on the ground that it assumes a sharp break between the value
system of the middle and the working class. It uses cultural inversion to explain the formulation of the sub-culture without answering an inversion occurs.

According to Matza (1964), delinquent drifts into delinquency. G. Sykes and D. Matza’s theory (1961) of techniques of neutralization is that delinquents are responding to values that differ from those of the adult society as a reaction to the failure they experienced in their initial acceptance of those values.

The social structural theories criticized on the grounds that the concepts are lacking in defining the terms and unwarranted generalization have been made. Although, they may locate criminal behavior, but they can not explain how it comes about.

According to W. Reckless and S. Dinitz (1956), and unfavourable self concept directs him toward delinquent behavior. They have assumed that there is an external social structure which holds individuals in and that there is also an internal buffer which protects people against deviation of the social and legal norms. For Reckless, there are inner and outer controls in each individual. The inner control involves self control. The outer control consists of institutional norms, discipline etc. When an individual fails to abide by these controls, he gradually becomes a criminal.
The social source of frustration is the strain that results from the lack of legitimate means to achieve culturally defined norms. If an individual is frustrated, he may turn off the resultant aggression outward and might commit homicide. Hence in this sense, there is a relationship between strain and homicide.

Some studies have shown that at each class level it is the individuals without normal bonds commit murder. According to Travis, assaultive behavior among teenagers of all class backgrounds is due to the lack of attachment to parents, neighbours and peer group. Homicidal behavior is heavily concentrated among individuals who are socially outcast. Individuals who lack ties with family members, relatives and friends may commit homicides.

Men who are unable to restrain their selfish impulses or to sustain affectionate relations may commit homicide because of their inability to influence others in conventional way. Therefore, homicide is an effort to deal with others when conventional means fail. Thus, homicide reflects pathology in relationships.

Hirschi’s control theory postulates that the delinquents become more probable as the individual’s bond in society weakens. The bond has several components attachments, commitments and beliefs. But, this theory fails to
show the replicate positive relationship between attachment to parents and friends.

The labeling theories focus the attention on the significance of the social reaction process for the amplification and stabilization of delinquent careers. A deviant label may result when an individual being regarded as deviant and being expected to engage in subsequent deviant behavior, being denied participation in conventional groups. It explains the process by which some people who commit deviant acts come to be known as deviants while other are not known.

The family approach attempts to connect criminal behavior as the result of malfunctioning or defective structure of the family. It is based on:

(a) Defects in the structural problems of family organization e.g. broken homes, etc.

(b) Defects in the functional problems in families, e.g. patterns of family relationship which fails to socialize the child adequately.

(c) The Family which socializes the child into a tradition of deviate or what might be called under the roof of delinquent sub-culture.

It believes that the behavior of the individual is accumulated in terms of the reference of larger social system within which it is embodied. But this
approach ignores other factor such as assimilation, urbanization, individualization in the stability of the family life.

Individuals who are unable to restrain their selfish impulses, may commit homicide because of their inability. Those who have been conditioned to the technique that has been deeply impressed upon them. Some have observed that homicidal behavior results in brutality caused by their parents. (Mc.Cord; Chakravarthy; Palmer etc.). It is noticed that murderers life is full of frustrating experiences. Hence, there is positive functional relationship between the amount of frustration experienced by individuals due to physical torture by parents and commission of homicide.

Wolfgang and Farracuti observed that, “violent sub-culture norms require violent responses to quick resort to physical combat as a measure of daring courage”. Thus, the homicidal behavior is rooted in one’s conformity to the violent norms of some subculture in the society. But, subcultural theory of violence fails on the point that individual who behaves in violent ways have positive attitudes towards homicide.

Bullock, found that, “the basic ecological process of urban segregation centralizes people of like mind, throws them together at common institutions, occasions, their association on levels of intimacy and there by paves the way for conflicts out of which homicides occur”. Some
observations have also been made where certain groups whose lifestyle are prone to homicidal acts. That means, certain groups commit homicide in their ordinary social interaction. Homicide is seen in the nature of conformity to certain cultural patterns. It is a solution to the problems that arise to legitimate opportunities. Therefore, homicide provides a solution to problems facing certain individuals.

Homicide is not serious than other kinds of criminal behavior. Murdering ones spouse is not simply more serious than slapping him/her. Thus it is altogether different in kind and content from slapping. It is learned behavior within the family and community in a larger society. It is a normal human behavior which consists of an act that offends certain very strong collective beliefs and sentiments.

The researcher has seen that homicide is associated with emotional stresses and strains. In many cases of homicide, one notices that the crime is due to an intensely emotional situation operating gradually or suddenly upon a man who has always behaved in a perfect and normal manner. The majority of the convicted murderers are behaving like a normal individuals in prison.

As social scientist one is more concerned with those individuals who develop an extremist tendency towards homicide and those who unable to
play an useful part in society. Aggression is a universal tendency learnt by the child through the process of socialization because it is a reaction to frustration. He learns to suppress his aggression. This creates a tension in his personality which naturally seeks an outlet. It may be diverted towards socially accepted or unaccepted channels like murder.

The researcher agrees that there is a conflict between a prevailing cultural value and some subcultural entity; but the commission of homicide among those actors from the subculture at different level of variation of frustration due to failure to attain normative goals. There is preponderance of homicide among a relatively homogeneous subcultural group in any large community. The researcher has attempted to show some empirical data which indicates its existence. One may assent that there is a direct relationship between the patterns of homicides and degree of integration of the subculture of violence to which the individual belongs.

Social expectations of response in particular type of social interactions results in different definitions of the situation. A male is expected to defend the name and honour of his family, the value of womanhood, etc. Quick resort to physical combat as a measure of daring, courage or defend status appears to be cultural expression, especially for lower socio-economic class. When in social interplay with others who harbour the same response
mechanism, physical assaults, and domestic quarrels that result in homicides are likely to be common. The upper class value system defines behavioral norms into legal rules that often transcend sub-cultural mores and considers many of the personal stimuli that evoke combative reaction in the lower class as trivial. Therefore, these exists a cultural antipathy between folk rationalizations of the lower class.

Homicidal behavior may be approached by multiple factor theory. David Abrahassen (1962), held that criminal act of a person is the sum of a person’s criminal tendencies plus his total situation, divided by his mental and emotional resistance to the temptation. Here is also some methodological and theoretical objections prevail. Cohen, criticizes this approach on three points.

1. It confuses the explanation by means of a single factor.

2. The evil – causes – evil fallacy’ usually characterizes multiple factor approach, although, it is not peculiar to that. The fallacy is that the result which are not like (crime) may have antecedents which do not like alcoholism, psychopathic personality, biological inferiority etc.

3. ‘Factors’ are confused with ‘causes’ and each factor assumed to contain within itself as a fixed amount of crime producing power. In
spite of this criticism, one can explain the homicidal behavior, because the sociological theory which maintains that crime is the result of various social elements operating in social environment. These factors are culture, social control, groups, social process, socializations, social change, social disorganization, status, role and personality of the individuals etc. All these elements of social environment has to be present in the life of an individual. Thus the homicidal behavior is explained as follows:

i. Those which lay stress upon the individual’s personality.

ii. Those which emphasize the individual’s surrounding situations.

iii. Those which emphasize equal personality as well as situation, that is the interaction between the two or more biological and psychological characteristics of an individual may prove to criminal behavior.

The environmental background of the individuals are studied for the development of the personalities. An individual in the given situation reacts to provocations, temptations, extreme stress etc. Individual personality varies and situational variations may be closely united to criminal behavior.
Therefore, empirical study based on the analysis of situations may explain the homicidal behavior.

The homicidal behavior is thus, a learned behavior within family and community environment. This normal behavior which consists of an act that offends certain strong collective beliefs and sentiments. It is precipitated by the victim, who possesses criminal tendencies and has close association with ones own may be a murderer who shares the same values and accepts common subculture. It may occur by mere chance. It may be an uncontrollable impulsive emotions of the murderer. But at the same time impulsive behavior does not force all to commit homicide. Every murderer consciously or unconsciously accepts homicide as an absolute solution to his problems. Thus one may come to the conclusion that though homicide in the general sense is universal, the types and patterns are specific of particular communities at particular time.
Researcher interviewing the Prisoners

Prisoner are in the Kitchen
Prisoner distributing their meals to Prisoners

Prisoner holding bullocks for their Agricultural Purpose
Prisoner have grown Vegetables

Researcher along with the Prison Staff inspecting the Agriculture fields
Ishwar Temple in the Central Prison, Mysore

Reseacher with Prison staff

Ishwar Temple in the Central Prison, Mysore
Reformatory service by the private agencies

Meditation to Prisoners conducted by private agencies
Literacy program by private agencies

Coconut Garden developed by the Prisoners in the Prison
Prisoners are at their literacy function

Women Prisoners are at their literacy function
Private agencies rewarding the best literate trainee

Private agencies rewarding the best literate Women trainee
Medical facilities in the Prison

Reformatory programs in the Prison by the private agencies