Etymologically, 'homicide' comes from Latin 'homa' meaning man and 'cide' meaning cut.

The term "homicide" means either the act of killing of one human being by another or a person who kills another (Webster 1996). According to the international classification of diseases (ICD-9). The homicides are defined by the codes of E960 as presented in the table below (World Health Organization 1977). Sometimes the codes E970-E978 (legal intervention) which include injuries inflicted by the police are other law enforcement agents in the line of duty, are also considered under the category of homicide. (Fingerhut 1990).25

When a researcher is interested in the study of homicides a clear definition must be presented so that no ambiguity remains as to whether she/he investigated homicide offenders or victims of a homicide.

Official homicide rates usually measure the number of people killed rather than the number of people who have killed others.
CODE FOR HOMICIDES ACCORDING TO THE
INTERNATIONAL CLASSIFICATION OF DISEASE (ICD-9)
(WORLD HEALTH ORGANIZATION 1977)

<table>
<thead>
<tr>
<th>ICD-9 code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>E960</td>
<td>Fight, brawl, rape</td>
</tr>
<tr>
<td>E961</td>
<td>Assault by corrosive or caustic substance, expect poisoning</td>
</tr>
<tr>
<td>E962</td>
<td>Poisoning</td>
</tr>
<tr>
<td>E963</td>
<td>Hanging and strangulation</td>
</tr>
<tr>
<td>E964</td>
<td>Submersion (drowning)</td>
</tr>
<tr>
<td>E965</td>
<td>Firearms and explosives</td>
</tr>
<tr>
<td>E966</td>
<td>Cutting and piercing instruments</td>
</tr>
<tr>
<td>E967</td>
<td>Child battering and other maltreatment</td>
</tr>
<tr>
<td>E968</td>
<td>Other and unspecified means</td>
</tr>
</tbody>
</table>

Homicide, as defined by the criminal code of Canada, “includes all acts of first degree murder, second degree murder, manslaughter and infanticide. Essential criminal homicide involves”. Causing the death of another person without legal justification or excuse (CSC, 1995). Homicide does not include “deaths caused by criminal negligence, suicide, accidental or justifiable homicide” (Motiuk and Belcourt, 1995).

For homicide to be defined as murder, it must be deemed intention.

The national centers for environmental health and injury control (NCEHIC) a component for centre for disease control, uses the following definition of homicide. “Death resulting from injuries purposefully inflicted by another
person, including deaths caused by law enforcement officers is legal execution (Hammett, et al, 1992: 2).

The (FBI) federal bureau of investigation defines the term murder and non-negligent manslaughter as follows. "Murder and non-negligent manslaughter is the willful (non-negligent) killing of a human being by another". (Uniform Crime Report 1993).

Legal codes of other countries reflect different jurisdictional situations. Mord and Totschlag have meant murder and manslaughter, respectively, in the German code. Meurtre in the French code is not murder but manslaughter, and premeditated homicide is assassination (assassinat), which is a common designation in Latin countries. The Italian penal code distinguishes between omicidio doloso (willful killing, which may be aggravated by premeditation or other circumstances); omicidio preterintenzionate (the intent is not to kill, only to do harm, but death results); and omicidio colposo (no intent, but death occurs by negligence or the like).

The present study is with regard to persons who have committed 'unlawful homicide'. The words offender, criminal, murderer and victimizer have been used interchangeably. In the same way, the word homicide, criminal homicide and murder have also been used to mean 'unlawful homicide' excluding homicide referred to in Ss. 305 & 306 of IPC.

Homicide is the killing of one human being by another and may be criminal or non-criminal. Non-criminal homicide is considered to be excusable, that is, accidental or in self-defense, or justifiable. Such as when a police
officer shoots a felon or an executioner carries out a penalty of death. Criminal homicide, on the other hand, may be murder (first degree or second-degree) or manslaughter (Voluntary or involuntary). The legal distinctions are important because of the sanction imposed on the offender in each case is a function of the adjudged degree of criminal homicide.

The Indian penal code defines homicide as a killing of human being by a human being. Homicide may be 'lawful' or 'unlawful'.

Lawful homicide includes the cases falling under sections 76 to 106 of the Indian penal code. The death caused by 'accident' (S.80) or in the exercise of the right of 'private defense of the body (S.100) are instance of lawful homicide.

Unlawful homicide falls in sections 299 to 318 of the code for example the following unlawful acts within the sections indicated against each.

IPC sections 299 "Whoever causes death by doing an act with the intention of causing death, or with the intention of causing such bodily injury as is likely to cause death, or with the knowledge that is likely by such act to cause death, commits the offense of culpable homicide".

Explanation No-1:

A person who causes bodily injury to another person who is laboring under a disorder, disease or bodily infirmity, and thereby accelerate, the death of that other, shall be deemed to have caused his death.
**Explanation No-2:**

Where death is caused by bodily injury, the person who causes such bodily injury shall be deemed to have caused the death, although by resorting to proper remedies and skillful treatment the death might have been prevented.

**Explanation No-3:**

The causing of the death of a child in the mother’s womb is not homicide. But it may amount to culpable homicide to cause the death of living child, if any part of that child has been brought forth, though the child may not have breathed or been completely born.

In earlier days, a man was held strictly accountable for any death of human being which could be traced to his active conduct. But with the growth of civilization, certain excuses have been evolved which have graded this offence with various degrees of liability. Homicides can now be graded as (1) justifiable (2) excusable (3) murder (4) suicide (5) manslaughter, and (6) infanticide. The basis of constituting the offence of homicides is actus non-facit reum nisi mensrea.

The Indian Penal Code has, however, introduced other subjective technicalities in the determination and constitution of this offence.

**Homicides:** Homicides may be broadly classified (1) lawful and (2) unlawful. Lawful homicides may be (a) excusable homicides and (b) justifiable homicides.
2.3.1 **Excusable homicides**

Excusable homicides under the law are:

(i) Where death is caused by accident or misfortune in the doing of a lawful act in a lawful manner by a lawful means with proper care and caution without criminal intention or knowledge.\(^{26}\)

(ii) Where an act is done in good faith for a person's benefit.

(iii) Where an act is done by a person with an immature or a deranged mind.

2.3.2 **Justifiable homicides**

Justifiable homicides under the law are:

(i) By a person who is bound or, by a mistake of fact, in good faith believes himself bound by law.

(ii) By a person who is justified, or by a mistake of fact, in good faith believes himself to be justified by law.

(iii) By a judge acting judicially in the exercise of any power which he possessed or in good faith believes to possess under law.

(iv) By a person acting in good faith and pursuant to the judgement or order of court.

(v) By a person acting without any criminal intention to cause harm and in good faith to avert other harm to person or property.

(vi) By a person exercising his right of private defense.
2.3.3 Unlawful homicides

Unlawful homicides may be of four categories:

(i) Culpable homicide not amounting to murder.

(ii) Culpable homicide amounting to murder.

(iii) Causing death by rash or negligent act not amounting to culpable homicide.

(iv) Abetment of suicide.

All murders are culpable homicides but all culpable homicides are not murders. An act of culpable homicide as defined in section 299, Indian Penal Code and falling within one or more of the four clauses of Section 300, Indian Penal Code is murder. But if the act as described in Section 300, Indian Penal Code is committed under circumstances falling under any of the five exceptions enumerated in the section, it is culpable homicide not amounting to murder.

2.3.4 Degree of homicide

There are three degrees of culpable homicide recognised in the Code:

(i) Culpable homicide of the lowest degree which is punishable with a fine only or with imprisonment up to a limit of two years or with both.

(ii) Culpable homicide of middle degree which is made punishable with imprisonment up to a limit of ten years or with imprisonment for life, to either of which fine may be added.

(iii) Culpable homicide of the highest degree which is made punishable with death or imprisonment for life to either of which a fine may be added.
2.3.5 Culpable homicide

Section 299 of the Indian Penal Code defines culpable homicides as
under:

Whoever causes death - by doing an act with the intention of causing
death or with the intention of causing such bodily injury as is likely to cause
death or with the knowledge that he is likely by such an act to cause death
commits the offence of culpable homicide.

There are three elements to constitute this offence:

1. the causing of death
2. by doing an act
3. The presence of an intention to cause death or bodily injury or
knowledge that the act is likely to cause death.

It is causing the death of a human being. It includes the death of a living
child, if any part of that child has been brought forth though the child may
not have breathed or been completely born. It means the human foetus is not
a human being; the foetus must assume the human shape and its part emergence
at least from the mother’s womb is essential. But the Indian law is different
from the English law in as much as under the latter complete and not only
partial emergence is necessary to constitute the child a human being. A human
being in the Indian context would thus mean a living man, woman, or child at
least partially delivered.
An act may be said to cause death when the death results from the act itself or from consequences naturally or necessarily flowing from that act. The usual modes of causing death may be striking, poisoning, drowning, starving etc. but the same result may be achieved by an act accompanied by transmission of force such as making a loud noise before a sick person to awake him when sleep is most essential for his living. In any event the willful doing of an act which is known to be likely to produce evil manifests the mens rea essential to criminal responsibility.

In this connection, it is also necessary to take note of the first two explanation appended to Section 299 of the Indian Penal code. In assigning criminal responsibility it must be seen that the cause is reasonably proximate. If it is too remote, it is a negligible cause to support a criminal prosecution. Explanation I of Section 299 makes it a matter of indifference that it was per se insufficient to cause the death of an ordinary healthy person. An accused cannot take a plea that he had only accelerated and not caused the death of the deceased, nor can be permitted to say that he did not cause the death because it might have been prevented by resorting to proper remedies and skilful treatment.

Presence of any of the following three kinds of guilty mind is culpable homicide:

(i) an intention to cause death,

(ii) an intention to cause injury as it likely to cause death,

(iii) Knowledge that death is likely to happen.
Intention means the expectation of the consequence of an act. The expectation of the aforesaid three consequences (including knowledge in the third case) amounts to a guilty mind, which is essential to constitute the offence of culpable homicide. The knowledge of the likelihood of death is a must for making homicide. In such cases otherwise death might be merely accidental. Knowledge is neither mere conjecture nor only belief, but is based on the reasoned inference of a future probability expected by a reasonable man in the ordinary course.

A person, sometimes, intends to cause death, but fails to cause it in fact and the act which results in death is not the prosecution of the object of causing death.

Whenever there is knowledge, proof of intention is unnecessary. But if the intention is proved, it is helpful in explaining the act and enhancing the punishment. Motive, as distinguished from intention, is not necessary to be proved to establish the offence. Proof of motive is always relevant as a spring of human action supporting the proof of intention explaining and connecting it with the act. There is no doubt that motive underlines almost every offence, but motives are varied, deep and unfathomable. It is difficult to find them out. It is enough to dive deep for intention and knowledge.

The Principle of law is that no man shall do evil so that good may come; and it, therefore, punishes all malign factors irrespective of motives. So far as intention is concerned, it has to be proved in the cases of homicide.

Homicidal intention is of two kinds. In the first instance it is the intention of causing such bodily injury as is likely to cause death. It will be seen that
while intention is necessary for causing death or bodily injury causing death, knowledge is required only in connection with the act which is likely to cause death. The second clause has been added only to meet the requirement of a large number of cases in which the offender causes dangerous injuries though he may not thereby intend to cause death.

The law as it is enacted required intention to cause the dangerous hurt which may or may not result in death because the likely knowledge is prefixed to it. If death does not ensure it is because it was not certain.

The words ‘intention to cause injury likely to cause death’ does not imply that the consequence of the injury is expected. All that is foreseen is that the injury is likely to cause death.

The question whether the intention of the accused was to cause death or injury or to cause such bodily injury as is likely to causes death must be thoroughly investigated. Knowledge is not necessarily connected with intention. A person may have knowledge and yet he may not have the intention. One may have the will or the intention to do an act and yet he may or may not know the consequences of his act. In substance knowledge is not a viable concomitant of intention.

It has been emphasised time and again by academics, Justice’s, Judges, advocates and student of law that the present concept of the crime of murder as per provided in section 300 of the IPC is so confusing that it is almost impossible to distinguish it with clarity from the offence of (culpable) Homicide as provided in section 299 of the IPC.
In recent times, the study of criminal homicide has been emphasized for two reasons: first, it is a challenging area of scientific study of a specific kind of human behaviour, i.e., of deviant behaviour; secondly, it poses the problem of law and order in a given society which demands its prevention.

Criminal homicides are a reflection of the life and pattern of living in a particular area and society. Greater the unrest and lack of love and affection, greater are the chances of homicide. Homicide can be reduced by proper evolvement of values and standard in society.

2.4. Review of literature

Criminal homicide is constantly reflective and responsive to a given community norms and cultural traditions at a given time (Devasia, 1985). In other words, homicide is possible only in terms of given socio-cultural mould. Hence, socio-cultural background may be regarded as the primary basis in determining the characteristics of criminal homicide.

Homicide is human behaviour. Therefore, it must be explained within the same general principles which are employed to explain other human behaviours. The explanations of homicide should be in consonance with a general theory of human behaviour. Its specific task should be to differentiate (homicidal) from non-homicidal.

Criminologists explain homicide by posing questions like: why does this individual commit homicide? What is the impact of various institutions such as family, religion, education on him, so that he is led to commit homicide? In what ways do his personal characteristics contribute to such behaviour?
If a criminologist were to see murder as the product of interactions between the homicides and victims. Over time and in varying circumstances, the result of his study would focus on general proposition that could be formulated about the structure and development of interactive processes that produce murder.

When a researcher approaches criminal homicide from these different dimensions, he is likely to arrive at various competing and even conflicting explanations. These are prone to be different because they are answers to different questions. Naturally, explanation of homicide differs, depending upon the approach one adopts for its examinations. The different approaches are detailed below.

The Classical approach to criminal homicide developed out of the philosophy of enlightenment, which swept Europe in the second half of the eighteenth century. The evolution of this approach is closely associated with the emergence of the free market and beginnings of agrarian capitalism, and is aptly described as reflecting the philosophical outlook of the emerging bourgeoisie.

The middle classes proposed a legal system of which the central concept was the free and legal contract between free and equal individuals. For them individuals were rational agents capable of defining their own actions according to the dictates of reason.

The most famous classical theorists were Cesare Baccaria, the Italian writer and Jeremy Bentham, the English lawyer. They argued that the legal
code should be formalised, and punishment made to bear directly on the individual, predictable and proportional to the offence (Beccaria, 1801).\textsuperscript{28}

In the classical framework, social order is based on the social contact. Hence, murder is defined in terms of an act that violates the social contract by killing another individual.

The classical approach subscribes to relativist conceptions of homicide. It concentrates and influences, the criminal act. If it breaks social contract that is law and order, the action should be punished proportionally with unwavering certainty, severity and impartiality.

In the classical approach, the question - whether the accused intended to commit the act, and whether the accused was in his right frame of mind and could thus be held responsible for his actions as a rational individual was of crucial importance. The cause of murder relates to the question of rational motivation. Therefore, the source of criminal homicide is located within the rational individual. The central focus of classical criminal policy is the criminal act itself. Punishment must bear down directly on the responsibilities and calculations of the offender. Punishment must be made proportional to the actual social harm it causes and limited to only the degree required to deter further criminal acts. Using punishment to make a general example is opposed to classical thinking, because punishment must bear directly nor undue harshness are permissible in the classical theory (Morris, 1974).\textsuperscript{29}

The first it achieves is effect, the latter introduces a personal and emotional element into a system which should be rational and impartial. Punishment should, therefore, be strictly applied efficiently and effectively.
The classical approach opposes dispatching a murderer to prison, because prison life does not embody principles of justice, and attempts to treat the individual rather than punish him (Fogel, 1975).\textsuperscript{30} Hence, it opposes arbitrary punishment and scientific treatment.

The classical approach assumes that a universal system of justice can operate rationally in situations where none has priority of rank of status, and no prior handicaps or advantages. But the real world does not in any way resemble this ideal model. Indeed, it cannot be there by definition, since, classical approach is rooted in a competitive model of Man, where seeking advantage is precisely the most rational of motivations. The principle purpose of the social contract, therefore, is to employ the labour of others to acquire property and accumulate wealth these generate as the necessary consequence of a competitive system, massively unequal distribution of advantages and disadvantages. But classical approach attempts to abstract from these the real material conditions, and to post a state of formal equality. It has, therefore, constantly to confront all the contradictions that flow from a legal philosophy, based on formal equality, which is required to operate justly in conditions of substantive inequality.

If men are free, sovereign and rational, and the contract is just, then the question as to why individuals persist in violating the law by killing remains to be answered. In this view the classical approach of criminal homicide seems to be philosophical rather than empirical and scientific.

For Reckless (1962)\textsuperscript{31} there are “inner” and “outer” controls in each individual. The inner control involves self-control, high sense of responsibility,
etc. The outer control consists of such items as a presentation of a consistent moral front to the person, acceptance of institutional norms, discipline, etc. (Reckless and Demitz, 1967). When an individual conforms, the inner and outer controls help him to behave as normal law abiding and constructive individuals. But when he fails to be 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 success (Henry and short, 1954). There is therefore a relationship between strain and homicide. When an individual is subject to external restraint he becomes frustrated, he would turn off the resultant aggression outward and might commit murder.

Certain researchers found that at class level it is the individual without normal bonds to others who commits homicide. Assault behavior among teenagers of all class backgrounds is found to be the lack of attachment to parents, teachers and friends (Hirschi, 1969).

Murderous behaviour a heavily concentrated among individuals who are socially out casts (Devasia, 1984). Individuals who have no employment, who are alcoholic and drug addicts, who are mentally ill and who lack close ties with friends and family belong to the group of murderers (Chakrawarthy, 1982). Even though such people marry or associate with other people, they tend to remain somewhat estranged from others, even within their relationship (Gedam, 1983).

Individuals who are unable to restrain their selfish Impulses or to sustain affectionate relations with others are inclined to commit murder because of their inability to influence others in conventional way (Akers, 1973). Murder,
therefore, is an effort to deal with others when conventional means fail or are inadequate. So it can be said that murder reflects pathology in relationships.

During a study on six homicides offenders, (Duncan et al 1959) found that for those who committed these offences, physical brutality at the hands of the parents had been a constant experience. Hence, conditioned to physical torture, each of these individuals eventually resorted to the technique that had been deeply impressed upon them.

McCord and McCord (1959) found a similar result with reference to the importance of brutality by the father in subsequent murderous behaviour. (Chakrawarty's 1982) observations are very similar to the above findings. Physical torture by parents and siblings make children cruel, brutish revengeful and selfish. It forces them to torture others. Palmer (1960) in his study of fifty-one New England prison inmates found physical torture by parents as a part of the cause of homicide. According to this study, the life of homicide offenders are full of frustrating experiences. There is, therefore, a significant, positive functional relationship between the amount of frustration experienced by individuals in childhood and adolescence due to the physical torture by parents, and the tendency to commit homicide in adulthood.

Are there something about larger social structures, processes and institutions that prompts certain individuals to commit homicide? Numerous sociologists consider murder as a way of conforming to the expectations sub-cultures that differ from the dominant middle class culture (Cohen, 1955). For Wolfgang and Ferracuti violent sub-culture has two main characteristics:
first, compared with other groups, individuals in such sub-culture are highly touchy. Those who belong to this sub-culture regard certain situations, that other groups would find unimportant, as a serious challenge to their integrity. Second, the norms of such sub-cultures require violent responses to such challenges, “quick resort to physical combat as a measure of daring courage, or defence of status appears to be a cultural expression” (Wolfgang and Ferracuti, 1967). Homicide is, therefore, rooted in one’s conformity with the violent norms of some sub-culture in the society.

Sub-cultural theory of violence fails on a number of fronts, however. (First, most persons of all classes oppose homicide (Erlanger, 1974). Second there is no evidence that individuals who behave in violent ways have positive attitudes towards homicide (Sundra, 1973). Third, violent behaviour does not seem to be related to race or social class. It is interesting to note that the three well known researches conducted on the slums of Boston (Whyte, 1955), Washington (Leibow, 1967) and Chicago (Suttles, 1968) make very little mention of violence and particularly of murder.

Contrary to the above studies, Bullock (1955) asserts that “the basic ecological process of urban segregation centralizes people of like kind, throws them together at common institutions, occasion their association on levels of intimacy and there by paves the way for conflicts out of which homicides occur”. Hence, certain communities in urban areas have groups whose life styles are prone to murderous acts (Hartung, 1965). In other words certain groups commit homicide in their ordinary social interaction.
The absolute poverty, community disorganization, prostitution, gambling and disorganization of family life in the slums of industrialized cities quite often leads to the emergence of certain lower-class values (Miller, 1958). Homicide is, therefore, seen as a phenomenon in conformity with certain cultural patterns.

Homicidal behaviour is a solution to problems arising out of frustrated desires. (Devasia and Devasia 1984a). Social culture provides differential means to legitimate opportunities. It does provide differential access to illegitimate opportunities. Thus, criminal homicide provides a solution to problems facing certain individuals.

Microsociologists consider homicide a product of interactive process. Why does homicide occur in one situation and not in another? it is to this question that microsociological theory addresses itself. Devasia and Devasia (1984b) and Chakrawarthy found that homicide is often caused by trivial altercations with little premeditation. They agree with the study of Curtis (1975). When a conflict among close friends lead to homicide, both the victim and the murderer are surprised (Gode, 1970). A series of decisions on the part of the murdered and the victim results from a succession of happenings that may eventuate in murder (Slumimetz and Stratus, 1973).

Merton (1976) states that the rates of criminal behaviour is highest where people have little access to socially legitimate means for achieving culturally induced goals. Where the conflict 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 then turn to whatever means to achieve the goal.

Murderous behaviour heavily concentrated among individuals who are outcasts in social parlance (Devasia and Devaisa, 1982b). Individuals who have no employment, who are mentally ill and who lack close ties to friend, and family belong to this category (Devasia, 1988). This finding is closely related to the proposition of Drukheim that offender is a person who is labeled as an outsider by members of a society (Durkheim, 1938). Even through such people marry or associate with other people, they remain somewhat estranged from others even within their relationships.

Individuals who are unable to restrain their selfish impulses or to sustain affectionate relations with others develop an attitude favourable to commit homicide because of their inability to influence others in the conventional means or their efforts are inadequate. It is, therefore often said that murder reflects pathology in relationship.

In 1958, Wolfgang published his seminal work, Patterns in Criminal Homicide, in which he analyzed police records for 588 cases of criminal homicide in Philadelphia between 1948 and 1952 (1).

Although focused mainly on victim and offender demographics, this work also examined victim/offender relationship. Relationships were defined as either primary (e.g. family, friends spouses) or non-primary (e.g. acquaintances, strangers, enemies). These cases, the victim/offender relationship was primary.
More recent homicide studies have addressed not only victim/offender relationship but also crime motive and how these two characteristics are related. In general, both relationships and motives are dichotomized. Relationships are commonly classified as either stranger or non-stranger (Messner SF Tardiff K. 1985). Likewise, motives are classified as expressive/impulsive in nature (i.e., pursuit of gain, commonly financial) (Decker S.H 1996). Traditionally primary or non-stranger homicides are associated with expressive motives, while stranger or secondary relationship homicides are often identified as occurring in conjunction with other crimes (e.g. robberies, burglaries), and thus are associated with instrumental motives.

Decker (1985) examined in his study of police records from 1985 to 1989 in St. Louis “deviant” homicides. The term deviant means they departed from the usual correlation of primary relationship homicides with expressive motives and secondary relationship homicides with instrumental motives. His expressive motive category was similar to other studies, but his instrumental category was expanded to include the desire to gain control over the victim.

Decker (1985) also noted a large percentage of his secondary expressive homicides contained elements of revenge. This departure from expected relationship-motive associations is further confounded if revenge is considered instrumental rather than expressive in nature. It is also pointed out that revenge in love triangles could be considered both instrumental and expressive. Revenge carried out against a rival can involve both an expressive motive (e.g., anger, fear of loss) and an instrumental one (e.g. elimination of the rival). A motive category specifically devoted to revenge proves useful in helping to avoid this source of confusion.
There is also justification for the use of an "intimate" or "romantic dispute" category to allow a distinction to be made between conflicts of an intimate nature and those occurring between non-intimates. Intimates (i.e., lovers) typically face more complicated issues in their relationships than non-intimates, and the emotional intensity in romantic disputes commonly exceeds that found in arguments between friends. Moreover, the considerable number of studies focusing on intimate partner violence reveals a professional interest in homicides of this nature (Wolfgang ME 1956)\textsuperscript{62} (Weisheit RA.1984).\textsuperscript{63}

There is a rich sociological literature on the nature of deviance, and the question of the social organization of deviant individuals has attracted increasing attention. Many sociologists suggest a spectrum of types of involvement, from isolated \textit{loners to colleagues}, who associate with other deviants; and thence to peers who join together in the commission of deviant acts. Still higher stages of structure and collaboration would be represented by \textit{mobs and formal organizations}. The typology is not applied to such apparently individualistic activity as multiple homicide and both murders and rapists are explicitly referred to as generally loners. On the other hand, the discussion of collective deviance is important for our present purposes, as many serial killers fit especially well in to the category of peers.

Such a study contributes in providing social context for an act which is apparently as individualistic homicide during an argument of this kind of transactional approach has been widely influential in studies of homicide. Multiple offender homicide has been the subject of several recent criminological accounts which show a full awareness of the interpersonal issues involved.
Levin and Fox rightly criticize the stress on the individual psychopathology of the lone offender, and offers several examples of group activity. This includes cases where homicide had political and financial motives, but there are also "irrational" killers. The authors conclude that "If 'craziness' were behind such killing, then it had to have afflicted the minds and souls of the brothers, friends or associates who murder together" (Levein and Fox 1985).

Pokorny (1965) conducted one of the first replications of the Wolfgang study when he examined all criminal homicides in Houston during the years 1958 through 1961. His study included 430 offenders and 425 victims. Pokorny noted that, like those in the Philadelphia study, Houston homicides were intra-racial and intra-gender. However, inconsistent with Wolfgang's findings, blacks were less likely to be offenders in Houston (based on arrest rates), and there were fewer "stranger" and "acquaintance" relationship homicides in Houston. Pokorny's research lent support for the general findings that he was attempting to replicate - that homicide is interracial, that it is intra-gender, and that the majority of homicides occur among persons who are known to one another.

Three years later, in another direct replication of the earlier Wolfgang study, examined 329 criminal homicide cases filed in Chicago. It is also found a higher proportion of inter-gender homicides (39.6 per cent) than either Wolfgang or Pokorny had found. Finally, they noted that the modal age category of offender was 20-24, whereas the modal age category of victim was slightly older (25-29).
Block’s (1981) study of homicides viewed the victim-offender relationship within the context of “Criminal events”. Based on examination of Chicago police records for the years 1965-1976, he concluded that homicide was generally the outcome of another violent criminal event such as robbery or aggravated assault. Block divided cases such as robbery or aggravated assault. He categorized them into instrumental (felony related) and impulsive (non-felony related) homicides and noted that impulsive homicides were much more likely among relatives or acquaintances of nearly the same age.

Consistent with both Wolfgang and Pokorny, Voss and Hepburn found the vast majority of homicide cases involved persons acquainted with one another.

Among the most recent studies of homicide is an analysis of intersexual homicides in Chicago by (Zimring et al. 1983). They noted that the increases in total number of homicides observed over the past two and a half decades was due largely to males killing other males. Over half of these homicides involved prior intimate or family relationships.

Most international research data has focused predominantly on examining, family homicide as a single entity. Few studies have explored, compared and contrasted the various types of family homicide in order to determine how they are similar & dissimilar.

Riedel and Zahn 1985 also noted that female victimization was more prevalent in family homicides than in either acquaintance or stranger homicides. Even in family homicides, however, males were more likely to be victims.
It is also reported that the common theme running through other family homicides and particularly in-laws killings was marital conflict and marital violence.

The domestic dispute had spread to include other members of the family who adopted a protective role of the abused spouse, the wife. It was this involvement which eventually led to their becoming embroiled in a violent clash with their in-laws.

Contrary to public perceptions that we are most at risk of being homicide by a stranger, homicides in India elsewhere are most likely to involve persons who are known to each other, such as friends & family members, as Wolfgang (1958, p-203)\(^9\) noted almost half a century ago.

Many subsequent authors have also noted the importance of the victim. Offender relationship, and how the characteristics of the homicide itself will vary depending on who gets killed and who does the killing (Silverman & Kennedy 1987)\(^69\) (Polk 1994)\(^7\). This is particularly important in the context of family homicide, which can encompass various types of victim-offender relationship, such as intimate partners, parents killing children, children killing parents, siblings killing each other and so on.

Intimate partner homicide has been conceptualised according to the state of the relationship (intact or estranged) and relationship status (legal marriage, cohabiting, dating). Previous research finds that in terms of relationship state, women who are separated are at higher risk of homicide victimisation by intimate partners than women in current relationships (Hotton 2001,\(^70\) Wilson & Daly 1993,\(^71\) Johnson & Hotton 2003.
The majority involved males killing female intimate partners (75%). Females comprised only 20% of the offenders of intimate partner homicide, confirming prior research that males are more likely than females to kill their intimate partner (Johnson & Hotton 2003; Silverman & Mukherjee 1987; Websdale 1999).

Social relationship is one of the most important factors which influence the nature of conflict between people. Furthermore, the social relationship defines the social distance which exists between the victim and the offender. This “distance” and the types of conflicts and corresponding social controls operating obviously differ from incidents, depending on the relationship in question. For instance homicide between intimate partners involves entirely different social dynamics from a child-abuse homicide. Both of these in turn, differ quite markedly from the types of social interactions which lead to homicides committed between strangers of their own particular set of circumstances.

However, it has been suggested (Silverman & Kennedy 1993; Polk 1994) that stranger homicides also involve an element of social interaction. People do not kill each other just because they are strangers. As with other types of homicides, strangers do not kill each other in a vacuum. In addition, a confrontation between males who are strangers may have similar motivations as those homicides classified by the relationship between friends and acquaintances. Polk (1994) refers to these types of incidents as a “Masculine honour confrontation.”
The only homicides which involve no social interaction are mass homicides. Here, the motive of perpetrator is difficult to predict. Fortunately these types of incidents are very rare. This is similar to social killer, although they do sometimes forgo a social relationship.

The Socio-economic factors of homicides have been studied by many scholars (Arthur & Marenin 1995) who have stressed the need for better comparative research and lamented the absence of reliable and detailed studies from Asian and other non-western jurisdictions and the characteristic of victims and offenders (age, sex, relationship) and the nature of homicide (Motive, Means and prevalence). Of recent interest is the role of cultural differences and inequality in contributing to lethal violence against women, children and the elderly the significance of parmer compared to non-affine homicide. (Daly & Wilson 1988, Block & Wolfgang and Ferracuti 1967).

The china Law yearbook provides similar data. These data report the annual incidence of victims of homicide and the prosecution and incarceration of homicide offenders. Comprehensive studies of homicide are available for North American, European Australasian and even Chinese jurisdictions could contribute significantly to our understanding of cultural and situational influences on the prevalence of lethal violence. The UN World Crime Surveys (1970-1994), INTERPOL bi-annual crime reports (1952-1995) and World Health Organisation Surveys (1948) provide multi-national assessments of changes in crime and homicide.

Lethal violence magnifies to the levels of fear of crime and since the introduction of a 'market' economy Chinese cities have reportedly experienced
a rapid rise in the level of lethal violence and others crimes. A frequently cited cause of this increase is the decline in civic values and the influx of migrants into cities from the countryside. Similar claims are frequently made about the role of migrants and illegal immigrants in urban areas, increases in homicide may be assumed to arise from 'anomie' and the erosion of traditional Chinese virtues, especially the importance of social harmony and respect for authority.

Bio-psychological studies

One of the most debated among the theories is the "born criminal" theory of Lombraso who thought that the typical murderer was a born criminal and attributed this to atavism or "throw-back" to lower animal and savage life (Lombroso 1911) he, however, had been found lacking on empirical and methodological ground in his studies.

Sheldon (1949) found delinquents to be predominantly mesomorphic, i.e., study, muscular and slow of foot, or ectomorphic, i.e. tall and fragile. Sheldon's theory has been subject to a through criticism. But to a great extent Hooton agrees with Lombroso and Sheldon.

Lorenz (1966) believes violence to be a fundamental and unalterable part of the human genetic inheritance. Murderous behaviour, therefore, according to his view, is inherited through genes. To a certain extent (Eysenck 1970) also agrees with Lorenz.

Ardrey (1966) believed that the instinctual nature of human aggression was the cause of criminal homicide. He thought that weapons came first and that human brain developed to serve a violent life-style. Homicide, therefore,
is a natural behaviour. Many authors have criticised the instinct theory of (Lorenz and Ardrey Montagu, 1973). First, both authors underestimate the extent to which animal behaviour is learned rather than innate. Second, one cannot generalize from the lower beings to humans without explaining why differences between the two are unimportant. Thirdly, an instinct is present in all normal members of a given species.

The causal nexus between physical conditions and criminal homicide is not fully established. But it is known that physiology, neurology and chemistry of the body may affect learning, mood, energy and rhythms and these in turn are likely to have some effect on certain aspects of behavior including murderous behaviour.

Goddard, (1920) claimed nearly all criminals, are of low-grade mental ability. But findings of Goddard lacks the support of empirical evidence and studies in this area are very few and conducted without reference to a systematically developed theory of crime.

Certain researches have concluded that murderous behavior is often caused by mental disorder.

Aichchihorn (1963) in his writings accepts psychoanalytical viewpoints of homicide. He claims that criminal homicide is due to unconscious desires of an individual. Friedlander thinks that unfavorable environments play a part in criminal homicide but only as a precipitating cause that encourages homicides behaviour repressed in normal persons (Friedlander, 1947). Johnson (1949) suggests that parents encourage violent acts of their children so as to gratify
their own forbidden impulses. For Abrohmsen (1960) environmental and social factors have only very limited role in the causation of murder.

The psychoanalytical theory of criminal behaviour is erroneous mainly because it assumes instincts. It is obvious that human behaviour is not a product of biological forces. Psychoanalytic view of the behaviour of criminal homicide is defective because it stresses the impact of experiences of infancy and early childhood. Many studies reveal that early and harsh toilet training does not have much impact on later personality formation. This theory minimizes the influence of social factors on behaviour of criminal homicide.

Although few inquiries have addressed themselves to the relation between personality traits and criminal homicide, the correlations tend to be weak and the results of different researchers to be inconsistent (Schuessler and Cressey, 1950).

Murderous behaviour results when the restraining forces are weak too curb inherent aggressive and destructive tendencies. Quite a few researchers have found a positive correlation between alcohol and homicide (Chakrawarthy, 1983). Wolfgang (1958) observed that in 64 per cent of murder cases either the victim, the homicides offenders, or both were drunk. It is also noted that murder often occurs in evenings and weekends when a good number of people are intoxicated (Rajan and Krishna, 1982).

Frustration - aggression theory suggests that homicide might occur when a person is frustrated and his effort to obtain some goal is obstructed (Dollard, 1961). It has been observed that frustration does not always lead to aggression,
but sometimes aggression can occur in the absence of frustration (Berckowitz, 1962).\textsuperscript{87}

Another view is that murderous behavior is learnt. In other words, if an individual is rewarded for violent behaviour he would tend to repeat it. Numerous researchers (Zigler and Child, 1973)\textsuperscript{88} have found that violent behaviour among children can be increased or decreased by controlling whether or not such behaviour is reinforced.

Children often learn violent behaviour without being rewarded. This learning (Bandura, 1959)\textsuperscript{89} is called modeling or copying another’s behaviour. In a number of experiments Bandura and Walters allowed children to observe an adult model engaging in different aggressive acts. Children who observed the violent behaviour tended to intimate it.

Homicide by psychopathic personalities is a hot topic of discussion in many countries of the world. With few exemptions psychometric studies of homicide have not merged from testable hypothesis. Most of the studies on differential psychology of homicide have been exploratory and tentative. The intelligent homicide offenders in different countries have generally been noted to be lower than that of property offenders.(Berg & Fox 1947).\textsuperscript{90}

Most psychometric studies have used the Rorschach test; leading traits of homicide offenders as obtained from Rorschach protocols appear to be introversion, impulsivity, and explosive emotions. In summarizing several Rorschach studies of homicide, (Endara 1960)\textsuperscript{91} stated that one of the most important findings is the fact that those who commit homicide produce about
half the number of “human-content” responses as compared to other criminals, which indicates a lack of empathy and the presence of hostility and rebelliousness against authority.

Schuessler and Cressey (1950)\(^85\) earlier had stated in their criticism of studies on the personality characteristics of criminals; the studies generally apply a personality test without reference to any hypothesis about the relation of personality elements and criminal behaviour.

**Frustration-aggression theory**

The frustration-aggression theory (Dollard et al. 1939)\(^14\) was readily accepted by many sociologists and psychologists as a useful theoretical framework, but few psychologists today would assert that the presence of frustration inevitably leads to aggression or specifically of homicide. In a review of the literature on the social psychology, it was concluded that scientific research on this theory is difficult because of the nearly inherent problems of circular logic. However, (Leonard Berkowitz 1962),\(^87\) using the theory, has been doing some very interesting experimental research on violence in general, and in a theoretical paper demonstrated that violence can be viewed from a sociological perspective.

External restraints operate more among lower social classes, for whom other-oriented aggression is legitimized and manifested frequently as homicide. There is some theoretical connection in these terms to Reckless’ containment theory (1950) of criminal and noncriminal behaviour. Palmer’s study (1960) defines frustration in such a general way that items like epilepsy. Severe measles,
head trauma, are taken as “frustrating” factors, with no concern for the aggressive personality deformations that they can cause by themselves.

In sum, frustration, it is generally agreed, is an inevitable and necessary part of the socialization process. The frustration-aggression theories is challenging and should not be abandoned, but its present value for research purposes in homicide studies appears to be limited (Buss 1961).16

In spite of widely held beliefs that homicides are committed by aggressive, anti-social individuals who easily fit into the category of 'psychopath' there is considerable evidence that a significant number of murderers are not aggressive and are 'normal' in a psychopathological sense. Trying to find out why there are so many non-aggressive individuals among those who commit such an aggressive act as homicide, it is suggested that murderers could be divided into two types: 'over-controlled' and 'under-controlled' (Blackburn 1971), who was studying a population of murderers in a psychiatric prison hospital, put forward a classification of murderer into four types; paranoid, aggressive, depressive, overcontrolled repressors, and psychopathic. Objections were raised that Blackburn's results were the consequence of dealing with a selected population.

The term parricide refers to the killing of one's father (patricide) or mother (matricide). The literature suggests that there are various types of parricidal offenders. Previous research also suggests that the most common type of parricidal offender is the severely abused child.

Many studies have identified exclusion via low economic status and unemployment as a factor in higher risks of victimization and offending and this may confounded for immigrant and other "outgroups".

58
Previous research has also found that men and women in cohabiting relationships are at a much greater risk of being killed by their partners than are married men and women (Daly & Wilson 1988; Wilson, Johnson & Daly 1995).93

Using World Health Organization data found that the child-homicide rates in the U.S. was “a typically high.” An examination of the data indicated that the mean U.S. child-homicide rate for very young children (<1 year old) was about 1.5 times that of Canada, whereas for older children (aged 1-4) the rates in the U.S. and Canada were very similar. Their earlier work showed that homicide rates for children in developing countries were independent of homicide rates for all ages whereas in developed countries the relationship came closer to a significant correlation. It is argued, therefore, that in developing countries there is a unique pattern of child homicide while in developed countries there may be an increased risk for children based on a societal pattern of homicide.

A majority of child homicides are committed by parents or de facto (non-biological) parents. Pre-school age children are almost never the victims of stranger homicide. Canadian study found that parents were the suspects in almost three-quarters (74 per cent) of child homicides (Silverman and Kennedy 1993).8

A not unrelated observation is that a distinctive feature of child homicides is the gender of the offenders. As a general matter, homicide is committed by men. Most research indicates that the proportion of male
offenders in homicide ranges from 85 to 90 per cent (Wolfgang 1958; Silverman and Kennedy 1993; Polk 1994a).

However, such explanation for the pattern of child homicides in terms of the 'routine activities' of their lives, is sufficient for addressing the gendered aspects of these patterns. Specifically in regard to the present research, 'routine activities' explanations offer little in terms of understanding why it is men who are most likely to kill older children. Recent years have seen the production of a few works, which have specifically addressed the issue of the overwhelming masculinity of homicide, and it is to these works we now turn.

Some of the most detailed empirical studies of homicide in recent times, which have as a central observation the maleness of violent crime, are those conducted by Daly and Wilson (1988, 1989). They note that there is no evidence that the women in any society have ever approached the level of violent conflict prevailing among men in the same society. Working from a perspective based in evolutionary psychology, Daly and Wilson argue that male violence has to be understood in the context of the human reproductive process. They maintain that man's psyche is 'obsessed with social comparison, with the need for achievement and with the desire to gain control over the reproductive capacities of women'. The most common type of homicide, involves two acquainted, unrelated males, in a dispute over status or face.

A final study to be considered is Wilson and Daly's sociological approach to homicide (1988). They showed that younger children were killed at a higher rate than older children. They linked this to increased bonding by parents to older children (particularly females) as they approach reproductive
age. They further suggested that mothers rarely kill older children. They predicted similar patterns for fathers. They made somewhat different predictions for step-parents. Unfortunately, while their data generally supported their predictions, the link between theory and data is elusive.

The times study also found that homicide rates have risen and fallen along roughly symmetrical paths in the states with or without the death penalty, suggesting to many experts that the threat of the death penalty rarely deters criminals.

"It is difficult to make the case for any deterrent effect from these numbers," said Steven Messner, a criminologist at the State University of New York at Albany, who reviewed the analysis. "Whatever the factors are that affect change in homicide rates, they don't seem to operate differently based on the presence or absence of the death penalty in a state".

Several U.S. based studies have shown that improved economic conditions have a greater impact on reducing the incidence of family homicide, including killings that occur between spouses, than on other types of homicide.

This theoretical work points out a number of linkages between environment degradation and violence, yet there is a dearth of quantitative, empirical research to bolster these ideas. Using newly available data for the regions of the district tested hypotheses that environmental degradation, along with a number of social factors (which include population density, poverty, inequality, and regional development level), affect the likelihood of violence-in this case of homicide. Over the past decade in the former district, radical
political reforms have been accompanied by fast-paced social, economic and environmental changes. These in turn have had drastic implications for social policy, the former welfare system and income distribution. Largely as a function of these social and political changes, there has been upheaval in environmental and quality of life outcomes.