

Theories of crime and their criminal Behaviour

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Meaning of Crime

Societies have been concerned about behavioural expectations, disruptions to social order, and the protection of the natural flow of life since ancient times. Ancient **Babylon's Code of Hammurabi**² is the earliest evidence of a society that clearly identified a set of rules governing social life.

King Hammurabi (1755–1750 BC) established a historical precedent for other societies to follow.

Crime has traditionally been studied as a form of deviant behaviour. Crime is a behaviour that violates official law and is punishable through formal sanctions. The dictionary meaning of the word '*crime*' refers to a "violation of law" or "an act punishable by law".

The English word 'crime' is derived from the Latin term "crime" which means 'charge' or 'offence'. Thus, literally the word crime means "an attack on norms or the law". It also means "violation of norms and laws".

Definition of crime³

1. According to Samuel Koenig, "Crime may be defined as any act forbidden by law which society expects its authorized officials to enforce."
2. According to F.R. Scarpitti and M.L. Andersen, "Crime can be defined in terms of the body of law that codifies a society's rules about proper and improper behaviour."
3. According to Hall Jerome has defined crime as "legally forbidden and intentional action which has a harmful impact on social interests, which has a criminal intent, and which has legally-prescribed punishment for it."
4. According to Elliot and Merrill, "Crime may be defined as anti-social behaviour which the group rejects and to which it attaches penalties."

Therefore, crime is believed that anti-social elements are responsible for increase in crime rate.

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²It is the longest, best -organized and best-preserved legal text from the ancient Near East.

³Legally, a crime is an act made punishable by law.

5. According to Mowrer (1959) has defined as “an anti-social act”.

Crime has been an enduring element of human society, challenging social norms, structures, and legal boundaries throughout history. The question of why individuals commit crimes and the underlying motivations has led to the development of various criminological theories. Each theory attempts to explain the causes of criminal behaviour from distinct perspectives, encompassing psychological, social, biological, and economic factors.

Types of Criminal Offenses

Although there are many different kinds of crimes, criminal acts can generally be divided into five primary categories: crimes against a person, crimes against property, inchoate crimes, statutory crimes, and financial crimes.

Crimes Against a Person

Crimes against a person are those that result in physical or mental harm to another person. They can be divided into two main categories, forms of **homicide** and other **violent crimes**. Where the physical harm to another individual is so severe that it causes death, a defendant may be charged with any one of several types of homicide, including, for example, **first-degree murder**, **voluntary manslaughter**, or **vehicular homicide**. Conversely, violent crimes, which are also very severe, include:

- **assault⁴ and battery**
- **arson**
- **child abuse**
- **domestic abuse**
- **kidnapping⁵**
- **rape⁶ and statutory rape**

Crimes Against Property

Crimes against property typically involve interference with the property of another party. Although they may involve physical or mental harm to another, they primarily result in the deprivation of the use or enjoyment of property. Many property crimes are **theft crimes**, including **burglary**, **larceny**, **robbery**, **auto theft**, and **shoplifting**.

Inchoate Crimes

⁴Assault (section 130 of BNS)

⁵Kidnapping (Section 137 of Bharatiya Nyaya Sanhita)

⁶Rape (Section 63 of Bharatiya Nyaya Sanhita)

Inchoate crimes refer to those crimes that were initiated but not completed, and acts that assist in the commission of another crime. Inchoate crimes require more than a person simply intending or hoping to commit a crime. Rather, the individual must take a “substantial step” towards the completion of the crime in order to be found guilty. Inchoate crimes include **aiding and abetting**, **attempt**, and **conspiracy**. In some cases, inchoate crimes can be punished to the same degree that the underlying crime would be punished, while in other cases, the punishment might be less severe.

Statutory Crimes⁷

Statutory crimes include those crimes, in addition to the crimes discussed above, which are proscribed by statute. Three significant types of statutory crimes are **alcohol related crimes**, **drug crimes**, **traffic offenses**, and **financial/white collar crimes**. These crimes are specifically prohibited by statute because society hopes to deter individuals from engaging in them. Alcohol-related crimes include a variety of offenses regarding how and where alcohol can be consumed, such as:

- Driving Under the Influence (DUI/OWI/DWI)
- Open Container Violations
- Minor in Possession of Alcohol
- Public Intoxication
- Underage DUI⁸
- Boating DUI
- Selling and Supplying Alcohol to Minors
- Refusing to Perform a Field Sobriety Test
- Refusing to Perform a Breathalyzer or Provide a Blood Sample

Drug crimes concern any involvement in the creation or distribution of drugs, including **drug possession**, **drug manufacturing**, and **drug trafficking**. One area of criminal law that is currently receiving a great deal of attention is the regulation and prosecution of drug crimes related to **medical marijuana**. Due to state trends toward the legalization of medical marijuana, this is an area of criminal law that is in flux.

Financial and Other Crimes

Finally, financial crimes often involve deception or fraud for financial gain. Although white-collar crimes derive their name from the corporate officers who historically perpetrated them, anyone in any industry can commit a white-collar crime. These crimes include many types of **fraud** and **blackmail**, **embezzlement** and **money laundering**, **tax evasion**, and **cybercrime**

⁷Crimes that are found within statutes

⁸UDI-Underage driving in India(Fines and penalties for minors and parents explained)

MEANING OF THEORIES OF CRIME AND CRIMINAL BEHAVIOUR

Theories of crime and criminal behaviour aim to explain why individuals commit crimes, offering insights into the underlying factors that drive criminal actions. These theories fall into several categories, each examining different causes and motivations.

Biological theories suggest that genetics or physical traits may predispose individuals to crime. **Psychological theories** focus on mental processes and personality traits that influence behaviour, while **sociological theories** consider the social environment, such as family, community, and economic conditions, in shaping behaviour.

Other theories, like **conflict and critical theories**, view crime as a response to social inequality or power struggles within society. Together, these theories provide a framework for understanding the complex, multifaceted nature of crime, aiding efforts to prevent and address criminal behaviour.

THEORIES OF CRIMES

By analysing these theories, we can better understand the complexities of criminal behaviour and potentially develop more effective policies for crime prevention and rehabilitation.

- **Biological Theories of Crime⁹**

Biological theories posit that individuals may be predisposed to criminal behaviour due to their genetic makeup or physiological traits. This approach gained prominence in the 19th century with Cesare Lombroso, an Italian criminologist who believed that criminals possessed certain “atavistic” traits or primitive features, suggesting a biological inclination toward crime. Lombroso theorised that criminals were evolutionary throwbacks who displayed physical characteristics such as sloping foreheads, receding chins, or large jaws. Although Lombroso’s theories have been largely discredited, modern biological theories still explore genetic and neurobiological factors. For example, research on the **MAOA gene**, often dubbed the “warrior gene,” has suggested that certain genetic variants may predispose individuals to aggressive or impulsive behaviour. Additionally, studies have examined the role of **testosterone**, **serotonin levels**, and **brain structure** in influencing behaviour.

Contemporary biological theories focus on the interplay between genetic predispositions and environmental factors, known as **biosocial criminology**. This field suggests that while

⁹Biological Atavism in Criminology (1876)

biology may provide certain inclinations, social environments and life experiences ultimately influence whether an individual engages in crime. For example, an individual with a genetic predisposition for aggression may be less likely to commit crimes if they grow up in a nurturing and supportive environment.

- **Psychological Theories of Crime**

Psychological¹⁰ theories focus on mental processes, personality traits, and emotional responses to explain criminal behaviour. These theories propose that criminal behaviour can result from abnormalities in cognitive function or personality, leading individuals to respond differently to social situations.

One foundational approach within this theory is **Freudian psychoanalysis**, which argues that criminal behaviour stems from unresolved psychological conflicts rooted in childhood. Freud's model divides the psyche into the **id** (impulsive desires), **ego** (rational thought), and **superego** (moral compass). Imbalance or dysfunction among these components, such as a dominant id, can result in criminal impulses taking precedence over rational decision-making.

Additionally, **personality theories** propose that certain personality traits, such as impulsivity or aggression, make individuals more prone to criminal behaviour. Psychologists have used models like the **Big Five Personality Traits** (openness, conscientiousness, extraversion, agreeableness, and neuroticism) to study how specific characteristics relate to criminal behaviour. Traits such as high neuroticism (emotional instability) or low conscientiousness (lack of impulse control) have been linked to higher risks of criminality.

Other psychological theories focus on **cognitive development**. For instance, **Kohlberg's stages of moral development** suggest that individuals progress through stages of moral reasoning. Those who do not fully develop morally may have difficulty distinguishing right from wrong, making them more susceptible to criminal behaviour. **Learning theories**, such as **classical conditioning** and **operant conditioning**, also highlight how behaviour is shaped by reinforcement and punishment, explaining how criminal actions may be learned and repeated if reinforced.

- **Sociological Theories of Crime**

Sociological theories view crime as a result of social conditions, environmental factors, and group dynamics. Unlike biological or psychological theories that focus on the individual, sociological theories examine how interactions within society influence criminal behaviour.

Social Disorganisation Theory

Social Disorganisation Theory, developed in the early 20th century by sociologists at the University of Chicago, examines how community structures impact crime rates. This theory

¹⁰**Skinner**(1904-1990) was identified as the most influential psychologist of the 20th century. He was one of the most important figures in the school of thought known as **behaviorism**.

suggests that crime is more prevalent in areas with high poverty, unemployment, and lack of social cohesion. Researchers Clifford Shaw and Henry McKay found that areas with high crime rates often lacked stable institutions (like schools and community organisations) and social ties, leading to disorganisation.

According to this theory, social disorganisation hinders communities' ability to exert informal social control, making it difficult to prevent criminal activities. Therefore, this theory suggests that improving neighbourhood conditions and building social cohesion can reduce crime rates.

1. Strain Theory

Strain Theory was developed by sociologist Robert K. Merton, who argued that crime is a result of the disconnect between culturally accepted goals (such as wealth or status) and the legitimate means available to achieve them. When individuals are unable to attain these goals through socially acceptable avenues, they may experience "strain" and resort to deviant behaviours to achieve success.

Merton identified several responses to strain, including **innovation** (using unconventional methods, such as crime, to achieve goals), **ritualism** (adhering to socially accepted means but abandoning goals), and **rebellion** (rejecting both societal goals and means). Strain Theory has been influential in understanding why marginalised groups or those facing socio-economic disadvantages may turn to crime.

2. Labelling Theory

Labelling Theory focuses on how society's response to individuals can influence their behaviour. According to this theory, labelling an individual as a "criminal" or "deviant" can reinforce criminal behaviour by influencing their self-identity and limiting social opportunities.

Once labelled, individuals may internalise this identity, leading them to act in accordance with society's expectations. This self-fulfilling prophecy can perpetuate criminal behaviour, as labelled individuals face obstacles in education, employment, and social relationships that push them further toward deviant behaviour.

Labelling Theory has implications for the criminal justice system, as it suggests that punitive measures, such as incarceration, may reinforce criminal behaviour rather than rehabilitate offenders.

3. Social Control Theory

Social Control Theory, developed by Travis Hirschi, posits that strong social bonds with family, friends, and the community reduce the likelihood of criminal behaviour. According to this theory, individuals with stronger attachments to others, greater involvement in productive activities, and a commitment to social norms are less likely to commit crimes.

Hirschi's **Social Bond Theory** identifies four elements that promote social bonds and discourage crime: **attachment** (emotional bonds to others), **commitment** (investment in conventional goals), **involvement** (participation in socially approved activities), and **belief** (acceptance of social norms). Weaknesses in these bonds can increase an individual's likelihood of committing a crime. Social Control Theory suggests that social institutions, such as family and schools, play a crucial role in fostering these bonds and preventing delinquency.

4. Rational Choice Theory

Rational Choice Theory posits that individuals are rational actors who weigh the potential costs and benefits of their actions. In this view, crime is a calculated decision based on the perceived likelihood of success and the anticipated rewards versus the risks, such as punishment.

According to this theory, individuals commit crimes when they believe the benefits outweigh the consequences. Rational Choice Theory has influenced policies emphasising deterrence, such as increased penalties, stricter law enforcement, and surveillance. By increasing the perceived costs of crime, policymakers aim to discourage rational actors from engaging in criminal behaviour.

5. Conflict Theory

Rooted in Marxist thought, **Conflict Theory** suggests that crime arises from social and economic inequalities. According to this theory, laws are created and enforced by the ruling class to maintain control over the lower classes. Crime, therefore, is a response to oppressive conditions and an act of resistance against a system perceived as unjust.

Conflict Theory emphasises how economic disparity, discrimination, and lack of access to resources contribute to crime. This perspective argues that the criminal justice system is biased, with the laws often disproportionately targeting marginalised groups. By addressing social inequalities and reforming oppressive laws, Conflict Theory suggests that society can reduce crime rates.

6. Critical Theory

Critical Theory expands on Conflict Theory by arguing that crime definitions and laws are created by a select few to maintain control over society. This theory explores how crime and deviance are defined by those in power, often reflecting their interests rather than universal moral principles.

Critical Theory challenges traditional concepts of crime, arguing that what is considered “criminal” often reflects the interests of those in power. For instance, white-collar crimes or corporate abuses may be less severely punished than street crimes, reflecting the influence of economic and political elites. This theory advocates for a critical examination of laws and societal structures that perpetuate inequality and criminalise marginalised groups.

7. Social Learning Theory

Social Learning Theory proposes that individuals learn behaviours, including criminal ones, through observation and imitation of others, especially influential figures in their social environment, such as family, friends, or media. This theory is rooted in the idea that behaviour is shaped through interaction with others.

According to **Albert Bandura's social learning model**¹¹, people learn not only through direct experience but also by observing the consequences of others' actions. This theory

¹¹Albert Bandura , born in 1925 in Alberta , Canada ,became interested in psychology while studying biological sciences at the University of British Columbia (Nabavi, 2012).

explains how criminal behaviour can spread within social groups or communities, as individuals learn norms, techniques, and motivations for crime. Programs that provide positive role models and encourage pro-social behaviour are central to preventing crime within this framework.

8. Positivist Theory

Positivist Theory, or **Positivism**, is based on the belief that crime is caused by external factors beyond an individual's control, such as biological, social, or psychological influences. Unlike rational choice perspectives, Positivism rejects the idea of free will, viewing individuals as products of their environment.

Positivist Theory emphasises scientific methods to understand crime, focusing on measurable factors, such as genetics, environment, and mental health. This theory has influenced rehabilitative approaches that address underlying causes of criminal behaviour rather than simply punishing individuals.

CRIMINAL BEHAVIOUR IN CRIMINOLOGY

There are four general definitions of criminal behaviour that will fit all the types of it. These four areas include the following types of act:

- Prohibited by law and are punished by the state.
- Considered to be violation moral or religious code and is believed to be punishable by a Supreme Spiritual being such as God.
- Violate norms of society or traditions and are believed to be punishable by community.
- Acts causing serious psychological stress or mental damage to a victim, but somewhat affordable for offender (referred as "Psychological criminal behaviour")

Concept of Criminality

Criminality is a style of strategic behaviour characterised by self-contentedness, indifference to the suffering and needs of others, and low self-control. More impulsive individuals are more likely to find criminality an attractive style of behaviour because it can provide immediate gratification through relatively easy or simple strategies.

Criminality is a certain personality profile that causes the most alarming sorts of crimes. All criminal behaviours involve the use of force, fraud, or stealth to obtain material or symbolic resources.

Criminal behaviour is the product of a systematic process that involves complex interactions between individual, societal, and ecological factors over the course of our lives.

Causes of Criminal Behaviour

The reasons behind criminal behaviour can vary a lot in each particular case, but still they can be grouped in two main categories genetics and environment.

When in the mid-19th century the question about the causes of criminal behaviour was raised, a lot of psychologists were insisting that the only reason is genetics.

They even considered that a person's inclination to criminal could be measured according to the parent's mental condition, i.e. if they had some even minor mental problems their children was more likely to become a criminal.

Nowadays the psychologists and criminalists agree that what drives a person to criminal behaviour is really complex and complicated mechanism, involving a lot of factors. We can imagine a child, who was born in a "criminal" family (mother is schizophrenic, father is rapist and murderer) but after he got an education and a job there is nothing antisocial in his behaviours. It proves that solely genetics can't determine one's inclination to the criminal.

So, it is impossible to predict a person's "criminality" according to some specific factors, but we can still highlight some circumstances and apply a person to a "relatively higher criminal risk group".

- Financial problems, or starvation; this is especially common problem in third world countries. When a person has to struggle every day just to get food to survive, the probability that they become thieves is high.
- Low social status; when one is bullied because of it, they may easily become aggressors and fight back against the whole society.
- Genetics; some genetically mental disorders, itself, includes increased aggression.

Criminal behaviour is the product of a systematic process that involves complex interactions between individual, societal, and ecological factors over the course of our lives. In other words, from conception onward the intellectual, emotional, and physical attributes we develop are strongly influenced by our personal behaviours and physical processes, interactions with the physical environment, and interactions with other people, groups and institutions.

These systematic processes affect the transmission from generation to generation of traits associated with increased involvement in crime.

Traits of criminal behaviour

The following are the major traits of criminal behaviour Anti-social values:

This is also known as criminal thinking. It includes criminal rationalisation or the belief that their criminal behaviour was justified. Individuals possessing this trait often blame others for their negative behaviour, and show a lack of remorse.

1. Criminal Peers

Individuals with this trait often have peers that are associated with criminal activities. Most are often involved with substance abuse including drugs or alcohol. Peer influence often

persuades the individual to engage in criminal behaviour. They will also typically present with a lack of pro-social community involvement.

2. Anti-social personality

These traits often include atypical behaviour conducted prior to the age of fifteen and can include, running away, skipping school, fighting, possessing weapons, lying, stealing and damage to either animals or property.

3. Dysfunctional family

One of the most common traits includes a lack of family support, both emotionally and otherwise. An individual's family lacks the ability to problem solve and often is unable to communicate effectively. Family members often don't possess the ability to express emotions in an appropriate manner. More often than not, they are also involved with criminal activity.

4. Low self-control

This involves one's ability to control temperament and impulsivity. People that carry this trait often do things that they didn't plan, and will fail to think before acting. The mindset is of the here and now, and not on the consequences of the behaviour.

5. Substance abuse

The use of drugs or alcohol that significantly affect one's ability to engage in a successful and productive lifestyle. There is often an increased tolerance to substances, in addition to an inability to stop use.

The focus of Criminal behaviour study is to understand offender better and answer questions like: who criminals are, why do they commit an offence (In order to define ways of preventing criminal), how do they think, what do they do (in order to predict their future actions and assist investigation in catching offenders).

Andrews & Bonta, 1998¹² offered four general definitions of criminal behaviour that will fit all the types of it.

These four areas include the following types of act:

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4. Acts causing serious psychological stress or mental damage to a victim, but is somewhat affordable for offender (referred as “Psychological criminal behaviour”).

From the all stated above a general definition of criminal behaviour can be stated as “Any kind of antisocial behaviour, which is punishable by law or norms, stated by community,” therefore, it is very difficult to define it, because the acts, being considered as violation at one point of time now is accepted by community.

It is important to distinguish Delinquency from criminal act. The first one refers to acts, that are prohibited by social norms, while the second one is violation of existing laws defined by a state.

¹²The prediction of criminal and violent recidivism among mentally disordered offenders: A meta-analysis

The Nature vs. Nurture Debate¹³

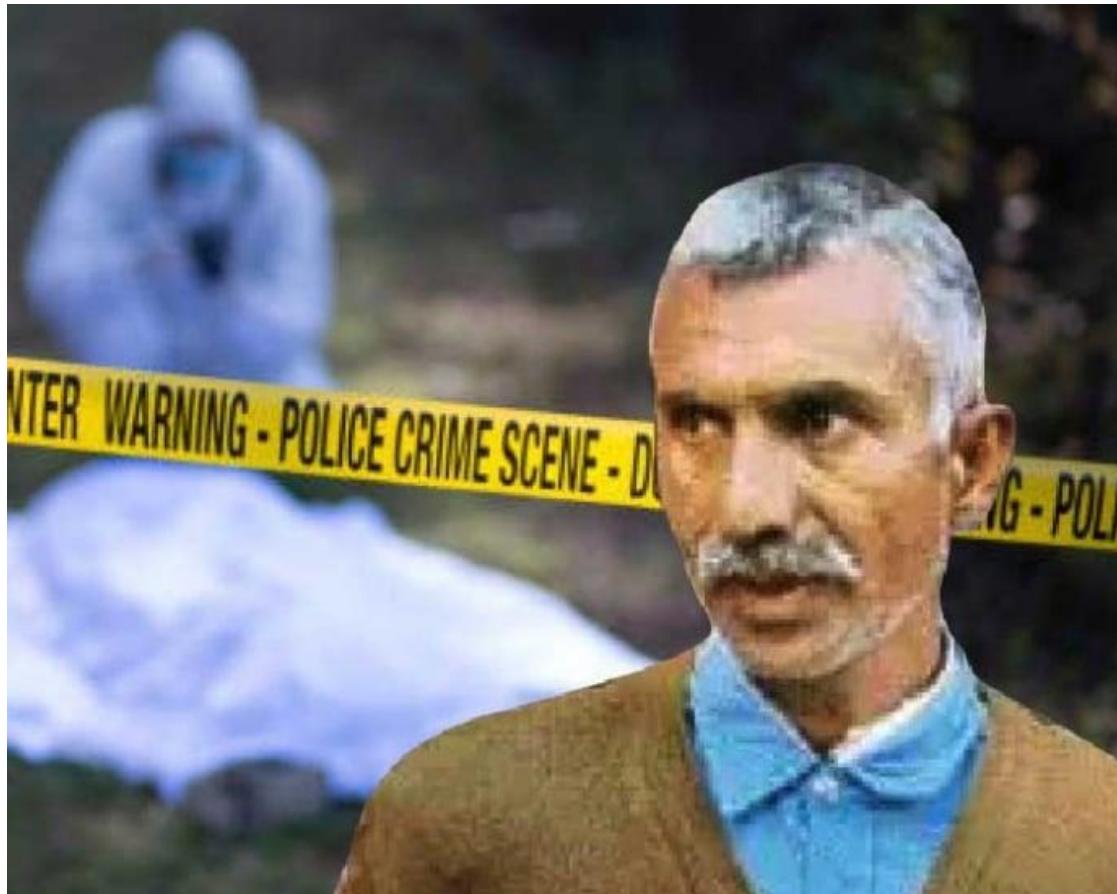
One of the most enduring debates within the field of psychology revolves around the question of whether serial killers are born or made. Are their violent tendencies ingrained in their genetic makeup, or are they shaped by environmental factors and life experiences?

While there is no definitive answer, researchers have identified several contributing factors that may influence the development of such killers:

1. **Genetic Predisposition:** Some studies suggest that certain genetic variations or neurological abnormalities may predispose individuals to aggressive or antisocial behaviour, potentially increasing their risk of becoming assassins.
2. **Childhood Trauma and Abuse:** A significant number of people have experienced traumatic events or abuse during their childhood, including physical, emotional, or sexual abuse. These experiences can profoundly impact their psychological development and potentially contribute to the manifestation of violent tendencies later in life.
3. **Environmental Factors:** Factors such as poverty, exposure to violence, and dysfunctional family dynamics can shape an individual's worldview and coping mechanisms, potentially increasing the likelihood of engaging in criminal behaviour.
4. **Mental Illness:** While not a direct cause, certain mental illnesses, such as psychopathy, antisocial personality disorder, or severe trauma-related disorders, may increase the risk of developing violent tendencies and engaging in serial murder.

¹³For example, research by Caspi et al. (2003) demonstrated that a particular gene (MAOA) can interact with childhood maltreatment to increase the risk of aggressive behaviour in adulthood.

Darbara Singh



From April to September 2004, Darbara Singh abducted, raped, and tortured 23 children.

He went on to kill 15 girls and two boys, gaining the moniker "Baby Killer". Singh would kill his victims by slashing their throats.

When he was arrested, he was given a death sentence, which was reduced to life in prison.

He was found guilty in five incidents but there was insufficient evidence to charge him with the other murders even though he led police to the bodies.

As her served his sentence, Singh fell ill and eventually died in 2018.

Chandrakant Jha



A Netflix documentary titled *Indian Predator: The Butcher of Delhi* focused on Chandrakant Jha in July 2022.

The film looked at Jha's infamous string of serial homicides that took place between 1998 and 2007.

Jha was accused of killing over 20 migrant labourers in Delhi.

It is reported he chopped up their corpses, packed them into baskets, and left the dismembered victims' bodies outside Tihar jail for years.

He is currently incarcerated and serving a life sentence.

CONCLUSION

Theories of crime provide a multidimensional view of criminal behaviour, each offering unique insights into its causes and consequences. Biological, psychological, and sociological theories highlight the interplay between individual factors and social influences, while

Conflict and Critical theories reveal the role of power dynamics and social inequality in shaping crime.

No single theory can fully explain the complexity of criminal behaviour. Instead, understanding crime requires a synthesis of these perspectives, recognising the influence of individual traits, social structures, economic conditions, and legal frameworks. By studying these theories, policymakers, criminologists, and the justice system can develop more effective strategies for prevention, intervention, and rehabilitation, ultimately contributing to a safer and more just society.

While there's no definitive list of traits that all serial killers possess, common characteristics include manipulation, charm, pathological lying, a history of childhood abuse or trauma, impulsivity, and a fascination with violence. Other traits may include a lack of empathy, a need for attention or recognition, and the tendency to lead a double life, appearing ordinary to those around them while harbouring dark fantasies.

These People often exhibit charming and manipulative behaviour, allowing them to gain the trust of their victims. They may also display a pattern of escalation in their crimes, with each murder becoming more violent or elaborate. Additionally, these individuals often lead double lives, appearing ordinary to those around them while secretly harbouring dark fantasies and desires.

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