

Criminal Personality and Its Role in the Development of Criminal Acts

Ammar Solbi^{1,2}, Faramarz Ebrahimi Falahtalab^{*2}, Ali Talezari²

¹Department of Law, Golestan Science and Research Branch, Islamic Azad University, Gorgan, Iran

^{2*}Department of law, Gorgan Branch, Islamic Azad University, Gorgan, Iran

Abstract

The main roots of criminal behaviors have been established in the social environment of person and on the other hand, some criminologists search the root of criminal phenomenon in perpetrator personality. The challenges between the social environmental advocates and perpetrator personality continue as main factor of development of criminal phenomenon. The issue of involving mental patient with low and crime perpetration is one of fair trial challenges that the courts are bound to present their opinion about whether or not criminality of people with mental disorders by attracting the attention of specialists in psychiatry. In all criminal laws, to determine eligibility penalty or punishment of offenders on probation can be proved by this issue that person with mental disorder in nature of his criminal behavior has been the ability to recognize the outcome of criminal action as good and evil or not. In this context, the results of this study showed that based on Islamic penalty low if crime committed has had mental disorder in penal code, Whereby the lack of will or power of distinguishing consider as insane and has not criminal liability. Regarding to position of law and definition and characteristics of borderline personality and antisocial disorder, it seems offenders with antisocial and borderline personality disorder, are not exempt from criminal liability and must be punished.

Keywords: Personality, Disorder, Crime, Borderline personality, Anti-social personality

Introduction

In general, criminal anthropology according to the Council and sometimes internal and external structure of human with regard to the question of depth psychology, biology, genetics and human behavior accurately and finally to reflect on the sociology of social relations, each one attempt to determine the causes of creating the phenomenon of criminal offenses. Thus, a complete explanation of the phenomenon of crime requires that human behavior should be analyzed in general and the various aspects of historical, sociological, anthropological, biological and psychological. Also, since scientific criminology could not be unresponsive to social and individual issues arising from the performance of penal system, therefore, was trended to apply the optimal individualize of social response against crime and therefore, invoked to clinical criminology practice. First, it is necessary to study the crime evolution condition of the individual, second, the development of social crime evaluated and the criminal personality should be scrutinized and analyzed. Thus, in the genesis of crime, the individual and the social-environmental and

* Corresponding Author's Address: Faramarz Ebrahimi Falahtalab



individual condition help to conduct the field of biological psychology contributed to the criminal phenomenon in the transition from idea to develop, grow and reach to emerge (Javanmard, 2011).

First Speech: The concept of a criminal personality and its position in criminology

Philosophically, the set up desires form the personality but in view of the public, personality identified resulting in the emergence of particular trait (Troy, 2007). For example, someone who has a powerful figure in the political affairs is called political personality and if be a scientist, he will be referred as a scholar personality and as has been proven in psychology that the desires and physical characteristics have effect on each other, therefore, the physical characteristics and specifications full moral and spiritual character of any individual should be studied for the introduction of personality, completely. On the other hand, to study the physical characteristics of the conditioned soul, the common method should be used in the natural sciences like observation and experience. Because the desires are unknown and unknowable like self-esteem, and can be realized only by their existence traces. But on the other hand, everyone has sensual qualities unique to him and form a single series that are so called unity, psychologically. This unity is preserved over time and shows the person's identity. Thus, from the perspective of psychology, personality includes all the characteristics of physical, mental, emotional, social and moral-inherited or acquired- which distinguish him clearly from others.

Gordon Allport in 1973, American psychologist, defines the personality as: "The personality is the live perceptual organization, interactive and animated by the human mind and body which make him compatible with the environment" and also, "Physical and mental integrity of a person's form the personality" (McCrae and Costa, 2002). The purpose of integrity is not evolution in this definition but also it means one has enough physical and mental growth and is defined as a person with social status after passing through puberty and the age of social duty. In other words, it can have a moral responsibility in relation to others. The point that should be mentioned here are that the personality forms and evolutes from birth to end of life. What is certain is that each of those characteristics, inherit from their parents and grandparents such as intelligence, memory, color, the bones of the body, talent and learning and In addition to inheritance, a number of researchers in the field of criminal sciences study natural factors and other study the social factors in personality development (Mokhtari, 2005). Perhaps the problem is that you can enter to all the scientists is that each implicated one or two factors in the formation of personality (and especially criminal personality) and simply crossed the role of other factors (consciously or unconsciously). But today, we can say that the development of person is due to cooperation and interaction of all personal factors such as heredity, natural, intelligence, endocrine, body and social factors such as family, school, community, and more recently, virtual environments, such as social networks and online forums (Javanmard, 2011). The term of personality also has a special place in the schools of criminology so that it has covered the realized school of personality in the conception of physical and mental and any change in that is related to changes that obtained in a person's body and mind (Mazlouman, 1976). Thus, we can say that from the perspective of this school, the personality is the psychological and biological-structure of person or internal and individual factors, not including the social factors". Here, it should be noted that the development of clinical criminology always have helped from other sciences, especially psychology. Indeed, the new criminal etiology schools- that was faced with great interest between 1920 to 1940- is the factor that has the instigators by emphasis on the psychological factor and these behavioral dynamics called as psychological factor or component. Each one selected specific process as the focus of their studies, and thus, created a new chapter in the evolution of criminology (Najafi-Abbrand-Abadi, 1995).

So that, the cognitive sciences such as psychology and criminal offense or criminal biology or criminal sociology were matured in this period and gradually was introduced, the individual position before the crime and the personality in criminal offense and the combination appearance of both and find actuality of individual criminal minds in criminal personality in addition to inheritance and genetic components. The main axis of these opinions—that referred as criminal dynamics offense and had many advocate in the period of 1940 to 1960 – is issues or ideas to act out thought criminal action. The central core of the criminal case, including criminology transition is thought to the criminal act have been the first approach of crime criminology. Transition criminology from thought to criminal action was appeared first in the form of biological studies that has been crystallized its culmination in the realization school and then, benefit from psychological theories and today, it has a tendency towards the use of genetic sciences (Javanmard, 2011). In this type of Criminology how to act in the criminal thought studies as a process. Each process has a start point, flow point and an end point. So, when it is said that the transition criminology from idea to criminal practice, this transition show a dynamic. Thus, in view of the dynamic criminology by taking cross sections, it is obvious that how the criminal thinking in some one stops and in others appear as crime. Indeed, in criminal dynamics theory of the present or past, more criminal offenders has been focused by researches. Definition of "criminal personality" does not seem easy issue because when criminal description add to once, criminal personality does not refer to anthropological and fixed specimens as congenital criminals. The concept of personality accepts the fundamental differences between criminal and non-criminal one, and in the other hand, it accepts the human personality is dynamic and rather changed. Therefore, cannot entitled the certain definition to the criminals personality, and cannot say the criminal is a special human samples because according to some modern criminologists, criminal person is human like other humans and crime is the social phenomenon. So, its definition is equally difficult to define the definition of a virtuous and chaste person. Finding psychological traits that indicate the criminal personality are impossible due to degrees of strength and weakness and exploring the interaction of all elements of personality traits and criminal association is very debatable and therefore, criminal personality is ruled out due to insecurity and sluggishness of the results and mental parallelism of various conservative offenses (Edmund, 2007). Thus, many psychologists justify the causes of criminal behavior, according to criminal personality flaw. They believe that certain personality types trends to crime more than other types and in fact, they debate that their criminal behavior rather than their proportion of abnormal genes is related to abnormal childhood experiences that caused an unhealthy relationship between the individual and his social environment. Also, they claimed that the confused and involved mental lead to deviant behavior. Although, some criminologists believe that despite psychology and its procedures is useful especially in the field of clinical psychology in understanding the criminal act but is not enough and must search in other levels like "phenomenology or phenomenological" should be continued (Najafi-Abbrand-Abadi, 1995). In addition, scientific research in the field of criminal psychology shows that many offenders who suffer lack of intelligence and lack of deployed mental organization, may also be seen among the top of smart people but mental disorders can be seen in the context of criminal and personality disorders engender favorable field for the formation of and psychological aspects of criminal (Nourbaha, 1976). But the most important thing that can be noted in the study of the criminal personality of people as criminal personality is the false belief that has been hidden in the nature of guilty that create desire to offense in him based on hedonism and demands resulted of his nature and emerge incentives that has been traced materially to his own. In other words, a repeat offender evaluates everything according to its own criteria and not included in the calculations of other people. Moral standards is himself and his own legitimize the

criminal act, the judgment of others or low are not contributed in his remarks. A repeat offender has instability and a lack of organizational behavior in himself. So that such a person is unable to predict the punishment for his committed act. He is aggressive, pitiless and indifferent to the conditions of the victim (Hodaii , 2006). French criminologist "Jean Pinatel" suggested these features as consistent under a theory for the first time. He has developed a model of criminal personality according to obtained documents from the 50s to the 60s about Lombroso clinical studies. According to his theory, the offender is like the rest of people but he distinguish it from others through its own characteristics like having the ability and talent to transition from criminal minds to criminal act. Such talent in the transition from thought to act represents a personality that called criminal personality.

Speech II: the role of personality in the development of criminal offense in view of Jean Pinatel

To explain the role of the criminal personality in evolution of delinquency, it is essential to focus on the definition of criminal personality. Jean Pinatel and Pierre bouzat, French criminologists, defined the criminal personality in Volume III of their book (Treatise of Criminal Law and Criminology): "the common status of the people who are in a situation where they have to accept or seek out or is contrary to the norms of acceptable". Also, the criminal personality has been defined as: "state and position of the person who place outside of the governed norms and values". Therefore, the criminal personality is the state that the person looks for them and could lead to the rejection of norms (Najafi-Abbrand-Abadi, 1995). Thus, we can say that the embodiment of the criminal personality is someone who does not understand evil deeds and not afraid of any punishment that does not think committing a criminal sanction even in the act of that, he is not afraid of obstacles in society because they have no affection so do not hesitate to tarnish others even enjoy it. It is interesting to note that the general condition of the physical and emotional changes are necessary to make dynamic this abilities and crime. Indeed, this situation and conditions-that would face the person to the vacuum of social norms and values for example inappropriate ecology or cultural conflicts arising from migration, physical and mental immaturity, social and emotional deprivation, backwardness and school failure, escape from school, family break and coercive relationships with parents and friends- are criminal personality variables and affect it. Hence, they have a significant role in the quality and how to commit crime.

This view that is the apex of transition research from thought to criminal action- for the first time was introduced by in 1963 in the framework of criminal personality theory by Frenchman criminologist, Jean Pinatel, he believes that there is not fundamental difference between criminals and non-criminals individual in the inherent. This was opposite to theory that was presented by realization school in which there was fundamental difference between criminals and non-criminals individual in the inherent. Caesar Lombroso was the advocate of Charles Robert Darwin, the English biologist that in which human has been stopped in part of its course. While in Pinatel theory, there was not fundamental difference between criminal and non-criminal individual. According to him, all humans have a core personality that in all of them, this central core of personality is possible to take the criminal aspect (Javanmard, 2011).

According to Pinatl, personality has 5 pillars or variable which consists of a central core and four variables that these variables deal with obstacles crime. When, an ordinary person has a criminal personality that this variable is highlighted and can eliminate the obstacles in the way of crime. According to Pinatel, the difference between criminal people with someone who has not committed to crime is that four variables have added to his personality. These four variables are: 1. arrogance and self-centeredness, 2. flightiness or mental instability, 3. aggression with aggressive mode, 4. ignored or emotional indifference. According to Pinatel, there is core in all of personalities, which a person is engaged in

activities. Pinatel believed that the real criminal is someone who the four pillars or some of these elements are gathered in him.

References

- Troy BE, 2007. Drawing Criminal character. Translated by: Akbar Estarki. Tehran: Publication of Criminal Investigation Deputy, NAJA
- McCrae RR, Costa PT, 2002. Personality in adulthood. Translated by Mirtaghi Grossi and Farhad Mohammadi, Tehran: Jomeh Pazhouh Publication.
- Mazlouman R, 1976. Personality and crime, Law Journal of Justice Ministry, No. 15.
- Edmund, 2007. Cartesian Meditations: An Introduction to the phenomenology, Translated by Abdul-Karim Rashidian, Tehran: Publication of Nei.
- Nourbaha R, 1976. The offender's personality In light of the phenomenology, Law Journal of Justice Ministry, No. 12.
- Najafi-Abrand-Abadi AH 1995. Pleadings of criminal sociology, graduate, M.S.L. (Master of studies in Law). Tehran University.
- Hodaii F, 2006. Studying criminal personality and its treatment, procedure magazine, No. 1, Year 10.
- Javanmard B, 2011. Analysis of crime Forensic-criminal psychological in view of the criminal personality, Bar Association of Justice, No. 45.
- Mokhtari Y, 2005. The relationship of personality disorders with crime, No. 5.

