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The Criminal Mind: The relationships between criminology and psychology Transcript

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Introduction

Criminology is a huge field of academic study; including the study of deviance and social identity as well as criminal law and jurisprudence. A review lecture by Jeffery in 1959 had this to say about criminology:

Criminology involves three different types of problems: (1) The problem of detecting the law breaker..... (2) The problem of the custody and treatment of the offender once he is detected and legally judged to be guilty, which is the work of the penologist..... (3) The problem of explaining crime and criminal behavior, which is the problem of scientifically accounting for the presence of crime and criminals in a society. The explanation of criminal behavior is of interest to the sociologist, the psychologist, the psychiatrist, the anthropologist and the biologist.

He goes on:

"Why people behave as they do, and why the behavior is regarded as criminal are two separate problems requiring different types of explanation."

I have used this extensive quote for two reasons: first, to make clear the extent of the field of criminological study; and second to draw attention to the very important distinction made in the latter quote. These important sociological, political and legal aspects to criminology are beyond my expertise, and I will not discuss them further.

In this lecture, I want to specifically review the role of *psychology* in criminology; what it can tell us about crime prevention and about interventions for offenders and their rehabilitation. By 'psychology', I am referring to the study of models of mind and mental function, both normal and abnormal. The psychological aspect of criminology is one aspect of what is called the "positive school" of criminology; that focuses on the individual state of mind of the offender. Other schools of criminology (the Classical, the Chicago school) look at how laws, political structures, and social/urban constructions make crime more or less likely. In this talk I will focus only on the role of psychology in the exploration of what makes individuals more or less likely to break or not break the criminal law. I will explore different schools of criminal psychology and discuss what they might imply for interventions to reduce offending.

A short (and incomplete) historical reflection

Modern criminologists assume that there is a complex relationship between the criminal rule breaker, the criminal law and the offence. In classical and ancient world, there was no such assumption. For example, the Judaic Old Testament sets out clearly how social rules regulating behaviour become laws; the breaking of which justify condemnation and exclusion of rule breakers. Anyone who broke the law was marked out as a sinner as well as an offender; an offender against God, and who therefore could not be trusted. Social laws and Gods' laws were one; and so a rule breaker is a morally sinful person also. Despite this all-or-nothing approach to condemnation, Judaic traditions also recognised a need for due process of hearing evidence and trial. Identifying the offender led to condemnation and punishment; although the offender did not have to be human. Things that caused harm to others could also be deemed to be sinful and subject to punishment; for example, animals such as a scapegoat could take the punishment instead of a person.

The Christian church also set laws that regulated human behaviours; many based on Old Testament teaching and other Judaic laws. There were many specific laws that related to the control of religious practices and sexual behaviour; and there was a complex relationship between Church (which made laws) and the state which acted as the secular arm of the Church. The Reformation made possible a separation of church and state so that religious and moral rule breaking were no longer state crimes, and no longer resulted in state punishment; most notably in relation to sins like adultery and fornication (Dabhoiwala, 2012).

A key theme here is deviance and the control of deviance: where deviance is literally "moving away" from those standards of behaviour and rule keeping that are held by the majority of people, and which bind people together as a group. Those people who deviate from those rules are a threat to the group identity, and generate suspicion and mistrust. Emile Durkheim was an early thinker in the field of deviance; the process of becoming deviant, and the importance of deviance for keeping the values of the non-deviant group. His work generates questions in relation to criminal rule breaking: do you commit crimes because you are a criminal? Or do you become a criminal once (and because) you have committed a crime? Put another way, is there such an entity as a criminal, in category quite distinct from non-criminals? Or can anyone become a criminal in the right circumstances?

Criminologists acknowledge that the concept of "deviance" includes a range of social values and behaviours that are not fixed but may change depending on social circumstances in terms of whether they are seen as anti-social. For example, the apartheid laws in South Africa made it both criminal and generally antisocial to be racially tolerant; those who opposed those laws were seen as both socially deviant and legally deviant. Similarly, to have sex with someone of the same sex was seen as evidence of profound deviance and an antisocial nature, and it was deemed to be both a crime and a mental illness until the late 20th century. Even now there is an intriguing ambiguity in the debate about same-sex orientation, stigma and social acceptance; with some groups claiming a right to deviance as type of protest against mainstream social structures and controls in relation to sexual identity and sexual expression.

Criminal types: Individual degeneracy

The positive school of criminology focuses attention on the criminal act as a positive act by the offender. It developed as a scientific attempt to understand criminal rule breaking in terms of motives and intentions; which once understood could be prevented or changed. Positive criminology developed in the nineteenth century with the work of Cesare Lombroso, and Alphonse Bertillon who suggested that criminals might have specific physiological types, which could be determined by measurement of physical organs, such as the skull or bodily features. Bertillon used new developments in photography to identify and measure characteristics of 'criminals' to identify a criminal type. These approaches assume a categorical approach to criminal deviance i.e. that those who break the criminal rules are categorically different from those who do not.

Such an interest in the measurement of criminal person (the anthropometry of crime) may have arisen in response to the general interest in psychology and psychiatry that flourished in the nineteenth century, and developments in scientific method. Measurement of individual differences is a crucial feature and process within the positive school of criminology; partly because it supports the categorical difference assumption about offenders, but also because such measurement might inform prevention and potential treatment of offenders.

The early twentieth century psychologists moved away from physical defects and deviance as a cause of criminal behaviour, and moved instead to measure and locate deviance in the personalities of criminals. The model was a conventionally medical one; the crime was evidence of deviance from the norm, but it was also a 'symptom' of an underlying defect or disorder in the criminal's mind. If that disorder or defect could be changed, then the criminal behaviour might reduce. For example, Freud (1916) suggested that criminals offended from an unconscious sense of guilt; and Bowlby (1944) suggested that juvenile thieves stole in response to an unconscious sense of deprivation, due to a lack of maternal care.

World War II gave rise of a social culture which was suspicious of any behaviour that deviated from the norm; and as a medical speciality that combined psychology and medicine, psychiatry was well placed to identify and name different forms of deviance. In 1941, Hervey Cleckley published a series of case studies of individuals who not only broke social rules, they seemed to lack any concern about doing so. They might look and sound ordinary, charming even; but they flouted social conventions and expectations with no concern for any harm and distress that might be caused, and they were untrustworthy and dishonest. Cleckley called these people 'psychopaths', and proposed that they had some sort of brain damage that led to a lack of emotional connections to others; a condition in which they 'knew the words but not the music' of social engagement (Johns & Quay 1962).

Cleckley's original study did not include violent offenders. However, forty years later, Robert Hare applied Cleckley's descriptions of psychopaths to violent criminals, giving rise to one of the most important developments in criminal psychology; the Psychopathy Check-list (PCL; Hare 1980). I will return to this later.

The criminal personality

Post war studies of deviance and rule breaking continued to emphasise individual deviance as an explanation for cruelty; presumably in part because this would support social processes like criminal trials that determine individual responsibility and *culpability*. The Nuremberg trials would not accept social and political explanations for crimes against humanity, but preferred to identify those in the dock as criminals who were 'other' and different to the norm. During and after the war, psychology developed separately from medicine as a field of study and practice that focussed on individual deviance.

There were two main studies of criminal personality that were influential; one in the UK and one in the USA. In the UK, Sybil and Hans Eysenck developed a theory of human personality which was based on neurophysiological arousal and psychological tendencies to behaviour (or 'traits'). They argued for the existence of a 'criminal personality' that was an interaction of genetic influence, cortical arousal, high levels of traits called extraversion and neuroticism and low levels of conscientiousness (Eysenck & Eysenck, 1970, 1971). They compared criminals to non-criminals; and claimed to show that criminals were different to non-criminals in terms of these personality traits.

In the USA, Yochelson and Samenow also published a study of the "criminal personality", however using a different theoretical framework. They were psychological therapists working with prisoners who were influenced by the work of Freud; and they interviewed over 200 prisoners to identify their thinking styles. They concluded that there was little evidence for unconscious mechanisms as described in the psychoanalytic literature, but considerable evidence for a range of distorted thinking styles that gave rise to crime (Yochelson, 1976; Yochelson & Samenow 1993). They described the criminal personality as 'restless, irritable and dissatisfied'.

Both sets of studies have been hugely influential in different ways. The Eysencks' model for assessing personality has been developed and extended well beyond the study of criminal rule breakers; and was ahead of its time in terms of its understanding of personality as a human system that develops out of genetic influences and environmental influences on the brain. The Eysenck theory of criminal personality anticipated current studies of epigenetics and antisocial behaviour i.e. the theory that a genetic variable that affects neurotransmitter production could be altered by an environmental stressor; which in turn might influence some types of behaviour. For example, the tendency to act without thinking (impulsivity) is a trait that is linked to antisocial behaviour. It is also linked to the function of neurotransmitters such as serotonin and monoamine oxidase. Children who have a genetic variation that raises levels of neurotransmitters may be at more risk of acting antisocially in theory; but in fact this turns out only to be true if, and only if, they are also exposed to physical abuse and maltreatment (Caspi et al 2002; Kim Cohen et al 2006).

Yochelson and Samenow's work gave rise to the study of cognitive distortions in offenders, which became influential in the 1990s in terms of penal interventions for prisoners. Prison programmes such as 'Enhanced thinking skills' for offenders attempted to get offenders to change distorted thinking patterns that made offending more likely. There continues to be a strong school of thought in criminal psychology that distorted cognitions are a major risk factor for a range of offences, and that cognitive based therapy is therefore the intervention of choice for offender rehabilitation.

However...

These approaches to understanding how and why people commit crimes naturally have their limitations. First, there is the obvious lack of a social perspective; including a lack of reflection on social construction of identity and values; and the possible benefits of deviance to those who are excluded.

Second, these studies rely on data from detected and convicted offenders, which are only a sub-group of those who actually break the criminal law. This may also introduce a bias that supports the idea that criminals are stupid, impulsive and unhappy; which may only be true of the ones that are caught and convicted. Similarly, research can only include participants who want to participate; it may be that those who refuse to participate are not so different to the rest of society.

Third, the focus of these studies is not on the kind of crime that most concerns us, but with the kind of crime that is most frequent. With the exception of Robert Hare's work, these studies almost exclusively focus on young criminals who have been convicted of acts of delinquency (minor crime that includes criminal damage, property crime and non-serious assaults). The complexity here is that although many young people commit crimes, these are not usually of a serious nature and most desist from offending in their mid-late twenties (Maruna 1997). Only a minority of young people will go on to commit crime on a regular basis, and a further minority will commit violent crime. Studies from the 1970s to the present day show that only a minority of people commit serious crimes (Vaughn et al 2011), and it is arguably this group that needs closest study. Similarly, it may well be important to consider that majority of people in society who do *not* break the criminal law, and why this might be; studies of those who keep the law compared to those who don't suggests that self-control is an important variable as well as social attachments and a sense of connection (Hirschi & Gottfredson, 1983).

Fourth, these types of study discuss crime as if it were a homogenous behaviour. Yet 'crime' includes behaviours and actions as diverse as a drunken fight, failing to protect your child, breaking and entering a house, possession of illegal drugs, knowingly evading paying taxes and killing your wife for the life insurance. These are complex human actions that require thought and sometimes planning; it is implausible to suppose that the same thinking patterns and personality underpin all these. In fact, in relation to domestic homicide, not all are impulsive; and most are carried out by people who are not antisocial or deviant in any other way. Similarly, although many domestic violence perpetrators are impulsive, irritable and irresponsible, there is a large subgroup of perpetrators who are intelligent, educated, conscientious, and pro-social in other aspects of their life.

Finally these studies imply that the criminal personality is fixed and immutably antisocial (Maruna 1997). Robert Hare's concept of criminal psychopathy in particular suggests that there is a sub-group of violent criminals who are especially cruel and dangerous to others, and who are resistant to change. Yet studies of recidivism in offenders indicate that some do desist from offending, and are open to changing the way they live their lives. They share the ordinary aspirations of other citizens; and do not inhabit an alternative moral world (Ward & Maruna 2007).

Other approaches to understanding offending choices

Another approach to understanding the psychology of offenders is to talk to them about their experiences and their choices. An early study by Sykes and Matza (1957) asked young people about their offending behaviour. They observed that the young people engaged in moral reasoning and reflection; they expressed guilt about their behaviour, and also expressed admiration of others who were law abiding. They had views about who was a legitimate victim and who was not and recognised legal and moral norms. Rather than lacking moral values or rejecting moral norms, they accepted them; and tried to justify their behaviours by appealing to those norms. Sykes and Matza called these attempts to justify their actions 'neutralisation discourses' and saw them as linguistic attempts to communicate a reduced sense of badness and shame. They included comment such as:

It wasn't my fault

They aren't really harmed by what I did

They had it coming

You were just as bad in your day (everyone does this)

I had to stick with my friends

The so-called 'narrative turn' in psychology (Bruner 1991, Murray 2000) was a reaction against positivist psychology and was echoed in sociological studies of personality (McAdams, 1996). This approach allows for an exploration of the offender's identity as a person, how their story of their own lives shapes their choices; and an understanding of how they came to choose their course of action in terms of their moral identity. Tony Parker (1972, 1990) was one of the first to carry out interviews with convicted sex offenders and murderers which generated verbatim texts that gave a deeper more nuanced account of their choices than is possible with a self-report questionnaire.

Tony Parker's study of convicted sex offenders was one of the first to record the voices of a group of people who are socially excluded and denigrated because of their crimes. Scully and Marolla (1984, 1985) interviewed convicted rapists and found that although they offered justifications for their offences similar to the Sykes & Matza group, they also described the rewards of rape. This finding echoes that expressed in the so-called rational choice theory of crime (Cornish & Clarke 1987) i.e. people who decide to commit offences do not have a criminal personality, but weigh up and costs and benefits like any other human; and choose to commit offences that they think will benefit them.

There have been several different studies of convicted offenders that have explored the stories of their experience, and their understanding of their responsibility and agency in relation to their offending. Maruna (2001) compared men who had chosen to desist from crime with those who had persisted; and found that those who desisted described more sense of agency and ownership of their life choices; whereas the persisters described more passivity and helplessness. O'Connor's study of violent men in prison found that they described a continuum of a sense of agency; that they could take responsibility for many aspect of their crimes but that the language of agency tended to diminish when they described the most violent and disturbing aspect of their offences. Presser (2009) also found a range of different ways of talking about agency and identity in a group of violent offenders; some tried to depict their violence as heroic, some described a sense of remorse. Youngs and Canter (2012) also describe how different types of role emerge in the narratives of offenders.

The best defence: violence and mentalising failure

The complexity here is the offender's voice is clearly not the only one at issue. Ideally what is needed is a combination of narratives from both the victim and the perpetrator; and some way for them to read each other's story. In addition, as noted above, there is not just one kind of violence. Violence varies by victim, by the expression of emotion implied at the time, the kind of weapon used and in what way, the organization or otherwise of the scene; and the extent to which the violence is planned and proactive or uncontrolled and reactive.

A further way to think about the psychology of violence is to consider that the violence may have personal meaning for the offender; that it may feel like a way to make himself feel safer and/or it may communicate

something to the victim. For example, it is hard not to think that rape is a powerful communication to the victim that their mind and body do not matter to anyone; that the rapist can literally communicate 'Fuck you' by his action.

Most violence is relational i.e. it takes place between people who know each other. Although drunken violence between young males is the commonest form of recorded violence, the next most common form is intimate partner violence between people who have some emotional connection to each other; and the next commonest is physical abuse of children. The majority of homicides perpetrators kill someone they are or have been close to; stranger victims are a minority. Stalking behaviours often involve threat and hostility but also involve a pathological relationship in the mind of the perpetrator. In summary, most recorded criminal violence takes place in a close personal space between two people which is emotionally charged and engaged.

There are two psychological theories about what happens when violence is enacted by a perpetrator, and both involve the regulation and management of strong emotions. One theory is based on the concept of psychological defences to manage and regulate strong emotions. In the same way that an animal may threaten and attack when in pain, so too humans may attack when they feel threatened or in pain i.e. the attack is a defence against distress. Theoretically there are a range of psychological defences that humans use to manage distress, and an inability to use mature defences to manage strong negative emotions may result in violence; data to support this scenario has been reported in sex offenders (Drapeau et al,2008) and offenders with a severe personality disorder (Huband et al,2014).

The other theory is based on the concept of mentalisation; the process by which we 'read' other minds and form a 'social brain' (Frith, 2007). The mentalising process goes on all the time, and helps us to come to terms with the opacity of other people's minds; we make hypotheses about their intentions in the same way that we reflect on our own (Allen et al 2008). Mentalising is activated at times of emotional arousal and helps us to manage strong feelings, especially in the context of close attachments, or similar situations where we feel needy and vulnerable. Theoretically, therefore, violence could represent an unusual and catastrophic failure of the mentalising process, in the context of conflict with a person who is simultaneously loved, hated and feared.

There is evidence that there are deficits in mentalising in people, who commit antisocial actions (Bateman & Fonagy 2008). These commonly take three forms:

What I think is reality, and the only reality;

Only the physical is real;

Intellectualisation and absence of feeling.

Hyper-mentalising may be present in that small sub-group of violence perpetrators who present in predator mode, who seem to lack any affective arousal or emotional experience, apart (possibly) from the excitement of the chase.

Violence perpetrators do describe common themes to their offending. Victims are typically seen as either threat or prey; if threat, then fear and anger are activated and the offender feel justified in their offence. If the victim is seen as prey, the offender may often describe a sense of contempt or disgust for the victim's vulnerability and need, and a sense of triumph at exercising control over another person. Many violent offenders describe a strong sense of unreality at the time of the offence, which may reflect a type of alteration of consciousness due to hyper-arousal and hypervigilance.

Violent offending is the minority of criminal rule-breaking and becoming less frequent over decades in most social democracies. This has allowed for closer study of the risk factors for violence. The strongest risk factors are male sex, young age, substance misuse and an existing antisocial mindset i.e. the willingness to break the law. Less strong risk factors are social isolation, recent relationship disruption and paranoid mental states (due to any cause). In practice, each violent act is due to a combination of factors that interact like the numbers on a bicycle lock: if they are all in place, then the lock will open and the violence will occur (Aylward 2012). However the last 'number' in the lock may be highly idiosyncratic and personal to the offender; something that reminds him or her of unresolved distress or arouses some sense of great shame (Yakely & Adshead 2013; Gilligan, 2003)

Finally we must consider state organised violence against its own citizens; which has similarities and differences with individual violence perpetration. State violence is organised cruelty, and it can recruit both individuals or groups to its cause. State violence often generates narratives of mastery and pride in 'our people' (the in group) which is contrasted with denigration of 'them' (the out-group). They are seen as simultaneously both a threat and prey, and dehumanising narratives help to make perpetrators feel justified in what they do. There may be powerful cultural influences that are rooted in gender and racial stereotypes; Gilligan (2013) describes such stereotypes in relation to the honour culture of the American deep south and a toxic brand of masculinity which justifies attacks on anyone poor and vulnerable (typically black people or females). These stereotypes construct narratives of acceptable victims and the tolerance of denigration of neediness, which helps to keep feelings of

fear and despair at bay.

Conclusion

The psychology of crime is too big a subject to summarise in a single lecture; and there are many ideas and concepts that I have not been able to describe or include in this brief review. What I have tried to convey is that the mind of the person who commits a crime is like any human mind: complex, multi-layered and dynamic in the sense of being organic and responsive. Motives for offending are rarely single or simple, and they may not be immediately obvious to either the perpetrator or the crime investigator. What is absolutely clear is that the minds of those who commit offences is of limitless interest; beginning with the Greek dramatists and continuing to the present.

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