

BIOLOGICAL FACTORS OF DETERMINATION OF CRIMINAL BEHAVIOR

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The problem of determination of criminal behavior has always attracted considerable attention of scientists. In particular, the works of following scientists are dedicated to this problem: G.A. Avanesov, Y.M. Antonian, V.V. Holina, A.P. Zakalyuka, V. N Kudryavtsev, N.F. Kuznetsova etc. However, due to the complexity of the problem there is no unanimity among scientists today, in particular on the role of biological factors in the determination of criminal behavior.

Criminologists have strongly raised the question of the relationship between biological and social in the offender. Indeed, this question is fundamental in the study of offender's personality and the determination of criminal behavior.

Personality – is a system of mental processes, states and features that arise, on the one hand, due to socialization influenced by upbringing and environment, on the other hand - as a result of transformation of congenital internal conditions of the body that govern human activity affecting the choice of different ways of behavior[10]. From the standpoint of dialectical and materialist understanding, personality always acts as a specific person, characterized by social, psychological and biological characteristics which are acting in unity and define the program and informative side of behavior. Thus, the main problem of interaction between biological and social factors in the determination of criminal behavior relates to the following questions – how and which biological factors complicate the process of "normal" interaction with the social factors. That is, to find out what biological characteristics of human can negatively affect the development of its personality and process of its socialization in general.

Scientists have found out a connection of some types of crime, especially violent, with neuropsychiatric determinants in a form of abnormalities of the psyche. The most significant group of people with mental abnormalities, who committed the violent crimes, was a group with residual symptoms of damage to the central nervous system. They are characterized by such personality features as irritability, conflictness, stubbornness, "suddenness" of uprise and satisfaction of antisocial needs. The second most commonly is a group of chronic alcoholics. In the third place - psychopaths. The fourth group - oligophrenic. Also a definite relationship between the nature of mental illness and a type of a crime is ascertained [1, C.53]. Experts constantly pay attention to the fact that it is among violent offenders can be found a significant proportion of people with mental abnormalities (70 to 90% of murderers, about 80% of rapists and about 70% among those who did bodily harm) [2, C.100-101].

The criminogenic significance of mental abnormalities, in our opinion, should be considered in two aspects. At First, mental abnormalities do not actively promote criminal behavior by their selves but as socio-psychological features of personality, formed under their influence. Mental abnormality substantially complicate acquiring moral, legal and other social norms that govern relations between people. These rules in their sight are impaired, repel, as if not taken into account [2, C.17]. However, as rightly notes Y.M. Antonian, this fact should be viewed not in isolation but in context of all the connections and relationships of people with such abnormalities. The point is that in the socio-psychological meaning, they, especially when the sexual deviations are taking place, differ with an alienation from different socio-approval values and small social groups, more than healthy people, with removal of normal communication and exclusion in the microenvironment. This also happens because

they have subjectively weak adaptive capabilities, and because the environment itself often pushes them out. Therefore, preventive effect on them from other people is largely ineffective [3, C.17]. At second, mental abnormalities reduce subjective opportunity for an individual to exercise self-regulation of their behavior, control over their actions, the ability to make decisions based on adequate assessment of the situation with regard to past experience and the possible consequences, the level of critical understanding of the motives of their actions, weaken volitional component of human, designed to resist perceived antisocial desires and aspirations. Also bright illustration of this "problem" of biological origin is a factor in the determination of criminal behavior as sexual deviation (sexual dysfunction, paraphilia, a violation of gender (sexual) identity). As noted by S. Starovych, sexual deviation (disorder, deviation), in particular, paraphilia, often lead to committing criminal offenses, because there is no deviation without activity that violates sexual standards [12, C.47, 62]. The most commonly paraphilia is found when various psychiatric disorders are taking place (schizophrenia, psychopathy, etc.). In these cases, the structure of paraphilia reflects psychopathological characteristics of the soil on which it develops [13].

The essence of human behavior, its direction and content have, primarily, social origin and meaning. At the same time dynamic side of any behavior, including criminal, in the broadest sense of the word are defined by biological features of the individual. The fact that the features of the nervous system, which do not directly affect either the content of the human psyche, or the effective direction of its activities, primarily appear in the peculiarities of temperament which adds a sort of design to acts of behavior, and in certain conditions they may have impact on content of certain activities [14, C.143]. Notably, among the robbers about 75% have a choleric temperament with higher levels of anxiety, impulsiveness, aggression [4, C.138].

In addition to the genetic inheritance on appearance of certain human's constitutional characteristics may affect: 1) characteristics of biological (natural) environment (radiation and other natural or man-made pollution, etc.), 2) socio-acquired diseases and injuries, 3) bad habits and other negative practices: alcohol, drugs and toxic substances, overstrain, stress, poor nutrition and more.

Special attention when studying the problems of biological factors of determination of criminal behavior should be paid to the role of environmental factors that criminologists almost completely ignore [7]. For example, when the impact of changes in Earth's magnetic field (which changes depending on solar activity) is influencing human health, the significance of quantity is not playing the main role. The main thing is the fact of the change itself. Acting on the body, electromagnetic fields carry to the body information from external environment, rather than energy. This is their informational role. Healthy and sick organisms react differently to solar and geomagnetic storms. When your body receives signals warning of the beginning of the storm, it immediately rebuilds and activates mechanisms of adaptation to survive in the new, more difficult conditions. External and internal factors influence on the entire body primarily through blood (electromagnetic system that is sensitive to external changes), through changes in it under their influence. The more wretched condition of the body, the sooner it feels discomfort and the more disastrous its influence is on the body. Impaired by various diseases, especially neuro-psychiatric, drug dependent body can be lead, at least to stress. This ultimately will or can help to create favorable conditions for committing a crime. Research has shown that there is a connection, for example, between the number of car accidents and solar geophysical activity; when this activity increases the normal functioning of the body, including its central nervous system, becomes difficult (reaction time increases, there is lethargy, sluggishness, worsened intelligence, etc.) [8, C. 80-81]. There are many results of studies on changes in physiological parameters in human biorhythms which are in different phases (positive, negative and adjacent form). The largest number of serial murders, for example, is committed when all three indexes are in negative phase, the lowest – when they are in the positive phase [9, C.174-175].

In many scientific sources, you can find reference to dependence of most frequently committed crimes on the certain season. Thus, even in the works of C. Lombroso we may find

reference to the fact that the maximum number of murders and rapes in Europe (England, France, Italy) are committed in the summer months. Interestingly that current studies in our country show the same dependence. Other researchers point out that in the summer months not only dramatically increases the number of murders, but also the total number of crimes committed in the heat of passion. A comparison of statistics from around the world clearly proves the existence of calendar temperature factor determination of criminality [5, С.48-49].

It should also be taken into account the negative impact of other factors of the environment on human health, particularly on its psycho-physiological state: radiation and other natural or man-made pollution and so on. Thus, among the biological conditions that influence the negative behavior, experts point, for example, on change of the chemical structure of the environment, usage of new forms of energy, that lead to various psychopathic, allergic, toxic diseases and serves as an additional criminal factor [11, С. 75].

Thus, the study of biological factors determination involves, first, the need for research of connection and patterns of influence on the extreme forms of deviant behavior of the individual: a) congenital (endogenous) - genetic, hormonal and other biological features (deviations), b) acquired (exogenous) biological features, c) environmental factors of biological (natural) environment.

It should be taken into account that only complex usage of scientific techniques and methods of learning that used in other sciences, received as a result of their application of knowledge in biology, psychophysiology, psychology, psychiatry, criminology, sociology and other fields of scientific knowledge may be appropriate foundation for building an integrated approach for the general and certain study of biological problems and other factors of determination of criminal behavior and, therefore, to counteraction of criminality in general.

Bibliography:

1. Антонян Ю. М. Преступное поведение лиц с психическими аномалиями и его профилактика / Ю. М. Антонян, М. В. Виноградов, Ц. А. Голумб // Вопросы борьбы с преступностью. – 1980. – Вып. 32. – С. 52–62.
2. Антонян Ю. М. Преступность и психические аномалии/ Ю. М. Антонян, С. В. Бородин; отв. ред. В. Н. Кудрявцев. – М. : Наука, 1987. – 208 с.
3. Антонян Ю. М. Состояние и особенности сексуальной преступности : учеб. пособие / Ю. М. Антонян, М. И. Могачев. – М. : ВНИИ МВД России, 2004. – 66 с.
4. Батиргареева В. С. Кримінологічна характеристика та попередження розбоїв, поєднаних з проникненням у житло: дис. ... кандидата юрид. наук : 12.00.08 / Батиргареева В. С. – Х., 2002. – 215 с.
5. Баронін А. С. Психологічний профіль вбивць : посібник з кримінальної психології та криміналістики/ А. С. Баронін. – К. : ПАЛИВОДА, 2001. – 176 с.
6. Зелинский А. Ф. Криминальная психология. Научно-практическое издание /А. Ф. Зелинский. – К. : Юринком Интер, 1999. – 240 с.
7. Ігнатов О. М. Роль факторів природного середовища у детермінації злочинності. О. М. Ігнатов // Держава та регіони. Серія Право. – 2009. – № 3. – С. 52–56.
8. Киселев С. Л. Теоретические основы гелиогеофизического прогнозирования преступности и чрезвычайных ситуаций: дис. ... доктора юрид. наук : 12.00.08 / Киселев С. Л. – М., 2000. – 329 с.
9. Китаев Н. Н. О возможности вычисления цикла нападений серийного убийцы по сексуальным мотивам / Н. Н. Китаев // Актуальні проблеми сучасної криміналістики : матеріали наук.-практ. конф. : у 2-х ч. Ч.
10. Леонтьев А. Н. Деятельность. Сознание Личность / А. Н. Леонтьев. – М. : Смысл 2005. – 352 с.

11. Орбан-Лембрик Л. Залежність поведінки особистості від впливу проблемного соціуму / Л. Орбан-Лембрик // Психологія і суспільство. – 2004. – № 1. – С. 71–82.
12. Старович З. Судебная сексология / З. Старович ; пер. с польск. – М. : Юрид. лит., 1991. – 336 с.
13. Ткаченко А. А. Механизмы аномального (противоправного) сексуального поведения при кратковременных расстройствах сознания / А. А. Ткаченко, Е. Ю. Яковлева // Преступное поведение (новые исследования) : сб. науч. тр. / под общ. ред. Ю. М. Антоняна. М. : ВНИИ МВД России, 2002. – С. 97–114.
14. Ходимчук О. О. Насильницька злочинність осіб з психічними аномаліями та її запобігання: дис. ... кандидата юрид. наук : 12.00.08 / Ходимчук О. О. – К., 2005.

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