



InterAcción y Perspectiv

Revista de Trabajo Social

ISSN 2244-808X
D.L. pp 201002Z43506

Octubre-diciembre 2024
Vol. 14 No. 3



Universidad del Zulia
Facultad de Ciencias Jurídicas y Políticas
Centro de Investigaciones en Trabajo Social

Interacción y Perspectiva
Revista de Trabajo Social
Vol. 14 N°3 716-727 pp.
Octubre-diciembre

Dep. Legal pp 201002Z43506
ISSN 2244-808X
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ARTÍCULO DE INVESTIGACIÓN

La conducta delictiva individual en el contexto de la resocialización del individuo

DOI: <https://doi.org/10.5281/zenodo.11155513>

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Resumen

El objetivo es investigar las razones y las características específicas del comportamiento criminal individual en el contexto de la resocialización del autor basándose en el análisis de los puntos de vista y las teorías sobre la causalidad en la delincuencia que se encuentran en la doctrina actual. El estudio analiza la fundamentación de Kh.D. Alikperov sobre la existencia del comportamiento criminal individual como un patrón histórico objetivo que surgió mucho antes que el Estado y la ley, presentada en una conversación en el Club Internacional de Criminología de San Petersburgo (Rusia). El artículo critica la idea de razones objetivas para el comportamiento delictivo individual y la naturaleza objetiva de las necesidades humanas frustradas como causa principal de la delincuencia. Mediante un análisis de las estadísticas sobre delincuencia, las opiniones doctrinales y la experiencia personal, los autores formulan una conclusión sobre una compleja interacción de factores biológicos y sociales que da lugar a la formación del programa de vida individual de una persona, que determina (o predetermina) la posibilidad de un comportamiento delictivo. A lo largo de la vida de la persona, su programa vital puede cambiar tanto por su propia influencia como por la influencia de los demás. Los procesos de socialización y resocialización tienen lugar a lo largo de la vida de la persona. Por último, se fundamenta la propuesta de que la investigación de las causas del comportamiento delictivo individual debe ser la base de la resocialización de los individuos.

Palabras clave: delito, castigo, resocialización, personalidad del autor, comportamiento delictivo individual.

Abstract

Individual criminal behavior in the context of resocialization of the individual

The goal is to investigate the reasons and specific features of individual criminal behavior in the context of the perpetrator's resocialization based on the analysis of the views and theories on causality in crime found in the current doctrine. The study analyzes Kh.D. Alikperov's substantiation of the existence of individual criminal behavior as an objective historical pattern that emerged long before state and law presented at a conversation at the St. Petersburg International Criminology Club (Russia). The paper criticizes the idea of objective reasons for individual criminal behavior and the objective nature of frustrated human needs as the leading cause of crime. Through an analysis of crime statistics, doctrinal views, and personal experience, the authors formulate a conclusion about a complex interplay of biological and social factors that results in the formation of a person's individual life program, which determines (or predetermines) the possibility of criminal behavior. Throughout the person's life, their life program may change both due to their influence and under the influence of others. The processes of socialization and resocialization take place throughout the person's life. Finally, substantiation is given to the proposition that investigation of the causes of individual criminal behavior should be the basis for individuals' resocialization.

Keywords: crime, punishment, resocialization, personality of the perpetrator, individual criminal behavior.

Recibido: 4/03/2024 Aceptado: 15/04/2024

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1. Introduction

Learning about the causes of individual criminal behavior is an inextricable part of much of criminological research. The questions of why people commit a crime, with what means it can be countered, and how a person's need to commit a crime can be offset are essential to criminology. Even in ancient times, renowned thinkers were concerned with criminal causation. The philosophers of antiquity (Plato, Socrates, Aristotle, Cicero, Seneca), the Renaissance (T. More, F. Bacon, T. Campanella, H. Grotius), and the Enlightenment (C. Montesquieu, Voltaire, P. Holbach, D. Diderot, C. Beccaria, J. Bentham, L. Feuerbach, C. Lombroso) (Shalagin & Khrustaleva, 2018) proposed various ideas to explain the causes of human criminal behavior. However, as rightly noted in

scientific literature, "Throughout the history of mankind, no philosophical doctrine has offered a solution to the problem that was satisfactory at least for some time" (Soktoev, 2014: 70).

There are still attempts to comprehend criminal causality considering the existing realities and to formulate a unique vision of the system of counteraction to crime based on the proposed concepts. The modern interpretation of the concept of innateness of criminal properties is the theory of Professor Kh.D. Alikperov (2022) about individual criminal behavior as "a historically conditioned objective regularity, established on Earth long before the advent of state and law". The idea presented to our attention does not claim to be novel, yet it does have relevance and is filled with new meaning in the context of the possibilities of criminals' resocialization.

2. Kh.D. Alikperov's new vision of the reasons behind individual criminal behavior

The topic put forward by Alikperov for scientific reflection in a conversation at the St. Petersburg International Criminology Club (Russia) on April 22, 2022, is timeless. The problem of reasons beyond individual criminal behavior will inescapably haunt humanity throughout its existence due to the practical need to resolve this issue to counter the reproduction of crime. Although scientific literature is now offering a wide array of opinions on criminal causality and various concepts and theories explaining the mechanism of individual criminal behavior, a practical result in the form of an effective toolkit for anti-crime influence on the individual has not yet been obtained. Modern studies of criminal causality that would be able to shed light on the still unexplored facets of this issue seem to be relevant.

Proposing his alternative perspective on solving the problem of countering crime through the prism of learning its causes, Alikperov puts forward a hypothesis about a synergistic effect that generates a combination of two non-linear components: genetic and external factors, resulting in a person committing a crime. The author rightly suggests that knowledge of the causes of individual criminal behavior is essential for effective crime control. This can be seen as the main purpose of knowing the causes of individual criminal behavior.

Alikperov's substantiation of the binary singularity of the causes of individual criminal behavior and their explanation by the individual's intrapersonal predisposition to crime when "coupled with certain external factors of natural, man-made, or social nature, using which they satisfy their needs that they could not or did not want to realize within the law" (Alikperov, 2022) fit well into the existing approaches to explaining the causes of crime in modern Russian criminological science. In other words, the new vision of the problems of criminal causation does not appear to be all that novel.

The indication that many types of individual criminal behavior are not the product of a social construct, but a historically conditioned objective regularity, established on Earth long before the rise of state and law (Alikperov, 2022), which D.A. Shestakov (2022)

calls the concept of savage causality, is a rather interesting result of the author's scientific understanding of the general theory of causality. However, this statement can be neither confirmed nor refuted.

It can be hypothesized with some probability that any behavior of a human (just like of any other living creature) is predetermined by an objective regularity, for what is supposed to happen is bound to happen. Supporters of this concept call themselves fatalists (Stanford Encyclopedia of Philosophy, 2023) and offer to come to terms with the existing state of affairs because man has no power over what happens. However, this approach has long been criticized in scientific literature, primarily of a religious nature, because it contradicts the doctrine of free will (Denisiuk, 2018). As pointed out by I.M. Ragimov (2013: 103)

"The problem of the causes of human criminal behavior for philosophy is, in principle, the problem of free will. In other words, the philosophical problem of free will is related to the determination of whether or not a person's behavior is predetermined by something independent of their consciousness and will – be it fate, God, the internal nature of the organism, genes, environment, etc."

It is especially important to stress the destructive role of fatalism as applied to research on criminal causality. Excessive objectivization of the reasons for individual criminal behavior inevitably leads to the rejection of any individual criminal behavior. Why influence a particular person (educate, re-educate, conduct preventive conversations, apply individual psychological methods of anti-criminal influence), if such measures will be futile and everything is already predetermined? This approach offers nothing new to understand the causes of individual criminal behavior due to the lack of meaning in this type of research. The latter does not appear to be the case.

Recognizing individual criminal behavior as a historically conditioned objective regularity, Kh.D. Alikperov names unsatisfied human needs as a universal cause of crime. This universal cause is labeled by the scientist as "not of this world" (Alikperov, 2022), although the triggering mechanism for committing a crime is still considered to be environmental factors. This approach deserves attention, but it is also not new. It has long been known in criminology that the mechanism of individual criminal behavior is formed by internal and external factors, with internal psychological phenomena determining the commission of a crime (Meshcheriakova, 2016). Thus, the person's unmet need finds its satisfaction in the commission of a crime only if appropriate circumstances have developed in society. It is precisely through the impact on circumstances external to the person that the individual reproduction of crime can be countered. Nevertheless, the original cause (unsatisfied need) as a phenomenon not of this world is beyond the control of man. Still, this understanding appears too narrow and is unable to explain the commission or non-commission of crimes by different people in the same objective social conditions, which inevitably leads to the grim conclusion that individualized crime prevention is futile.

3. Substantiation of the critical approach to Alikperov's new vision of the reasons behind individual criminal behavior

Acknowledgment of the fact that the causes of crime are objective regularity, the existence of which does not depend on human activity, should not lead to the acceptance of countering crime as being hopeless in general. Crime represents the property of society to reproduce crimes (Shestakov, 2006), but this property can manifest itself (as well as form) only in the social environment.

Currently, the prevailing viewpoint in the academic community of psychologists and criminologists is that the mechanism of individual criminal behavior is complex and encompasses many internal and external factors (Criminal Psychology, n.d.). Some modern researchers adhere to the so-called genetic, or hereditary, theory, claiming the existence of a direct link between biological hereditary factors and criminal behavior (Larin, 2019). Others emphasize the predominant role of the social environment in the development of a perpetrator's personality, which is particularly evident in the study of the causes of juvenile delinquency (Demidova-Petrova, 2021). However, it is hardly possible to determine whether the internal or external factor is unambiguously dominant in the formation of criminal motivation.

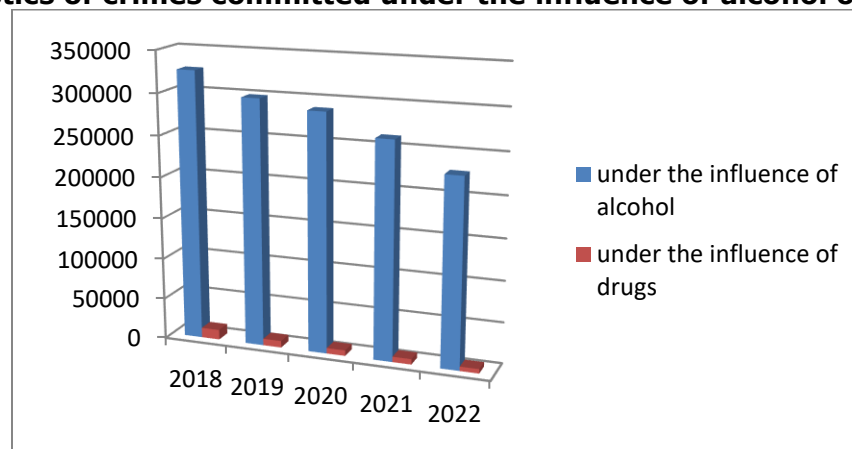
An in-depth study of the biographies of criminals (regardless of the type of crimes committed, the category of such crimes, and their number) shows that in the absolute majority of cases, the origins can be found in the formative periods of development (childhood, adolescence). The conditions of personality development (surrounding social environment, etc.) determine the value-needs sphere of a person and their motivation, which ultimately affects the synergetic result – the commission or non-commission of crimes.

Human needs are an essential link in the mechanism of individual criminal behavior. They are not abstract categories, but rather socially conditioned and depend on the state and development of society and the processes of digitalization and technologicalization. Along with traditional (or classical) needs, civilizational needs are also distinguished. Their presence contributes to the objectification of new methods of committing crimes. For example, technological progress has led to the emergence of automobiles as a means of transportation, hence the need to use a car to get from point A to point B. This need is often satisfied by committing a crime (theft of a motor vehicle), but it cannot be regarded as arising from the physiological characteristics of an individual; the origin of this need is socially conditioned.

The emergence of new needs conditioned by technological progress necessitates the search for adequate forms of satisfaction as a means of countering crime. It appears that civilizational needs cannot be unambiguously distinguished into criminal and non-criminal. Time is needed to test them first. However, it can be argued confidently that some human needs have already shown themselves as pre-criminal, having a considerable impact on the realization of the mechanism of individual criminal behavior. Among these needs is the consumption of alcohol, narcotic substances, and psychoactive substances. The data published by K.P. Fediakin and S.A. Galactionov (2020) indicate

that almost every third crime is committed in a state of alcohol intoxication or drug euphoria. According to the Ministry of Internal Affairs of Russia (n.d.), in the past five years, there has been a positive downward trend in the number of persons committing crimes under the influence of alcohol or drugs (Figure 1).

Figure 1
Statistics of crimes committed under the influence of alcohol or drugs

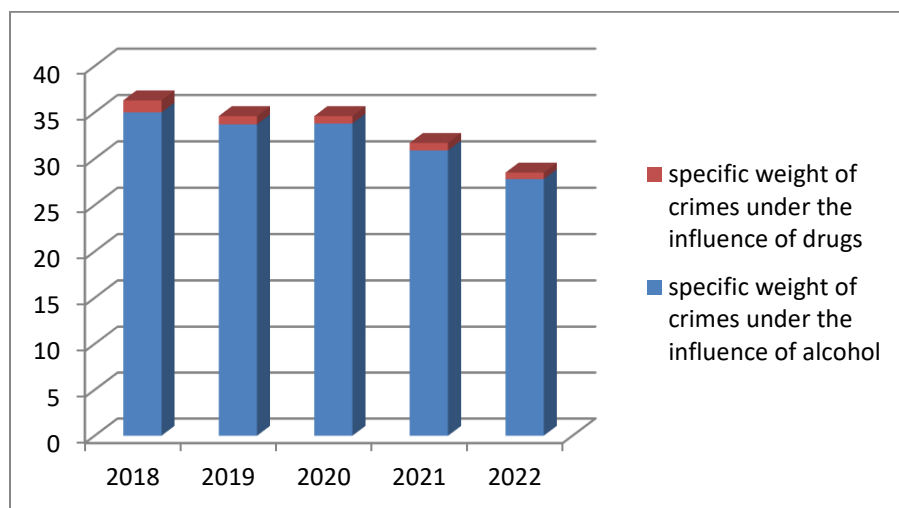


Source: Authors development

Analyzing changes in the trend line for the two presented indicators, it is evident that the decrease in alcohol-related crime is more noticeable.

Comparative analysis of the specific weight of persons who committed a crime under the influence of alcohol and drugs in the five-year dynamics also demonstrates the trend of a more pronounced change in alcohol-related crime (Figure 2) (Freud & Bullitt, 1992). This circumstance may indicate with some certainty that the need associated with the use of narcotic drugs is more strongly linked to individual criminal behavior. However, the extremely small share of such criminals in the total mass of offenders (about 1%) prevents the conclusion that such a link is irreversible.

Figure 2
The specific weight of crimes committed under the influence of alcohol and drugs



Source: Authors development

However, the impact of satisfying the need for alcohol, drugs, and psychotropic substances on criminal behavior is ambiguous. The use of alcohol and drugs does not automatically provoke the commission of a crime. Consequently, even with regard to such needs, it cannot be fully asserted that it is unmet needs that lead to crime. In this case, it is rather the opposite.

The study of criminal personality through the prism of knowledge of the causes of individual criminal behavior shows that criminals often cannot explain their unlawful acts. Much in criminal behavior lies beyond consciousness. The category of the unconscious was once investigated, as far as possible, in the works of Iu.M. Antonian. He emphasized the need to account for this phenomenon in explaining the causes of crime (Antonian et al., 2005). S. Freud proposed to dive into the unconscious via the method of psychoanalysis (Freud & Bullitt, 1992). G.V. Zazulin and Iu.N. Nikolaenko (2019) wrote about the possibilities of using modern technologies of psychophysiological detection based on the example of vibroimage technology for various purposes.

Appealing to the category of the unconscious to explain the causes of individual criminal behavior allows us to formulate an approach that can be described as programmatic: each person during their life performs actions that in general constitute a pre-determined program. According to an apt wording of D.A. Shestakov (2016: 57), "a person in the world is a puppet for the fulfillment of a program prescribed from above, which gives stimuli: joy, love ... ideas about good and bad imposed from above".

From the standpoint of the programmatic approach, individual criminal behavior may be the result of a certain program embedded in the human brain, the execution of which is an objective regularity. The program approach to explaining the causes of individual criminal behavior is to some extent similar to the theory of Alikperov who believes the causes of crime to be an objective regularity whose existence does not depend on the individual's life activity. However, like any theological (fatalistic) concept, this hypothesis gives some reason to believe that anti-criminal impact in this context is impossible and

ineffective. This statement appears erroneous. Further research in this area is relevant and expedient. Expansion of the field of application of psychotherapeutic influence on a person to correct their life program can yield positive practical results.

4. Individual criminal behavior and resocialization of the individual

As a social being, a human person undergoes socialization from birth to the end of their days (Doroshenko, 2020). Successful socialization is manifested, among other things, in the individual's ability to refrain from crime. In turn, committing a crime indicates their desocialization and the need for resocialization (Krainova, 2023).

An effective system of anti-crime socialization (resocialization) is a vital methodological foundation for building an efficient crime control system. Defects in socialization act as triggers for the person to commit a crime.

Socialization proceeds under the influence of the nearest social circle, the social micro- and macro-groups the individual has to interact with. The individual absorbs the experiences of previous generations, both positive and negative, like a sponge. As pointed out by O.M. Doroshenko (2020: 13), "the process of socialization expresses the connection between times and generations". However, the person not only learns in their life but also transforms the established social relations with their actions and deeds. In other words, the existence of man and society is interconnected. As society affects the individual, so too can the individual influence society. Therefore, each person receives close attention (care) from society, because society itself depends on each individual.

The importance of proper upbringing of a child and their successful socialization to prevent individual criminal behavior is recognized by society and the state. Researchers indicate that underage criminals are potential adult perpetrators, as statistics show that many dangerous offenders start their criminal behavior in adolescence (Artemenko et al., 2020). Youth policy is implemented at the state level, and its foundations are enshrined in legislation. The key objective of youth policy is declared to be

"The upbringing of patriotic young people with an independent mindset, a creative outlook, professional knowledge, a high level of culture, including the culture of inter-ethnic communication, responsibility, and the ability to make independent decisions aimed at improving the well-being of the country, the people, and their families" (Government of the Russian Federation, 2014).

This goal carries significant anti-criminal potential. However, no state policy, even the most thought-out, and not even the most highly organized civil society can safeguard against deviation 100% guaranteed. In addition to a socialization system that is well-designed, substantiated, and organized at all levels, the system of resocialization needs to be developed as well.

Individual criminal behavior is undoubtedly individual, yet it is simultaneously socially conditioned. Recognizing the unconditional objectivity ("not of this world", according to Alikperov) of the causes of crime, it is impossible to adequately counteract them: there

is no reason for it and no one to do so. However, this is far from true. It is in the interest of society and the state that the individual remains embedded in the chain of social interactions, for just as society needs the individual, so does the individual need society. A healthy society cannot reject a person who has committed a crime, because it needs each of its members. By acknowledging the subjectivity of the causes of crime and the influence of social factors on the process of formation of criminal personality, it is possible to build a coherent system of crime prevention to provide an impact on the criminal and their resocialization.

The starting point for a person's desocialization is the very act of committing a crime. Therefore, this same moment should be the starting point for resocialization. The source for countering crime should be sought in the mechanism of criminal behavior. In turn, resocialization measures need to be based on studying the reasons behind individual criminal behavior.

5. Conclusions

To summarize the study of individual criminal behavior in the context of the resocialization of the individual, we should highlight the deep philosophical essence of the problem, which consists not only in the answer to this question but also in the search itself, stretching throughout the entire history of mankind. The answer to the issue of the causes of individual criminal behavior is largely philosophical, as it is inextricably linked to the arguments about human free will. However, as we recognize the human will to be linked to objectively existing needs, it seems impossible to build an effective system to counter the reproduction of crime.

A crucial element of crime counteraction is the interrelated processes of socialization and resocialization of a person, as each person is of great importance for the effective functioning of society and the state. By committing a crime, a person undergoes desocialization, and it is important to restore their social status, to bring them back (i.e., resocialize). However, this cannot be achieved without studying the causes of desocialization, namely, the causes of individual criminal behavior.

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