

DISSECTING THE ROLE OF PSYCHOLOGICAL PERSPECTIVE IN THE FIELD OF CRIMINAL LAW

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ABSTRACT

Crime as a phenomenon continues to haunt and threaten society without any justification, it poses a great deal of discomfort and leaves a scarring trauma on the person who becomes a subject of it. However, ever wondered why some people commit crimes more than others do? Is there a mental block hindering the brain of a criminal? Or is there a childhood and adulthood trauma, that may have coerced the person to commit the wrongdoings? The role of psychology in understanding what goes in the mind of a criminal has helped in dissecting and decriminalizing the taboo of rehabilitation and considering punishment as a form of negative reinforcement. Additionally, it is intrinsic to comprehend that psychology plays a heavy role in understanding the conscious and mental state of a human being, what influences their behaviour, what is their driving factor and what provokes that person to become deviant. The blend of psychology with the legal system, in the modern era has heavily supported regulating human behaviour and giving character essence to the structure of law. While the law is an instrument in upholding justice and the prevention of crime, psychology is an underlying answer to the plethora of social, cognitive and behavioural issues. The application of psychology to the legal field helps in deciphering and smoothening the process of decision-making, eyewitnesses, investigations and interviews,¹ building a foundation for tackling the theory of crime and its nuances. To decipher the key elements of crime, lawyers are often put in the shoes of a psychologist to decode the psyche of a criminal and find answers to questions, where the role of criminal psychologists comes into play. The fundamental concept of law is embodied by the conceptions of human behaviour. This article aims to reticulate the connection between psychology and criminal law by diving into the psychological theories of crime, the application of criminal and forensic psychology to understand why some people intend to break

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¹ All Answers ltd, 'The Relationship Between Psychology and the Law' (Lawteacher.net, January 2024) <<https://www.lawteacher.net/free-law-essays/criminal-law/the-relationship-between-psychology-and-the-law-2023.php?vref=1>> accessed 28 January 2024

the law and commit crime, whilst exploring the intricacies of understanding what goes on in the mind of a criminal.

PSYCHOLOGICAL THEORIES OF CRIME

One of the critical aspects, of tracing and punishing a convict, isn't deciphered from the execution of a crime, but from the definition of their mental state and what level of the psyche they possess. An act of possessing a 'criminal intent' or an 'evil mind' could be classified as the *Mens rea*. The definition of a criminal offence isn't especially restricted to the act committed but finding the 'mental element' of the criminal. Furthermore, it also includes the element of 'Malice Afterthought'² which is conscious planning and intention, however less reckless than having 'intention to cause bodily harm as reflected in the *Mens rea*. Moreover, Considerably, low emphasis on unravelling the importance of the mental state of a criminal and the regulation of their 'conscious' 'reckless' and 'negligent behaviour'³ has restricted the consideration of possessing a 'mental element' to commit a criminal offence.

In the modern era, a series of criminal justice systems have given cognizance to the importance of incorporating intoxication, infancy and insanity as a ray of being convicted of 'manslaughter' rather than murder. The Bharatiya Nyaya Sanhita 2023, which has just replaced the Indian Penal Code 1860, defined that 'Nothing is an offence which is done by a person, who at the time of doing it, by the reason of mental illness, is incapable of knowing the nature of the act, or that he is doing what is either wrong or contrary to law' under section 22⁴. Furthermore, under section 23⁵, an offence won't be considered by a person who was intoxicated and is incapable of knowing the nature of the act committed. While, this has given influence of psychological perspective and consideration for mental illness, to be brought into the legal system.

While the mens rea element is established, however, what causes the offender to resort to breaking the law and possessing a criminal intention? do they not have humanity or do individuals committing crimes have a different thought process? This presents a big conundrum, and the answer lies in the psychological theories of crime. The psychological

² Britannica, The Editors of Encyclopaedia. "mens rea". Encyclopedia Britannica, 26 Sep. 2023, <https://www.britannica.com/topic/mens-rea>. Accessed 28 January 2024.

³ Incorporated Council of Law Reporting, 'Mens rea and actus reus' < <https://www.iclr.co.uk/knowledge/glossary/mens-rea-and-actus-reus/> > accessed 28 January 2023

⁴ The Bhartiya Nyaya Sanhita, 2023 s.22

⁵ The Bhartiya Nyaya Sanhita, 2023 s.23

frame of criminal conduct will be explained by focusing on the person's personality, thinking patterns, and cognitive distortions and understanding the psychological perspective of offending behaviour.

1. PSYCHODYNAMIC THEORY

This theory was coined by the eminent Psychoanalytic theorist, Sigmund Freud who believed that an individual's personality is controlled by their subconscious mental processes which are governed from the inception of their early childhood⁶. The theory lays the foundation that the actions and behaviour of human beings are based on their childhood experience and development. Childhood's worst experiences like sexual assault, unmet emotional needs becoming poverty stricken can often become a form of developing depression, anxiety lead to forming nurturing relationships, resorting to drugs, stealing etc. Moreover, the psychodynamic theory views criminal behaviour as an outcome of 3 personality components Id, ego⁷, and superego.

Id is considered the pleasure principle, which functions on the gratification of immediate needs and wants and thrives on satisfying the basic biological drives of human beings, like food, sex and other needs, which are required for a person's survival. The second element is the ego, which is developed early in life and works on the reality principle. This is a logical and rational aspect of the personality that works on gratifying the needs of the id. However, it works in a framework, where the constraints and the reality of the environment are considered. The last element is the Superego, which functions on the principle of deciphering what is morally wrong and right⁸. It is the moral compass, which works on the factor of how one should behave. This aspect is usually formed around the age of 5-6 and embodies the expectations of parents and society to present morally acceptable behaviour, and later is expanded to develop their conscience, the feeling of guilt.

The message that this theory suggests is that any conflict between the components, or any imbalance caused, can create deviant behaviour in a person. The ego is a balancing catalyst

⁶ Sigmund Freud, *The origins of psycho-analysis: Letters to Wilhelm Fliess, drafts and notes: 1887-1902* xi, 486 (1954). Accessed 27 January 2024

⁷ *Ibid*

⁸ Jessica Taylor; Laura Overstreet; and Diana Lang, 'Psychodynamic Theory; Freud' <astate.pressbooks.pub/individualfamilydevelopment/chapter/freuds-psychodynamic-theory/#:~:text=According%20to%20Freud%2C%20a%20person,anxiety%20disorders%2C%20or%20unhealth%20behaviors > accessed 28 January 2024

between the Id and the superego, trying to gratify the needs of the Id, while making sure the moral requirements of the superego are satisfied. Thus, the role of the ego is to find a middle ground. However, a person who is dominated by a powerful superego⁹, might through himself in a situation to commit a crime due to their guilt conscious. This might turn them completely neurotic and over-defensive, to even sabotage their self. Similarly, the dominance of the id would often make a person succumb to the satisfaction of instant pleasures and become ignorant of the importance of morally right and wrong behaviour.

The fixation of psychodynamic theory has been given to reiterate the negative effects of childhood trauma and how that translates into the aggravation and frustration of committing criminal offences. Moreover, it has been characterized as a form of the road to comprehending the disbalance of the Id, ego and superego, and how intrinsic it is, in finding the equilibrium to prevent a dysfunctional mental state.

2. BEHAVIOURAL THEORY

The prominent social learning theorist, Albert Bandura coined the behavioural aspect, also known as the social learning theory. This theory believes that a person's learning and behavioural processes are influenced by imitation, observation and adapting to the reaction of others. He argued that people are not born, with violent and deviant behaviour, but rather this is a learned behaviour adapted through the consequences and actions of others. The theory emphasizes the role played by vicarious, symbolic and self-regulatory¹⁰ processes in the application of psychological functioning.

Bandura's theory puts emphasis, that Children and Adults are the subjects, of the behaviour projected by others. The applicability of exhibiting behaviour doesn't need the direct experience to be reflected in their adaptation. Additionally, observational learning occurs through the symbolic processes during exposure to modelled activities, which could include real or fictional characters, displayed through books, films, media or even real-life

⁹ Aldon Sammons, 'Psychodynamic Theories of Offending' < http://psychotron.org.uk/newResources/criminological/A2_AQB_crim_psychodynamicTheories.pdf > accessed 28 January 2024

¹⁰ Kendra Cherry, 'How Social Learning Theory Works' (VerywellMind, 14 October 2022) < <https://www.verywellmind.com/social-learning-theory-2795074> > accessed 27 January 2024

circumstances, where children grow up seeing violent and abusive relationships¹¹. This formulates the elements of conditioning, reinforcement and punishment.

One of the famous experiments, conducted by Albert Bandura, termed the ‘**The Bobo Doll Experiment**’¹², aimed to understand the impact of outer aggressive behaviour reflected on the behaviour of a child, and if it can be imitted by their Psyche. The experiment was conducted on boys and girls from Stanford University nursery school, Pre-test research was conducted to decode the aggression level of children, who were then put in groups according to possessing similar levels of progression. A group of children were shown an adult acting violently towards the Bobo doll and another set of groups, was shown calm and quiet behaviour towards the doll. When later children, were sat in different rooms, they began to imitate and produce the aggressive behaviour which they had observed.

The social learning theory argues that people’s thinking processes, like attention, motivation and patterns end up becoming a product of what they may observe, hear, listen or watch. Moreover, it argues that an individual would be more inclined towards possessing a criminal intention,¹³ if subjected to a series of violent, deviant and aggressive behaviours, or if put in a position that provides them ‘intrinsic motivation’ perhaps failing to attain their desires, as projected by the environmental setting could create a thirst to become a criminal offender.

3. COGNITIVE THEORY

As defined by the American Psychological Association, Cognitive psychology is the field that explores the mindset of the individual on their mental processes related to perceiving, thinking, attending, and memory, mainly drawn from their behaviour. This further emerged in developing the Cognitive Theory, which addresses and tries to understand how people perceive the world around them and represent it mentally.

There have been different theorists, who have defined the source and brought stages of Cognitive theories in their respective manner, to present, the way the cognitive theory guides and dissects criminal behaviour its purpose is to analyze faults in cognitive processes, and mental development. The behavioral aspect of cognitive behavioral psychology centers on the

¹¹ *Ibid*

¹² Saul Mcleod, ‘Bandura’s Bobo Doll Experiment on Social Learning’ (Simply Psychology, 14 June 2023) < <https://www.simplypsychology.org/bobo-doll.html> > accessed 28 January 2024

¹³ Ruth Triplett, ‘Crime, Social learning theory of’ (Wiley Online library, 26 October 2015) < <https://onlinelibrary.wiley.com/doi/10.1002/9781405165518.wbeosc157.pub2> > accessed 28 January 2024

impacts of rewards and punishments in shaping behavior which is known as conditioning. Furthermore, in this context, positive reinforcement entails the presentation of a positive stimulus, whereas negative reinforcement involves the removal of a negative stimulus. Consistent application of reinforcement typically leads to an augmentation of the behaviour being reinforced.

Cognitivism comprises two components: cognitive psychology, studying mental processes, and information processing, treating cognition as computation. Learners, guided by schemas, actively engage, practice, make connections, and operate within their zone of proximal development when encountering new information. Cognitive psychologists delve into attention, perception, memory, language, reasoning, problem-solving, and more.

Schemas, fundamental in cognitive models, facilitate mental representations of the world. Piaget's exploration of mental process development focuses on increasing the number and complexity of learned schemata. Equilibrium occurs when existing schemas explain the surroundings. Defined as linked mental representations, schemas guide understanding and response to situations. Piaget's simpler¹⁴ infant schemas evolve into more elaborate ones with age, while newborns possess innate schemas underlying reflexes. Examples include the grasping and rooting reflexes, which combine in actions like shaking a rattle.

In contrast, punishment encompasses the administration of a negative stimulus (positive punishment) or the withdrawal of a positive stimulus (negative punishment). Consistent implementation of punishment generally leads to a reduction in the behaviour being penalized. The likelihood of recurring criminal behaviour is higher when engaging in crime results in positive outcomes (such as obtaining cash or drugs) or alleviates an existing negative stimulus (such as the stress of being unable to provide for one's family). Punishment aims to decrease criminal behaviour by imposing negative stimuli (such as incarceration in a challenging environment) or withdrawing positive stimuli (such as losing access to friends and family). In practical situations, achieving perfect consistency in reinforcement and punishment is seldom possible.

¹⁴ Mana Alahmad, 'Strengths and weaknesses of Cognitive Theory' 2020 Volume 3 Budapest International Research and Critics Institute (BIRCI – Journal) Humanities and Social sciences < https://www.researchgate.net/publication/346309797_Strengths_and_Weaknesses_of_Cognitive_Theory > accessed 29 January 2024

Moreover, Intermittent conditioning arises when a particular behaviour yields unpredictable outcomes. For instance, if an individual learns from experience that attempting to rob a corner store often results in a reward with a lower chance of punishment, and most of the time leads to a neutral outcome, the behaviour of attempting robbery is likely to be repeated. Behaviour that is intermittently reinforced, meaning it is occasionally but not consistently rewarded, proves to be the most challenging to eliminate. Both individual and cognitive-behavioural approaches assume that adhering to pro-social and conventional behaviour represents the preferred and rational path to success and lawful living¹⁵.

Theorists typically classify personality traits and values as either adaptive or maladaptive, rational or irrational. However, this presumption neglects evidence indicating that individuals from marginalized groups experience distinct positive and negative conditioning when compared to those with greater access to wealth, education, and opportunities. For individuals under police surveillance, experiencing powerlessness during encounters, and facing disproportionate arrest and prosecution for minor offences, negative perceptions of the police and justice system may prompt them to make a rational choice to reject conventional behaviour.

THE INTERCONNECTION BETWEEN CRIMINAL PSYCHOLOGY AND FORENSIC PSYCHOLOGY

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The question of ‘why people choose to commit a crime?’ is often explained and deeply rooted in the field of criminal psychology and how forensic sciences, explore the application of the theoretical perspective of Criminal psychology.

Criminal Psychology – The Psychology of Crime

This field of psychology entails understanding the mental and subconscious thought processes of an offender¹⁶. It largely governs the direction towards getting the entrenched underlying reason of criminal behaviour, on their intentions, their feelings and factors leading up to that behaviour.

¹⁵ DR. Jennifer Mervyn and Stacy Ashton, ‘Cognitive and Cognitive – Behavioural Theories of Criminal Behaviour’ (7. Psychological Theories of Crime) < <https://kpu.pressbooks.pub/introcrim/chapter/7-2-cognitive-cognitive-behavioural-theories-of-criminal-behavior/> > accessed 29 January 2024

¹⁶ Ryah Cooley Cole, ‘Criminal Psychology vs Forensic Psychology: What’s the difference?’ Edited; Brenna Swanston (Forbes Advisor, 31 March 2023) < <https://www.forbes.com/advisor/education/psychology-and-counseling/criminal-psychology-vs-forensic-psychology/#:~:text=Criminal%20psychologists%20focus%20more%20on,youth%20or%20conduct%20academic%20research.> > accessed 28 January 2024

The role is applied to get a glimpse into the criminal's psyche and understand how the role is applied. Criminal Psychologists are often partnered with Law Enforcement agencies and work as a Criminal Profile, also known as offender profiling, which is the most significant role played in criminal psychology¹⁷. While, the role portrayed in movies, has often reflected that they 'accompany the officers to visit the crime scenes and interrogate the prime suspect' which has largely been moulded by media and movie depiction, which might be a different case.

They are ideally involved in reviewing case files, evaluating the attitude of the criminal, writing reports and might even predominantly engage in providing testimony in courts. It is imperative to understand the nature of this field, which is going in-depth to decipher the offensive behaviour, and how to counter it through their findings while laying a foundation of psychological principles and their implications on the mindset or actions of the offender. More precisely, their work is also committed in the field of rehabilitation, those who have already committed crimes and within the criminal justice system. This is prevalent in decoding their patterns and providing a ray of corrected facilities and programs¹⁸.

The field of criminal psychology is not just restricted to studying the behavioural patterns and thought processes of the criminal but also work in upholding a ray of help on mental health illnesses, for those who have already been convicted. The role is extended further into legal proceedings by addressing and assessing the offenders who might be struggling with mental health issues,¹⁹ which could range from substance abuse, and addiction, to struggling with depression²⁰.

This field is significantly important in guiding the prospects of understanding criminals, and what is their motivation behind breaking the law, which will be further discussed in the section 'Why some people commit crime?'

¹⁷ Psychology Today, 'Law and Crime' < <https://www.psychologytoday.com/us/basics/law-and-crime#the-psychology-of-crime> > accessed 28 January 2024

¹⁸ American Public University, 'What is a criminal Psychologist?' < <https://www.apu.apus.edu/area-of-study/public-safety/resources/what-is-a-criminal-psychologist/#:~:text=In%20some%20cases%2C%20criminal%20psychologists,aimed%20at%20mitigating%20criminal%20behavior.> > accessed 28 January 2024

¹⁹ *Ibid*

²⁰ Mental Health Foundation, 'How to Look after you mental health in prison' < <https://www.mentalhealth.org.uk/sites/default/files/2022-06/How-to-look-after-your-mental-health-in-prison.pdf> > accessed 29 January 2024

Forensic Psychology – The Application

The field of Forensic psychology is predominantly defined as ‘the application of clinical specialities to the Legal Arena’ emphasizing clinical skills such as assessment, treatment, and evaluation to the field of law, and digging deep to decipher criminal behaviour.²¹ The growth of this field has eradicated confusion and ambiguity on the application of this field, in detecting criminal behavior.

Law and crime have given an understanding, that the intersection of Psychology is deeper rooted than reflected in the justice system. The practice of this field is based on deciphering the pattern of criminal behaviour, through a series of scientific methods, involving investigations, research studies and conducting assessments. Working with Lawyers, police officers and prosecutors, they present a great competency trial (by working to determine the validity of defences and even serving as an expert witness in the court),²² while working on predicting violent behaviour, assessing eyewitness testimony, and through assessment procedures of psychological testing.

One of the most iconic cases of ‘John Wayne Gacy’²³, the serial killer who was on a killing spree, known also specifically as the ‘killer clown’ was punished for his crimes, as ensured by the assessments conducted by Forensic Psychologists. They were able to dissect his detailed premeditated planning and the pattern of hiding the bodies, which resulted in further developing the intersection of crime with forensic psychology.

The Interconnection between the two is based on both criminal and forensic psychology closely with the law enforcement agencies. However, while one is focused on establishing the mental processes and the thinking part of a criminal, the other is determined to dissect the pattern of criminal behaviour through a scientific approach. Irrespective, the intersection, is guided through that a criminal psychologist would accompany a Forensic psychologist in bringing a detailed picture of the offender and the crime committed.

²¹ Jane Tyler Ward, ‘What is Forensic Psychology?’, (American Psychological Association, 2013) < <https://www.apa.org/ed/precollege/psn/2013/09/forensic-psychology> > accessed 28 January 2024

²² D. Louw, ‘Forensic Psychology’ 2001 International Encyclopedia of the social and Behavioral Sciences < <https://www.sciencedirect.com/science/article/abs/pii/B0080430767013875> > accessed 29 January 2024

²³ Joy, ‘Five Famous Cases Cracked by Forensic Psychologists’ (Online Psychology Degree, 19 May 2021) < <https://www.online-psychology-degrees.org/list-articles/five-famous-cases-cracked-by-forensic-psychologists/> > Accessed 29 January 2024

RAMAN RAGHAV; CASE STUDY

For us to study criminal psychological behavior therefore it becomes imperative herein to entail the case study of Sindhi Dalwai infamously known as Raman Raghav. The enactment of horrors by Raman Raghav still scandalizes and threatens the consciousness of every human being. Raman Raghav was charged with killing people he was labelled as a '**serial killer**'. On what exactly constitutes serial killing, there is a scant agreement. Reinhardt (1957) first used the term 'chain killers' to refer to assassins who would kill and leave a 'chain' of victims in their wake. The term 'serial murderer' was originally used in the 1970s by Robert Ressler of the Federal Bureau of Investigation (FBI). The FBI classified serial killing in 1988 as three or more murders carried out sequentially with a 'cooling-off phase' in the action in between.

Raman Raghav was tried, convicted and sentenced to death in 1987 for killing two persons. In his confession, he admitted to killing approximately forty- people in 1966 and almost a dozen in 1968 in the Mumbai suburbs. However, there was an underlying possibility of more murders than confessed. The weapon used to orchestrate the killings used by him was a hard blunt object. A similar series of murders were committed by Raman Raghav a few years earlier around 1965-66 in the Eastern Suburbs of Mumbai. In his confession, he claimed to have attacked as many as nineteen people, amongst them nine victims had died. The police had initiated a manhunt to arrest Raman²⁴. For the crimes he committed in 1987, he was awarded a death sentence under section 302²⁵ of the Indian Penal Code which prescribes the punishment for murder.

Raghav's conviction recorded by the district court for death sentence was reduced to sentenced to imprisonment for life on an appeal filed by the defendant side in the Bombay High Court, the plea herein taken by them was that Raman was found to be incurably mentally ill. The Bombay HC directed Raman to be lodged at Yerwada Central Jail where he was under treatment at the Central Institute of Mental Health and Research. The panel of doctors who examined him concluded in their findings that he would never be cured of his mental illness, considering the same the HC reduced his sentence. A few years later Raman died due to kidney failure. The defendants took the plea in the Bombay HC that section 84²⁶ of the IPC which

²⁴ State Of Maharashtra vs Sindhi Alias Raman, S/O Dalwai Alias (1987)89BOMLR423

²⁵ 302. Punishment for murder —Whoever commits murder shall be punished with death or 1 [imprisonment for life], and shall also be liable to fine

²⁶ 84. Act of a person of unsound mind —Nothing is an offence which is done by a person who, at the time of doing it, by reason of unsoundness of mind, is incapable of knowing the nature of the act, or that

states that nothing will amount to an offence that is committed by a person who, at the time of committing it, because of unsoundness of mind, is incapable of perceiving the nature of the act or that the act he is doing is either wrong or in contravention of the law.

The HC expounded extensive interpretation of section 84 of the IPC which provides for 'act of a person of unsound mind' on the grounds of distinction between 'legal insanity' and 'medical insanity' which is as follows: It stated that medical insanity may be of various kinds and degrees. The extent to of medical insanity affects the cognitive faculties of a human will naturally be dependent upon the nature of that insanity. A person albeit suffering from some form of medical insanity recognized by the doctors as such but that not necessarily be contemplated by section 84 of the I.P.C. if despite the medical insanity a person is diagnosed can recognize the nature and the gravity of the act committed by him for which the person is being tried for or if he is capable of consciously knowing that the committed was either wrong or was contrary to law, then the person will not be able to naturally succumb to the benefits of section 84 of the I.P.C.

The Medical Board after the examination of Raman Raghav, concluded that Raman Raghav is of unsound mind and is suffering from a psychosis called chronic paranoid schizophrenia or paraphrenia, the latter entails chronic paranoid schizophrenia in addition to auditory hallucinations and was held to be dangerous to the society and was certified as insane. By the observations of the medical board, he was demarcated to be covered under section 84 of the I.P.C. The Bombay High Court discredited the observations put forth by the clinical experts and took a different view it held that section 84 of the I.P.C. will not attract solely due to the reason that although the accused may not have understood or be conscious of the gravity of the acts committed by him or that his acts were wrong, the court further held that he clearly understood or was conscious that his acts to be 'contrary to the law' the provided the analysis on the fact that he hid the weapon of offence in a place which was remote from the scene of offence.

Albeit Raman was conscious of the nature of the act, i.e. he was killing humans. He was aware that his acts were wrong and contrary to the law of the land, but he staunchly believed that his acts were right and in tune with the law of 'Kanoon' whose law according to him was obligatory for him to follow. To provide a context about 'kanoon' which Raman staunchly believed in is

he is doing what is either wrong or contrary to law.

that, in all the probabilities, Raman believed in the might or power of a force called “Kanoon” about which he persistently had auditory hallucinations, it was that Raman was inconsequential or incapable of consciously knowing that his acts were wrong as suggested by the clinical experts, but which was discredited by the Bombay HC on the above findings.²⁷

WHY DO SOME PEOPLE COMMIT CRIMES AND BECOME DEVIANT?

Numerous researchers do case studies to deeply examine a person's past because there is no single characteristic that predicts the actions and motivations of serial killers. Numerous investigations led to a detailed description of serial killers and mass murders, which included the idea that many of these people had self-esteem difficulties as children. Many serial killers had difficult upbringings that included absent parents; most frequently, their father abandoned children and the mother remained left to care for the child. These people were frequently left all by themselves to care for themselves; thus, nobody was ever present to point them in the correct route. Additionally, it was typical for the other parent to maltreat the child psychologically, physically, or emotionally if one of the parents left the child behind. Research has linked parental abuse to a higher risk of committing murder in adulthood.

Many of the abnormal behaviours serial killers exhibit start when they are young and can usually be identified. Deviant behaviours include inappropriate sexual fantasies at a young age and the three behaviours as mentioned in the MacDonald Triad. This triad includes animal cruelty, arson, and bedwetting. If any two of the behaviours are present, there is significant research to show they are also associated with later violent offenses. Inappropriate sexual desires at a young age and the three behaviours listed in the MacDonald Triad are examples of deviant behaviour. Animal abuse, arson, and bedwetting make up this trinity. Numerous studies have shown that if any combination of the behaviours is existent, they are also linked to future violent crimes.

While biological and neurological aspects have received a lot of attention, other researchers believe that early events and recurrent psychological trauma during development—such as inadequate parental attachment and physical and emotional abuse—are more important. Children who experience abuse, neglect, or abandonment often develop into dependent adults who have trouble forming bonds with others, a condition known as attachment disorder. Many people who lack self-control as youngsters continue to feel uncomfortable as they become older

²⁷ State Of Maharashtra vs Sindhi Alias Raman, S/O Dalwai Alias (1987)89BOMLR423

and have a strong need to command their social surroundings. They develop the capacity to manipulate people in order to satisfy their demands since they are unable to trust others from an early age.

The study of the early correlates of homicidal propensity has a long history. For instance, John Macdonald proposed a triad of symptoms in the past, including bedwetting, lighting fires, and animal cruelty, which he saw as responses to parental rejection, neglect, or brutality²⁸. Despite the fact that the so-called Macdonald's triad was later debunked in controlled studies and that bed-wetting and starting fires don't seem to be associated with later violent behaviour, the relationship between animal cruelty and successive violent behaviour is still a subject of active research. Since Macdonald's research, a number of studies have attempted to substantiate the idea that aggressive people also treat animals cruelly.²⁹ For instance, Kellert and Felthous discovered that aggressive criminals were significantly more likely to have committed animal cruelty as a child than either non-aggressive criminals or non-criminals.³⁰ Sociologist Arnold Arluke and colleagues also discovered that 153 animal abusers had five times the likelihood of committing human violence, such as murder, rape, and assault, after comparing their criminal histories to 153 non-abusers.³¹

According to the case studies in Steven Egger's book *The Killers Among Us*, serial killers torture and dissect their victims' pets in addition to abusing them.³² It is frequently asserted that serial killers experience a strong sense of powerlessness as a result of ingrained issues dating back to their childhood, which they attempt to offset by using severe forms of aggressiveness to take control over others. However, a lot of people who experience a sense of helplessness go on to serve as volunteers, activists, and philanthropists to assist others avoid going through this. Numerous serial killers' backgrounds reflect serious physical and psychological damage

²⁸ John M. Macdonald, "The Threat to Kill," *American Journal of Psychiatry* 120 (1963): 125–130; Daniel S. Hellman and Nathan Blackman, "Enuresis, Firesetting, and Cruelty to Animals," *American Journal of Psychiatry* 122 (1966)

²⁹ Alan R. Felthous, "Childhood Cruelty to Cats, Dogs and Other Animals," *Bulletin of the American Academy of Psychiatry and the Law* 9 (1981)

³⁰ Stephan R. Kellert and Alan R. Felthous, "Childhood Cruelty Toward Animals Among Criminals and Noncriminal," *Human Relations* 18 (1985)

³¹ Arnold Arluke, Jack Levin, Carter Luk, and Frank Scion, "The Relationship of Animal Abuse to Violence and Other Forms of Antisocial Behaviour," *Journal of Interpersonal Violence* 14 (1999)

³² Steven A. Scion, *The Killers Among Us: An Examination of Serial Murder and Its Investigation*

at a young age. Serial killers frequently alter their modus operandi (MO), or killing technique. As their skills get better over time, they might alter their ways.

CONCLUSION – DO ANY OF THE THEORIES APPLY TO THE PRACTICAL WORLD?

The intersection of Psychology and law has governed and acted as a guiding element, in assessing criminal behaviour, getting into the deep-rooted factors to fathom the motivating factors behind their criminal intent and even establishing ways to provide correcting assessment programs, as even mentioned in the 'The Interconnection of Criminal and Forensic psychology' section. It is intrinsic to build that the Legal system doesn't exist in isolation and be It public offenders or criminal offenders end up becoming subject to it.

The Movie 'ANIMAL' recently released has become a topic of debate and a controversial puppet, gaining mixed views of scrutiny and appreciation by the public, is what I believe would be a classic example of what Albert Bandura was trying to convey in the 'Social Learning Theory' The intense violent depicted, through domestic abuse, insurmountable aggression, normalizing 'hitting woman' has established a series of behaviour through the medium of film, which is one of the major outcomes of this theory. While children may not be subjected to this movie, the message conveyed through it still serves an influential impact in promoting aggression, domestic violence and patriarchal settings. However, it might cause disagreements as one section of the public believes 'The movie, should just be taken as a form of entertainment and nothing else', which is where the boundary should be created.

The movie might have an influential impact on certain sections of people, while on some it may not. The conjecture is based on the fact, that the domestic violence and aggression depicted, would predominantly lead to instilling a sense of 'aggressive behaviour' in some males, gaining further rise to Patriarchy by believing this pattern is 'normalized and should be encouraged.' Additionally, this could give rise to certain males, succumbing to attacking women daily or their wives, as from of assault and even becoming sexual predators. Perhaps, leading to becoming sexual offenders, and getting subjected to the legal system.

The message of this article is conveyed in the application that psychology is a big subset of law, while it's not present in the front, it provides a deep-rooted understanding of criminal mindset, defendant mindset and assessment of psychological theory in the application of assessing the behaviour as committed by Forensic Psychology. While the field of criminal law

works on regulating and punishing the offenders for the worst of their crimes, Psychology on the other hand would work on assessing the patterns, factors leading up to it, mental processes of the criminal and deinstitutionalizing mental illnesses. To address, Criminal law and the entirety of the legal system, cannot exist without the application of psychology.

