



Research Article

CRIMINOLOGICAL CHARACTERISTICS OF THE PERSONALITY OF THE PERSON WHO COMMITTED A CRIME IN THE FAMILY

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ABSTRACT

This scientific article deals with the issues of criminological characteristics of the personality of a person who has committed a crime in the family. In addition, in the study of the criminological characteristics of the personality of a person who has committed family and domestic crimes, we are of the opinion that it is inappropriate to single out the general concept of "the personality of the offender", and based on the analysis of the results of scientific research, appropriate recommendations have been developed.

KEYWORDS

Criminology, characteristics, personality of the person who committed the crime, family, criminal law, signs, socio-demographic, moral and psychological, offender.

INTRODUCTION

Among the various criminological problems, one of the main and at the same time complex, controversial and least developed is the problem of the criminal's identity. At the same time, it continues to be relevant,

since the causes of an individual crime, as well as the causes of crime, cannot be understood without taking into account the identity of the offender. According to V.D.Malkov, the identity of a criminal is understood as



a person who has committed a crime in which his antisocial orientation has manifested itself, reflecting a set of negative socially significant properties that, in combination with external conditions and circumstances, affect the nature of criminal behavior¹.

In turn, Antonyan and Kudryavtsev understand the criminal's personality as "a set of socially significant negative properties integrated into it, formed in the process of diverse and systematic interactions with other people. This personality, which is the subject of activity, cognition and communication, of course, is not limited only to these properties, which, moreover, are amenable to correction. At the same time, the social nature of the criminal's personality makes it possible to consider her as a member of society, social groups or other communities, as a carrier of socially typical traits. The inclusion of the criminal in active and useful group communication acts as an important condition for his correction².

Also, it is impossible not to agree with the opinion of K.E. Igoshev that "knowledge of the typical in a criminal allows you to constantly improve the system social control, increase the effectiveness of preventive measures, improve preventive and educational work³.

In studying the criminological characteristics of the personality of a person who has committed domestic crimes, we are of the opinion that it is inappropriate to single out the general concept of "criminal personality". Due to the fact that this may lead to a change in the opinion of society on the person who

committed the crimes. From another point of view, it is impossible to reject the fact that there is a certain category of people who have a set of negative, criminal qualities and character traits. A person who has committed a crime in the sphere of family and household relations is characterized by the presence of such a structure of moral and psychological properties and characteristics (views, aspirations, moods, etc.), which orients her to choose an antisocial behavior option and, in a certain situation, leads to such a choice.

It is therefore important to investigate these situations. Victimology examines not only the "victim" himself, but also why, in what situations he becomes a victim of crime, the emergence (formation) of a criminal situation, the extent to which it influences the formation of a criminal motive.

A comparative analysis of the gender data of about 200 victims of homicide, grievous bodily harm, torture, and rape revealed that 38% of homicide victims were men, 40% were women, and 22% were minors. 30% of victims are men, 50% are women, 20% are minors, 78% are victims of torture, 22% are minors, 76% are women with threats to kill or injure, 24% are minors, touch 76% of women, 24 percent are minors.

According to the results of research, female persons are victims in 75.8% of cases of domestic violence. For example, women become victims in 70% of cases of threats of murder or causing serious harm. As the study conducted by scientists has shown, most often victims of pressure in the family are the wives (cohabitants)

¹ Criminology: Textbook for universities / edited by prof. V.D. Malkov. 27th ed., reprint. and additional – M.: CJSC "Justicinform", 2006. –528 with

See: The identity of the perpetrator. Antonyan Yu. M., Kudryavtsev V. N., Eminov V. E., 2004 © Publishing House "Law Center Press", 2004.

² See: The identity of the perpetrator. Antonyan Yu. M., Kudryavtsev V. N., Eminov V. E., 2004 © Publishing House "Law Center Press", 2004.

³ Criminology. General, Special and Special parts. Igoshev. K.E., 2009. –p.34



(48.1%), children (15.6%), as well as the parents (14.2%) of the culprit. In addition, these crimes are committed against spouses (cohabitants) (5.1%), sisters and brothers (3.8%), as well as other family members or relatives of the perpetrators - grandfathers, grandmothers, grandchildren, uncles, aunts, nephews, parents and siblings of husbands (cohabitants) and others (13.2%). Overall, members of the female family own an overstated degree of victimization, the proportion of which among all the victims of domestic violence crimes learned is 75.8%⁴.

The identity of the criminal, on the one hand, is a general sociological opinion, on the other - a legal one. It probably means that it is impossible to look at the person of the criminal in isolation from his social essence, beyond the relationship with the entire system of public relations in which he is connected. Man as a social being unfolds in unchanging countless and difficult connections with the external environment, specifically the external conditions characterize the difficult and changing process of his formation. As a result, it turns out that the personality, representing the product of a difficult interaction of the psychophysiological parameters of a person and the social environment, together with that works as the basis and spring of personal upcoming formation. External favorable conditions and educational action on an individual do not always have a positive effect and do not necessarily have a consequence of moral reason and behavior. Therefore, the purpose of the study is to characterize not only the identity of the person who committed the crime but also the signs, as well as the reasons that caused the crime.

The study of its structural components is considered to be the main individuality of the knowledge of the criminal's persona. It displays not only the abundance of its constituent indicators, but also their different role in the etiology of lawless behavior. The structural components of the criminal's personality are divided into 3 types: Criminal and legal signs; Socio-demographic; Moral and psychological.

The most important in understanding the specifics of the criminal's personality is the criminal - legal characteristic. It reflects the degree of social deformation of the personality, its special properties, allows you to identify the most significant signs of persons who have committed crimes. Such signs include the orientation and motivation of criminal actions, the duration, intensity of criminal activity and the presence of convictions for it, role participation in a specific crime, the degree of preparedness (organization) for the crime, attitude to its consequences.

The socio - demographic substructure includes such personality traits as gender, age, education, social status, occupation, national and professional affiliation, marital status, level of material security, belonging to the urban or rural population, etc.

In the structure of the criminal's personality, a particularly important place belongs to its moral and psychological characteristics. It is these signs that allow you to get to know the inner content of the personality more deeply. First of all, we are talking about ideological and moral traits and properties:

⁴ S.S.Niyozova. Prevention of Crime in the Family and the Role of Victimology in the Republic of Uzbekistan.

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views, beliefs, value orientations, life aspirations and expectations⁵.

Let's analyze several signs of the identity of criminals who commit domestic crimes. First of all, this is a gender trait. Crimes in the sphere of domestic violence are committed in 85% of cases by males. At the same time, they commit the most dangerous domestic crimes compared to crimes committed by women. Of criminological interest is the comparison of the proportion of women who have committed domestic crimes with their proportion in the general contingent of persons committing crimes.

Such differences in male and female crime are explained by a complex set of social factors that determine the behavior of men and women. In relation to crimes in the sphere of everyday life, crimes against the person committed in acute criminogenic conflict situations and caused by negative aspects of domestic relations occupy a significant share in the general structure of female crime. This situation is determined, apparently, by the residual phenomena of the actual inequality of the sexes in everyday life, aggravating intra-family relations, unjustified difference in the position that a woman occupies in the system of social relations and in the performance of household responsibilities, negative phenomena and contradictions arising from the mismatch of production and family roles. In this regard, the further development of the process of women's emancipation and strengthening of their status, the elimination of imbalances in various spheres of life and the correct combination of industrial and family roles performed by women in society, the rapid and effective

unlocking of criminogenic conflict situations in everyday life, and others are of great importance in preventing crimes and other offenses committed by women in the sphere of everyday life. general and special preventive measures⁶.

In recent years, the attention of criminologists has been attracted by the explanation of the differences in the nature of female and male crime. Two issues are of particular interest.

1. Why is there a gender gap in crime: why are women's crime rates always and everywhere less than men's, especially for serious crimes?
2. Why does this gap persist for a long time and does not depend on social conditions?⁷.

Answering these questions, scientists argued that two massive factors attributed to ladies interfere with female criminality: role-playing duties and the presumption of female nursing function and hopes associated with the beauty of a lady and her sexual virtues. Similar ideas apply firm limits on the probability of ladies learning criminal efficiency. Women are rewarded even more than men because of the creation of a family, the maintenance of relationships in it and nutrition; and the limitations imposed on ladies by responsibility because of children are more than obvious. Most of all, the identification of women is often influenced by the identification of those men who are in their lives. If representatives of the stronger sex are suitable generally. On the other hand, such dependent identification often pushes women to play the role of accomplices of their spouses or lovers involved in criminal activity. The standards of

⁵ Criminology: Textbook for universities / edited by prof. V.D. Malkov. 27th ed., reprint. and additional – M.: CJSC "Justicinform", 2006. – 528 p.

⁶ Shestakov D.A. Family criminology. – St. Petersburg, 1996. – pp. 157-159.

⁷ Criminology / Edited by J.F.Sheli / Translated from English – St. Petersburg: 2003. – 864 s

femininity presuppose a perfect antagonism to those qualities that are valued in the subculture of the lawless grid.

Women commit crimes in the sphere of family life, as a rule, in the presence of victim behavior of the victim - the husband or cohabitant (systematic drunkenness, constant conflicts, threats, torture and other facts of antisocial behavior). Almost half of the domestic crimes committed by women were largely due to the deformation of their own personality (drunkenness, sexual promiscuity, etc.), or was the end of a domestic conflict caused by the antisocial behavior of the guilty⁸.

As we can see, based on the above, women are more likely to commit a crime when the victim is in a victimized position. Also, it is worth noting that compared to men, women are more likely to refuse to commit a crime based on concern for other people. This may stem from gender differences in moral development and socialization, aimed at a greater degree of empathy, understanding of the needs of other people.

Let's move on to another criminological characteristic of the criminal's personality. Age. The age characteristics of criminals allow us to judge the degree and intensity of the manifestation of criminogenic activity and the features of criminal behavior of representatives of various age groups. In particular, crimes committed by young people are more often aggressive, impulsive in nature, while older

people, on the contrary, are characterized by more deliberate commission of crimes⁹.

The conducted studies demonstrate that among those who have committed crimes in the sphere of domestic relationships, 2 age categories differ with greater criminogenic vigor - persons 18-30 and 31-40 years old. This is not accidental and is largely connected with the social status of persons of the marked age groups.

Of particular interest is a subgroup of people 25-30 years old, i.e. the age of active marriage and family life, the formation of family relations, assuming new responsibilities, norms of behavior, etc. In this crucial period of life, there is often maturation and aggravation of intra-family contradictions, resolved, as a rule, in the form of interpersonal conflicts¹⁰.

But, in turn, Antonyan and Gorshkov studied the age categories of persons committing domestic crimes differently. According to criminological studies, the age of "family" malefactors is characterized by the following: the proportion of the age category of 14-17 years was 10.4%; 18-29 years - 55.3%; above 30 years - 34.3%. What touches of all premeditated murders and attempted murders, then the average proportion of such age groups was distributed as follows: 14-17 years - 11.5%, 18-29 years - 34.5%; above 30 years - 54%. Thus, there are approximately the same number of "family" murderers among those who have not reached the age of majority as among all murderers¹¹.

⁸ Minskaya V.S., Chegel G.I. Victimological factors and the mechanism of criminal behavior. – Irkutsk, 1999. – p. 74

⁹ Criminology: Textbook for universities / edited by prof. V.D. Malkov. 27th ed., reprint. and additional – M.: CJSC "Justicinform", 2006. – 528 p.

¹⁰ S.S.Niyozova. Prevention of Crime in the Family and the Role of Victimology in the Republic of Uzbekistan.

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¹¹ The identity of the criminal. Antonyan Y. M., Gorshkov I.V., Zulkarneev R.M. 2004 © Publishing House "Law Center Press", 2004.



In the variants of the murder of young children, the personal personalities of the murderous fathers come to the fore: ruthlessness, selfishness, extreme immorality, bitterness and other base traits. The distinctive individuality of such crimes is considered to be the fact that they are traditionally made by persons who have previously been repeatedly convicted of various crimes, including against the person and who support practical marital affairs with the mothers of the victims. But it should also be noted about the crimes of children against their parents¹².

The pretexts for killing children of their own parents can also be constant reproaches from the extreme against their own children (more often only sons) because of their rowdiness, parasitism at the mother's expense, etc., especially this is typical for previously convicted¹³.

At the same time, anger in such variants has the opportunity to be focused on at least some family member, but since more often only the reproaches of such a family come from mothers, they become victims.

The next sign defining the characteristics of the criminal's personality is the formation of a person who has committed a crime in the field of family and domestic. Educational and intellectual levels largely determine the nature of the crime. This is understandable, since these qualities significantly affect the range of interests and needs, the direction of communication and pastime, and, ultimately, the way a person behaves. Criminological studies show

that persons with a higher degree of education commit official and economic crimes, while those who commit hooliganism, personal attacks, theft, robbery and robbery, as a rule, have a low level of education¹⁴.

The next feature of criminal behavior is the occupation of the person who committed the crime. As Malkov, V.D. correctly notes, "In the socio-demographic substructure of the criminal's personality, data on social location, occupation and professional affiliation (worker, employee, representative of a separate worker of efficiency, student, pensioner, a person who is not engaged in socially useful work, etc.) are of fundamental criminological importance. These data, in particular In particular, they demonstrate in which spheres of public life and in which social groups certain offenses are common, which branches of the ethnic economy are more susceptible to criminogenic effects, from which social and professional groups malefactors are most often "recruited".

Speaking about the professional employment of persons who have committed a crime, I would like to note that most of the persons who have committed crimes in the sphere of family and everyday life are considered workers. This is probably explained not by some special criminality of this social category, but above all by the superiority of workers in the structure of the able-bodied functional population of the country. Criminals who did not work anywhere at the time of the crime and did not study anywhere, are mostly represented by drunkards, mentally unhealthy and mentally unstable persons. The lack of employment of an able-bodied person by work or

¹² S.S.Niyazova, F.X.Khudoykulov Criminal responsibility for the deliberate murder of the mother's own baby. Tutorial // responsible editor: yu.f.d., professor F. See also [edit]

¹³ Otaboev B., Kumar R. THE CONCEPT AND ESSENCE OF CRIMINAL PUNISHMENT AND SIGNS OF CRIMINAL PUNISHMENT IN THE LEGISLATION OF THE REPUBLIC OF

UZBEKISTAN //World Bulletin of Management and Law. – 2022. – T. p – p. 29-33.

¹⁴ Criminology: Textbook for universities / edited by prof. V.D. Malkov. 27th ed., reprint. and additional – M.: CJSC "Justicinform", 2006. – 528 p.



study has a huge criminogenic meaning, since it deprives him of the ability to earn an honest livelihood, alienates a lot of free time, which can be used by him contrary to the interests of society and positive relationships in the team. At the same time, the lack of employment with socially necessary work deprives the family of unchanged means of livelihood or sharply reduces its budget. Family relations are further sharpened by the fact that a huge part of the marked persons abuse alcoholic beverages.

Based on the above, it can be determined that the study of the criminological characteristics of the criminal's personality gives us the opportunity to study the cause-and-effect relationships underlying the crimes under consideration, ensures the application of adequate knowledge to the object of preventive means of influence. Having studied the criminological characteristics of the criminal's personality in the family, it can be concluded that the direct study of the characteristic features of the personality helps to develop preventive measures. Based on the research conducted by scientists, as well as, according to a survey of law enforcement officers, it can be concluded that in 80% of cases, crimes in the family are committed by men. Scientists and experts explain this fact by the fact that men's faces have aggression, rudeness and strength, which exceeds several times the similar signs in women. Women, in turn, have such characteristic features as jealousy, which is fundamental. Speaking about the age of persons committing crimes in the family, the age limit from 18 years to 40 years is very criminogenic. Because it is during this period of life that people experience problems, life difficulties, cravings for alcohol and drugs. . Also, employees of the internal affairs bodies claim that more than half of the criminals have criminal records.

In conclusion, the scientific and theoretical study of the issue of the identity of the offender is one of the most important issues of today.

It should be noted that antisocial acts committed by individuals in different historical contexts and in different societies have been evaluated differently. In this regard, various scholars have expressed their views. We also want to draw some conclusions about the causes of crime as we study the personal problems of the offender.

First, non-social phenomena, including crime, have their causes only within the framework of social relations, and therefore acquire a predominantly social character. In general, it covers the economic conditions of life, human psychology, its needs, interests, behavioral motives and goals, the relationships of people in small and large social groups (family, industrial relations, immediate environment), attitudes, beliefs, values and goals. Consequently, the problem of the causes of crime should be studied from the perspective of social institutions.

Second, it would be methodologically incorrect to point to crimes and any single cause of crime. The reason is a complex phenomenon. True, here the decisive, primary, primary and secondary, superficial, external and internal, objective and subjective causes can be distinguished.

Third, a one-sided but multi-faceted approach to the problem of the causes of crime is possible, as evidenced by the history of research related to its explanation.



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