

- (a) The fundamental character is the result of heredity added to the personal organic conditions of the individual. It is divided into a an profound (original) part that goes back to the primitive life of human beings and a less profound part that reflects the life of the race and family to whom the individual belongs.
- (b) The supplementary character is that character which is derived from the circumstances that the individual encounters in his life and which modify his character fundamentally or even partially.

We also mention in brief Freud's and Adler's theories.

## **8.2. Freud**

Ascribes the crime to a guilt complex, which pushes the individual to delinquency in order to obtain the deserved punishment.

## **8.3. Adler**

Attributes the crime to the individual's attempt of freeing himself from an inner struggle comes about due to an inferiority complex. Evidently the two theories do not offer a general criterion of delinquency.

## **The Renaissance of Criminology in the Modern Ages**

Criminology did not actually flourish until the end of the first half of the 20th century as a result of the efforts of Italian physicians and scientists who adopted all scientific methods of examining the human personality, whether one is a delinquent or not, through many experiments in the preventive and repressive delinquency in Rome.

### **9. The Italian Efforts**

Among them we mention especially Pende and Benigno Di Tullio.

#### **9.1. Pende**

He was a universal physician who is specialized in glandular disease. He drew attention to the importance of human typology science in the classification of criminals into categories, each characterized by certain common symptoms.

#### **9.2. Benigno Di Tullio**

Taking part in the above mentioned experiments Doctor Benigno Di Tullio, Professor of criminal anthropology in the university of Rome, crowned his efforts by a book which appeared in 1945 in Rome and which established his new theory on the so-called "criminal constitution or predisposition".

According to Di Tullio's theory, that although crime is the result of interaction between the human soul as an internal factor and the circumstances encountered by the man in the external world, experience indicates that there are individuals who possess a tendency or inclination to delinquency, which doesn't exist in others, and that the external circumstances which provoke their criminal tendency and leads them to delinquency, does not produce the same effect on the part of ordinary persons. Such circumstances animate and exteriorize their criminal inclination that is connected to a certain constitution that they have. This constitution, which is simultaneously physical and psychological, distinguishes

them from any normal man, and differs according to their criminal category. Di Tullio classified them, following the example of Pende, into different categories. He separated constitutional delinquents from occasional delinquents whose delinquency is due more to the external factor than to the internal one.

On the other hand, Di Tullio views the criminal constitution of occasional delinquents does not attain a pathological nature. Namely it does not deserve the quality of a disease. That is why he distinguishes between the constitutional and occasional delinquent on the one hand and delinquent whose criminality is due to a mental disease or insaneness on the other.

As regards the mentally disturbed delinquents, Di Tullio separates the insane who is a delinquent from the delinquent who is insane. The first is a delinquent because of his insanity, in such a way that his delinquency could be eliminated by his treating him from insanity. The second is a delinquent because of a constitution which is previous to his insanity and which aggravated the latter. In order to cure him it would not be enough to treat his insanity but his criminal constitution must be treated at first.

Di Tullio adds that the criminal constitution is characterized by the fact that its symptoms appear at an early age and that it leads to grave crime implies the desire of repeating the crimes finding delight and pleasure in committing them.

In order to discover the criminal constitution the personality of the individual has to be examined from three points of view namely in three fields:

- (1) The field of morphology (the external organs of the body),
- (2) The field of physiology and endocrinology (the internal organs of the body)
- (3) The field of psychology (the human instincts)

We approve Di Tullio's theory as regards the explanation of crime as we

have explained the characteristics of the constitutional criminal in the above mentioned three fields when we defined crime as a social reality and when we indicated the causal factor of criminality.

## **10. The French Efforts**

The French theory of Jean Pinatel is less detailed than Di Tuillo's theory.

### **10.1. Jean Pinatel**

Pinatel speaks about the central nucleus of criminal personality. This nucleus is composed by four elements:

- (1) Egocentrism
- (2) Quick drifting
- (3) Aggressiveness
- (4) Affective indifference

He asserts that there are four obstacles that stand in the way of crime.

- (1) The first obstacle is the social opprobrium towards the criminal
- (2) The second is the legal threat of punishment
- (3) The third consists of the difficulties that probably surround the execution of the crime
- (4) The fourth is the horror of the figure which is given by this execution.

The first obstacle (the social opprobrium) is overcome by the criminal's egocentrism which makes him live by his own rules and follow his own beliefs which are contrary to the social integrity. Surpassing this first obstacle leads to what Pinatel calls "the acquiescence to the criminal idea".

The second obstacle (the legal threat of punishment) is surpassed by the criminal due to his quick drifting. The surpassing of this second obstacle

produces what Pinatel calls “The decisive acquiescence to the criminal idea”.

The third obstacle (the difficulties that surround the execution of the crime) is surpassed by the criminal’s aggressiveness. Pinatel calls the Surpassing of this third obstacle the “crisis state” (psychological dangerous crisis)

The fourth obstacle (the horror which makes the ordinary man withdraw the execution of his decision is surpassed by the criminal due to his affective indifference. This surpassing produces what Pinatel calls “the passage to the act”

## **11. The German Efforts**

Hermann Mannheim explains the origin of criminality by saying that in each crime there is an organic physical factor and a social economic factor which do not produce the criminal unless they are deflected to it by a mental psychological factor.

However, professor Ramsis Behnam views that this deflecting factor does not differ from what Di Tollio calls “The Criminal Predisposition”

## Chapter Four

### The Animating Factors of Delinquency

We have explained the causal factor of delinquency namely a criminal predisposition that leads to crime under circumstances which do not conduce to a crime in the case of the ordinary man. Such criminal predisposition is the constant or accidental prevailing of instinctive anomaly of quantity or quality with continuous or temporary missing of secondary noble instincts.

On the other hand, the criminal predisposition as a causal factor of delinquency can be awakened by animating internal and external factors which we face now.

#### 1.The internal animating factors of delinquency

These factors are as follows

##### 1.1.The Sex

The feminine muscular power is approximately half that of the masculine muscular power. This is probably the reason that when a woman commits homicide, she is more probable to resort to a cunning means such as poison rather than using violence and relying on her own physical strength. Is woman is also more probable to be an accessory to a crime rather than be the principal. Consequently, the masculine crime rate is consequently about six times higher than the feminine rate.

Women also undergo sexual phenomenon which distinguishes them from men such as menstruation, pregnancy and childbirth. This phenomenon can simulate a latent criminal predisposition. In Germany, statistics show that approximately 61 percent of the women caught shoplifting were undergoing

their menstruation cycle. This state awakens the theft tendency if the woman is affected by an abnormal property instinct.

On the other hand, women may commit infanticide through abortion due to their fear of the pain of childbirth or to hide the shame of an illegitimate child.

## **1.2. Age**

It is rare for a child to commit a crime before the age of twelve unless that child is affected by a constitutional criminal predisposition.

The Egyptian law presumes that a seven year old child is capable of committing a crime or felony. But the importance of age as animating factor starts with the puberty which comes at about fourteen in boys and about twelve in girls. Because Puberty wakes the sexual instinct, the pubescent could commit obscene acts and even sexual assaults on persons of the opposite sex. He begins doubt and discuss all what he learned since his childhood. Thus, puberty is a critical period which requires the parental attention.

Between the age of twenty-five and thirty-five the violent acts appear. Grave thefts and passion homicide take place between the age of thirty-five and forty-five.

Obscene acts reappear at the age of sixty, as compensation of the decline sexual potency in youth. The criminal activity of the doer diminishes as he gets older, although he may commit accessory delinquency. Yet we do not mean that every man commits the above said crimes under the influence of his age. Criminality depends on the abnormal fundamental instincts and the lack of secondary noble instincts.

## **1.3. Alcohol and Narcotics**

### **1.3.1. Alcohol**

Drunkenness is harmful because it eliminates or at least disturbs consciousness. Moderate use of wine, beer or whisky is harmless unless the drinker has a strong sensibility to alcohol.

Even a slight quantity of alcohol becomes dangerous when it sensitizes a latent criminal predisposition. When recidivist violent criminals drink, even a little quantity of alcohol, they become ready to aggression even if there is no reason to be aggressive and they commit horrible crimes against public authority or against individuals.

Alcohol increases the desire of crime by eliminating the fear of punishment facilitating the execution of criminal decision, and prevailing the promoting power to crime, not only as regards crimes against persons but also in relation to crimes against property.

Even thieves, pickpockets, embezzlers, drink alcohol before committing their crimes, in order to become more audacious.

The most dangerous individuals are those who have both the criminal predisposition and the addiction to alcohol, because the latter continuously awakes their inclination to crime, and consequently they require an efficacious treatment of both their inclination to alcohol and to delinquency.

Addiction to alcohol could lead even to insanity and if the latter is added to a previous criminal predisposition, it aggravates this predisposition otherwise it becomes in itself a source of delinquency.

French statistics indicate a strict relation between drunkenness and crimes of homicide, assault, arson, sexual assaults and negligence crimes.



Between 1946 and 1955, the cases of death due to chronic and heavy addiction to alcohol, death due to the liver disease caused by alcohol addiction and mental and nervous disorder due to alcohol addiction, increased enormously. In 1955, the addiction to alcohol produced eighteen thousand cases of death, while the cases of death due to tuberculosis attained twelve thousands, and those due drunk driving accidents reached eight thousands.

### **1.3.2. Narcotics**

Narcotics, they are always harmful even if they are taken in little quantities. They awaken latent criminal predisposition. Narcotics are divided into two kinds:

- \* One kind generates infuriation and tendency to violence even to homicide such as cocaine and cannabis (hashish).
- \* The other kind causes a general state of idleness and indifference as well as a fall of mental faculties such morphine and heroin, These narcotics produce a sensation addiction of the drug. The victim feels a physiological unsupportable thirst for it. This desperate need for the drug causes mental confusion spasms, sweating and an eagerness for money that could even lead to homicide in order to pay the price of the narcotic.

Poisonous substances other than drugs exist in the atmosphere of certain factories or mines. At a certain degree, they arouse the criminal predisposition in some workers. That is why scientists advise factory and mine owners to put the atmosphere of such factories and mines under control in order to avoid the stimulation of workers known for their criminal predisposition.

## **1.4. Certain Disease**

Tuberculosis upsets body and soul equilibrium and could lead especially to sexual delinquency, if it awakens a latent criminal predisposition. The same can be said as regards syphilis, typhoid malaria and even influenza.

We repeat that the simple fact of being affected by such diseases does not lead by itself to delinquency. These diseases throw poisons into the body that upset the physical and psychological equilibrium of the body. Yet these poisons do not provoke the ordinary man to delinquency. They do not give rise to delinquency unless they excite a latent criminal predisposition of the patient.

Encephalitis causes brain inflammation. It disturbs the nervous system of the body, induces to violence, sexual abnormalities and larceny. It is more dangerous; when it affects the person in his childhood and awakens a criminal predisposition

## **1.5. Disorder of Glandular Secretion**

Glands are parts of the body, which secrete certain substances needed by the body into the blood. An example of a gland is the thyroid gland, the pituitary gland, the thymus gland, the sexual gland, the liver, the kidneys and the pancreas. Their secretion exerts influence on human behavior. For example the abundance of thyroid gland secretion contributes to rashness and aggression.

That is why Hirsch suggests the amputation of a part of the thyroid gland pertaining to violent recidivist criminals in order to reduce their inclination to aggression.

## **1.6. Emotion and Passion**

Emotion is an interruption of the equilibrium of feelings. Becoming angry is an emotion, becoming happy is another emotion. When anger prevails for a long time, it is transformed into the passion of hatred.

Thus, emotion is a temporary interruption of feeling equilibrium, while passion means continuousness of this interruption. Every man is exposed to emotion and passion. Yet one commits a crime under this influence only if he is affected by a criminal predisposition.

## **1.7. Autosuggestion**

Autosuggestion is the passive obsession to any external influence of a criminal idea. Imitation of the crimes of others is an autosuggestion that becomes dangerous when it is in harmony with one's personal criminal predisposition.

## **2. The External Animating Factors of Delinquency**

External animating factors of delinquency are divided into two categories. They are the natural surroundings and social surroundings.

It is clear that any human being receives a motive of delinquency from the external surroundings. This motive does not become effective unless it meets an approval with the doer. Thus an external animating factor is transformed at first into an internal factor in order to induce to an action.

### **2.1. The Natural Surrounding**

Natural Surrounding comes as follows:

#### **2.1.1. The Weather**

The relation between weather and delinquency is proved by criminal and meteorological statistics. In hot regions the increase of temperature irritates the population and arouses the tendency to violence. It awakens the abnormal

offence-defense instinct and consequently leads to violent attacks against persons as well as rape and suicide.

On the contrary cold regions absorb any tendency to violence, because their inhabitants go in search of heat and warmth themselves. Therefore, those who undergo abnormal property instinct calmly trace plans to commit for burglary for example while the owners of houses are sleeping deep under their covers. Moreover, it is possible to draft a calendar showing the seasons delinquency. Such calendar indicates that in winter, crimes against property prevail, in spring and summer, crimes against persons, sexual crimes and suicide predominate especially because daytime being longer than nighttime. People interact with each other much more frequently than in winter. Revolutions usually occur in summer. Take the French and Egyptian revolutions for example. They took place in July, the first and the second on twenty third.

The Egyptian General Security Administration Statistics show that in Upper Egypt -where the climate is hot- crimes against persons are much more frequent than crimes against property, while in southern Egypt where the climate is colder, crimes against property prevail in comparison with those against persons.

### **2.1.2. The Food**

There are many arguments which sustain the effect of food on behavior. If one tries to read a book while he is hungry, he feels unable to concentrate on what he reads.

Professor Di Tullio noticed that a group of juveniles was unquiet and undisciplined, and when he ameliorated their nourishment, their behavior was improved. Furthermore, the discovery of stimulating substances such caffeine in coffee and tea as well as that of tobacco and alcohol was accompanied by a change in the behavior of men.

The physician can also prescribe a kind of food that animates the sexual potency. Vegetarians are characterized by a docile character which differs from that of those who eat red meat.

### **2.1.3. The Dwelling**

It is well known that there are slums of poverty that form areas of delinquency in all European, American and Oriental capitals because they are inhabited by exoduses in search of work. These slums are called "The Underworld".

As slums are deprived of sunshine and fresh air, their inhabitants rush to the street fleeing from the suffocative and unsanitary conditions of their dwelling, and juveniles as well as young men form gangs due to poverty and envy.

## **2.2. The Social Surroundings**

While the natural surroundings mean the material existence around the human body, social surroundings are the spirits that dominate his soul. These spirits consist of the following factors:

### **2.2.1. Disorganized Family**

Family is the basic group of society. It is the first group that the human being encounters after his birth. Corruptive factors in family could be either passive or active.

#### **\* Passive corrupting factors are:**

- (1) Disunion of family members especially if the mother works out late thus disregarding the child who is in need of her affection and care.
- (2) Death of the father and the presence of a stepfather who often disfavors the stepsons and stepdaughters.
- (3) Death of the mother and the presence of a stepmother who often disfavors the stepsons and stepdaughters
- (4) Dispute or discordance between parents as it distorts their attention to their

child. It becomes more harmful if divorce or separation puts an end to it.

- (5) Lack of a maintainer who takes care of the illegitimate child.
- (6) Numerousness of children that exceeds the financial and sentimental capacity of parents preventing them from giving each child the due care.
- (7) Ignorance of education methods on the part of parents.
- (8) Illegitimate sexual relations of either parents, or both of them, with a stranger.

These factors prevent the child from being nourished with the affection that renders him affectionate toward others and the whole society in his future

### **\* The active corruptive factor**

The bad example given by a deviate behavior of either parents or both of them, setting a bad example and rationalizing bad habits such as addiction to alcohol or narcotics or gambling, the provocation to delinquency or vagabondage.

Both passive and active corruptive factors make the child abandon his family to commit larceny. It could also make him wander in search of some body who would love him better than his parents and thus he falls into the hands of criminals who teach him the art of delinquency in order to deploy his in making illegal profits.

### **2.2.2. School, Friendships and the Job**

If the child is unable to go to school due to his parents' poverty, he tries to learn manual labor under the supervision of a boss. He does the same if he fails at school.

It is untrue that evil friendships lead to evil inclinations. It is the evil inclination that leads to evil friendships in the first place. Anyhow, if the criminal latent criminal predisposition is left unguided and uneducated, an evil friendship will aggravate it.

### **2.2.3. Economic State**

Although criminals often belong to poor economic standards, poor and honest people are still numerous. The rich also have their own criminality.

If the poor person is affected by a criminal predisposition awakened by envy from the rich, it and leads to delinquency. But envy does not, by itself, produce delinquency. A poor person's strong will and determination to become rich could dominate and eliminate their sense of envy and hate towards the rich.

### **2.2.4. Widespread Beliefs**

In Egypt (especially Upper Egypt) and in many other countries such as Southern Italy, there is a popular belief which necessitates retribution and returning evil for evil.

According to this belief, every killer must be killed by a male from the victim's family if this male is ready to do so. If he is of young age, his mother fills his mind, since his childhood with his duty to avenge his relative's death (father, brother, cousin...etc).

If the male, who is ready for vengeance, does not take his revenge, the public despises him and doubts his manhood. Sometimes the family of the victim denies that the killer ever murdered their family member (i.e. clearing the murder's name before the public authority themselves) in order exclude the public authority from their family feud so that they may avenge the death of their family member themselves.

Another widespread belief in Upper Egypt is that of revenge against the honor and virginity of the female. Females differ from males as regards the sexual freedom. If a female loses her virginity without marriage, her act implicates a breach against her family's honor. Her father, her brother or her cousin could kill her as well as her lover.

Taking into consideration such believes, we can say that they act as stimulation of a latent criminal predisposition. In the case that this criminal predisposition is not provoked into an actual crime, the above said believes could simply produce an imaginative delinquency.

Consequently, families exchange revenge against each other till the complete death of all their males. That is why the public authority intervenes to make peace and prevent these family feuds from taking over the role of the state in crime punishment.

### **2.2.5. Mass Media**

Mass-media is any instrument of publicity for spreading knowledge be that knowledge in writing (such as newspapers, magazines and books), heard (such as radio broadcasting), or seen (such as television, cinema and theatre).

These instruments of publicity are a strong source of autosuggestion when it comes to young men and to those who are affected by a criminal predisposition.

Any story, be it is based on real events or composed by literature, contains a dark side, which is developed as part of social objective reality, and a good side in harmony with human conscientiousness. Showing the horror of evil side accentuates the goodness of the good side.

The arrest and punishment of the evildoer at the end of the story is an example of the story's good side. Unfortunately, young men and the potential delinquent stress upon the dark side of the story without meditating upon the good side or the moral purpose or end that the story affirms.

**Consequently, autosuggestion of delinquency occurs in three forms.**

(1) One form is based upon a deviation of moral conception either by giving to



crime the appearance of a just legitimate act of social struggle and heroism, or by considering the delinquent an innocent person and excusing him from his crimes because he was unable to predominate over an irresistible abnormal psychological state that is out of his will, or by demonstrating the easy profits he acquires as a result of his criminal of his authority, and his success with women who admire his criminal life style.

(2) A second form of autosuggestion is based upon a passionate love of fame.

The vast diffusion of the criminal's name and photography seduces potential criminals to commit the same act in order to obtain the same fame.

(3) A third form of autosuggestion is the perception of mistakes carelessly

committed by the criminal in the execution of his crime and how the public authority succeeds in discovering the criminal because of these mistakes.

This perception opens the mind of potential criminals in order to avoid such mistakes in the execution of their future crimes and therefore to elude justice by a more prudent criminal execution. In short, it stimulates the criminal thinking of the potential criminal towards the scheming of the perfect crime.

The effects of news of suicide broadcaster through the press or cinematography are worth mentioning. In fact, while suicide is an aggression against oneself, homicide is an aggression against another person. Statistics indicate that suicide acts are more numerous than homicide acts.

If we analyze suicide we will find that it is the modification of the subject of aggression, making oneself one's own victim. The person who kills himself punishes himself for another's fault, instead of punishing the latter. But why he does so? He knows that the great publicity given to suicide will transform great numbers of the public into judges who will judge and condemn the person who drove him/her to suicide.

Young pubescent are more exposed to autosuggestion, because their capacity of criticism is not mature enough. That is why they imitate what they

see the television screen in real life..

Potential delinquents too receive the autosuggestion of delinquency more than anyone else, as the bad and corrupt sides of news and literature stories, attract their attention rather than the good and moral sides.

But just as the press, broadcasting and cinematography are necessary to entertain people in their leisure time, and to renovate their energy, we cannot submit their enjoyment to the condition of showing only the good and flowery sides of life. Hence, the suggestive effects of mass media seem inevitable and for this reason the State could not abolish them.

All that can be done, is the sponsoring of such films before showing them, and of articles before their publication. The state can also prohibit those under-aged youths from viewing certain films.

### **2.2.6. Illiteracy and Instruction.**

We cannot claim that illiterates are evildoers nor can we claim that literate persons are examples of probity.

It is true that narrow-minded and illiterate persons could, in ignorance, fail to distinguish between legitimate and illegitimacy acts.

Moreover instruction could eliminate crimes that are committed due to the ignorance of their perpetrator, whether this ignorance comes on the doer's part or on the victim's part. For example an ignorant person could commit the crime of rape being affected by the chimerical idea that such an act protects reassures him against doubts of his impotency. Furthermore, ignorance could lead the victim himself into crimes such one who is easily hustled out of his money due to his ignorance.

Instruction, whatever its fruits may be, fills the mind with knowledge without refining the feelings of the heart. As a matter of fact, instruction provides the mind with theoretical knowledge about what is right and what is wrong, yet it does not make the instructed person love all that is right and hate all that is wrong.

Education addresses the mind while the instruction addresses the heart and tries to generate and animate secondary noble instincts.

When instruction is obtained by immoral persons, it widens their circle of their delinquency and makes them innovate new forms of criminality. It allows them to discover its methods and secrets.

Edgar Hoover, the manager of American Federal Investigation Bureau gave two loud sounding examples of such persons in his book. Moran who was a well known physician, helped Dillinger, the head of an American gang of murderers, by healing the gunshot wounds of his gangsters at high prices, making masks to disguise them, and altering the patterns of their finger prints for the same purpose. He helped in the circulation of narcotics and stolen money.

Mr. Piquett was the Attorney General in Chicago, and the legal counselor of the killer Dillinger and his strongest secret partner who planned his escape and hideout from the American police

These two examples prove that instruction is often more dangerous than ignorance. This is why, schools should spend equal efforts on both instruction and education. Instruction is like a seed. It will produce good fruit if it is planted in a good soil.

But How can we explain the failure of the United States in the elimination of delinquency in spite of the huge expenditures spent on instruction? The diffusion of primary and secondary instruction led, on the contrary, to an increase

of delinquency.

Consequently, we can say that schools could not eliminate delinquency on their own.

In the past, the inclination to delinquency in students has been accompanied by skipping school. But today school attendance is compulsory, instruction became so even for young potential criminals who add to their dangerousness by acquiring knowledge which they will abuse in the execution of their criminal schemes.

One could claim that delinquency is characterized by illiteracy and that crimes are more frequent in illiterate regions and that there are more illiterate criminals than educated criminals in prison.

But this objection does not mean that ignorance is the motive of delinquency because both ignorance and delinquency could be the product of the same factor such as poverty, inherited defects or mental retardation.

On the other hand statistics do not register all committed crimes because many of crimes are covered and hidden by the more intelligent perpetrators. These crimes represent what is called the "Dark number of statistics".

Professor Carrara says that prisoners learnt reading and writing in prison and when they were released. They used this minimal instruction in writing letters to threaten others in order to extort money from them.

In short, we can say that culture provides the immoral person and the latent criminal with the knowledge that would make him a more formidable threat to society. A science without morals will produce horrible and ingenious crimes that are harder to track. The criminal will always come up with a new scheme to