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Some theories on the process of forming the criminal's personality

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Abstract---The formation and development of personality is a long and complicated process. In that process, the internal and external factors, the biological and the social, often interact with each other, and the role of each factor changes in each stage of each person's development. In the process of life, people acquire life experiences, beliefs, habits... and vice versa, when receiving anything, personality is also based on social standards to adjust their behavior. Not only that, they also rely on the inside, their own experiences to evaluate, accept or reject the outside. Thus, this process is always associated with the self-evaluation and self-consciousness of each person and thus, is associated with the self-education process, the self-improvement process of the personality. Personality is not something finished, but a process that requires constant improvement.

Keywords---Personality, offenders, criminal legal characteristics, crime prevention.

Introduction

The search for the criminal personality or super trait has captured both the minds and imaginations of academics and the wider community (Caspi et al., 1994). Partly, this is due to a stubborn aversion to the notion that normal, regular people rape, murder, or molest children (Barlow, 1990). Secondly, there is a desire for simple, straightforward answers (Bartol, 1991). In spite of this enduring popularity of personality theory, criminologists have hotly disputed the relevance of personality within the study of criminology for several decades (Andrews & Wormith, 1989; Brown, 2006; Caspi et al., 1994; Gibbons, 1989).

Personality theorists endeavor to put together the puzzle of the human personality. Temperament is the term used for the childhood counterpart to personality (Farrington & Jolliffe, 2004). Facets of personality or temperament, traits, are combined together into super traits or broad dimension of personality. Personality traits are persisting underlying tendencies to act in certain ways in

particular situations (Farrington & Jolliffe, 2004). Traits shape the emotional and experiential spheres of life, defining how people perceive their world and predict physical and psychological outcomes (Roberts, 2009). Various structured models of personality exist, each with a set of traits and super traits (Miller & Lynam, 2001).

K. Marx, human nature is not an inherent abstraction of a particular individual. In its reality, human nature is the sum total of all social relations. Accordingly, the process of human learning and development to become a member of society is an interaction process between individuals, individuals understand and accept the common values of society and of the society, conforming to the standards set by society. This is the process of socialization - creating the basis for the process of forming human personality.

Personality is understood as a system of characteristics, psychological attributes of an individual, expressing the identity and social values of people. In other words, personality is the sum total of many attributes and sustainable characteristics of a person, unique to each individual, expressed in the individual's thinking about the world, about himself, and his/her reaction to the world, individual's reactions to others - outward expression through the individual's eyes.

So how is an individual's personality formed? Psychologists have described the individual's personality development process and have been deployed by sociologists to better explain it to show the role of society and social interaction in the process of forming and personal development.

Biological Theories

From the point of view of biological scholars, there is a link between offenders with body features or abnormalities of the structure of chromosomes. Typical scholars of this theory are: Cesare Lombroso, Ernst Kretschmer, Willam Sheldom....

The Italian criminologist Cesare Lombroso (1835-1909) is considered a pioneer of biological theory. In the work "Criminal Man", Cesare Lombroso argued that the origin of crime stems from causes related to physical characteristics. Accordingly, a person born with 5 innate characteristics described as follows is a born offender, including: Wide mouth and strong teeth, sloping forehead and short: these are the characteristics of raw carnivores; High cheekbones, flat nose; Shoulder-shaped ears; A hawk nose, thick lips, deceitful eyes, thick eyebrows; Insensitive to pain, long arms

According to him, it is necessary to be proactive in preventing congenital crimes, isolating these people from society without having to wait for them to commit crimes. Cesare Lombroso's findings in criminology are controversial to this day. Criminologists then proved that there were many cases where individuals, although not possessing the aforementioned characteristics of hybridization (throwbacks), still committed dangerous crimes.

When researching the causes of crime, Ernst Kretschmer (1888 - 1964) - a professor, doctor of medicine, doctor of philosophy, psychologist - tried to find a link between these human characteristics and crime. In his work "Physical and personality" (1931), he said that there are 3 types of people with 3 different personality groups: debilitated people are those who are thin, weak, narrow shoulders; fat person is a person of average height, chubby figure, big neck, wide face; athletic person of medium to tall build, strong, muscular, rough bones. In Ernst Kretschmer's view, the muscular person is the one who is more prone to crime than the other two types.

William Sheildom (1898 - 1977) - an American psychologist, anthropologist - who most strongly responded and inherited the views of Ernst Kretschmer. He develops body types more systematically; at the same time, he tries to explain the causes of crime related to body type, the relationship between body types and specific personalities and temperament types. He divided people into three types: Endomorph (round, fat, soft): This type of person is tolerant, friendly, easy to please; Mesomorph (muscular, muscular): muscular, muscular people have a higher tendency to commit crimes than others because this is the type of person who is easily excitable, easily angers, easily falls into a state of nervous tension. , hard to control. This conclusion was drawn when William Sheildom conducted a study of 100 young men to find a correlation between body shape and delinquency in 1949; Ectomorph (fragile, weak, skinny): this type of person is too sensitive, easily discouraged (Hanoi Law University, 2016).

Another view among biological theories is that some researchers believe that crime is influenced by genetic factors. Representing this view are Richard Louis Dugdale (1841 – 1883) and Arthur H. Estabrook. In 1875, Richard Louis Dugdale published his research: "The Juke Family: A Study of Crime, Poverty, Disease, and Heredity". In this work, Richard Louis Dugdale studied the lives of more than 1,000 people who were members of the Juke family. The results showed that, out of nearly 1200 members of the Juke family, there are 280 people who are poor, 60 people are guilty of theft, 7 people are guilty of murder, 90 people are guilty of other crimes, 40 people are sick. Willow flowers, 50 prostitutes. He thinks that there are some families that have produced generations of criminals, who inevitably pass on a certain degenerative trait from generation to generation. To strengthen his argument, he conducted a study comparing the Juke family with another lineage known for its purity - the Jonathan Edwards family. Jonathan Edwards is the president of Princeton University, his descendants have vice presidents and presidents of the United States, many successful in business, and importantly, no one in the Jonathan Edwards lineage is considered illegal. From there, Richard Louis Dugdale concluded that the cause of crime is that the offender has inherited the bad genes of previous generations - that is, the crime is inherited. So what is the best way to control and prevent crime? It's about making sure that the offender's traits are not passed on to the next generation - that is, the offender must be sterilized (Frank Schmallegger, 2002).

In 1949, William Sheldom conducted a study of one hundred young men and found a correlation between body shape and delinquent behavior. He concluded that delinquency was more common in muscular young men. In general, theories in the group of biological theories have made certain contributions in trying to

explain and find out the characteristics of offenders. However, the most common limitation is that these theories all emphasize the biological characteristics of the individual, looking at the problem of crime from the perspective of an individual phenomenon without seeing the problem of crime as a social phenomenon. ; The role of the living environment and its impact on an individual's thoughts, perceptions and actions as well as the interrelationships between the individual and the living environment has not been seen. Therefore, these theories cannot be the most comprehensive explanation for the offender's characteristics of all types of crime.

Theories of Personality Psychology

Each individual is born with certain genetic factors. But as human beings, we live, develop and perfect ourselves in social relationships, in the interaction of society. Showing interest in this development process, famous psychologists have described the personality development process of people in general and offenders in particular through their theories.

Sigmund Freud's Psychoanalytic Theory

Sigmund Freud (1856-1939) was an Austrian neurologist and psychologist. He was born on May 6, 1856, in the small town of Freiberg in Moravia into an Orthodox Jewish family. From a young age, S. Freud was soon revealed to be an intelligent, sensitive boy, always at the top of his class, fluent in Latin, Greek, French, English and Italian. When he was growing up, he attended medical school, which was one of the rare options for a child of Jewish origin at the time. Before World War II, when Vienna became a dangerous place for the Jewish community, S. Freud went to England. On September 23, 1939, he died in London from oral cancer, aged 83.

Sigmund Freud is known as the founder and developer of psychoanalytic theory. His great merit is to discover the unconscious - considered the foundation of thinking to shape and guide all human behavior. S. Freud's theory has had a profound impact and influence on many other sciences such as psychology, sociology, criminology, religion, education...

In his theory, S. Freud believes that the process of forming human personality is caused by a combination of three factors: instinct, ego, and super-ego. Accordingly, instincts are those that are completely unconscious, those are the instinctive requirements of people - the requirements that have been present since man was born. The ego represents human consciousness, expressed in conscious activities such as perception, language and intellectual activities that allow control and restraint of individual behavior in relation to the external environment (S. Freud, 2011). That is, in his instincts, individuals have certain innate needs and requirements that need to be satisfied immediately. But the reality is that society does not always allow individuals to immediately satisfy those needs. The ego of the individual is the expression of people's efforts in balancing the relationship between the tendency to seek satisfaction for instinctive needs with the practical demands of society. From there, individuals will realize their own limits: we can't have everything we want. Finally, there is the

super-ego – it is the existence of culture within each individual, concretized through the values and standards of the culture, social norms, and individual learning through social interaction. It is considered to be the conscience, moral side of the individual and the ideal self (S. Freud, 2011). The super-ego struggles for behaviors to be perfected by valuing the behavior or expressing an attitude toward the behavior as right or wrong. The superego contains all the moral standards received from parents and society. The superego forces the ego to conform not only to reality but also to its ideals of morality. Thus, super-egos make people feel guilty when they go against society's rules.

From these perspectives, S. Freud explained the deviations and abnormalities in the individual's personality as due to the imbalance in the individual's mental apparatus. If the human mind apparatus is allowed to be dominated by the instinctive or super-ego conflict factor too strongly, it can lead to lethargy or vice versa, which can lead to psychological inhibitions (Nguyen Xuan Nghia, 2017). And crime is the result when an individual's instincts have arisen in an excessive way, making the individual unable to control his behavior.

Personality theory develops thinking

Erick Erikson (1902 - 1994) was born in Frankfurt, Germany. His father is Dutch and his mother is of Jewish descent, but his father abandoned him before he was born. His mother raised him alone for the first 3 years of his life, then she married Dr. Thodor Homberger - a pediatrician who specialized in treating him. His full name is Erick Homberger, his stepfather and biological mother have not spoken about his real birth certificate. After many changes of the times, he emigrated from Vienna to Copenhagen, Boston, California ... And when he became a citizen of the United States, he officially changed his name to Erick Erikson.

A student of S. Freud and a Freudian psychologist, Erick Erikson is interested in studying how social and cultural factors influence personality formation. According to Erick Erikson, human development is a journey with many complex and relatively complicated stages. He divided the human development process into 8 stages: stage 1: from birth to 1 year old, stage 2: toddler, stage 3: before school age - preschool age, stage 4: from 7 years old to 12 years old, stage 5: puberty 12 to 18 years old, stage 6: from 18 years old to 20 years old, stage 7: 20 years old to 50 years old, stage 8: 50 years old and up Go. This division has helped us to realize that a person's life has two distinct parts: the developmental stage of childhood and the stage of adult development.

In the first stage, the infant development stage: the child enters the safe world of only his parents and family. Through education in the family and education in school, the child begins to discover his own values, learn for himself and equip himself with the most necessary abilities to prepare for higher development in the next phase. In the next stage - the adult development stage, the child begins to enter the stage of developing his own ego and building his own image of dreams, ideals, love, family own family and other relationships. During this period, the living environment will have a great influence on the individual's outlook on life, thoughts, perceptions and actions. The influence of peers and role models is the greatest influence. Therefore, if the individual is not living in a normal

development environment, the individual is easy to have distorted thinking, confusion and disorientation.

Obviously, Erick Erikson emphasized the learning process in shaping human personality. This is a social process where individuals choose and try to imitate adult behavioral patterns. This process spans the entire life of the individual, although its most fundamental aspects are formed from childhood (Nguyen Xuan Nghia, 2017). The result of this process is the formation of personality, the personality of the individual, the formation of the perception of self in relation to other individuals in society. When analyzing and applying Erick Erikson's point of view to the general picture of society with factors that interact organically: economy - culture - history - tradition, we realize that there are changes, there are differences because the distance between cultures is different; since then, cultural factors such as values, standards, and education are also different; But above all, it is education (family and school) and self-education that are the most important factors to shape an individual's personality, to limit the problem of crime, it is necessary to focus on educational activities preventive.

Imitation Theory

The first prominent scholar of imitation theory was Gabriel Tarde. He was a French sociologist, social psychologist, and criminologist, born March 12, 1843, died May 13, 1904. He was born in Sarlat in the province of Dordogne. He studied law in Toulouse and Paris. From 1869 to 1894, he served as a judge and investigator in the province. During the 1880s, he corresponded with representatives of the nascent criminal anthropology, most notably Enrico Ferri, Cesare Lombroso, and the French psychiatrist Alexandre Lacassagne. Later, Tarde became the leading representative of the "French school" in criminology. In 1900, he was appointed professor of modern philosophy at the Collège de France. In his work, among the concepts that Tarde initiated were group mind (sometimes advanced to explain so-called herd behavior or crowd psychology), and economic psychology - where he predicted some modern developments (Minh Khue Law, 2021). Gabriel believes that society exists and develops on the basis of interaction between individuals, through which individuals gradually imitate each other's behavior. Imitation is the imitation, reproduction, repetition of actions, behaviors, moods, ways of thinking, behaving of a certain person or group of people. The expression of imitation can be seen at all different stages of individual development, especially in children, imitation plays an important role in the formation and development of personality.

The law of imitation is a phenomenon that does not depend on individual will because in social relations, a social group is a collection of many people working together for specific purposes and tasks to perform together. It must be agreed to act in a certain way. Activities of a social group will always take place of inheritance, spread and imitation of each other's ways of life, behavior and activities. In the specific conditions of reciprocity, social communication, psychological phenomena always spread from one person to another, from one collective group to another, making psychosocial phenomena the richer and more complex the association (Specializing in online law learning, 2020). On this basis, the process of mutual imitation, which is a reflection of the archetypal response of

others, an object imitation of such social activities and social communication also arises. At each different age in the process of personal development, the level of imitation is also different: from imitation of manipulation to behavior and actions; from unconscious to conscious imitation. Group imitation occurs during the process of human socialization, is a necessary psychosocial method to ensure that people absorb and assimilate the life experiences and activities of others.

In his work "The Law of Imitation" (1890), Gabriel Tarde showed that imitation is the governing principle that causes an ordinary person to learn the criminal behavior of another person who has had the opportunity to observe. This observation may have happened many times or once, it may take place in everyday life or through movies, newspapers, etc. For example, a child if he regularly sees violent images from family or from movies or from online games, gradually the habit of using violence to solve problems occurring in his life. This influence is strongest during the first years of a child's life, especially between the ages of 1 and 6. Therefore, the orientation and education of personality development need to pay great attention to the development of children in this period.

On the basis of inheriting and developing the views of Gabriel Tarde, Albert Bandura is credited with bringing this theory to a higher level. Albert Bandura - excellent psychologist and criminologist. He produced many famous research works in criminology such as: social re-learning and personality development (1963); Irritability: analysis from social imitation (1973), ... According to Albert Bandura, the core of imitation theory is how people learn to act on the basis of observations from others. Albert Bandura did many experimental studies in which he had children observe violent adult behaviors such as watching violent movies or watching several adults repeatedly hit a mannequin. As a result, he found that these children, after regularly watching violent scenes, had a very easily angered mentality, poor self-control, and quickly imitated violent behaviors learned from adults. Besides, he also said that children's easily angered mentality as well as the mentality of children like to imitate violent behavior is also due to the encouragement and influence of others (Specializing in online law learning, 2020). The theory of imitation has raised many problems to be done to prevent crime such as: parents need to be a good example for their children through specific daily behaviors of parents, not just words, Parents need to strictly control their children, say no to acts of domestic violence, need to control the content on movies and television that their children access, etc. However, this theory is criticized as being emphasizes the role of environmental influences and underestimates the self-training process of each individual. However, this cannot deny the great role of this theory in the development of criminology.

In summary, the psychological approach partially explains the correlation between personality patterns and criminal behavior. However, this approach only explains deviant behaviors on the individual level, but does not indicate a deviant personality or no longer depends on the view of society and the culture in which the individual is living, and more importantly: a deviant personality is a product of the social environment.

Sociological Theories

In the process of socialization, culture has formed certain values and standards to maintain social order and solidify institutions. In a broad sense, deviance is an individual's behavior that violates the rules, common standards, and common values of a certain society. In other words, "deviation" is attached to those who violate or oppose the standards and values that are highly promoted in society, especially the standards of the dominant culture, and class.

Social control is the arrangement of norms, values, and sanctions to force their implementation. Control will bring the behavior of individuals and groups into the socially accepted patterns to be followed. Social control, will use negative sanctions to push deviant behaviors into discipline or order. Social control can be exercised by social institutions such as family, religion, politics, economy, education... through its control function, individuals must comply with standards, social values, restrictions on behavior.

Functional theories

Normally, we view deviant behavior as not helpful for the survival of society, but the interpretation of functional theories suggests that deviant behaviors also make certain contributions to the functioning of society. Emile Durkheim (1858 - 1917) was a French sociologist and anthropologist. Through *Suicide*, Emile Durkheim shows that a deviant behavior is not just an individual problem but a social problem. A social community that has social conditions that are less integrated, and a society that falls into a non-standard situation has a higher percentage of people with deviant behavior than other societies. In his work "The division of labor in society", he argued that rapid social change will lead to an increase in the division of labor and thus create chaos, lack of interest between people and people, leading to a shortage of life standards and values as well as breaking the social norms that govern human behavior. He called this state "the state of disorganization". From disorganization will arise deviant behavior in society, crime, suicidal behavior, or in other words, social disorganization is the cause of crime.

Since then, he highly appreciated the role of the law when considering the law as a symbol of social solidarity. Law plays an important role in maintaining social order and limiting crime. To achieve this, legislation must address "disorganization" in society. Besides, he also pointed out that all societies have not only crime but also punishment. Punishment plays an important role in crime prevention. Penalties must be prescribed by law. The rationale for punishments varies depending on the social structure and requirements of the society. In society, punishment for deviant behavior (criminal) is used to strengthen the value system, remind people of right and wrong, deter them from committing crimes as well as prevent them from re-offending. In this way, preserving the common faith and, accordingly, the unity of the society. Punishment must be severe to achieve this end.

In the 1920s and 1930s, researchers at the University of Chicago proposed the theory of social inversion to explain deviant behaviors. These researchers assert

that crime often occurs in communities with weak social bonds and the absence of social control. Adolescents who grow up in a poor community with high rates of drug addiction, crime, violence, and lack of parental care are more likely to become criminals than individuals living in affluent, well-connected areas. Good school system and cared for by family. This theory points to broader social factors as the causes of deviant behavior, so it can greatly influence crime prevention policies (Nguyen Tho Sinh, 2020).

The two authors C. Shaw and H. McKay argue that compliance with popular cultural norms of the lower social classes is the cause of crime. Studying the case of the city of Chicago, USA in the early years of the twentieth century, the two found that there was a high level of violence and crime in the city center and this level decreased as you moved away from the city center. This is consistent with migration trends: in the city center are poor, low-educated migrants. As the city grew, the wealthy moved from the city center to the suburbs. Thus, socioeconomic status is correlated with race and this leads to a high crime correlation rate, as a mixture of cultures and values creates small social groups. With different views on social deviance. These distinct values and concepts are formed and passed on from generation to generation through social media. Later researchers all shared the same opinion: poverty, ethnic differences, broken families, missing families in some communities are positively correlated with social turmoil, violence in adolescents and crime rates (Heather Griffiths et al, 2015).

Theories of conflict

Conflict theories often explain social deviance in terms of socioeconomic, gender, and racial inequalities. Authors of the conflict approach argue that defining deviant behavior is often based on the ability of the most powerful groups in society to impose their wishes on the government. Definitions of what is a criminal and who should be punished often apply only to the ruled class. Steven Spitzer - a Marxist researcher, has asserted that social norms are intended to strengthen the economic system of a given society and those who threaten the economic system are punished. Edwin Sutherland has launched a study on "white collar crime". He said that their crimes are caused by using power from their professional positions to violate the law, to make profits such as embezzlement, corruption, accepting bribes, embezzlement of public funds.... The author shows that the deviant behaviors of the rich and the upper classes are rarely mentioned in the mass media as in the case of the deviant behaviors of the poor. Thus, Marxist authors put more emphasis on class conflict, explaining different types of crime and deviant behavior by their own social and class positions.

Researchers, theories on the problem of crime before 1970 did not focus on the gender dimension. Part of the reason for this is that the crime rate for women is lower than for men. The statistics show that the rate of crime, trial and punishment of men is many times higher than that of women. When explaining this phenomenon, researchers say that social control is much stricter for women than for men, the role of women is often associated with the role in the family; the rate of female workers participating in the labor market, participating in political and military activities is very low. Carol Smart's book "Women, Crime brother

Criminology" published in 1976 outlines research on deviant behavior and sex-related crime. This study has been neglected for a long time. Starting from here, feminist criminologists also raise new issues, such as domestic violence, rape, incest, sexual harassment, murder all related to gender, with the system social control over women. In summary, feminist theory shows a link between men's problems with violence and masculinity/femininity with crime types (Macionis, J. J. Plummer, 2008).

Theories of interaction

Neither the functional theory nor the conflict theory deal with how deviant behavior develops and is produced. A question arises why some people have deviant behaviors while others are in the same situation but do not choose to behave in the same way. One of the prominent researchers on this issue is Edwin Sutherland. In the early years of the twentieth century, he investigated deviant behavior through interaction and group learning and came to the conclusion: deviant behavior is not an individual choice but a process of influence of the society in which they live. Learning social patterns - whether accepted or deviated - is a process. His theory answers why crime can be passed down through generations by means of social media. Some other researchers also pointed out that the factors of poor education, poor family, large family, surrounding living environment are all influencing factors, affecting the behavior of individuals.

Crime and social control

The study of the influence of crime often begins with statistical tables on the crime situation, the structure of the crime situation, with studies on the changes and changes of the types of crime over time. Methods to control crime also change as society becomes more complex. In traditional societies, crime control was vested in the family. In modern societies, to control crime people tend to develop standardized and more or less coercive institutions. One of the most prominent institutions of social control in modern society is the prison. In prison, inmates are educated, trained and brought work experience and work consciousness to inmates. The basic functions of prisons are to protect society by isolating prisoners, punishing (or compensating), deterring and rehabilitating. However, the punitive function of the prison is not always and everywhere brought into play. In many cases, in some prisons, prisoners learn more bad than good. Some prisoners, after getting out of prison, even though they have returned their wages, are still discriminated against by society

Conclude

Personality is understood as a system of characteristics, psychological attributes of an individual, expressing the identity and social values of people. Personality, the factors affecting personality and the process of personality formation of the individual are studied by many scientists under many different aspects and aspects. Each theory tries to point out the factors that affect the formation of individual personality in general and offender's personality in particular, such as biological factors, genetic factors, cultural factors, changes in personality, etc. changes of production relations, the development of science and technology, of

the economy, etc. Practice shows that each factor plays a certain role in the formation of individual personality and personal characteristics of the murderer in general. The formation of human personality characteristics is a long-term interaction process between the objective factors of the living environment and the subjective factors of people in the cognitive process. Positive factors of the living environment will act to form good personal characteristics. On the contrary, the negative factors of the living environment will act to form bad personality traits. It is the negative personal characteristics in combination with specific situations and circumstances that will easily give rise to criminal acts.

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