

## SECTION 2. CRIMINAL LAW AND CRIMINOLOGY

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### 2.1 Personal motivation for criminal acts

**Introduction.** Criminal action is a category that serves as an instrument of legal analysis and cognition of crime phenomena in its psychological and legal form. A lawyer identifies such components in the subject's act that would indicate the presence of crime elements following a particular criminal law standard, that is, defines the signs of an act essential from the legal point of view. A psychologist takes a different position whose primary purpose is to study the psychological mechanism that internally determines a criminal act. Based on legal analysis, he examines the psychological prerequisites of criminal acts and their connection with other personality features and external factors.

From a psychological point of view, a criminal act is a specific form of a particular action or activity.

In order to understand what precedes antisocial action, first of all, it is necessary to analyze the needs and motives that push the personality to take action. The psychological characteristics of wrongdoing differ depending on the actions by which these acts are committed.

Reflexive, instinctive, impulsive, and volitional actions are usually distinguished in psychology. The first two types of action (reflexive and impulsive) originate from natural impulses and are carried out independently of conscious control. Psychologists believe these actions do not play a significant role in human behaviour, although they should not be ignored entirely.

Particular attention should be paid to impulsive and volitional actions when characterizing the psychology of a social subject's behaviour. At the same time, a specific type of action is volitional, as it is a purposeful, consciously regulated act where the subject is a person. Impulsive action occurs mainly in cases where a person acts not based on instinct but still without volitional intention. Impulsivity is a quality

of action expressed when a person, out of self-control and introspection, acts on impulse.

Impulsive action is primarily an affective release associated with an affective experience. In such an action, a short-lived emotion is violently manifested, caused by certain conditions and circumstances, which appear as solid stimuli.

**Presenting main material.** A person who has committed a crime in a state of temporary insanity does not reflect on the consequences of what he has done; he does not evaluate the motives that push him to act in one way but another and does not think of the possibility to prevent the heavy consequences of his rash actions. Moreover, it is common for the subject to be unable to fully characterize his motives, even a considerable time after committing criminal wrongdoing.

This is explained, in particular, by the fact that the impulsive-affective state causes a violation of conscious control over the process of choosing an action. It is as if a person loses control over his actions and becomes an obedient instrument of the impulse which requires a particular release. In such cases, generalized action patterns are disturbed, and involuntary, naturally determined reactions and unconscious drives are 'turned on.' A crime due to such a state is characterized as committed in intense emotional anxiety.

The role of social determinants cannot help but disappreciate, emphasizing the need to consider biological factors in characterizing actions performed in temporary insanity. A crime committed as a result of such an action is considered a crime precisely because a subject, having the social qualities of the individual, could prevent a state of temporary insanity and its objectification into a socially dangerous act. The subject is helpless, as a rule, when being affected (it is during this period when actions are out of consciousness control). However, one can overcome it at the very beginning due to an internally internalized system of social control. Restraining mechanisms can also get involved when realizing affect into action.

A volitional action can turn impulsive; conversely, an impulsive one can become volitional. In nature, these transitions are due to an individual's social qualities. The more often offenders have defects of will, weakening of their internal system of social

control, lack of ability to assess emerging motives clearly, and the formed conflict situation, the greater the impulsive action.

However, impulsive actions are only one and far from the primary cause of criminal wrongdoings. Most of these actions are carried out through volitional mechanisms. Three main stages can distinguish a crime due to a volitional action.

*First stage.* The first stage is characterized by identifying a criminal goal and desire to achieve it. This stage is about assessing the reality to achieve the criminal goal.

*Second stage.* The second stage is characterized by the emergence of motives and decisions being analyzed. The crime's motive here is an individual's inner desire to commit this or that antisocial act. Such an urge does not become dominant immediately. A difficult internal struggle of motives often accompanies the evaluation and choice of one or another motive.

*Third stage.* The third stage is characterized by the objectification of a decision made by an individual into a socially dangerous act. In psychology, this stage is usually called the performance of decisions made.

The selected stages of volitional action are hypothetical. The boundaries between them are adaptive, like any boundaries within a single dynamic process. Moreover, depending on the individual's characteristics, each stage may have individual traits in specific cases.

At the same time, there is something general in the structure of volitional and impulsive actions: a motive. Identifying the essence of the motive for impulsive and volitional actions is necessary for specifying the social nature of criminal wrongdoings. The study of motives allows for tracing the connection between internal needs and external factors. Like any motive, a motive for a criminal act is not a simple automatic reaction to an external factor (stimulus). The inner impulse caused by this or that fact of reality is always mediated by one's experience and those traits and qualities that were formed earlier. Therefore, being aware of the motive helps to know the relationship between all system components: "causes of a crime - criminal wrongdoing – criminal's personality."

The study of motives is also necessary for revealing the psychological nature of human actions in general and criminal acts in particular. Specifying a motive for a crime means specifying the reason for a subject to commit a socially dangerous act and the psychological basis of the crime, which internally pushes the person to commit it.

It should be pointed out that the study of motives allows for considering impulsive and volitional actions within a single process of criminal activity. The fact is that neither impulsive nor volitional actions are isolated acts. They enter into a more general whole, i.e., an individual's activity. In contrast to the motives of actions, the motives of this activity have a generalized character, expressing the individual's position concerning social requirements. The motives of criminal activity seem to transform the central and essential elements inherent in the motives of individual criminal acts of a volitional and impulsive nature.

Any behaviour, including criminal behaviour, is carried out under at least three primary conditions. First, there should be a particular set of possibilities for acting in a certain way, and each of these possibilities should meet the general conditions necessary for an outcome of the choice. Secondly, these possibilities should be accurate. Thirdly, there should be a need for an act of choice - a set of specific reasons external and inner to the subject. The structure of motives is the intrinsic prerequisite of any decision that stimulates a person to make a particular choice.

Studying the motivational structure of criminal wrongdoings committed, for example, by young people, we proceed primarily from the following: a motive is something that an individual perceives as the direct basis for a criminal wrongdoing.

Single, separate motives do not usually determine a criminal wrongdoing. As a rule, the real subject's motives are complex, with different content and strengths. Moreover, a crime is often a result of objectification of not one but several dominant motives at the same time. The largest share in the structure of motives identified from the words of criminals aged 18-25 is occupied by motives that a young person finds challenging to determine precisely. The most significant frequency of prevalence of such motives is among persons who have committed hooliganism, robbery, and assault. The prevalence of these motives is manifested among young people who committed

murder and severe bodily harm, embezzlement, and theft, along with other socially dangerous wrongdoings. A large share of clearly unrealized motives allows the conclusion that a characteristic feature of the motivational side of crimes committed by young people is their contextuality and impulsiveness.

The second place in the general structure of motives is occupied by such a motive as 'revenge and anger.' The high share of these motives indicates that a significant part (almost every ninth) of criminals aged 18-25 are in acute personal conflict with the surrounding people while committing a crime. This motive is prevalent among persons who have committed severe bodily harm, murder, hooliganism, and other crimes. The lowest incidence of this motive is observed among persons who have committed rape, theft, and embezzlement. Thus, contrary to unconscious motives, 'revenge and anger' are motives peculiar only to certain crimes (mainly crimes directed against the individual).

The third place in the general structure of motives is occupied by "greed," i.e., selfish motive. In accordance with the general trend - the coincidence of the content of motivation and activity - this motive is peculiar for persons who have committed mercenary crimes: theft, embezzlement, and other crimes. Emphasizing that the mercenary motive is a characteristic feature of the psychological point of mercenary crimes, it is impossible not to mention the contradictions between the motive and such an objective feature of the criminal wrongdoing as its result. The motive of 'greed' does not exceed 1/3 in the general structure of motives for crimes, which can be called a motive for profit in connection with its results. Obviously, the very fact of a particular discrepancy between the content of the motive and its result is quite natural. However, such a significant 'discrepancy' between a motive and a criminal result is a rather specific phenomenon. This contradiction between motivation and criminal results can be assessed as one of the essential features of the motivational side of crimes committed by young people.

Concerning such groups of motives as 'respect and street credibility' and 'mimetic response,' it is worth noting that they are common mainly among persons who have committed rape, robberies, assaults, hooliganism, along with other crimes.

Concerning the persons studied, these motives can be characterized as a 'relapse' of motivation inherent in juveniles. These groups of motives allow a close connection to be traced in the development of the motivational sphere of persons who committed a crime at the age of 18-25 with the motives of juvenile crimes.

Comparison of the structures of motives for criminal activity committed by young people and juveniles makes it possible to identify trends in the development of crime motives depending on the age of criminals. The comparison made it possible, first of all, to establish those changes in the structure of motivation of criminal wrongdoings, which are directly related to the age-related development of the individual and, to some extent, express the features of this development. Three groups of changes are the most revealing here. [8]

Firstly, the general structure of motivation of the studied category excludes innocent childish motives inherent in juveniles: 'adventurous motive,' 'desire to seem brave.' The exclusion of this sort of motivation is a natural consequence of those general changes in the motivational sphere that occur in the transformation process from adolescence to a young age. With the accumulation of life experience and knowledge, the young man gradually abandons the juvenile motives of activity, and his actions become increasingly motivated and independent.

Secondly, among young people (compared to juveniles), the prevalence of motives chosen due to a self-made decision is increasing. Accordingly, the number of motives that arose due to mimetic response is sharply reduced (more than six times). Self-esteem, already formed by this age (overestimated, as a rule), becomes more significant than such a motive as 'respect and street credibility.' Having committed criminal wrongdoing and giving preference to one or another motive, a young man, unlike a juvenile, focuses on personally significant goals and his own inner experiences but external opinions and judgments about him.

Thirdly, among young people, the share of motives that express a conscious conflict between the subject of the crime and the surrounding people and society is significantly increasing. The motive of 'revenge and anger' is observed in this group six times more often than among juveniles. This is due to the peculiarities of

developmental psychology and a subject's particular position. A young person experiences acute conflicts caused by the need for life self-determination, difficulties of adaptation, and overcoming the contradictions between the ideal and reality, which is natural for this period of life. The psychological reaction to these contradictions is the motives mentioned above.

There is a certain continuity in the structure of motives for criminal doings committed by juveniles and young people. This is expressed in the preservation of a significant degree of self-interested motives, in a reasonably high (despite a sharp reduction) frequency of prevalence of an age-specific motivation - 'respect and street credibility'- and in mimetic response elements.

It should also be noted that the dominant motive must be clearly defined among juveniles and young people. Moreover, the number of 'motiveless' crimes committed by young people (as compared to juveniles) is increasing significantly, i.e., the share of crimes committed accidentally is increasing.

Studying the motivation structure for criminal wrongdoings is essential for solving practical problems of educating young people and preventing socially dangerous acts. This is primarily because the motivational sphere determines the essence of the subject's actions and deeds. Therefore, the educator, influencing the offender's inner motives, influences his spiritual world and behaviour. [9]

Among the problems of educating young people and preventing crimes, an important place is occupied by the problem of forming moral motives in young people, which determine the correct assessment of acts and their consequences. In practice, it is essential to form in young people, first of all, such motives as the moral need for actions based on a socially conscious goal, high moral prestige among others, the desire for self-assertion, etc.

No less critical in educating young people and preventing crimes is to form motives of a material sphere. Material possessions can become a strong irritant for mercenary crimes if they are associated with the desire to enrich oneself, obtain unearned income, etc. Therefore, in educating young people, special attention should be paid to shaping solid connections between the motives of the material sphere and

the moral factor. It is necessary to ensure that one's material motives, before they are objectified in acts, are subjected to internal 'selection' based on high moral evaluations. This is of particular importance in neutralizing such motives of criminal activity as greed, the desire to save up material wealth, and benefit.

In educating young people, age-related changes in the field of motivation, which naturally manifest themselves in the motivation of crime, should be taken into account. The educator needs to know which motives of criminal wrongdoings determine behaviour less and less while aging and which, on the contrary, are fixed or transformed into other motives. Because of this, the educator should look for new methods and means of influencing the personality of the young wrongdoer and the motives of his behaviour. It is essential to consider such changes for the organization of preventive measures.

Emphasizing the regular changes in the motivational sphere and highlighting the features of developmental psychology, it should be taken into account, on the one hand, that the changes do not cancel the general social content of the motivation for criminal wrongdoings. They mainly affect the form of its organization, i.e., its structure. On the other hand, when the motivational sphere changes, there is a continuity in the development of both individual motives and the structure of motivation. Therefore, when analyzing the motivation of criminal wrongdoings and the practical use of results, it is necessary to consider both the general antisocial content of motivation and the features of developmental psychology, which are reflected in the motives of specific types of criminal wrong-doings.

The dependence of the motives of criminal wrongdoings on the environment stipulates a factor analysis of motivation. The essence of such an analysis lies in the researcher establishing the set of environmental components and how they influence the formation of motives for criminal behaviour.

The motives of criminal activity, as well as the personality as a whole, are significantly influenced by the conditions of family upbringing. This includes a significant group of factors: the composition of the family where this person was brought up, the material and housing security of the family, parents' level of education



and culture, relations within the family, psychological climate, family's attitude to people around them, etc. The absence of one or both parents and deviations from the norm in the behaviour of family members have the most significant impact on the motivation for criminal wrongdoings.

The absence of one or both parents is most closely related to motives such as 'greed' 'respect and street credibility, and 'mimetic response'.

Of the total number of persons who committed crimes motivated by 'greed', there are young people who do not have one or both parents. At the same time, in the structure of motives for crimes committed by such persons, the share of this motive is one and a half times higher than that of persons with both parents. It is worth emphasizing that mercenary motives in persons who do not have one or both parents are most closely related to the commission of serious crimes against the person. Thus, out of the total number of murders, severe bodily injuries have been committed for mercenary motives, for the share of persons who do not have one or both parents.

Among the young people who committed crimes motivated by 'respect and street credibility,' some persons do not have one or both parents. The highest number of people who do not have one or both parents is among young people who committed crimes as a result of the motive of 'mimetic response.' The connection of the studied factor with the specific motive is most clearly manifested in hooliganism and other non-mercenary crimes: the share of such persons is 80%.

Thus, of particular importance is the psychological aspect of the connection between the motives of the crime and the absence of one or both parents in childhood and adolescence. The latter is usually caused by the lack of authority in the family, a figure worth modelling on. The absence of parents often gives rise to a provocative state of 'inferiority' of everyday life and his personality, the desire to prove at any cost that a young man is worthy of a more prestigious place in this world. Finally, this fact often leads to a specific form of envy: 'If I had parents, I would have the same material benefits as my peers.' Moreover, although often the financial situation of a person who does not have one or both parents does not differ from the financial situation of his peers, this does not 'remove' this psychological phenomenon is not absent.

The second significant factor is the deviation from the norm in family relations. This factor characterizes the moral and psychological atmosphere in the family where the teenager was brought up and, as a rule, lived when they committed a crime. Studying the interdependence of deviations from the norm in family relations and the motivation of criminal wrongdoings, it has been found that these deviations are most closely related to such motives as 'respect and street credibility,' 'greed,' 'revenge and anger.'

Brutality, the humiliation of human dignity, and immoral manifestations of elders embitter a young person's personality and thus contribute to the formation of such a motive as 'revenge and anger.' Such a family atmosphere also gives rise to a natural tendency for a young person - to defend his dignity and to become a personality, if not in the family, then among friends. This tendency is manifested in the form of the motive of 'respect and street credibility ". Having previously convicted and degrading personalities (alcoholics, drug addicts, etc.) in the family often leads to seeking lucre in family relations. Moreover, this fact cannot but have a certain impact on the motivation of a young person's behaviour. [10]

The next group of factors is the material and living conditions of the family. It is necessary to emphasize that these factors do not change the structure of motivation but affect only individual motives and personality. These circumstances should be considered regarding a wrongdoer's financial security.

The contradiction between the level of the subject's aspirations and the material resources can also cause such a psychological reaction as dissatisfaction with one's position and people around him. Such discontent is sometimes accompanied by bitterness and revenge. Presumably, that is why young people, who are less financially secure, are more likely to commit hooliganism motivated by 'revenge and anger.'

An analysis of the general structure of motivation showed that among the people who lived in the dormitory, the frequency of such motives as respect and street credibility and 'mimetic response' is one and a half times higher than among those with other living conditions. Among people who lived in a private apartment, the frequency of the motive 'revenge and anger' is almost twice as high as among others.

The study of motivation depending on the types of crimes shows the existence of a connection between the motives for committing specific types of crimes and the living conditions of young people. It turned out that people who lived in the dormitory committed such crimes as hooliganism, rape, and other mercenary crimes having motives of 'respect and street credibility' and 'mimetic response.' Persons who live in private apartments most often commit such criminal wrongdoings as severe bodily harm, murder, hooliganism, and other crimes because of 'revenge and anger.'

In general, it should be emphasized that living conditions and material security are most clearly manifested as factors influencing the motivation of only certain types of crimes.

The influence on the motivation of crimes of different types and such factors as young people's occupation and the length of professional activity is far from uneven. The most significant increase in the number of crimes of various types in the overall structure of crimes is for a group of young people who do not study or work at the time of their arrest. Most of these persons are those who have committed theft, embezzlement, robbery, assault, etc. Notably, the share of such crimes is slightly higher among people studying but not working. Based on these data, it can be assumed that these categories of young people are characterized by some peculiarities in the motivation for criminal wrongdoings and, first of all, in the frequency of prevalence of mercenary motivation.

Like any other team, the staff creates a psychological atmosphere that influences each individual's value orientation and finds its direct embodiment in the motives of activity. The more clearly the moral and legal components of this atmosphere are formulated, the less manifested are motives for criminal wrongdoings, such as 'respect and street credibility' and 'mimetic response'. This dependence is most fully expressed in those cases where a young person is directly and closely connected with the whole team life. In youth groups, the opinion of peers is especially pronounced as a factor influencing motivation.

It is also possible to point out a specific dependence of motivation on the place of study, which is directly related to cultural values. First of all, the general educational

factor is of interest here. The most clearly traced is the connection between the level of education and the frequency of prevalence of such motives as 'respect and street credibility,' 'mimetic response,' and 'greed.' The lower the level of education, the higher the prevalence of these motives.

The study of the frequency of these motives' prevalence (depending on the level of education) for each type of criminal wrongdoing has shown that the motive of 'greed' is observed most often in committing such crimes as theft and embezzlement. The motives of 'mimetic response' and 'respect and street credibility' are characterized by a close connection with the level of education of persons who have committed rape, robbery, and assault.

Young people's cultural level is also evidenced by the degree of content and usefulness of their leisure.

The distribution of motives for criminal wrongdoings depends significantly on whom young people spend their free time with. Those individuals who spent their leisure time in the circle of persons united by illegal activities and persons previously convicted were the most clearly understood motives for criminal activity. This dependence is most clearly manifested concerning such types of crimes as hooliganism, robbery, and assault.

This factor also affects the frequency of prevalence of mercenary motives. 'Greed' is a motive that is the most characteristic of young people who spend their leisure time with persons united by illegal activities and those previously convicted.

The motives of 'respect and street credibility' and 'mimetic response' also depend on the people the convict spent his free time with. It is clear since the persons he is associated with and connected with anti-civil activities are precisely the category of people that often influence the choice of the motive for criminal wrongdoing. This is especially true for the motivation of such crimes as hooliganism, severe bodily harm, murder, and rape. The incidence of these motives is three to four times higher than among people who spend their free time with colleagues, relatives, and close ones.

The effectiveness of activities aimed at crime prevention largely depends on the purpose of specific preventive measures, the extent to which these measures are

adequate to the conditions of their implementation, and persons who have shown a tendency to commit one or another type of offense. These conclusions do not apply to all age categories but only to criminals aged 14-25. This circumstance should be considered when assessing the representativeness of the conclusions and the possibility of their use to improve preventive measures.

Comparison of the general motivation structure for crimes committed by young people and juveniles leads to a paradoxical result at first glance. The number of unmotivated crimes among young people is much higher than the number of such crimes among juveniles. However, the logic of shaping and developing personality is such that the transformation from adolescence to a young age naturally leads to an increase in the share of conscious motives of activity. The conclusion suggests that criminal wrongdoings and their motivational sphere are the subjects of other consistent patterns that contradict the general trends in personality development. In reality, this is not the case. To explain and analyze the result obtained, it is necessary, first of all, to clarify some initial assumptions.

Firstly, it is necessary to point out that unmotivated crimes are not the issue of our investigation but the subject's perception that his act is motiveless.

Secondly, it is necessary to remember that there is a case with a crime that expresses the subject's specific attitude to social values.

Thirdly, it is impossible not to consider that manifestations of 'false' consciousness and self-consciousness are most often observed in conflict situations (this, as a rule, characterizes the psychology of criminal wrongdoing). Thus, if we talk about the lack of motivation for crimes, we mean a particular characteristic of the subject's idea of specific acts and what motivates him in the particular conflict.

Lack of motivation has a philosophical and psychological explanation. From the philosophical point of view, no acts in general are motivated by external and internal determinants. However, the personality needs to clearly understand the fundamental factors that specify the content and direction of his actions.

The subject may not be aware of his true motives primarily due to the peculiarities of external social determinants' influence on his behaviour. This

determinant can mediate in acts, bypassing the individual's self-consciousness and even despite it. The social factor directly affects an individual's needs, interests, and inclinations, which can also have an unconscious character. Even when unconscious, these psychological phenomena can determine the individual's actions and deeds and the direction of his activity. In such cases, the real motivating cause of the behaviour remains as if hidden from the individual's consciousness. Hence, the idea is that the act (action, activity) is committed without a motive.

The peculiarities of motives awareness depend on the personal factor and the specifics of the individual's situation. In the personal context, lack of motivation appears as one of the crucial components of the individual's spiritual world, aimed at destroying and denying social values. Moreover, the absence of a motive is a significant feature of the subject's cynical attitude toward his cynical act. The characteristic of cynicism is such negation and destruction of values, where the individual's behaviour is non-motivated but a goal itself.

This position is caused, on the one hand, by a psychologically justified desire for self-rehabilitation; on the other hand, it is a consequence of a particular emotional state caused by a specific situation. Such a situation often requires taking quick, not so much rational and emotional decisions.

The number of unmotivated crimes among juveniles is much lower than among young people. However, this does not mean juvenile delinquency is more conscious. For a juvenile, unmotivation is something different than for an older person. A juvenile understands lack of motivation as absolute cause-lessness, the absence of motives for criminal activity; in other words, the absence of a criminal motive is a consequence of the not-yet-formed ability to assess the internal motives of an act and the reasons that mediate them. Therefore, the absence of a motive for crimes among juveniles is a more or less adequate indicator of an unintentional crime, one's impulsiveness, and inability to re-evaluate his motives and causes. [11]

For young people, immediate motives are the means that explain their attitude to the activity, its goals, and the final result. The reasons for these motives have personal significance for such young people as a means of self-esteem and self-

justification. Moreover, the attitude to the immediate motives is often insufficiently conscious. In that case, the attitude to the causes of the crime committed, as a rule, is rational and of evaluative nature. Therefore, it is possible to identify the actual share of the so-called unmotivated crimes only when there is a connection between young people's ideas about the direct motives of crimes and their causes.

The connection between the motives of crimes and their causes is expressed in the fact that the individual's external factors and internal qualities significantly affect the dominant motives of criminal wrongdoings, and young people often realize this influence. Material difficulties in the family have the most significant impact on the motive of 'greed.' Such a personality trait as disrespect for the people around is most closely related to the motive of 'revenge and anger.' A slight susceptibility to peer influence most often determines motives such as 'respect and street credibility' and 'mimetic response.'

Many young people are characterized by a contradiction (discrepancy) between their immediate motives and the awareness of the causes of criminal wrongdoing. Two features are observed here. Firstly, in the understanding of many young people, the causes of crimes exist as if by themselves, outside the direct connection with the motives of a crime committed. First of all, this applies for such a reason as to use one's free time correctly. Secondly, some young people identify the causes of the crime only with those personal qualities that do not allow them to avoid the impulse to commit a crime in a given conflict situation. This refers to such a reason as the inability to control one's actions.

The so-called motiveless deeds and actions indicate the individual's immaturity. This contradiction between consciously accepted intentions and unconscious aspirations arises in conflict. However, it should be noted that the mere presence of uncertain motives does not mean that young people have realized and prepared intentions to commit an antisocial act. These intentions are a natural consequence of the inability to use one's free time properly, the negative influences of peers, alcohol addiction, unwillingness to work, etc.

It is also impossible to ignore the fact that almost two-thirds of young people who have not been able to identify the motive for the crime associate this uncertain motive with such a personality trait as the inability to control their actions. This is evidence that a significant number of crimes committed by young people are situational and even impulsive. After all, due to impulsivity, the subject cannot control the impulse that has arisen, so he immediately realizes it in a criminal act, which is subjectively perceived as the inability to control and restrain this impulse.

Suppose this cause-motivational relationship testifies to the situational and impulsive nature of the crimes committed. In that case, there should be a correlation between the lack of motive generated by the inability to control one's actions and the types of crimes. The frequency of prevalence of these signs should be higher for those crimes that, as a rule, are committed unintentionally, as a result of situationally occurring mental states, as well as due to motives based on biological needs.

Studying the absence of motive as one of the subjective sides of socially dangerous acts is of great practical importance.

Many crimes young people commit result from realizing unstable motives generated mainly by the circumstances formed at that time. These crimes are often unexpected not only for others but also for the perpetrators themselves. It is not easy to identify the subject's inclination to commit such wrongdoings in advance, and this complicates the correct and effective use of preventive measures. Thus, early prevention of antisocial manifestations should play an enormous role in preventing crimes among young people. In this regard, it is necessary to emphasize the need for constant improvement of measures aimed at educating the younger generation to make independent, responsible decisions in conflict situations, forming the ability to oppose the previously learned principles of behaviour to the motives that directly arise in a given situation.

A struggle of motives precedes crime. The struggle for motives of criminal activity is overcoming internal contradictions between motives of different strengths and the process of overcoming contradictions between criminal intentions and restraining undertakings.



Hesitation as a reflection of the internal struggle of motives is most characteristic of persons who have committed serious crimes. This is no coincidence because theft and embezzlement are characterized from the subjective side by intentionality, a preliminary determination of the goal and means to achieve it, which is inextricably connected with the definition of motives. [12]

Such crimes as hooliganism, severe bodily harm, and murder are often committed as a result of a sudden and slowly realized intention and are often associated with particular mental states (temporary insanity, violent emotional outbursts, states of alcohol intoxication, etc.). Therefore, there are fewer cases of internal hesitation.

Hesitation before committing a crime is often a struggle between mental judgments and evaluations and feelings that arise in a conflict situation. The latter is characteristic of those cases when the individual's idea of the cause that stipulates his criminal behaviour is justified by rationally derived evidence but causes negative feelings and emotions or, conversely, when the idea of the cause and purpose of the crime causes positive emotions and feelings but is not justified by mental arguments. A crime is often committed precisely when the subject's idea of the cause for a socially harmful act (not yet committed) internally justifies this act, evaluates it as possible, and justifies it in a given situation; that is when the subject overcomes internal hesitations due to the specific content of his idea of the cause for the crime.

Hesitation before committing a crime characterizes mainly those people who commit a crime under the influence of external factors. In these cases, the subject considers the relevant factors as determinants influencing the choice of personal behaviour derived from circumstances and other persons, and therefore, not always personally acceptable. Moreover, the subject often perceives them as an external compulsion, which he follows only after serious hesitation and an internal struggle of motives.

In cases where the cause of the criminal wrongdoing is conscious personal qualities, the individual, as a rule, experiences less hesitation. This is understandable because here, the cause of the crime has already been personally accepted, and the chosen motive is based on an appropriate basis and self-justification.

Emphasizing the influence of conscious reasons on the subject's desire, it is impossible to absolutize the nature of this connection. Inner hesitation is not exhausted by the struggle between desires, which have an emotional definition, and conditional judgments and evaluations (causes). The inner struggle often occurs between feelings and inclinations with insufficient rational basis. Therefore, to obtain a complete picture of the subject's hesitant nature and to identify the direct result of these hesitations (dominant motive), it is necessary to identify the connection between the subject hesitations and the structure of motives for criminal wrongdoings.

Thus, hesitation as an internal state of personality precedes mainly those motives that are not directly related to the purpose of the crime. These motives (as well as the reasons) primarily reflect the orientation of the individual to external factors and the side effects of criminal wrongdoing (prestige in the eyes of peers, the desire to be like others). Here, the struggle of motives (hesitation) reflects the shift that takes place, a motive (the shift of the motive to one of the results of activity and the result of this shift).

At the same time, it should be noted that internal hesitation is the least characteristic of subjects with the initial motivation as clearly defined (revenge and anger) and acts as a dominant motive to achieve a criminal goal. Hesitation is not a characteristic of those crimes that are committed under the influence of a direct situation and do not have a clearly defined motive because situational behaviour, as a rule, excludes a thoughtful assessment of motives, their correlation with the goals of the activity, and available real opportunities to achieve these goals.

The most significant share among the factors that cause hesitation before committing a crime is occupied by the awareness of the desired responsibility for the act and the fear of this responsibility. The latter is manifested as a deterrent, mainly in cases of intentional crimes, generally characterized by the highest frequency of hesitation. Such crimes are theft, embezzlement, and other types of criminal wrongdoings. The frequency and prevalence of this sign have no direct connection with the degree of criminal punishment.

There are some deterrents that prevent the immediate realization of the impulses that have arisen as they function as 'brakes'. These deterrents may be external. In this case, their coercive force will be supreme and compel the individual to act in one way and not another, regardless of his subjective desire. Such factors can be various social norms, activities of state bodies and public organizations, public opinion, etc.

However, any person, including a criminal, acts not only not so much under the influence of external coercive force but as a result of a consciously made decision that corresponds to previously formed views, ideas, and assessments. The subject's acts always express certain internal features of his spiritual world, which external factors have formed. In other words, here, we can trace the dialectic of the interconnection of external factors into external ones and their objectification in acts.

Social and group norms play the leading role in the system of values accepted by the individual. Due to them, the subject evaluates the motives that arise and thus coordinates his actions with the activities of other people and social institutions. The deeper the social norms assimilated by the individual, the firmer the basis for the individual to overcome undesirable motives for society.

The internal system of social control contains different and far from one-order components. Moreover, depending on the type of activity, the same element of the system can play a different role and perform different functions.

Overcoming hesitation before committing a crime in favour of a particular motive largely depends on forming an internal system of social control in the individual. The deeper the social norms and values the individual assimilates, the stronger the basis for removing the motives for criminal activity.

Essential components of the internal system of social control are the subject's awareness of the harmfulness of his actions and his attitude to the legal consequences of the committed act (punishment). The development of these components affects the internal hesitations, their causes, and the motivational sphere of criminal activity.

**Conclusions.** Thus, the more deeply the criminal is aware of the harmfulness of his activity, the more effectively this awareness acts as a deterrent and, therefore, as a factor determining the frequency of hesitation before committing a

crime. Criminal acts are committed without internal motives, most often in cases where the criminal does not think about the harm caused, much less often if the subject believes that his acts cause harm only to individuals, and less often when the subject is aware of the harm to society.

This dependence is observed between the subject's intentions before committing a crime and his attitude toward the legal consequences of the committed act. A characteristic feature of young criminals is the absence of clearly formed ideas about future punishment.

These defects in the internal control system significantly impact the implementation of all criminal activity elements without exception. Most of all, however, they facilitate the realization of motives that still need to be formulated and motives of an imitative nature. This is significantly often manifested in such crimes as hooliganism, less often - robberies, assaults, severe bodily harm, and murders.

Defects in the system of social control testify to the lack of formation of one's legal consciousness essential elements and the insufficiently high efficiency of the impact of the threat of responsibility and condemnation of the public on him/her. All this necessitates the improvement of legal education. First of all, it is necessary to improve the legal information system. Improvement of legal education in general will increase its importance in the general education system.