CRIMINALITY ISSUES - CAUSES, TYPES, EFFECTS

Abstract. Crime is an ongoing problem, and ever easier access to narcotic drugs and psychotropic substances, as well as the constant development of technology, continue to enable new methods of crime. The article discusses the most known definitions of criminality and theories relating to this topic. The author shows various causes of crimes, presenting the most common of them.

Keywords: criminality, narcotic drugs and psychotropic substances, development of technology

PROBLEMATYKA PRZESTĘPCZOŚCI – PRZYCZYNY, RODZAJE, SKUTKI

Streszczenie. Przestępczość jest problemem ciągle aktualnym, a coraz łatwiejszy dostęp do narkotyków i substancji psychotropowych, jak również ciągły rozwój technologii, powodują, że wciąż pojawiają się nowe metody popełniania przestępstw. W artykule omówiono najbardziej znane definicje przestępczości i teorie nawiązujące do tego tematu. Autorka wskazuje także na różne przyczyny przestępczości, przedstawiając najpowszechniejsze z nich.

Słowa kluczowe: kryminalistyka, narkotyki i substancje psychotropowe, rozwój technologii

Introduction

Crime has been an inherent part of social life for many centuries. It disorganizes them and causes social disorder and public safety, and therefore personal security of citizens. At present, there are many state and international institutions and bodies set up to fight crime in its various manifestations and scales, although so far it has not been completely eradicated.

In the fight against crime there is important how and to what extent is society working with law enforcement agencies in the field of crime prevention and combating, or are the services assigned to it adequately prepared not only in organization, technical and operational terms, but also in ethical terms, as well as whether the law allows for effective prosecution and punishment of offenders. The aim of this article is to present the most important issues related to criminality, first of all to discuss its types and causes in the context of the sustainable development of societies.

1. Definition and characteristics of selected types of crime

It can be said that crime is a constant element of the functioning of societies. However, the types of offenses committed and the methods and means of prosecuting and finding offenders are changing. Italian criminologist and psychiatrist Cesare Lombroso, as advocate and propagator of anthropometry\(^2\) recognized that the type of criminologist can be identified by some anatomical features\(^3\). Lombrosos' theory constitutes only historical curiosity in contemporary science, as is the typology of temperament of Ernst Kretschmer or William Sheldon. However, contemporary criminalistics is based on this method, using it, among others to determine the age of the victim.

According to the PWN Encyclopedia, crime is “all acts defined by law as crimes (behavior not in accordance with the legal norm) committed in a given country or territory at a given time”\(^4\). Criminality is therefore defined as a collection of all events considered to be offenses, but the collection of all events that occurred in a given community, on a particular territory or at a particular time is called real criminality.

The primary source of data for revealed criminality are the criminal statistics (police, judicial, prosecutors and penitentiaries) - data sets that are constantly collected, developed and published by the judiciary and law enforcement agencies. For a crime according to the Polish Penal Code it is considered:

- felony - a prohibited act that is punishable by a penalty of imprisonment of not less than 3 years or a more severe penalty;
- misdemeanor – a prohibited act that is punishable by a fine of more than 30 daily penalties, a penalty of deprivation of liberty for more than one month, or a penalty of restriction of liberty.

Both at the felony and the misdemeanor, the degree of social harm of the act must be higher than the negligible. Separate types of socially harmful acts are the petty offences listed

\(^2\) C. Lambroso zainicjował wykorzystanie antropometrii w kryminalistyce.
\(^4\) http://encyklopedia.pwn.pl/haslo/przestepczosc:3963635.html
in the Petty Offences Code. According to Art. 1 of the Code, a petty offence is "a socially harmful act prohibited by a law in force at the time of its committing, punishable by arrest, restriction of personal liberty, fine up to PLN 5,000 or reprimand."5

When analysing the phenomenon of crime, attention should be paid to different detailed categories such as:

- Economic crime,
- Organized crime,
- Computer crime.

The concept of economic crime is relatively frequently used in literature, although it does not have a clear definition. The oldest explanation of the phenomenon can be seen in Sutherland, who opted for defining it by the criterion of the perpetrator. Economic crimes were to be committed by people with a high social standing and recognition. These acts were also committed in the context of a professional activity. Later definitions referred to the systemic criterion, by linking the acts regarded as economic crimes to a specific economic activity. It was pointed out that such actions compromise the system of economy against which they are committed, violate the principles of proper business management and weaken the public confidence in the system. There are also voices claiming that such behaviour is aimed at superindividual legal interests, such as trust in particular economic institutions. Newer definitions, in turn, are a combination of the aforementioned criteria. The following typology of crimes that can be considered as economic crimes was adopted:

- Offences against basic economic institutions - the "injured" being mainly banks and stock exchanges, they are also crimes against the securities or consisting in counterfeiting money;
- Offences against corporations - the purpose of them being eliminating competition; they are often linked to tenders or have the nature of insurance fraud;
- Offenses against the financial interests of the state - mainly related to smuggling or tax fraud;
- Crime against consumers - among others erroneous information on commodity tags, deceitful and false advertising;
- Environmental offenses - e.g. related to cost minimization\(^6\).

The criteria of economic crime include:

- No violence element;
- Anonymity or apparent lack of victims;
- High number of perpetrators who belong to the higher social spheres.\(^7\)

---

Organized crime has long been present in many countries worldwide, although the term itself was introduced only after the Second World War. To this day, there are many disputable issues regarding the characterization and definition of this phenomenon. They concern the structure, durability, scope of a criminal group.

Depending on what characteristics of the group are considered binding and necessary, one of the two models of organized crime emerges: narrow (so-called "mafia" model) or wide (so-called group model). The first one is characterized by a hierarchical structure, is aimed at continuous crime and has strong links with the world of politics or economy. The second one can have any structure, is created to commit not necessarily more than one crime, and the range of links is also arbitrary. These formations are extreme models, and a number of other structures can be distinguished in between. These intermediate structures include packs, mafias and gangs.

A pack is a group "whose members individually or collectively systematically violate the law, with the group's attitudes and judgments supporting these unlawful activities." On the other hand, a gang is considered to have multiple members and hierarchical structures that are created to carry out continuous criminal activity. They are often organized similarly to actual companies that carry out business activities. If a criminal group is very extensive and especially if it has links with state structures, then it is more often referred to as a mafia. In the Polish criminal world there are also rings, but this term is synonymous with pack.

Computer and internet crimes are also very common these days. However, two basic issues emerge here: the extent of those who may be subject to penal liability for the offence is difficult to pinpoint, and the place where the offence occurred which is relevant from criminal law point of view. Internet offenses are considered to be the acts in which the opportunities offered by the Internet were very helpful to the perpetrator - they facilitated the accomplishment of the intended offence or helped in its preparation or attempt. This means that the term Internet crime is meant to denote an act that would be impossible or difficult without the help of the Internet. In cases where there is a suspicion of such a prohibited act, the competent law enforcement authorities first verify that it is qualified as a crime at all (or, for example, as an offence) and who is the offender, and then determine whether the offender may be held liable under the principle of territoriality or perhaps the personal principle.

---

8 Ibidem, pp. 300-301.
9 Ibidem, p. 301.
10 Ibidem, pp. 300-302.
11 Pursuant to art. 5 of the Penal Code, the principle of territoriality means that criminal liability under the Polish law will be incurred by the perpetrator "who committed a criminal offence in the territory of the Republic of Poland as well as on a Polish water or air vessel, unless the international agreement to which the Republic of Poland is a party states otherwise."
12 Pursuant to Art. 109 of the Penal Code, "Polish penal law applies to a Polish citizen who committed a crime abroad. "
Computer crime has its roots as far as in the 1940s\(^\text{13}\). There have been many scientific papers on this subject\(^\text{14}\). Internet terrorism (cyber terrorism) is an inherent phenomenon of computer crime, occurring when individual criminals or criminal organizations blackmail network users and threaten to destabilize the system or destroy data.\(^\text{15}\)

2. Causes of crime

There are many direct and indirect causes of crime. The most important are: unemployment, homelessness, religious sects, alcoholism.

Unemployment is a phenomenon characterized by the presence of a certain percentage of people who, being able and willing to work, have no real employment for various reasons. According to the Act on Promotion of Employment and the institutions of the labour market, an unemployed person is someone who:

a) has reached the age of 18;

b) has not reached the retirement age;

c) has not acquired the right to a retirement or disability pension due to unfitness for work, a training pension, a social pension, a survivors' benefits exceeding half of the minimum remuneration for work (...);

d) is not the owner or holder of an independent or a dependent possessor of an agricultural property (...);

e) did not apply for registration in the business activity register (...);

f) is not a temporarily detained or imprisoned person, except for the penalty of deprivation of liberty served outside prison under an electronic surveillance system\(^\text{16}\).

The impact of unemployment on the crime rate is not entirely clear as some studies confirm the relationship between the two, while others negate it. The differences can be explained by the areas in which the analysis was conducted, but also by the type of crime


\(^{15}\) Cf. among others: Janczyk, J., W głębi Internetu – inne zastosowania informatyki, (In the depths of the Internet - other uses of computer science), "Didaktyka Informatyki" ("Didactics of Informatics") 9/2014, 114-125.

committed and the nature of the person who committed the crime. There are four basic types of offences which are directly related to unemployment:

- Certain crimes can be committed only by working people (employee theft, white collar activities) - so in this case the rise in unemployment rate will result in a decrease in crime;
- Some criminals treat work as a cover for criminal activity - unemployment will result in a decrease in criminal activity, as the lack of legal work will make it much more difficult for them to engage in illegal activity (e.g. impossibility of providing a proof of income);
- For people desperately looking for a source of income, facing the choice between working or unlawful activity, unemployment will be the cause of increased crime, especially against property, because the need or desire for material gain is greater than the moral values of compliance with the law;
- The last category is characterized by perpetrators who treat unemployment as their way of life, and in order to survive commit crimes that are the source of their livelihood; in this case, unemployment has no impact on the development of crime because, regardless of its severity, the scale of the unlawful phenomena remains constant.

The effects of unemployment can reach enormous proportions. Frequently, pathological phenomena are formed, leading, as a consequence, to social exclusion. There are a number of help centres for the unemployed which carry out preventive actions aimed at minimizing the potential criminal behaviour of this group. These include: social assistance centres, social integration centres, social inclusion clubs and social cooperatives.

According to the study of Central Statistical Office ("Number of registered unemployed and unemployment rate by provinces, subregions and poviats as of the end of February 2017") the unemployment rate in Poland is 8.5%. For the Silesian province is at the level of 6.8%, with a very high variation in particular cities of the region - from 2.9% in Katowice to 15.7% in Bytom.

Another cause of crime is homelessness. Initially it was defined as a state in which people do not have their own residence, but are looking for it. More and more often, however, the definition of a homeless person as one that has no roof over their head is adopted. The second

---

17 Frysztacki, K. Socjologia problemów społecznych (Sociology of social problems), Warszawa 2009, pp. 119-120.
definition is much broader than the first one, because it includes people who are victims of natural disasters (fire, flood, earthquake, etc.) and therefore do not have their own home.\textsuperscript{21} It is worth noting that people living in shelters for homeless are also considered to be homeless, although, in the light of the above definitions, they are not persons who do not have a roof over their heads.\textsuperscript{22} Also, an important issue of the of so-called street children who - being educated without the proper care of parents and their positive patterns - are forced to live on the street which shapes their personality, as well as their views on the world and life. As adults they are regular clients of social help, they are well known to the police and to the justice system. Over time, they transfer their negative experiences to their own families and thus a vicious circle is created.\textsuperscript{23} The label of being homeless, even temporarily, is often attached to a man for life. Such a person finds it difficult function in a society that is based on stereotypes of homelessness as pathology and is not willing to help. This is often a reason why people without a roof over their heads do not even try to return to normal living.\textsuperscript{24}

There are three main categories of homeless people who resort to criminal activities:

- tramps - they are homeless wanderers, they usually move around, in the company of other people from the same category, often over long distances. Such people usually do not stay in shelters for the homeless, and if so, for a very short time. These are mostly people who were orphaned early and those who came from broken families. As a rule, they live by gathering and begging;

- divers - they live alone, do not move, settle down - they spend most of their time in a specific area of the city they consider their territory. They do not care about personal hygiene, they are dirty, and usually also alcoholic. They are often perpetrators of fights and beatings, especially against people belonging to other categories of homeless;

- dosers - this is a category that is famous for begging, minor theft and robbery, burglary, fraud and extortion. The people who belong to it usually move in groups of several people, carefully select their victims, commit crimes in an organized and

\textsuperscript{21} Mandes S.: Przegląd kluczowych tematów badań dotyczących bezdomności w socjologicznej literaturze USA, Wielkiej Brytanii oraz Niemiec (An Overview of Key Topics in Homelessness Research in US, UK and German Sociological Literature) [in:] Problem bezdomności w Polsce. Wybrane aspekty. Diagnoza zespołu badawczego działającego w ramach projektu „gminny standard wychodzenia z bezdomności” (The Problem of Homelessness in Poland. Selected aspects. Diagnosis of the research team working within the “communal standard of getting out of homelessness” project), ed. Dębski M., Gdańsk 2010, p. 14.

\textsuperscript{22} Pindral, A.: Definicje i typologie bezdomności Niemiec (Definitions and typologies of homelessness in Germany), [in:] Problem bezdomności w Polsce. Wybrane aspekty. Diagnoza zespołu badawczego działającego w ramach projektu „gminny standard wychodzenia z bezdomności” (The Problem of Homelessness in Poland. Selected aspects. Diagnosis of the research team working within the “communal standard of getting out of homelessness” project), ed. Dębski M., Gdańsk 2010, p. 33.

\textsuperscript{23} Kurzeja, A.: Dzieci ulicy – profilaktyka zagrożeń (Street Children - Risk Prevention), Kraków 2010, p. 12.

planned way. They are estimated to be the perpetrators of approx. 80% of all thefts committed by the homeless.\textsuperscript{25}

Another important cause of crime, which cannot be omitted in the discussion, is affiliation to various religious sects. Together with cult groups, they are an increasing area of human activity. The very concept of \textit{sect} came up for the first time probably in rabbinical Judaism, which recognized that the sect was a different form of activity that was directed against a previously well-established tradition mainly in terms of religious rituals. From the sociological viewpoint, a more detailed picture of this issue can be found in the views of Weber and Troeltsch, who considered the sect as a smaller group forming an independent organizational structure, which, for ideological reasons, separated from some larger social (religious, political, etc.) group\textsuperscript{26}. Each sect has a guru to whom all the members must obey. They have to respect them and take their orders without questioning. The sect has a group structure - there are four types of such structures: sociometric, power, promotion and communication.\textsuperscript{27}

Each sect has their own missionary activities, religious practices and rites. Sect members become sensitive, emotional people who seek spiritual ideal and reject the value of money, are capable of suffering pain and humiliation, only to be able to find the meaning and purpose of their lives. Unfortunately, in spite of the elevated assumptions, such groups often have a destructive effect. It involves the use of highly sophisticated and unethical methods of manipulation to attract members and then imposing specific patterns of psychological and emotional responses, control of behaviour, thoughts and feelings, and the formation of absolute obedience.\textsuperscript{28}

Studies show that some sects contribute to the threat to public order by:

- The creation of criminal groups which, under the pretext of religious activity, use privileges to commit financial crimes;
- The creation of groups whose members are mentally unbalanced people, drug addicts and criminals, which leads to extortion, prostitution, drug addiction, etc.
- The emergence of apocalyptic groups announcing the vision of the end of the world, often catastrophic one, prompting collective suicide or directing the aggression of members against the outside world;
- The formation of groups aimed at destroying cemeteries and religious buildings, especially of the Roman Catholic Church, but also of other denominations.\textsuperscript{29}

The main causes of crime include alcoholism and drug addiction. Alcoholism is a disease that upsets the control over the amount of alcohol consumed. It usually starts with taking

\textsuperscript{25} Hołyst, B.: Kryminologia (Criminology), Warszawa 2007, p. 986.
\textsuperscript{26} Sztumski, J.: Sekty – studium socjologiczno-historyczne (Sects - a sociological and historical study), Kielce 1993, p. 9
small doses of alcohol at short intervals. Then, the doses are increasing, the time between them is getting shorter, and the need to drink getting stronger. For the effective fight against this phenomenon, the Act on Education in Sobriety and Counteracting Alcoholism was passed. According to its assumptions, it is the responsibility of governmental authorities and territorial self-government units, among others, to take actions that will reduce the consumption of alcoholic beverages, and promote sobriety in the workplace.\textsuperscript{30} Although appearing at the workplace after using alcohol or being in the state of intoxication is only qualified as an offence, it is undoubtedly a morally reprehensible act.\textsuperscript{31} Overuse or, in some cases, the very use of alcohol causes changes in one's personality, which determines certain behaviours, often those that would not have occurred if the perpetrator were sober. Thus, alcohol consumption can be both a direct and indirect cause of crime. Alcohol abuse often leads to aggression or loss of self-control. A very popular thing is also so-called \textit{courage drinking}, that is breaking the fear of committing the forbidden act, and soothing the nerves after its committing.\textsuperscript{32} 

The problem of drug abuse is different altogether. All available medical substances fall into eight categories - four groups of narcotic drugs and four groups of psychotropic substances. The classification of individual substances into these groups is governed by the Drug Prevention Act\textsuperscript{33}.

According to this law, narcotic drugs are divided into the following groups:

- I-N - this group includes substances that present high risk of abuse and addiction but can be used in medicine, industry and for scientific purposes. It includes primarily morphine, heroin and cocaine;
- I-N - this group includes substances that present medium risk of abuse and addiction but can be used in medicine, industry and for scientific purposes. The representatives of this group includes among others Codeine (an antitussive);
- III-N - in this group includes the substances with low addictive potential and low risk of abuse. Medicines containing substances of this group may be sold by a pharmacy without a prescription;


\textsuperscript{31}What is worth mentioning here is the difference between the state \textit{under the influence of alcohol} and the state of \textit{intoxication} - the values accepted for the qualification of the two acts vary from one country to another, but according to Polish law the first occurs when the blood alcohol concentration is between 0.2 and 0.5 per mille or presence of alcohol from 0.1 mg to 0.25 mg in 1 dm$^3$ of exhaled air, while the state of intoxication is when the blood alcohol concentration is above 0.5 per mille or leads to a concentration exceeding this value, or if the presence of alcohol in 1 dm$^3$ of exhaled air exceeds 0.25 mg or leads to a concentration exceeding this value.


- IV-N - this group includes the substances under tight control, with strong addictive potential and high risk of abuse. Drugs of this group can only be used for research and veterinary purposes.\(^\text{34}\)

Psychotropic substances, on the other hand, are divided into the following groups:

- I-P - these are substances have a high potential for abuse, but have no medical use. They are excluded from the pharmaceutical market, and may only be used by research centres for scientific research. These are primarily substances from the tetrahydrocannabinol group, that is the marijuana, well known in drug circles;
- II-P - these substances have a high potential for abuse, but - unlike the previous group - are slightly useful in medicine. This group includes primarily amphetamine;
- III-P - substances in this group have an average potential for abuse, but they are important in medicine. They can be used in medicine and industry as well as for scientific purposes.
- IV-P - This group includes substances that are important in medicine and have very low potential for abuse. They can be used for scientific, industrial and medical purposes.\(^\text{35}\)

The use of drugs and other psychoactive substances has a significant impact on the perception of reality and actions that a person is able to take. For example: after taking amphetamine, additional energy is activated, which makes the person becoming more self-confident and less self-critical.\(^\text{36}\) Such person is then more likely to commit various kinds of forbidden acts because they feel that no limits apply to them. Equally popular is LSD, a hallucinogenic substance. The person who takes it will see things that do not really exist.\(^\text{37}\) Such a disturbed perception of the surrounding environment can lead to committing a crime even unintentionally - someone can attack another person and kill or severely injure them because the perpetrator thinks they are fighting a dragon, for example.

The use of narcotic drugs by the drivers can be particularly dangerous. Many people are not fully aware of the impact of the products they take and decide to drive a motor vehicle under their influence. Such people are as dangerous as drunk drivers, and for many years - in the absence of appropriate technological solutions - they went unpunished. Currently, the Police has adequate facilities to allow checking whether a driver has taken any illicit substances before driving, but it is still not possible to do so on such scale as the one of breathalyser analyses.\(^\text{38}\)

\(^{35}\) Ibidem, p. 93.
\(^{36}\) Connolly S.: Warto wiedzieć… Amfetamina (Worth knowing… Amphetamine), Warszawa 2003, pp. 4-7.
3. Conclusions

Crime is an ongoing problem, and ever easier access to narcotic drugs and psychotropic substances, as well as the constant development of technology, continue to enable new methods of crime, although the causes of it have not changed over the years. So far, despite many studies devoted to this phenomenon, it has not been completely eradicated. Perhaps total eradication of crime will never be possible. We must, however, strive to combat negative behaviours in society, and to minimize their negative effects.

Bibliography

20. Pindral, A.: Definicje i typologie bezdomności Niemieckiej (Definitions and typologies of homelessness in Germany), [in:] Problem bezdomności w Polsce. Wybrane aspekty. Diagnoza zespołu badawczego działającego w ramach projektu „gminny standard wychodzenia z bezdomności” (The Problem of Homelessness in Poland. Selected aspects. Diagnosis of the research team working within the "communal standard of getting out of homelessness" project), ed. Dębski M., Gdańsk 2010.