

Application of positivist theory in criminology



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Positivist Theory and its Implications on the James Holmes Case

Over the years, various theoretical frameworks have been proposed to explain the nature and causation of crimes. This includes the collective positivist theory, particularly the biological and psychological trait theories as explanations on why individuals commit certain crimes. The positivist tradition in criminology suggests that psychological, biological, and even social forces determine a person's criminal behavior, hence noting that the criminal act is beyond the control of the person. To examine this theory and its implications to crime, one may analyze the case of James Holmes, the suspect of mass shooting at the Century movie house in Aurora, Colorado, killing 12 people on July 20, 2012. Investigations revealed that the alleged perpetrator had history of mental consultations, which strongly affirmed issues with his mental well-being. Considering that Holmes exhibited substantial signs and symptoms indicative of mental illness, prompt diagnosis and treatment might have prevented the fatal Aurora shooting; true to the goals of a positivist psychology, it is also best to manage Holmes through a treatment in a mental health facility, rather than a criminal punishment.

Before examining how a psychological diagnosis and treatment might have prevented Holmes' criminal act, it would be imperative to briefly discuss a specific sub-theory of the positivist psychology: the trait theory. The trait theory is an umbrella term that encompasses a combination of various biological, psychological, and social factors that predispose an individual to develop and exhibit criminal behavior (van Gelder & de Vries, 2012). These factors can be present at birth and may continually influence a person's

social functioning over his or her life course. Biologically, criminal behaviors may be attributed to factors such as genetics, hormones, metabolism, and neuro-physiological conditions. The trait theory also turns to the psychodynamics of a person to determine underlying mood disorders, personality traits, and cognitive patterns that result to criminal behavior. The theory likewise integrates social factors including social learning and environmental constraints as potential causes of criminal behavior or delinquency. As will be explained in the succeeding parts of this essay, Holmes had mental health issues that feature a combination of these factors.

There are several indicators and clinical pathways that would have prevented Holmes from committing the mass shooting in Aurora, beginning with his prior psychological assessments. Reports note that the accused gunman had appointments with three mental health practitioners before the violent rampage. These experts include Dr. Lynne Fenton, the head psychiatrist of the mental health services of University of Colorado (Denver) (BBC, 2013). Dr. Fenton sent a report to the university's threat assessment team regarding Holmes' risk for homicidal behavior, but final diagnosis and follow-up evaluations were not carried out (Rosenberg, 2014). There were also other indicators of the gunman's psychological disturbance, including a "bizarre - guttural, freakish" personal voicemail message (BBC, 2013). While the results of Holmes' post-arrest mental health assessment remain confidential, psychologists believe that the gunman might be suffering from schizophrenia and psychopathy (Soltz, 2012). These conditions could explain Holmes' impaired ideation or sense of reality as well as his propensity to commit violence. Nonetheless, issues about his mental well-being were not

promptly diagnosed and treated. Psychotherapy would have “ contained” and managed his hallucinations and impaired thought processes, hence the prevention of the fatal shooting.

As noted earlier, the trait theory also includes biological factors that combine with psychological factors that, when promptly addressed, could have prevented Holmes from attacking and killing civilians. Similar to his psychological assessment, published evidences of a neurobiological trauma or head injury were absent. However, one may add the possibility of brain trauma or brain tumor as an underlying or aggravating factors for his mental health issue. The planning and execution of mass killing itself attest to the gunman’s lack of empathy and reasonable judgment. These traits are characteristic of damage in the orbitofrontal cortex part of the brain (Burke, 2014). In other words, brain imaging studies such as a magnetic resonance imaging (MRI) and computed tomography (CT) scanning can help validate or rule out the aforementioned conditions. The quantification and measurement offered by these diagnostic tests are central to the positivist psychology. In any case, it would have added to an effective clinical management to prevent Holmes from exhibiting violence. Moreover, the trait theory also provides an explanation for the social dimensions that might have influenced Holmes’ criminal behavior. One may begin by looking at the following analysis of Solty (2012):

It is clear that Holmes seems to have felt himself to be in a hopeless situation. And as a man he didn’t have the increasingly popular option of female students in North America of becoming an entrepreneur of one’s own youthful... [and] in his obvious desperation Holmes anticipated his

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suspension [from the University of Colorado]. He prepared and pursued his own de-matriculation. In his state, he must have realized that he would probably no longer be a top performer. (p. 10)

The above description highlights that there are constraining social factors that might have led to Holmes' frustrations. Media reports note that Holmes never had a romantic relationship prior to the shooting incident; he was also rejected by the women whom he contacted at a casual dating website (BBC, 2013). A consistent achiever, Holmes might have been affected by a decline in his academic performance, which led to his plan to withdraw from the university. Thus, feelings of social rejection also add another angle to Holmes' criminal behavior. Experts also found a link between Holmes' fondness for video games, relative to the popular vigilante figure- Batman, and aggression. Simply put, the gunman's violent tendencies might also be reinforced through social learning. Considerations for these social factors could have also solidified any psychiatric diagnosis and determine appropriate clinical interventions to address Holmes' mental health issues.

Convinced that Holmes' criminal behavior was a result of biological and psychosocial factors beyond his control, it is reasonable to insist that the appropriate intervention would be confinement and treatment to a mental health facility. This view also conforms to the core tradition of criminological positivism in that it places emphasis on therapy or rehabilitation, rather than punishment exemplified by incarceration or death penalty. It must be re-emphasized that Holmes was and continues to have substantial psychological issues that impair his judgment and sense of reality. While in jail, he even committed suicide attempts (BBC, 2013). Without

psychotherapy and other treatment modalities to manage his mental health condition, containing and incarcerating Holmes would only be futile. In particular, studies note that the rate of recidivism among mentally-ill inmates could be as high as 80% because they receive lack or insufficient psychiatric treatments inside the prison (Burke, 2014). The ability of the trait theory to sufficiently explain the host of factors for Holmes' criminal behavior only indicates that the final resolution to this case would be an intervention that follows a positivist approach.

Overall, Holmes provides a case in point as to how various factors may work to develop a criminal mind among people who are susceptible to violence. This gunman shows that personality traits and the elements of these traits could eventually reach its maximum tolerance, depriving a person of any remaining rationality and sense of reality. Psychological and criminological positivism suggests that such criminal behavior could have been prevented or managed through prompt diagnosis and treatment. Now that damage was already done, the only way forward is to treat and rehabilitate the psychologically unstable gunman.

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