

## A STUDY OF MURDER : PERPETRATORS AND VICTIMS

*Laurent MUCCHIELLI, historian and sociologist, is a researcher at the CNRS. His focuses are murder, juvenile delinquency and the history of criminal sciences. His writings include Violences et insécurité. Fantômes et réalités dans le débat français (Violence and fear of crime. Fantasising and reality in French controversy) (Paris, la Découverte, 2001).*

With "violence" becoming an essential category in controversy over the social situation in France, and murders frequently making the headlines, it is surprising to discover how little scientific knowledge is available about cases of murder in this country. Legal psychiatry has of course advanced a number of generally accepted theoretical interpretations, but even supposing their postulates are taken as validated, they only touch on some aspects of the psychological processes believed to lead to criminal acts. It is important to understand the limits of the clinical description of acting out: what is the generalization potential of notions whose theoretical foundations often remain rooted in a priori conceptions of human nature (and of human drives, tendencies and instincts) and whose empirical bases are almost always the fruit of individual case studies? In the late 1990s, the French police records show about one thousand instances of murder or assault and battery leading to death, plus about the same number of attempts<sup>1</sup>. Here we have a social reality which is practically unknown.

The first part of our research project was conducted recently on a series of cases judged by *cours d'assises*<sup>2</sup> and which therefore does not constitute a representative sample for the entire country (see the box on methodology). The present paper presents some general findings on the profile of offenders and victims as well as on the relations between the two actors. Other aspects of the problem are discussed in a report published simultaneously by the CESDIP.

### Sources and methods

The cases studied were judged by the Versailles court of appeals over a ten-year period extending from 1987 to 1996. Almost all of the acts were committed in the Yvelines *département*, which counted slightly over 1.3 million inhabitants according to the 1990 census. This *département* is interesting in that its population is relatively varied, sociologically speaking. It contains both urban and suburban areas and even some rural areas in its south-west part. Residents may belong to the upper class, the middle class or the working class, and it includes some of the most derelict areas and some reputedly "problematic" neighbourhoods. In all, 102 cases were analysed, involving 122 perpetrators of murder, attempted murder or fatal assault, and 102 victims (living or dead). No selection was done. The study considered all of the case files for the period, such as they were consigned to the archives of the court of appeals.

The complete contents of the records was studied, with emphasis placed on piecing together the biographical itin-

erary of perpetrators and victims in all of its complexity (including family life, schooling, work, health, history of offending and various other experiences), the history of the relations between the two actors as well as the circumstances of the crime. On the basis of the sum of these findings the problem of constructing a typological classification of murder cases may be revisited.

### The problem is young men

About 85 % of the individuals judged were men, 15 % were women. The sample is rather small, but the same sex ratio is found in national police and judicial data. In 1990, the police and *gendarmérie* statistics find 16 % of women among perpetrators of murder, attempted murder and fatal assault. However, the present study shows the proportion of women to be higher for two types of murder: murder of spouse and infanticide (although the latter is definitely not specifically feminine, contrary to a long-standing cliché). The youngest offender in the group was 15 when he committed the crime, the oldest was 62. Actually, the age curve shows a sharp rise after age 17, with a peak between 18 and 30, a slight drop between 30 and 40, another rise between 40 and 50 and a gradual decline thereafter. Lethal violence is therefore mostly perpetrated by young adults, predominantly male.

### A very high proportion of the extremely disadvantaged

In 18 % of cases we were unable to formally determine the occupational status of the head of household in the offender's childhood family. This was the case, in particular, when the parents were unknown or dead, and the children were placed in foster families at a very early age. It may be surmised however that most were agricultural workers or small craftspeople. This would place most of these offenders with "father's occupation unknown" in the mainstream of the sample, and would contribute to the considerable over-representation of working-class people, with 45 % of fathers of offenders being workers, 14 % employees, 7 % artisan-shopkeepers and 1 % not working. So at least three-fourths, and probably closer to four-fifths of the criminals studied were of working class extraction. More generally speaking, the overriding characteristic of the social history of the families of these criminals is the reproduction of an inferior social status.

<sup>1</sup> In fact, the quantification of murder cases raises a series of problems. Comparison with statistics compiled by the health services (INSERM) may seem to indicate that police statistics overestimate the number of cases, but the health statistics are also insufficiently precise, since they include many cases in which the cause of death is unknown. Conversely, some murder cases (and especially those committed by professional criminals) are never elucidated by the police. All of these questions will be discussed in a forthcoming report by the CESDIP.

<sup>2</sup> French law divides offences into three categories, on the basis of increasing seriousness: major offences (*crimes* in French law) are given a jury trial by a *cour d'assises*.

**Table 1. Educational level**

	Number	%
Still in school	6	5
No diploma	83	68
Primary School Certificate	3	2.5
Vocational Training Certificate/Technical School Certificate	22	18
High School Degree	4	3.25
High School Degree + 2 years studies	4	3.25
<b>Total</b>	<b>122</b>	<b>100</b>

The first phase of this reproduction is schooling. Over two out of three offenders had no diploma. Fewer than one out of five went as far as the Vocational Training Certificate. Less than 7 % graduated from high school or higher or had a college degree. Even if we count the 2.5 % of older offenders who passed their Primary School Certificate (*certificat d'études*) at a time when it was an important examination, it is clear that less than one offender out of ten had a "normal" educational career (normal in the sense of conforming to institutionally valued standards).

**Table 2. Profession of criminals**

	Number	%
Farmers	0	-
Businessmen, craftsmen, shopkeepers	6	5
Executives and intellectual professions	2	1.5
Middle management	2	1.5
Employees	18	15
Workers	20	16.5
Not on work force	72	59
No information available	2	1.5
<b>Total</b>	<b>122</b>	<b>100</b>

Given their educational level and considering the period studied (1987-1996, when unemployment was very high, especially among workers), it is not very surprising that only 40 % of these offenders were employed when they committed their crime. Conversely, 12 % were unemployed and above all, nearly one half were not on the work force **although not in the jobless category**. Furthermore, and most importantly, the latter group includes a large proportion of homeless individuals (more than one out of three), and this proportion would certainly be twice as high if some of these people did not receive help from their family.

**Table 3. Breakdown of the "not on work force" group**

Not on work force	Number	%
Students	6	8
Retired	2	3
Unemployed	15	21
Doing military service	1	1
Other	48	67
<b>Total</b>	<b>72</b>	<b>100</b>

The immense majority of the half of the group that was employed at the time of the act were working class people. The *worker* and *employee* categories alone represent over 75 % of those active on the work force. These are the people with a Vocational Training Certificate or a high school degree, as well as some of those with no diploma. We may put the six "*businessmen, craftsmen and shopkeepers*" in the same category, since they are actually all self-employed artisans and shopkeepers (two ran small eating places, one was a marketplace fruit and vegetable vendor, one an electrician, one ran a small car break-up business, one sold scrap). All in all, 90 % of those on the work force may be classed as working class and correspondingly, are in the lowest income brackets.

Analysis of activity status at the time of the act provides a snapshot at a particular time. But in our attempt to gain an understanding of these people's personal history, we collected information on the history of their relations to work. We found that only about 20 % of those in active life had worked on a regular basis and in stable positions. Conversely, one fourth of those not on the work force were young men who had never worked. Between the two, about half of those not on the work force are people marked by job insecurity, who had worked on and off all of their lives. This middle group may be broken down further into two categories. The first (one out of six individuals) contains those who had worked at some point in their life but had completely dropped out of the working world following a problem of some sort (a separation, illness, accident, dismissal, beginning of chronic alcohol abuse or hard drug abuse, imprisonment). This group includes almost all of the homeless and very poorly housed people in the sample. However, a second, larger category (close to one out of four people) is composed of young men who are alternately in and out of work. We suspect that a great many of them draw their subsistence from the black and underground economy and/or from illegal sources, but are unable to quantify this. Be this as it may, these are all people for whom work on the regular labour market is not a structuring factor, and in that sense they are not a far cry from those who have never worked.

### Family background

Table 4 shows two things. First, findings do not corroborate the commonly held notion that single-parent families are the cause of criminal acts. Nearly two thirds of these murderers were brought up during the larger part of their childhood by both of their parents (true parents or in some few cases, in re-composed couples). There are very few instances of the perpetrator's spending practically all of his childhood in a single-parent home. Conversely, many of these people were educated away from one or both of their parents or with very distant and occasional relations with their parents. In the last analysis, the main peculiarity of our sample resides in this large proportion of particularly disorganised family structures. In close to 20 % of cases, these people had been raised for several years by a third party (such as grandparents) or by educators in a

specialised home, or placed in the custody of a surrogate family. This is heavy with consequences for these people's mental life, for lack of affection, immaturity and depression are closely correlated with the fact of not having been raised consistently by one or both parents.

**Table 4. Family background pattern**

The offender was mostly raised by :	Number	%
two parents (including recomposed families)	79	64.5
a single parent	5	4
other members of the family	3	2.5
the Child Welfare bureau (DASS)	1	1
several consecutive situations, including the DASS at one point at least	34 (19)	28 (15.5)
<b>Total</b>	<b>122</b>	<b>100</b>

**Table 5. Parent-child relations in the original family<sup>3</sup>**

Family relations	Total	%
Apparently serene relations, including pathological patterns	41 (4)	33.5
Enduring conflicts with physical violence	34	28
Enduring conflicts with no physical violence	25	20.5
No information	22	18
<b>Total</b>	<b>122</b>	<b>100</b>

Another factor that probably contributed to making these people particularly vulnerable but is concealed by an apparently stable home life is family conflictuality. We are dealing here with subjective data on which a clear understanding cannot be easily obtained through official records, however, and our findings should therefore be taken with caution. Nonetheless, the general trends are quite clear. In 60 % of cases for which information is available on the nature of the relations between parents and children (that is, 59 out of 100 cases), those relations were conflictual, and in at least 34 cases the conflict took the form of physical violence. There were at least 18 cases in which the father (or surrogate father) assailed the mother, 18 cases in which the father (or surrogate father) assailed the children, and at least 4 cases of violence by the mother (or surrogate mother) on the children (some cases therefore cumulated several situations).

It would be interesting to investigate other aspects of the past history and present situation of these criminals. For the moment, we would simply point to the importance of two particularly factors the combination of which appears to be formidable : social precariousness and inadequate family life.

## Past contact with the police and justice system

**Table 6. Previous offenses<sup>4</sup>**

Criminal record	Number	%
No past offense or bad reputation	55	45
No past offense but bad reputation <sup>5</sup>	11	9
Drunken driving	5	4
Property offenses	18	14.75
Violent offenses	11	9
Multiple offending	18	14.75
Dealing in drugs	1	1
Non-payment of alimony	1	1
No information	2	1.5
<b>Total</b>	<b>122</b>	<b>100</b>

Here again, this table indicates in its own way that lethal violence is not necessarily committed by professional criminals or recidivist offenders: it is much more ordinary. Over half of murderers had no criminal record, and most did not have a bad reputation in their social environment (including their family, neighbours, employers and the police). The remainder of the people, less than half of the group, did not belong to the underworld. For instance, only exceptionally (in one single case) do they have a criminal record indicating participation in drug dealing. Recidivists in the same category are just as rare : only one person in this group had previously been convicted of murder. Actually, most of the individuals in this scant half of the group with a criminal record are registered as having committed a theft or burglary and/or having engaged in brawls (assault and battery with no serious injury) and/or drunken driving.

<sup>3</sup> These findings are simply indicative. They were culled from the declarations of the offenders themselves as well as from psychiatric reports, reports from the social services and testimony of various sorts brought to the investigation, and are very uneven. Cases involving poor relations and violence are most probably underestimated in this attempt to measure family relations.

<sup>4</sup> We have excluded simple breaches of the immigration laws and simple use of cannabis (of which our sample in fact only contained two instances).

<sup>5</sup> This reputation mostly involved violent behavior, especially when drunk.

## Relations between murderers and victims

**Table 7. Nature of the murderer/victim relationship when the crime was committed**

Offender/victim relationship	Number	%
Unknown to each other	19	18.5
Family	15	15
Simple acquaintances (including long-standing hostility)	34 (24)	33 (23.5)
Had marital or quasi-marital relations at the time of the murder	24	23.5
Had previously had marital or quasi-marital relations at an earlier period	7	7
Were rivals in a love affair	3	3
<b>Total</b>	<b>122</b>	<b>100</b>

Whereas women only represent 15 % of the offenders in this group, they represent close to two thirds of victims. This is the main difference between the two categories of actors. Aside from their gender, victims have very much the same profile as the offenders: young adults, social precariousness and inadequate families are over-represented here as well. This introduces the usual question of the relations between murderers and their victims.

Table 7 shows, firstly, that victim and murderer were acquainted in over eight cases out of ten. Exceptionally, they are complete strangers: there is the unexpected fight outside a bar between two drunken young men; the man who kills his burglar, or the reverse; the man who follows a woman he has never seen before and kills her because she refuses to have intercourse with him; the racist crime; the person who is beside himself and drunk and discharges his aggressiveness on the first person who interferes with him; there is even one mistaken identity. In every other case, the two were acquainted, and sometimes even knew each other well. As a rule, the situations may be divided into two broad types:

- the first includes cases involving individuals (usually a man and a woman) who were either related or were engaged in marital (or quasi-marital) relations, or had been in the recent past. The latter relationships represent a scant third of the cases studied here, and are com-

pleted by cases of family ties (all marked by hostility prior to the crime). In all, people who knew each other well represent a scant half of our sample.

- the second type of situation is represented by cases in which the two actors were acquainted but had no marital or family ties. Most often, if not direct neighbours, they are at least people who know each other because they frequent the same private places: places of residence, of night life, bars, etc. In most cases, murderer and victim were on more or less long-standing hostile terms.

By studying the itineraries of both criminals and victims we may gain some insight on the structural factors that are part of the explanation of why these people resorted to violence to deal with a conflict with someone whom they had known for a long time in most cases. Situational factors are also at work here, and primarily – now, as in earlier times – drunkenness (of the murderer, but also, often, of the victim) is particularly prevalent. The present study investigates other aspects as well, in an attempt to construct a sociological and psychosociological interpretation of murder cases. We will confine ourselves, here, to the main conclusion to be drawn from this preliminary analysis: most of the murder cases judged by *cours d'assises*<sup>6</sup> are committed within that portion of the French population whose social, family and economic life is most destructured. It is, so to speak, as if these people kill all the more easily since, firstly, they had been accustomed since childhood to a particularly impoverished and perhaps even a violent emotional environment, and secondly, they did not have much to lose, all in all, with respect to society. However, this broad conclusion is still relatively vague, and we are proceeding with other facets of this research project.

**Laurent MUCCHIELLI**  
(*mucchiel@ext.jussieu.fr*)

For further information :

MUCCHIELLI (L.), *Approche sociologique des homicides. Études exploratoire*, Guyancourt, CESDIP, coll. Études & Données Pénales, 2002 (à paraître).

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<sup>6</sup> Major offences (*crimes* in French law) are given a jury trial by a *cour d'assises*.