Assignment

Subject: Jurisprudence 1

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Topic

Difference Between Motive and Intention in Jurisprudence

Meaning:

In jurisprudence and criminal law, both motive and intention form part of the mental element of an act, known as _mens rea_. However, they are distinct concepts. Intention is the immediate, conscious objective to bring about a particular result, while motive is the underlying reason, cause, or desire that pushes a person to form that intention.

Definition:

Intention

The deliberate and conscious decision to perform an act to achieve a specific consequence. It is the direct aim of the doer.

Motive

The ulterior purpose, impulse, or reason which induces a person to form an intention. It answers the question “why” the act was done.

Key Differences:

Meaning

Intention:

Immediate purpose of doing an act

Motive:

Ultimate reason behind the act

Legal Importance

Intention:

Essential ingredient of crime. Mens rea is judged by intention

Motive:

Generally irrelevant for criminal liability

Relation to Act

Intention:

Directly connected with the act

Motive:

Indirectly connected, lies behind intention

Proof in Court

Intention:

Can be inferred from facts and conduct

Motive:

Not necessary to prove for conviction

Example

Intention:

A fires a gun at B to kill him

Motive:

A killed B to take revenge for an old insult

Effect on Punishment

Intention:

Decides the nature and gravity of offence

Motive:

May be considered for mitigation in sentencing

Explanation

Criminal law gives primary importance to intention because liability depends on whether the accused intended the wrongful act and its consequences. Motive, whether good or bad, does not make an unlawful act lawful. For instance, if a person steals food to feed his starving children, his motive is noble but his intention to commit theft makes him criminally liable.

However, motive is not entirely useless. It becomes relevant in two situations:

1) In cases based on circumstantial evidence, motive helps establish the link between the accused and the crime.

2) During sentencing, judges may consider a good motive as a mitigating factor and reduce punishment. Thus, while intention determines guilt, motive may influence the degree of blameworthiness