Assignment no 1

Submitted to : Mam Sadia sattar

Submitted by : M .Bodi Sher

Subject : Jurisprudence 1

Roll number :S241085

Topic : Difference between Motive and intentions.

Introduction

In jurisprudence, the mental element behind a person's actions is very important in determining criminal liability. Two key concepts in this regard are motive and intention. Although they are often confused, they have different meanings and roles in law. **Motive** explains the reason behind an act, while **intention** refers to the purpose of doing that act.

Meaning of Motive

Motive refers to the reason or driving force behind a person's action. It answers the question**: "Why did a person commit the act?"** Motive is connected with emotions, desires, or personal benefits that influence behavior.

- **For example**, a person may commit theft due to poverty, or commit murder due to revenge. A student may cheat in an exam because of fear of failure. In all these cases, the motive explains the reason behind the act.
- Motive is subjective and varies from person to person. It may be good or bad, but in law, it is not essential to prove a crime. It only helps in understanding the behavior of the accused.

Meaning of Intention

Intention refers to the purpose or plan to perform a particular act. It answers the question: "What did the person want to do?" In criminal law, intention is a very important element because it shows that the act was done knowingly and willingly.

- **For example**, if a person shoots someone with the aim of killing them, the intention is to cause death. If someone poisons food, the intention is to harm or kill. Similarly, breaking into a house shows the intention to commit theft.
- Intention is always deliberate and conscious. It plays a major role in determining criminal liability and is often proved through actions and surrounding circumstances.

Difference Between Motive and Intention

Motive and intention differ in several important ways.

- Motive refers to the reason behind the act, while intention refers to the purpose of doing the act. Motive answers the question "why," whereas intention answers the question "what."
- In legal terms, motive is not essential to prove a crime, but intention is usually necessary. Motive is emotional or psychological in nature, while intention is a mental decision to act.
- Motive only explains behavior, but intention determines whether a person is guilty.
- Furthermore, motive is difficult to prove, while intention can often be inferred from a person's actions.

Relationship Between Motive and Intention

- Motive and intention are closely related but not the same. Motive usually comes before intention. It creates the desire or reason, which then leads to the formation of intention, and finally results in the act.
- For example, a person may need money (motive), then decide to rob a bank (intention), and finally commit robbery (act). However, it is important to note that a person can have a motive without committing a crime, and sometimes a crime can occur without a clear motive.

Legal Importance of Motive

- Although motive is not essential to prove a crime, it still has significance in legal proceedings.
- It helps in understanding the background and circumstances of the case. It can also assist investigators in identifying suspects.
- Motive supports evidence and may strengthen the prosecution's case. Additionally, courts may consider motive while deciding punishment.
- For example, if a crime is committed for self-defense or under extreme pressure, the punishment may be reduced.

Legal Importance of Intention

- Intention is one of the most important elements in criminal law. It determines whether a person is legally responsible for a crime.
- Without intention, many acts may not be considered crimes.

- Intention forms part of the concept of mens rea, which means a guilty mind.
- It also helps in distinguishing between intentional and accidental acts.
- Crimes committed with clear intention are usually punished more severely than those committed without intention.

Case Illustration

- If a person plans and poisons another person, there is clear intention, and the act is considered murder.
- If a person accidentally causes someone's death, there is no intention, and it may not be treated as murder.
- If a person has hatred toward someone but does not act on it, there is motive but no crime.

Motive and Intention in Criminal Law

- In criminal law, a crime generally requires two elements: **actus reus** (the guilty act) and **mens rea** (the guilty mind). Intention is a key part of mens rea, while motive is not required to prove guilt.
- An important legal principle states that motive is irrelevant if intention is proved. This means that even if a person had a good reason, they can still be guilty if they intentionally committed the crime.

Examples

- If a person steals food to feed their family, the motive is hunger, which may be considered good, but the intention is still theft, so it remains a crime.
- If a person accidentally hits someone with a car, there is no intention, so it may not be considered a serious crime.
- If a person kills someone for revenge, both motive and intention are present, making it a serious offense.

Conclusion

- Motive and intention are both important concepts in jurisprudence, but they serve different purposes.
- Motive explains the reason behind an act, while intention determines whether the act was done knowingly and deliberately.

- In law, intention is more important because it directly affects criminal liability, while motive only helps in understanding the case.
- A clear distinction between these concepts is essential for fair judgment and proper administration of justice.

References

- Jurisprudence textbooks
- Principles of criminal law
- Legal case studies.