Criminological Theories Essay, Research Paper

There are many different aspects of criminal justice policy. One in particular is the different theories of crime and how they affect the criminal justice system. The Classical School of criminology is a theory about evolving from a capital punishment type of view to more humane ways of punishing people. Positivist criminology is maintaining the control of human behavior and criminal behavior. They did this through three different categories of Biological studies, which are five methodologies of crime that were mainly focused on biological theories, Psychological theories, which contains four separate theories, and the Sociological theories, which also includes four different methods of explaining why crime exists. The last theory is about Critical criminology. Their goal was to transform society in a way that would liberate and empower subordinate groups of individuals.

The Classical School of criminology was founded by "European legal authorities that thought crime was caused by supernatural forces" (DeKeseredy & Schwartz, 1996, p.155) preceding the 1700’s. The catch phrase "The devil made him do it" was very popular because of the thought that people who committed crimes were sinners or people who didn’t follow God. Those who didn’t follow God were known as heretics and this following led to the connection of church and state where torture or execution could happen to anyone that the government thought to be evil or a part of witchcraft. Since the Middle Ages didn’t have equal rights for all, women and the poor were usually the ones being prosecuted. With all of the problems of the times, the government found and made scapegoats out of these people, and blamed them of the troubles that were occurring. As DeKeseredy and Schwartz (1996, p.156) stated, "the most common way of determining guilt was through torture. It was a simple system: if you confessed, you were executed: is you did not confess, the torture continued until you died." This system of killing people was a well-respected way of running the criminal justice system. As time passed, the punishments turned away from inflicting pain on the body and turned more towards inflicting pain on the soul. This meant that imprisonment of long periods of time was going to take place of executions.

A very important theorist in the Classical School of thought is Cesare Beccarria. He was a modest man who wrote an essay called On Crimes and Punishment. It was published as an anonymous essay at first that was so successful, that a second printing was done and he then put his name on it and it became an even greater success. It was so great that the publisher translated it into many different languages, and was distributed to top public officials and government throughout Europe, Asia, and America. It became very influential in the fight to reform and develop new laws. Another theorist, Jeremy Bentham, had a major effect on criminal law through his writings and design features. Some of the ideas for the designing of prisons that he did were adapted to some of the American prisons being built later on.

The Classical School of the modern times still plays a major role in the criminal justice system. The "Get tough on crime" policy is still around today because of theorists view to keep punishments to the least amount of punishment as possible to try and prevent crime. Yet today, critiques still exist with this theory as with any other theories. The first is that of the cost/reward analysis and deterrence. In a study done by Ken Tunnell, he concluded that criminals do not evaluate the negative consequences of their actions. The act of getting caught never crosses their mind because the threat of committing the crime is enough to keep them from thinking about the consequences. Therefore, those criminals that commit crimes that are under the influence of drugs or any other substance are even less rational about the consequences than those who commit crimes. Another critique is that of the punishment and deterrence theory. These theorists feel that being imprisoned for a crime can and will deter more crimes of the like. Prisons for example, are a dominant sense of making the country feel safer because the criminals are being locked up. Also, the death penalty can be a form of deterrence towards other criminals because they are able to see what is happening to other criminals that commit the same types of crimes. Whether or not this does deter criminals from committing crimes is another story.

The Positivist School of criminology began in the late 19th century and is still a part of society today. The Positivist School suggests that in order to control crime, you have to use scientific methods to look for the causes of crime. Some important developments the theory included were controlling human behavior, controlling criminal behavior, industrial revolutions, the emergence of modern science, and finally Darwin’s theory of evolution. Many assumptions had been made, but a few in particular stood out to be the most important. Theorists said that human nature is determined before you are even born. Also that it is differentiated which means that criminals are different from non-criminals. The five methodologies are based on biological characteristics that may cause the criminals to commit the crimes they based on certain characteristics. The first method is physiognomy. This judges character by facial features as well as physical features. It can be traced back to Ancient Greece and Rome. The second is phrenology. This judges the criminal’s intelligence and character based on the different shapes of the skull. This method was popular in the early to mid 1800’s. Thirdly, criminal anthropology studied the criminal human beings from birth. Lombroso’s theory of the biological impact on crime was heavily influenced by Darwin’s study of evolution. Lombroso, the "father of positivist criminology" believed he could study human behavior and then locate some factors that may cause a pattern of crime in the person. These people who committed such violent crimes were known as atavistic because of their physical features resembling that of animals. "Chimpanzeelike ears, shifty eyes, and large jaws" (DeKeseredy and Schwartz, 1996, p.178), were a number of characteristics that many body type theorists agreed upon as an attribute to a criminal. Hereditary studies were also compared and contrasted, but no real evidence was found to make the study a significant success. Some criticisms of the Biological theories is that there are inadequate controls of environmental factors that had an effect on these studies. Also, that correlation is not causation because no criminal behavior can be inherently criminal. Psychological theories of crime include intelligence, psychoanalytic, personality disorders, and humanistic theories. Intelligence theories connect to the Biological theories because of numerous studies done that showed correlation to the amount of intelligence a person has also has to do with the possible size of the body as well as other features on the body. Psychoanalytic theories are based on the work of Sigmund Freud. He said that crime is a symptom of deep-seated problems that don’t balance the Id, Ego, and Superego. This is where psychopaths and sociopaths get their name from because they can’t balance any of these together. Personality disorders deal with the different characteristics of a person internally. It was stated in class that criminals have different personality traits than non-criminals. Whereas Humanistic theories are based on the Hierarchy of Needs. Criticisms of Psychological theories include that most criminals are mentally ill and can’t account for their actions because violence is selective. Sociological theories are based on the views that human behavior is determined and that social order is consensual. The Ecological theory is based mainly on the Chicago School of thought. It shows that social disorganization causes crime. Subcultural and Learning theories suggest that crime is caused by learning and conforming to deviant subcultures values. Anomie and Strain theories suggest that inequality among different groups of people causes crime because of the oppression faced among many different groups of people. Control Theories state that strong bonds to society cause conformity which in turn leads to weak bonds causing deviance and delinquency.

Critical Criminology is based on the sources of crime that have to deal with class, ethnicity, and patriarchal relations that control the society we live in. Whether or not Critical Criminology supports the interests of subordinate groups in society, it does not always come to be as clear of a subject that you might think. Many of the theories of Critical Criminology reject the solutions to short-term solutions that make tougher laws and the increasing use of prisons.

These are the theories of Criminology that affect our world today. They play a major role in criminal justice policy and should be considered major parts of the system. Such perspectives give way to each other and may even clash with one another, but are very important to today’s society because they help people understand the roles that criminals play in the society that they live in. They also give reasons for why some criminals do what they do.

References

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