

CRIMINOLOGY

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Lecture Handouts for CSS

Module 1

Recommended Books¹:

1. Criminology by Larry J. Siegel. (Primary Book)
2. Oxford Handbook for Criminology.
3. Criminology by Tim New Burn.
4. 21st Century Criminology: A reference handbook by J. Mitchell Miller.
5. Criminology: Explaining Crime and Its Context by Stephen E. Brown.
6. Further Readings at the end of module.

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¹ These books are recommended for aspirant's preparation, please read the relevant topic you have studied in the lecture in these books. Reading these books completely is not a compulsion just read the topics included in syllabus and handouts.

1. Conceptualizing Criminology

- Coined by Raffaele Garafolo in 1885
- Etymology (Study of origin of words)
 - Crimen – Latin – means “Accusation”.
 - Logia – Greek – means “Study”.
 - Etymologically, criminology means study of accusation or crime.
- It is an interdisciplinary field of study that deals with scientific study of crime, its causation, and strategies for its prevention.
- Criminology as a discipline studies crime, criminals, and criminal behaviour. It also attempts to determine the causes of crime.
 - George Rush in The Encyclopedic Dictionary of Criminology
- Criminology is an interdisciplinary field that combines aspects of legal theory and the substantive legal disciplines with approaches based on psychology, sociology, and moral philosophy. Its subjects include the nature and definition of crime, its forms and incidence, its causes, and crime prevention.
 - ~ Oxford definition
- Criminology is the integrated, multidisciplinary study of the causes, prediction and control of crime and other harmful behaviours constituting a breach of societal norms at a local, national or international level.
 - ~ National Institute of Criminology, Hungary

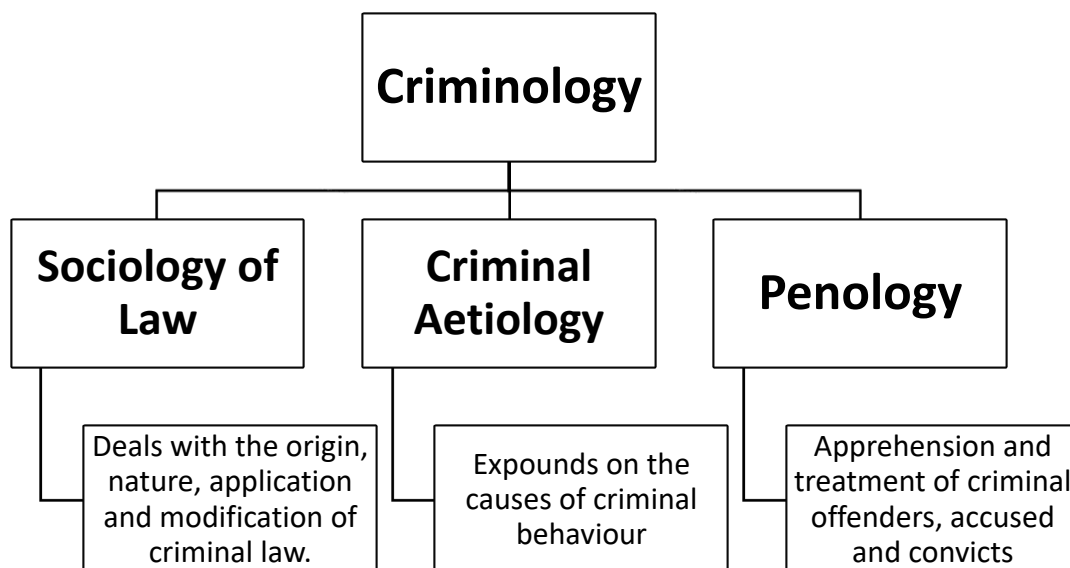


Table 1.1 Classical Divisions of Criminology

2. Branches of Criminology

- **Penology:**
The study of prisons and prison systems, focuses on the correction and control of criminal offenders.
- **Bio-criminology:**

The study of the biological basis of criminal behaviour.

- **Feminist criminology:**
The study of women and crime.
- **Criminalistics:**
The study of crime detection, which is related to the field of Forensic Science.
- **Sociology of Law**
- **Victimology**
Study of victimization, relationships b/w victims and offenders, interactions of victims and criminal justice system, and connections b/w victims and other social groups and institutions such as the media, companies and social movements etc.
- **Anthropological criminology**
Deals with profiles of offenders, based on the perceived links between the nature of a crime and the offender's personality or physical appearance. Main thesis based on Italian school of criminology.
- **Critical or Radical Criminology**
Relies on economic explanations of behaviour and argues that economic and social inequalities cause criminal behaviour
- **Forensic psychology**
It covers application of clinical psychology to the forensic context.
- **Forensic Science**
Forensic science is the application of science to criminal and civil laws, mainly during criminal investigation, as governed by the legal norms of admissible evidence and criminal procedure.
- Criminologists also study a host of other issues related to crime and the law. These include studies of the Victims of Crime, focusing upon their relations to the criminal, and their role as potential causal agents in crime; juvenile delinquency and its correction; and the media and their relation to crime, including the influence of explicit content.

3. Standard Classification of Laws

Types of Law				
	Definition	Punishment	Burden of Proof	Examples
Civil	Concerns private rights	Relief or remedy	Preponderance of the evidence	Divorce, law suit
Criminal	This type of case violates a specific penal law.	Fine, imprisonment, or both	Beyond a reasonable doubt	Traffic violation, felony charge

Table 1.2 Difference between Criminal and Civil Law

4. Criminology and Criminal Justice System

- Criminology explains the aetiology (origin), extent, and nature of crime in society, whereas criminal justice refers to the study of the agencies of social control—police, courts, and correctional institutions.
- Criminologists are mainly concerned with identifying the suspected cause of crime. While, criminal justice scholars spend their time identifying effective methods of crime control.
- Criminal justice scholars seek more effective methods of offender rehabilitation.

5. Mapping the Crime

- Most typically, crime or wrong is defined in terms of **harm** rendered.
- What constitutes a harm? Which behaviour is criminal?
 - Mr A. throws a stone in the river, while standing on a cliff.
 - Mr A. intentionally hurls a stone towards a boat in river and hurts Mr B.
- An act can be a crime or not a crime at a same time. Similarly, an act that was a crime in past may not be crime today. This concept is called **Relativity of Crime**.
- Flying kite on one side of IJP road is crime and on the other side of the same road, it is not. Refer to The Punjab Prohibition of Kite Flying Ordinance 2001.
- Similarly, in Brick Kiln Act 2016 Punjab – Child below 14 years of age is minor and their employment is a crime. In Sindh and Balochistan this is not the case due to absence of such legislation
- Any act or omission that is prohibited by law becomes crime in the jurisdiction of that law.

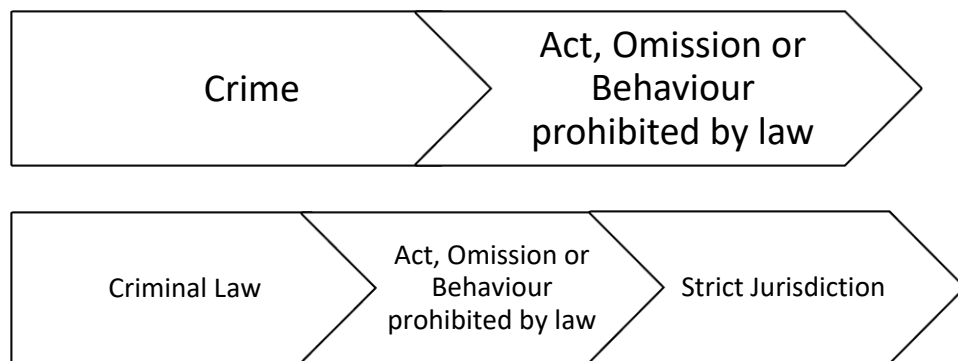


Figure 1.1: Crime versus Criminal Law

6. Scope and Significance of Criminology

- Criminology has historically played a reforming role in relation to Criminal Law and the criminal justice system. As an applied discipline, it has produced findings that have influenced **legislators, judges, prosecutors, lawyers, Probation officers, and prison officials**, prompting them to better understand crime and criminals and to develop better and more human sentences and treatments for criminal behaviour.
- One ultimate goal of criminology has been the **development of theories** expressed with sufficient precision that they can be empirically tested.

- As a subdivision of the larger field of sociology, criminology draws on psychology, economics, anthropology, psychiatry, biology, statistics, and other disciplines to explain the causes and prevention of criminal behaviour.
- Research in criminology enhances official understanding of criminals, offenders, the types and prevalence of offences committed, generally or specifically by a class of people or in certain localities. This kind of understanding supported by data is important for crime detection and control. The government is enabled to plan better in terms of allocation of resources towards fighting different types of crimes.
- Criminology generally deals with three intricate questions of criminality.
 - Question of detection of criminal.
 - Question of custody and treatment of criminal.
 - Question of explaining criminal behaviour and crime causation.

7. Who is who in criminology?

- **State:** Guardian of public rights. Administers the application of Laws.
- **Legislation:** Enacts laws and penal codes.
- **Judiciary:** Comprehends, interprets, and apply laws.
- **Police:** Executive branch to implement law by force. State's enforceability hand.
- **Criminologist:** Studies the nature, extent and origin of crimes, does research, proposes findings to the state agencies, attempts to understand why some people are more or less likely to engage in criminal or delinquent behaviour.

8. What does criminologists do?

- Criminologists examine and tend to explain crime rate differential and the criminal code between societies and changes in rates and laws over time.
- Criminologists consider themselves to be neutral public policy experts, gathering facts for various governmental officials responsible for drawing policy conclusions.
- They also examine the effect that corrections have on crime and create new ideas to increase their effectiveness.
- Criminologists commonly work in government agencies and on policy boards and legislative committees.

9. Conservative and Progressive Ideology in Crime

<u>Conservative</u>	<u>Progressive</u>
<ul style="list-style-type: none"> • Advocate broad use of death penalty 	<ul style="list-style-type: none"> • Oppose use of death penalty
<ul style="list-style-type: none"> • Favor low age of criminal responsibility for juveniles 	<ul style="list-style-type: none"> • Favor higher age of criminal responsibility for juveniles
<ul style="list-style-type: none"> • Favor high levels of incarceration for drug users 	<ul style="list-style-type: none"> • Favor minimal levels of incarceration for drug users
<ul style="list-style-type: none"> • Favor mandatory and minimum prison sentences for many crimes 	<ul style="list-style-type: none"> • Generally opposed to mandatory and minimum prison sentences
<ul style="list-style-type: none"> • Favor long prison sentences for many types of crime and criminals 	<ul style="list-style-type: none"> • Favor reserving long prison sentences for selected crimes and criminals
<ul style="list-style-type: none"> • Favor use of criminal laws to control vices 	<ul style="list-style-type: none"> • Generally oppose the use of criminal laws to control vices
<ul style="list-style-type: none"> • Favor harsh prison conditions 	<ul style="list-style-type: none"> • Favor humane and comfortable prison conditions

Table 1.3: Conservative and Progressive Ideology in Crime

10. Social Deviance

- Deviance is a twentieth-century sociological concept intended to designate the aggregate of social behaviours, practices, acts, demeanours, attitudes, beliefs, styles or statuses which are culturally believed to deviate significantly from the norms, ethics, standards and expectations of society.
- Social deviance refers to that behaviour which is censured as deviant from the standpoint of the norms of the dominant culture.
- Not all crimes are deviant or unusual acts, and not all deviant acts are illegal.
- Some non-conformities are global, i.e.
 - i. No one conforms completely to status-positions
 - ii. No one accepts class or culture completely
 - iii. No one is simply a robot
- This non-conformity is defined as “Anti-Social Behaviour” that departs from group’s normative exceptions or from society’s accepted ways.
- When human behaviour is in a disapproved direction and exceeds limit of community’s toleration, it is called a “Deviant Behaviour”.
- Opposite of Deviance is Conformity.

11. Characteristics of Deviance:

- It is the action that society considers outside the accepted order. It is usually condemned.
- It is condemned because it is considered threat to the society.
- Conformity means obedience to the norms whereas deviance is their violation.
- All crimes are acts of deviance but not all acts of deviance are crimes.

12. Types of Deviance

- **Primary deviance:**

It is the behaviour that people do not treat as deviant because either:

- They are unaware of it, or
- They regard it trivial

- **Secondary deviance:**

It occurs when:

- People are labelled and treated as deviants, and
- Deviance becomes an important part of their identity.

13. Deviance Versus Crime

- Deviance is behaviour that violates social norms and arouses negative social reactions. Crime is behaviour that is considered so serious that it violates formal laws prohibiting such behaviour.
- Spitting in a public place is deviance, yet not a crime.
- Similarly, wearing shorts may be a deviance in a remote area of KPK or Punjab. However, it is not deviance in more developed urban settings. Hence, breaching dress code is deviance and not a crime.
- Every deviance is not a crime; however, every crime is deviance.

14. Forms of Deviance

- Drug Addiction
- Alcoholism
- Suicide
- Family conflicts
- Discrimination against minorities
- Sexual abuse
- Child abuse
- Delinquency
- Crime
- Violence

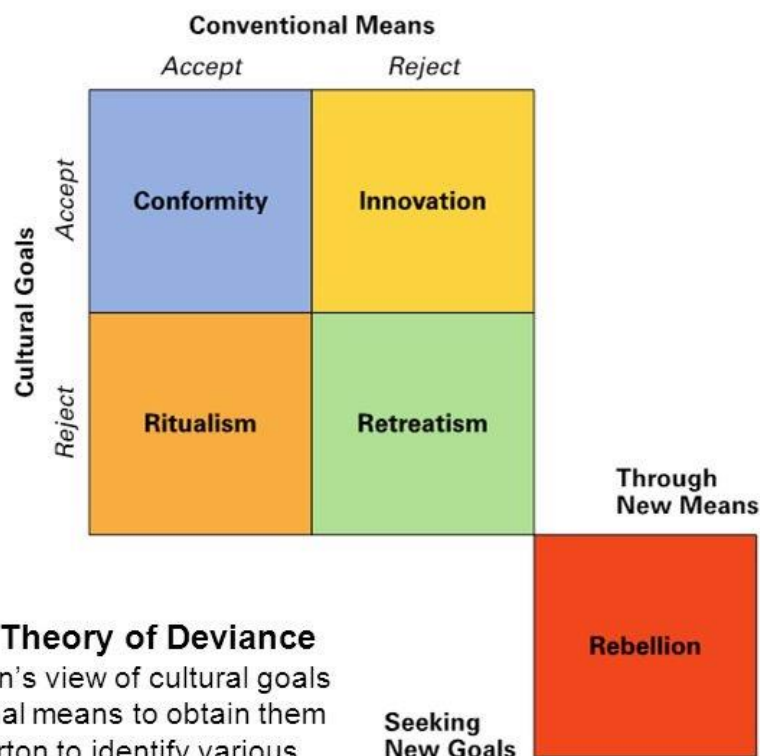
15. Causes of Deviance

1. **Individual** as a cause.
2. **Society** as a cause.
3. **Culture** as a cause.

1. Individual as a cause:

- **Religious theory**
 - Demonic possession
- **Biological theory**
 - An extra chromosome (i.e., XYX, YXY)

- **Psychological theory**
 - Morally depraved
- 2. **Society as a cause:**
 - **Transitional Neighbourhood**
 - Those settling in slum areas
 - **Labelling Approach**
 - Repeatedly calling deviants as deviants so they start adopting the deviant culture
 - **Differential Association**
 - The company, the colour
 - **Class and Social Structure**
 - Particular class and social structure lead an individual to be a deviant
- 3. **Culture as a cause:**
 - **Robert Merton** presented Strain Theory.
He calls deviance a means by which some people adopt to the dominant culture.
 - Robert Merton proposed five adaptations:
 1. **Conformity:** Most common response
 2. **Innovation:** Typical criminal response
 3. **Ritualism:** Habitual response
 4. **Retreatism:** Typical of drug use
 5. **Rebellion:** Seeking radical change



Merton's Strain Theory of Deviance

Combining a person's view of cultural goals and the conventional means to obtain them allowed Robert Merton to identify various types of deviance.

Source: Merton (1968).

Table 1.4: Robert Merton's Deviance Typology

Robert Merton's Deviance Typology – A tabular explanation

MODE	METHOD
CONFORMITY	Accepts approved goals, pursues them through approved means. <ul style="list-style-type: none"> • Most common response e.g does job to earn money
INNOVATION	Accepts approved goals, uses disapproved means. <ul style="list-style-type: none"> • Typical criminal response e.g involves in drug cartel
RITUALISM	Abandons society's goals, confirms to approved means. <ul style="list-style-type: none"> • Habitual response e.g lives life with contentment
RETREATISM	Abandons approved goals and approved means. <ul style="list-style-type: none"> • Typical of drug use e.g drug abuser
REBELLION	Challenges approved goals and approved means. <ul style="list-style-type: none"> • Seeking radical change in society e.g challenges status-quo

Table 1.5 Robert Merton's Deviance Typology

Further Readings

- <https://linktr.ee/malikhuzaiifa>
- Dear student please follow the aforementioned link and read the following sections for in depth understanding.
 1. What is criminology?
 2. On branches of Criminology.
 3. Criminology vs Criminal Justice.
 4. Criminology and Criminal Justice System in Pakistan
 5. Criminology and the Study of Deviance