

Q. No. 1. What is the difference between classical and positive school of thought in criminology and what are the three major perspectives in positive school of thought?

Answer:

1. Introduction

Criminology, as a discipline, has evolved through various school of thoughts that attempt to explain the causes of crime and prescribe appropriate reason. The Classical School of thought, emerging in the 18th century, was rooted in Enlightenment philosophy and emphasized free will, rationality, and deterrence. In contrast, the Positivist School, developed in the 19th century, viewed crime as a product of biological, psychological, and social determinism rather than individual choice. The shift from Classical to Positivist thinking marked a transition from moral philosophy to scientific inquiry in understanding criminal behaviour.

2. Difference Between Classical and Positivist School of Thought in Criminology

2.1 Main exponents of Classical vs. Positivist school

The Classical school of thought was pioneered



by Cesare Beccaria and Jeremy Bentham.
In contrast, the positivist school of thought was developed by Cesare Lombroso, Enrico Ferri, and Raffaele Garofalo.

2.2 Defines Crime in legal terms VS crime in sociological terms

The Classical school defines crime strictly in legal terms, as a deliberate violation of law chosen by an offender.
Conversely, the positivist school defines crime in sociological terms as behaviour shaped by external or internal factors.

2.3 Reliance on free will to commit crime VS reliance on biological determinism to commit crime

Classical theorists argue that people commit crimes through free will, making rational decisions based on pleasure-pain calculations.

In contrast, positivists emphasize on biological determinism, asserting that crime is biologically, psychologically, or socially determined.

2.4 Nature of criminal is Rational VS Nature of criminal is determined

According to the Classical school of thought, the criminal is a rational being who consciously decides to commit crime, while on the other hand, the Positivist school views criminal as determined.

individual, shaped by factors beyond his/her control such as genetics, upbringing, or social conditions

2.5 Focus on Crime vs. Focus on Criminal

The Classical school concentrates on the act of crime itself and the moral responsibility of the offender. The Positivist school, however, focuses on the criminal as a person, trying to uncover the underlying causes of the deviant behaviour.

2.6 Crime as Inherent vs. Crime as Caused

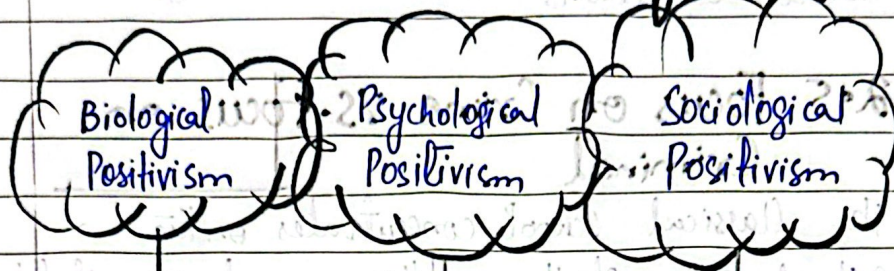
The Classical school perceives crime as inherent in human nature due to the desire of pleasure and avoidance of pain. In contrast, the positivist school holds that crime is caused by multiple factors such as poverty, low intelligence, social disorganization, or biological defects.

2.7 Punishment for deterrence vs. Treatment instead of punishment

The classical school advocates punishment as the means of deterrence, while the positivist school promotes treatment, rehabilitation, and social reform instead of punishment, aiming to correct the offender rather than merely penalize him.



3. Major Perspectives of Positive School of Thought



The Criminal/
Atavistic Man
by Lombroso

Intelligence
and Crime

Social Learning
Theory

Body Type
Theory by
William Sheldon

The Psycho-
analytical
Theory by
Sigmund
Freud

Differential
Association
Theory

The XYY
Theory

Social Labelling
Theory

The Ecological
Theory

Social Conflict
Theory

Radical theory

3.1 Biological Positivism

Biological Positivism links criminal behaviour to physiological or genetic Causes. The Cesare Lombroso's theory of Criminal man, The Body

Type theory by William Sheldon, The XY chromosome theory and the ecological theory comes under the umbrella of biological ~~del~~ positivism.

3.2 Psychological Positivism

Psychological positivism attributes criminality to personality disorder, low intelligence, or inner psychological conflicts. It uses psychological theories and assessment tools to understand, predict, and treat criminal behaviour by focusing on mental states, early childhood experiences, and learned behaviours.

3.3 Sociological Positivism

Sociological positivism links crimes to social structures and cultural conditions. It tells that people learn criminal behaviour through imitation and observation of others. Sociological positivism also explains that crime emerges from class inequality, power struggles, and exploitation in capitalist societies.

4. Conclusion

To conclude, the Classical School of thought emphasizes free will, rationality, and deterrence, whereas, the positivist system stresses determinism, science, and reformation. Moreover, the three major perspectives of Post Positivist school - biological, psychological, and sociological positivism - collectively explain that crime is a multifunctional

phenomenon. Thus, modern criminology today synthesizes both schools: it accepts crime involves rational choices influenced by biological, psychological, and social determinants.

3.2 Psychological Positivism

Psychological positivism focuses on the individual's internal state, such as mental processes, emotions, and personality. It is associated with the work of Sigmund Freud, who proposed that unconscious drives and conflicts influence behavior. Other psychologists, like B.F. Skinner, emphasized the role of learning and conditioning in shaping behavior.

3.3 Sociological Positivism

Sociological positivism focuses on the social structures and cultural context that influence crime. It is associated with the work of Emile Durkheim, who argued that crime is a social phenomenon. Other sociologists, like Robert Merton, proposed that social structures and cultural values can lead to crime. Sociological positivists also emphasize the role of socialization and social control in preventing crime.

4. Conclusion

In conclusion, the classical school of thought is based on the idea of rational choice and free will. However, modern criminology has moved away from this view and towards a more holistic approach that considers biological, psychological, and social factors. The synthesis of these different schools of thought has led to a more comprehensive understanding of crime and its causes.