

LMS ID: 30057

Criminology Moct:

## Part II

Q2. What is Crime?

According to the Black's Law dictionary crime is the act of breaking the law/rules of the society, specifically causing harm to the other individuals. Crime has existed since the development of societies in the ancient times. People used to be in tribes or small cities and breaking the rules of such places referred to crimes. In the pre-modern/enlightenment era, crime used to be associated with supernatural causes. For example, any thief or killer would be "possessed by the devil" and executed. In the enlightenment era, the value of religion was declining hence, scholars looked for rational means to justify crimes. Such as, Cesare Beccaria and Jeremy Bentham. Then came the modern era of the 19<sup>th</sup> century when theorists began proposing various reasons and logics behind crime, and differentiating it from deviance.

## Deviance vs. Crime

Robert K. Merton

Merton was a 20<sup>th</sup> century theorist

Who proposed his typology linking deviance with societies culture. In the most basic sense, Deviance can be defined as, an act against the morals and ethics of society but not violent or harmful enough to be labelled as a crime. Any PERSON can simply go against basic traditions of cultures but not break the law, and they would be known as deviants not criminals. It is pertinent to note that:

All crimes are deviant acts, but not all deviant acts are crimes. Merton explains the concept of deviance and crime, in accordance with societies goals in his typology.

### Robert Merton's Deviance Typology

		Institutionalised means	
		accept	reject
Cultural goals	accept	Conformity	Innovation
	reject	Ritualism	Retreatism
			New means
			Rebellion

Explanation (with examples)

**CONFORMITY:** Getting a lucrative job after getting a good degree. The degree/education is institutionalised means to achieve the cultural goals

of finding work in the society.

**Innovation:** One finds work to make money, but rejects societies' means. This could involve illegal means such as, corruption.

**Ritualism:** One does attain good education but refuses to work to make money. Such people are not considered deviants and the prime example would be the clergy in a society.

**Retreatism:** These are deviant people who would not work for money, nor gain education. They usually prefer to live isolated from society and usually do not commit crimes unless provoked. Introverts are a good example of retreatists.

**Rebellion:** This is where deviance turns to crime. When not only do people be cut off from societies' means and goals, but they openly challenge society's systems with new ideas. If said ideas succeed, they would be praised as influencers and leaders, if their ideas/movement fails they would be criminals. Such is the nature of challenging the norms of society.

Though scholars have explained the difference between crime and deviance. It is important to note the reasons for crime, and prevent it in the future.

## Why Study Crime?

Criminologists believe that crime may only be prevented if the root causes of crime can be discovered.

### To know causes of crime:-

Cesare Beccaria wrote in his book "On crimes and punishment" that men are rational beings. Hence, there is a logic behind their actions which is beyond supernatural reasoning. There is a justification whether personal happiness, vengeance, or societal pressure that causes people to do criminal activities. Which is why crime must be studied to prevent such actions in humans.

### To prevent crime:-

Jeremy Bentham stated that not only should crimes be studied for their root causes, but also to deliver swift and effective punishments to prevent such criminals from roaming freely in societies. Bentham designed the Panopticon for the state, a circular prison which would be able to hold more prisoners and have prison cells facing each other so that criminals can interact with others and be kept an eye on. This method also allowed prisoners to get a reflection of themselves in-

front of them and be deterred from crimes in the future.

To deter crimes in the society:-

Criminologists such as Lombroso and ~~Andrya~~ ~~Andrya~~ advocated for strict punishments to deter crime in the community. Deterrence is the setting of a formidable example for potential criminals which intimidates them and prevents crime in the future. The act of public executions, and ~~television~~ televised documentaries of life in prison are good examples of creating deterrence to prevent criminal activities.

Conclusion:-

The difference between crime and deviance is the simple breaking of law, and unethical behaviour of people. The study of crime is important to know the roots, and reasons behind crime, and prevent such activities with effective punishments and creating deterrence.

Q5. The fate of Criminals:-

Crime is a deviant act which causes harm to the society. After the criminal has been prosecuted, it is left to determine the type of punishment they should endure for their

crimes. Various criminologists differ on the treatment of criminals, whether they should face severe punishment as an example for others, or should they be allowed to reconcile and be brought back to the society.

### Punishment:-

#### Cesare Lombroso

Lombroso argued that criminals should be punished for their crimes as to set an example for the generations. His model relied on the essence to create deterrence in the society.

#### Albert Bandura

Bandura also advocated for punishment but to create deterrence only, he claimed that criminals can be rehabilitated in the society but they could easily fall back into the life of crime hence, swift punishment should be taken.

### Rehabilitation:-

This model shows that criminals can be rehabilitated and brought back into the society with efficient programmes. This model is mainly used for juvenile delinquents, as they are considered too young to be treated as hardened criminals. This is a specific "second chance" scheme which provides another

opportunity for criminals to correct their mistakes, make amends with their evil actions, and learn to get along better in society. In the words of Robert Merton, it's a way to turn deviants from criminals to conformists. The prime example of rehabilitation programs can be taken from the Nordic countries, Austria, Germany, Switzerland etc. who have introduced programs such as community volunteering, Policing programs, and education within universities. One nation can benefit from investing in prisoners to make them better humans. This is a core example of the state acting as a 'loving father of a child'.

### Does Rehabilitation Work?

#### Howard Becker

Becker was a scholar who published the social labelling theory to provide an analysis of the outcome of prisoner rehabilitation. Becker stated that when prisoners are rehabilitated and released from federal custody, they would still be known as criminals and offenders because of their deviant behaviour of the past. Becker argues that in such societies, which refuse to give a second chance to one-time

offenders, the people will resort back to crime. Hence, rehabilitation would fail without additional support from the state.

How can state assist the rehabilitated 'former' criminals?  
JACKSON TOBY

Toby reversed a famed model in the business/economics academia, Maslow's hierarchy of needs, to explain that if the needs of a person are being fulfilled, they would NOT need to resort to crime. These include survival needs (food, water, clothes, shelter) - social needs (family/friends for love and care) - Political needs (Rights, freedom, justice), etc. Toby argued that if these needs are fulfilled then the criminals will NOT resort back to crime.

Conclusion:-

There is a big difference between severe crimes such as, execution and life imprisonment, and rehabilitation programs. Both are necessary in society but should be carried out appropriately. High profile criminals may be punished to set an example. And ~~one~~ one-time offenders may be given a chance at rehabilitation to learn and reintegrate in the society.