

## UNIT - I - INTRODUCTION

### 1. DEFINITION, NATURE AND SCOPE OF CRIME AND CRIMINOLOGY

#### **SYNOPSIS:**

- A. Introduction**
- B. Definition of crime**
- C. Definition of criminology**
- D. Difference between crime, criminality, criminal and criminology**
- E. Relationship between criminology, penology and criminal law**
- F. Major classification of criminology**
- G. Criminology - whether a science?**
- H. Scope/ Need for study of criminology**
- I. Renaissance of Criminology (Modern Age of Criminology)**
- J. Global scenario of criminology**
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#### **A. INTRODUCTION:**

The subject of criminology is practically useful as it promotes the welfare of the whole community. The principles of criminology are used in framing penal policies.

The process of eliminating crimes from a society relies on the efficiency of the criminal law of that country and the object of Criminology is to reduce the rate of crime incidence and administer it effectively by means of the courts, police, prisons, etc.

Nowadays, there is growth of bank robberies, rape, illegal politics, white collared crimes, etc., and so the criminologists are of the view that criminology and penology should work together to reduce criminality and to protect the society from anti-social elements.

#### **B. DEFINITION OF CRIME:**

The legal meaning of crime is an act or omission punishable by law. Crime is an act which is forbidden by law and revolting to the moral sentiments of the society.

##### **1. SIR WILLIAM BLACKSTONE:**

Crime is a violation of the public right and duties due to the whole community, considered as a community.

##### **2. STEPHEN:**

A crime is an act or omission in respect of which legal punishment may be inflicted on the person who is in default, either by acting or omitting to act.

**3. AUSTIN:**

A wrong which is pursued at the discretion of the injured party and his representatives is a civil injury. A wrong which is pursued by the Sovereign or his subordinate is a crime.

**4. KENNY:**

Crimes are wrongs whose sanction is punitive and is in no way remissible by any private person, but is remissible by Crown alone, if remissible at all.

Criminal law includes the definition, prevention, investigation, prosecution and punishment of crimes. It lays down the offence, proof, procedure and punishment.

**C. DEFINITION OF CRIMINOLOGY:**

**Criminology** is, in general, the scientific study of crime and its cure/treatment. The scientific study of crime and its cure involves the study of nature of crime, criminal behaviour, treatment of criminals by way of punishment etc., and prevention of crimes. The criminology is the offshoot of the development in Sociology, Psychology and Psychiatry.

**Prof. Sutherland** defines criminology as the body of knowledge regarding crime as a social phenomena.

**Prof. Caldwell** remarks, "criminology is the body of knowledge regarding crime and criminals and the efforts of society to repress and prevent them".

Thus, the study of criminology includes investigation of the nature of criminal law, its administration and development and causation of crime and penalties of criminals. It also includes the control of crimes and rehabilitation of offenders.

According to **Prof. Radzionowich**, criminology is the study of causes of crimes, checking and controlling crimes and also the study of criminal law.

**Dr. Kenny** says that 'criminology is branch of criminal science which deals with crime causation, analysis and prevention of crimes'.

**D. DIFFERENCE BETWEEN CRIME, CRIMINALITY, CRIMINAL AND CRIMINOLOGY:**

**Crime** is something illegal. Crime is the actual act, or the sum of all actual acts. For eg., "Crime has decreased in Chennai City."

**Criminal** is a person who commits crimes.

**Criminality** is the propensity for criminal activity in a person or criminal activity in a certain area. Criminality is the mental attitude or philosophy which leads a person to commit crimes.

For eg., Sending young men to prison for minor offences only spreads criminality.

**Criminology** is the scientific study of crime and its cure/ treatment. The scientific study of crime and its cure involves the study of nature of crime, criminal behaviour, treatment of criminals by way of punishment etc., and prevention of crimes.

#### **E. RELATIONSHIP BETWEEN CRIMINOLOGY, PENOLOGY AND CRIMINAL LAW:**

##### **Criminology:**

It is concerned with the study of crimes and criminal behaviour, cause of criminality and means to reduce crimes.

##### **Penology:**

It deals with the custody, treatment, prevention and control of crimes.

##### **Criminal law:**

The policies of Criminology and Penology are implemented through the Criminal Law.

Thus, Criminology, Penology and Criminal law are interrelated with one another and one cannot function without the other.

#### **F. MAJOR CLASSIFICATION OF CRIMINOLOGY:**

The science of criminology is divided into:

1. Theoretical or Pure Criminology
2. Applied or Practical Criminology

1. **Theoretical or Pure Criminology** is of five types namely (a) Criminal Anthropology (b) Criminal Sociology (c) Criminal Psychology (d) Criminal Psycho-metro pathology and (e) Penology.
2. **Applied or Practical Criminology** deals with study of criminal hygiene and criminal policy.

Thus, the object of criminology is development of principles based on the knowledge of factors influencing the causation of crime and its prevention.

#### **G. CRIMINOLOGY - WHETHER A SCIENCE?:**

Criminology is not a science at present. But it has great scope to become a science in future. The essence of science is universal truth and stability, but crime is neither stable nor its principles are universally applicable.

While scientific concepts remain throughout the world, crime changes from place to place and time to time.

Further, crime changes with social phenomenon. The presence of crimes in the society shows the symptoms of social disorganisation, which should be corrected for its prevention.

However, criminologists are constantly trying to establish standard rules for prevention of crimes and criminals.

It is hoped that in the near future, such standards will form the fundamental principles of criminology and at that time, criminology can definitely be classified as a science.

#### **H. SCOPE/NEED FOR STUDY OF CRIMINOLOGY:**

Criminology as a criminal science has arisen out of fear of insecurity of life, liberty and property of the people. So, the scope of criminology is very wide.

1. It suggests measures to create confidence, motivation, and respect to the criminals.
2. It takes up case study of different crimes, analyses them and derives rules from them.
3. Because of Criminology, Criminal law has constantly been undergoing changes to bring in reformatory methods to correct the criminal, rather than merely punishing him.
4. The punishments are liberalised and more opportunities are offered to criminals to aim at penal justice.
5. The basic assumption of criminology is that no one is a born criminal and therefore, it aims at reformation as the ultimate object of any punishment of a criminal. Criminologists are of the opinion that every criminal is corrigible if opportunity for treatment is given.
6. In the present days, the scope of criminology is getting wider. It gives an opportunity for police, lawyers, judges, and medical specialists to study and develop criminology and administer the principles in their profession.

7. Criminology also tries to create social conditions for the purpose of social unity by locating the systems which are anti social.
8. With the advancement of science and technology, many novel crimes have come into existence. So, the rule makers and administrators have to devise new techniques through researches, etc.

This in turn widens the scope of new criminological advances. Adequate measures to handle the new problems of society are worked out by modern criminologists.

Thus the scope of criminology is very wide and will continue to grow till it achieves social harmony and a crimeless society.

#### **I. RENAISSANCE OF CRIMINOLOGY: (MODERN AGE OF CRIMINOLOGY)**

Renaissance means revival. It is the period of revival, roughly from the 14th century through the 16th century, marking the transition from medieval to modern times. The foundations for the modern view of Crime i.e., Criminological study of crime was laid by Sir Thomas Aquinas. According to him, it is the merits of forgiveness and compassion, and the evolution of modern views towards crimes and punishment. In modern view, crimes were understood to violate the natural law, which meant that someone who committed a crime had also committed an act which separated themselves from

nature. It began to be understood that crimes hurt not only the victim, but also the criminal. Criminals, while deserving of punishment, were also to be pitied, as they had been placed outside the nature's grace.

Though these ideas were derived from natural law, these concepts prevail today in secular views of crime and punishment.

#### **J. GLOBAL SCENARIO OF CRIMINOLOGY:**

Due to recent changes in communication, transportation, and commerce, crimes have become a global phenomenon. Given that assumption, criminology itself has become global in its scope. This means that it must become comparative criminology. Now the study of crime should no longer be treated as a separate subject, but it is a global study.

By going beyond the traditional criminology and studying criminology in global scenario, it becomes possible to identify criminological theories that are true universally.

Further by studying criminology in global scenario, both the national and international databases can be used to assess crimes and crimes committing trends in countries around the world.

The study further provides country profiles, country comparisons, and cross-national analyses which reflect the international nature of crime.

#### **K. CONCLUSION:**

Criminology basically depends on human behaviour. Since human behaviour is difficult to define in an exact manner, it is equally difficult to define criminology exactly.

While one approach is that a criminal is a socially deviated person, the other approach is to consider him as a victim of circumstances and the third approach lays importance on eliminating conditions responsible for criminality in the offender.

However whatever be the approach, the object of criminology is the reduction and finally eradication of crimes from the society and the reformation of offenders.

#### **UNIVERSITY QUESTIONS FOR REVIEW:**

1. *Define Criminology. Explain the factors associated with crime and treatment.*
2. *What are the major divisions of criminology?*
3. *Criminology is the scientific study of crime and criminals - Explain.*
4. *Criminology is the scientific study of crime and treatment - Discuss.*

5. *The need for study of criminal science essentially emanates out of the psychological apprehension about insecurity of life, liberty and property of the people - Do you subscribe to this view?*
6. *Criminology at present is not a science, but it has the hopes of becoming a science- Elucidate this statement.*
7. *Discuss the nature and scope of criminology and the inter relation between criminology, penology and criminal law.*
8. *Examine the important three inter related divisions of criminology.*
9. *Criminology is the scientific study of crime and criminals - Examine.*
10. *Write short note on: (a) Crime (b) Criminology (c) Scope of Criminology (d) Relationship between crime, criminality, criminal and criminology (e) Relationship between criminology, penology and criminal law (f) Major classification of criminology.*

