

Course – LL.B (sem- 4)
Penology (unit -1)
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Concept of Criminology

1. Criminology : Meaning and Definition

Meaning: The term 'Criminology' is derived from the Latin word 'Crimen, which means, "Crime" and from the Greek word 'Logia or Logos', which means, "Teaching". Criminology is a science or body of knowledge, which deals with crime and criminals. It is a systematic study of criminals. A person, who commits crime, is a criminal. The crime alleged to have been committed has to be proved by accepted court procedures;— A person, who studies crime in a scientific manner, is called 'Criminologist'.

Object: The main object of Criminology is to discover various causes of criminality and also to deal with the custody and treatment of criminals and to find out various means to prevent and control the crimes. It includes the study of —

- i) The process of making laws.
- ii) The process of breaking laws; and
- iii) The process of reacting towards breaking of laws.

Definition: It is very difficult to define criminology. However, different authors defined criminology in the following words:

Edwin H. Southerland: Southerland defines criminology as *"the body of knowledge regarding crime as a social phenomenon. It includes -within its scope the process of making laws, of breaking laws, and of reacting towards the breaking of laws ... The objective of criminology is the development of a body of general and verified principles and of other types of knowledge regarding this process of law, crime, and treatment or prevention."*

Elliott: According to him, *"Criminology is a scientific study of crime and its treatment."*

D.R. Toft : *"He defines criminology as 'the study of which includes all the subject matter necessary to the understanding and prevention of crime along with punishment or treatment of delinquents and criminals'."*

2. Criminology: Its Nature and Scope

Criminology is the body of knowledge regarding the juvenile delinquency and crime. It includes a study of:

- a) The process of making laws.
- b) The process of reacting towards breaking laws.
- c) The process of breaking laws; and

According to Dr. Stephen Hurt Witz, in his 'Criminology' (1948, p-427), broadly speaking, criminology deals with the legal psychiatric aspect or the medico-psychological, biological, pedagogical or sociological aspect of criminality and the factors related therewith. It, therefore, follows that criminology and criminal policy are interdependent and mutually support one another.

Thus, the science of criminology may be studied under the following two heads, namely:

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

Criminal Anthropology: It seeks to understand the personality of the offenders in physical terms. Cesare Lombroso was the first to propound this view which eventually led to the origin of modern criminology. He was first in point of time to explain criminal behaviour in terms of physical-characteristics of the offender and emphasised that criminals were different physically from normal persons and possessed inferior physical characteristics. Though this view is no longer supported by modern criminologists, but it does have its theoretical importance.

Criminal Sociology: It is based on Sutherland's theory of 'differential association' which explains criminal behaviour as a process of learning through association with other criminals. This theory, however, does not adequately take into account the personality traits or psychological variables in criminal behaviour.

Criminal Psychology: It seeks to co-relate criminality to
emotional aspect of human nature. French psychologist Alfred
Binet and Professor Jerman of USA are the main propounders
of this view. Dr. Arnold and Dr. E.A. Hooton carried further
researches on this aspect of criminal behaviour.

Criminal Psycho-neuro-pathology: This breach of criminology attributes criminality to functional deviations and mental conflicts in the personality of the offender.

Criminology

1. It is a systematic study of criminals.
2. It analyses the processes of making laws, and reading causes of the breaking of laws.

Criminal Law

1. It is the body of special rules regulating Human conduct promulgated by the State.
2. It defines the offences, and enacts provisions of punishment for the breaking of laws.

Criminology	Criminal Law
3. It analyses the previous facts and statistics, present trends and future consequences.	3. Criminal law comes into force when an offence is committed.
4. It is coupled with sociology, psychology, physiology, and all other fields of sciences.	4. It is coupled with penology.
5. Criminology is a new branch of science emanated just in the last century.	5. Criminal law has been in existence from the last several thousands of years.
6. Criminology is genus.	6. Criminal law is the base of criminology. It is a species of criminology.

5. Criminology and Penology

The study of criminology and criminal administration also includes penology. The term 'Penology' was coined for the very first time in 1834 by Francis Lieber. It literally means 'The science of punishment'. It is a branch of criminal science, which deals with the punishment of the criminals. It lays down the fundamental principles to guide the state to frame a scheme of punishment.

Penology is the study of custody, treatment, prevention and control of crime. It is concerned with the punishment and treatment of offenders/criminals.

Thank you !!!

