

- **Demonic (preclassical era)**
 - o Evil souls within the body.
 - o Extremely harsh punishments to rid body of supernatural effects, public
 - o Death penalty is around today
 - o Crime against gods will
 - o No real deterrence
 - o People were born into positions of wealth and power
- **Classical (Beccaria, Hobbes) (17th century, Enlightenment)**
 - o **Determinate sentencing, deterrence, severity, certainty, celerity, brutalization thesis, specific deterrence, general deterrence)**
 - o Before this monarchies ran and justice was arbitrary barbarous and harsh
 - o Strategy for administering justice according to rational principles
 - o Assures that individuals are free, selfish and rational
 - o Concerned with administration and criminal justice
 - Punishment outweighs committing the crime
 - No death penalty
 - o Characteristics (swift, proportionate, clearly stated, certain, equal)
 - o Social contract
 - o Brutalization thesis
 - Gov't/media show that killing is okay to the public
 - o Determinate sentencing
- **Positivists (Lombroso, Quetelet)**
 - o Crime based on what external factors or internal natural factors
 - Genes, Darwinism, natural forces, environment
 - Biological, psychological, sociological
 - Descendent of animals
 - o Punish those who deserve it
 - People with bio problems are killed to weed them out
 - o No choice for their actions
 - o Scientific method
 - o Indeterminate (based on circumstances) punishment
- **Anomie (French revolution/industrial revolution) (lawless, no regulation)**
 - o Humans are a bottomless abyss. All they do is consume. Never satisfied
 - o Morality puts a bottom on their appetite
 - o Morals collapsed after revolutions
 - o Different theories
 - Durkheim: society is in a state of anomie normlessness, no morals or regulation
 - Merton: rejection of cultural goals and were institutionalized means by the individual (place yourself in a typology)
 - Messner/rosenfeld: anomie arises due to a lack of regulation from noneconomic institutions
- 1. **Raffaele Garofalo (1851-1934, Italian)**
 - a. Student of Lombroso
 - i. Coined **criminology** in 1885

1. Was against classical school, believed in scientific method of crime
 - a. Analysis of crime causation and statistical analysis
2. Three theories
 - a. Kill those who are psychologically incapable of social life
 - b. Long sentencing for nomads or primitive tribes
 - c. To help people who have commit crimes under pressures
2. Thomas Aquinas (1225-1274) social contract
 - a. Beliefs
 - i. thought people were good
 - ii. anything criminal was against human nature (moral failure)
 - iii. punishment should be severe (b/c went against god's will)
 1. state enforces and considered as god
3. Thomas Hobbes (1588-1678) mercantilism
 - a. Humans were bad, selfish, self-interested by nature
 - b. War of all against all
 - i. Social contract
4. Cesare Beccaria (1738-1794, Italian) 1st criminologist
 - a. Published book in 1764 on crime and punishment
 - b. People commit crimes because they outweigh the punishments
 - c. If you commit crime x, you get punishment x. other circumstances irrelevant
 - d. Laid foundation
 - e. Mercantilism (state sponsored trade monopolies) capitalism
 - i. Monopolies created certain cities to become large/small wealthy/poor
 - ii. System based off of trade system. Rational and predictable
 - f. Judges should not interpret laws, they only help decide who is innocent/guilty
 - g. Beliefs
 - i. Rationality, calculability, predictability (capitalism)
 1. Innocent till proven guilty
 2. Judged by jury of one's peers
 3. Right to appeal
 4. Determinant sentencing
 - ii. 2 principles of punishment
 1. Severity: punishment greater than the benefits or crime
 2. Certainty: you know what you'll get
 3. Celerity: punishment must be right after the crime
 - iii. Deterrence theory: punishments were certain/quick to prevent crime
 1. Specific: when offender is punished and realizes he doesn't want to be punished again
 2. General: sees someone else being punished and decides they don't want that to happen to them
5. Adolphe Quetelet (1796-1874) mathematician, social mechanics
 - a. Society operates as a machine, so they're predictable
 - i. Social mechanics
 - b. What caused crime was lack of wealth and moral depravity
 - i. Proposed moral education
6. Cesare Lombroso (Italian 1835-1909)
 - a. 1876 published his book, man of genius
 - b. Evolutionary characteristics that appear in us

- i. **Atavism** (only 35% show this)
 - 1. **Stigmata:** physical characteristics that show atavism
 - a. Biological traits show criminals
 - ii. Get rid of biological ill
 - 1. **Determinant sentencing**
 - c. Charles Darwin
 - i. On the origin of species (1859)
- 7. Émile Durkheim (French revolution) (1858-1917) Classicist along with marx and weber
 - a. Biological determinism
 - b. 3 Theories (Crime is whatever anybody says it is)
 - i. **Functions of crime:** What crime does in society, crime emerges from society, changes it. Crime has a function in society
 - ii. **Anomie theory of crime (originator):** Explains how crime might happen or change during rapid growth of a society or social change
 - 1. People are bottomless pits and society makes you stop at certain point. When there is rapid change the society can serve purpose of stopping unlimited wants.
 - 2. Society is what causes people to have unlimited wants American dream
 - iii. 3 functions of crime
 - 1. **Solidarity function:** how does everything in society stick together
 - a. 2 theories
 - i. **Mechanical solidarity (overregulation):** earliest, small tribal type. Based on resemblance (everyone is the same) no diversity
 - ii. **Organic solidarity (Under regulation):** what we live in. division of labor. Society is a living body (organs) breaks society.
 - 1. **Anomie theory (division of labor)**
 - b. **Crime brings people together**
 - i. They talk about it, society reinforced
 - ii. Brings standards of morals
 - c. By having a societal standard, we can compare crime
 - d. Needed in society needs this as crime levels become suppressed, new concepts of crime arise
 - i. **CRIME IN THE COMMUNITY OF SAINTS**
 - 1. When crime disappears, a new crime forms
 - 2. **Transformative function**
 - a. People who break laws help change society
 - b. How strong the collective conscience should be
 - i. People need to be weak and adapt to be stronger
 - c. People with guts to make changes are going against collective conscience, considered criminals
 - 3. **Diagnostic function**
 - a. Something crime does for the social sciences
 - b. Society needs to be flexible enough to allow change
 - i. Healthy society has a moderate crime rate
- 8. Merton (1910-2003)
 - a. **Macrosociology and microsociology**