

Indeterminism: Free will

Abstraction: abstract what we observe

### Classical School:

- Social philosophy of the classical period which concentrated on the construction of laws and treatment of citizen of state
  - Classical period: 17<sup>th</sup> - 18<sup>th</sup> century. Mainly in Europe (age of enlightenment)
- The philosophers of the classical period were mainly concerned with government procedure and focused little on the study of crime and criminals
- Origin:
  - Fall of feudalism
    - The European social structure was moving away from the overbearing government structure of feudalism.
      - In feudalism most individuals had few rights
    - Mercantilism was rising to supplant feudalism
      - New areas of social influence were being born
    - Individual rights became concern for the rising mercantile class
      - "maybe the government should work for us"
- Protestant Ethic:
  - The rise of Protestantism and the decline of Catholicism were correlated with a rise of capitalism
  - Encourages success in business and the accumulation of material wealth
- Social Mobility:
  - Mercantilism allowed for individuals to ascend the social ladder

- o Social mobility spread power to many individuals instead of just those seen as ruling through “divine” merit
- o This translated into philosophy concerned with individual rights
- Social contract and utilitarianism:
  - o Thomas Hobbes: 17<sup>th</sup> century English philosopher
    - Believed that humanity was inherently selfish and will seek to gain all advantages they can over their fellow neighbors
    - Viewed society and government as checks on the inherently selfish nature of man
    - Social contract:
      - “the set of rules, governing how people are to treat one another, that rational people will agree to accept, for their mutual benefit, on the condition that others follow those rules as well”
    - other philosophers viewed the social contract as resulting from an inherently benevolent and social nature in humanity
      - rousseau, locke
- Utilitarianism:
  - o Jeremy Bentham” 18<sup>th</sup> century (moral) philosopher
  - o Principle of utility:
    - “whenever we have a choice between alternative actions or social policies, we must choose the one which has the best overall consequences for everyone concerned”
  - o Principle of rationality:
    - Humans are rational individuals that base their actions on a rational understanding of their situation
  - o Hedonistic calculus:
    - “hedonism is a simple and popular theory which suggest that pleasure and pain are the only things we can say are intrinsically good or bad”

- individuals then make choices based on their rational understanding of the pleasure and pain consequences of their actions
- mathematical reasoning takes place
- Classical Criminological Thought:
  - o The classical criminal:
    - Rational: having free will
    - Operate under hedimistic calculus (thought pleasure out weighted the pain of the act)
  - o Violated social contract:
    - Benthams utilitarianism stated that no individual good outweighed the good of others and society
  - o Classical criminology then focused on stopping these rational individuals by increasing the pain of crime
  - o Cesar Beccaria: 18<sup>th</sup> century Italian lawyer/philosophy wrote "On Crimes and Punishment"
  - o Deterrence theory:
    - In order to deter crime, we must increase the pain associated with a criminal act
    - Specific deterrence:
      - The deterrence that is applied to the individual that committed the offense
        - "jail sucks I wont do that again"
    - General Deterrence:
      - The deterrence that is applied to the other potential offenders that witness punishment of the criminal
        - "I wouldn't survive prison"
    - Elements of effective deterrence:
      - Celerity: the speed at which the punishment is applied (the more immediate the better)
      - Certainty: the probability of getting punished for a criminal act. (Higher probability is better)
      - Severity: the amount of pain inflicted by the punishment. (greater the pain, the more effective it is)