

Classical School

Criminology

- Chapter 2 Questions
- The Classical School emerged in which century?
- Which two writers had the most influence on the Classical School?
- According to the Classical School, there was only one justification for punishment? What was this justification?
- What are the three components of deterrence?
- Demonology
- Institutionalized set of beliefs in evil spirits and demons.
- The world is a battleground between forces of good and evil.
- Deviance/crime/sin/evil: temptation and possession.
- Methods of punishment/torture
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- **Supernaturalists**
- Good behavior = God's power; bad behavior = devil's doing.
- Church doctrine: the original state of people is innocence and grace.
- Innocence was lost in the Garden of Eden.
- **Supernaturalists**
- Illness, disasters, crime, misfortune = God's punishments.
- Crimes are committed by those possessed by the devil.
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- **Naturalists**
- Rebelled against church doctrine.
- Order and disorder in the world is separate from religious influence.
- Science and human reason is important to understand the physical world.
- **Classical School (18th Century)**
- First systematic effort to explain crime and criminal behavior.
- Challenged the church and the aristocracy.

- Church and CJS: exposed for history of torture/secret inquisitions.
- Judges criticized for abusive practices/ barbaric punishments.

- **Classical School (18th Century)**

- Rejected emphasis on supernatural powers and control over human behavior.
- Enlightenment ideas of democracy, rationality, and free will (Rousseau, Hobbes, and Voltaire).



- **Primary Tenets of the Classical School**

- Social contract: an individual is bound to society only by his/her consent.
- Free will: individuals are free to make their own choices.
- Choices: people seek pleasure and avoid pain.



- **Primary Tenets of the Classical School**

- Punishment: should deter crime, should be based on seriousness of crime, and identical crimes should have identical punishments.
- Equity: the law should apply equally to every member of society regardless of social status, race, religion, gender, or ideology.



- **Primary Tenets of the Classical School**

- Due Process: every individual who is charged with violating a law must be afforded the full protection of the law during investigation, prosecution, and adjudication.

- **Cesare Beccaria (1738-1794)**

- Born in Milan, Italy; philosopher and mathematician with crime/penology interests.
- Second and most important publication "On Crimes and Punishments".
- Appealed to enlightened rulers of Europe to use all of their coercive power to "crush the petty tyrannies of aristocratic privilege and bureaucratic abuse".

- **Cesare Beccaria (1738-1794)**

- Basic principle of the book: "utilitarianism", which means the greatest happiness shared by the greatest number.
- Three general categories of crime: crimes that destroy society, crimes that injure the individual, crimes that disrupt public peace and tranquility.

- Deterrence Theory
- Two types: General and specific deterrence
- Three primary assumptions:

1. Certainty

2. Celerity

3. Severity

- **Jeremy Bentham (1748)**
- English social philosopher; refined Beccaria's ideas
- Punishment should be severe but not excessive
- Hedonistic calculus: the listing of appropriate punishments for crimes based on the harm or injury they caused.

- **Beccaria and Bentham**
Main Ideas

- Not much focus on actual causes of crime.
- Criminal behavior as the rational calculation of costs and benefits.

- **Beccaria and Bentham**
Main Ideas

- More likely to commit crimes if the pleasure (benefits and rewards) outweighs the pain (punishment).
- More of a focus on how a rational, fair, and democratic CJS should be designed.

- **Beccaria and Bentham**
Main Ideas

- Utilitarian philosophy: the greatest good for the greatest number.
- Supported the presumption of innocence, judicial neutrality, and proportionality in sentencing.

- **Beccaria and Bentham**
Main Ideas

- Opposed to torture and capital punishment.
- Punishment is a necessary evil and only justifiable if based on humane and rational processes.