I. A Brief History of Criminology
   A. The study of crime and criminality is relatively recent.
      1. During the Middle Ages (1200-1600), superstition and fear of satanic possession dominated thinking.

   B. Classical Criminology
      1. During the eighteenth century, social philosophers began to embrace the view that human behavior was a result of rational thought process.
         a. Jeremy Bentham’s utilitarianism: people choose to act after weighing costs and benefits, pleasure and pain.
         b. Cesare Beccaria (1738-1794) applied Bentham’s principles to crime
            i. To deter crime, the pain of punishment must be administered in a fair, balanced, and proportionate amount to counterbalance the pleasure obtained from crime.

   C. Nineteenth-Century Positivism
      1. Emergence of scientific method
         a. People began using observation and analysis of natural phenomena to understand the world.
         b. Auguste Comte (1798-1857) applied scientific methods to the study of society.
            i. Primitive societies consider inanimate objects as having life; in later social stages, people embrace a rational, scientific view. Comte called this final stage the positive stage and those who followed his writings became known as positivists.
         c. Two elements of positivism
            i. Belief that human behavior is a function of forces beyond a person’s control
            ii. The use of scientific method to conduct research
2. Biological Positivism
   a. Physiognomists and phrenologists studied facial features, shape of the skull and bumps on the head to determine criminal behavior.
   b. Psychopathic personality in its early form suggested that abnormality in the human mind linked to criminal behavior.
      i. Early research efforts shifted attention to brain functioning and personality as the keys to criminal behavior.
      ii. Freud’s (1856-1939) work established the psychological basis of behavior.
   c. Cesare Lombroso (1835-1909) believed that serious offenders inherited criminal traits.
      i. Concepts of “born criminal” and biological determinants
      ii. Criminals suffer atavistic anomalies – physically, they are throwbacks to more primitive times.
      iii. Indirect heredity: criminogenic traits acquired from degenerate family whose members suffered such ills as insanity, syphilis, and alcoholism
      iv. Direct heredity: being related to a family of criminals

3. Social Positivism
   a. Scientific study of major social changes taking place in nineteenth-century society

D. The Foundations of Sociological Criminology

1. Adolphe Quetelet
   a. Instigated the use of data and statistics in performing criminological research
   b. Helped develop the cartographic school of criminology
   c. Found strong influences of age and sex on crime and uncovered evidence that season, climate, population composition, and poverty were related to criminality.
   d. Quetelet’s findings directly challenged Lombrosian biological determinism.

2. 
Emile Durkheim

a. Founder of sociology who defined crime as a normal and necessary event.
   i. Crime is normal and a part of human nature because it exists during periods of both poverty and prosperity.
   ii. The inevitability of crime is linked to the differences (heterogeneity) within society.

b. Crime can be useful and even healthy for society.
   i. Crime paves the way for social change.
   ii. Crime calls attention to social ills.

c. Described the consequences of the shift from a “mechanical” society to the more modern “organic society
   i. From this shift flowed anomie, or norm and role confusion that maintained high suicide rates and, by implication, other forms of deviance.

E. The Development of Sociological Criminology

2. Research on the social ecology of the city
3. Social forces operating in urban areas create criminal interactions; some neighborhoods become “natural areas” for crime.
4. Crime is a function of where one lives rather than individual pathologies.

F. The Development of Social Process Theories

1. During the 1930s and 1940s, a group of sociologists concluded that the individual’s relationship to important social processes – such as education, family life, and peer relations – was the key to understanding human behavior.
2. Two views, learning and control, linked criminality to the failure of socialization.
   a. Edwin Sutherland: Crime is a learned behavior.
   b. Walter Reckless: Crime occurs when children develop an inadequate self-image that renders them incapable of controlling their own misbehavior.
3. By mid-century most American criminologists had embraced either the ecological view or the socialization view of crime.
G. The Roots of Conflict Criminology
   1. Karl Marx’s (1818-1883) *Communist Manifesto*
      a. The character of every civilization is determined by its mode of production.
      b. Described the oppressive labor conditions during the rise of industrial capitalism and the relationship between the owners of the means of production (the bourgeoisie) and the laborers (the proletariat).
      c. Marx’s writings laid the foundation for a Marxist criminology developed by young sociologists who began to analyze the social conditions in the United States that promoted class conflict and crime.

H. Contemporary Criminology
   1. The various schools of criminology have evolved and continue to have impact on the field.
      a. Classical theory has evolved into choice and deterrence theories.
      b. Biological positivism has evolved into biological and psychological trait theories.
      c. Quetelet and Durkheim’s sociological criminology has evolved into contemporary social ecological theory.
      d. Marxist writings have evolved into critical criminology.
      e. Criminologists are now integrating theories linking personal, situational, and social forces. These are termed developmental theories.
IV. What Criminologist Do: The Criminological Enterprise

A. Criminologists are devoted to the study of crime and criminal behavior. Several subareas of criminology comprise the criminological enterprise.

B. Criminal Statistics
1. Criminologists interested in criminal statistics try to create valid and reliable measurements of criminal behavior.
2. Criminal statistics can also be used to make international comparisons.

C. The Sociology of Law
1. Criminologists interested in the sociology of law are concerned with the role social forces play in shaping criminal law, and concomitantly, the role of criminal law in shaping society.

D. Theory Construction
1. Criminologists who engage in theory construction view social theory as a systematic set of interrelated statements or principles that explain some aspect of social life.
   a. Constructed theories are based on social fact and tested by constructing hypotheses and then assessing the hypotheses using empirical research.

E. Criminal Behavior Systems
1. The criminal behavior systems subarea involves research on specific criminal types and patterns: violent crime, theft crime, public order crime, and organized crime.
2. The criminal behavior systems subarea also involves research on the links between different types of crime and criminals; this is known as crime typology.

F. Penology
1. Penology involves the correction and control of known criminal offenders; it is the subarea of criminology that most resembles criminal justice.

G. Victimology
1. Victimology is the study of victims and victimization.
   a. Measuring the extent of criminal victimization
   b. Calculating the costs of victimization
   c. Measuring the factors that increase the likelihood of becoming a victim
   d. Studying the victim’s role in precipitating crime
   e. Designing services for victims of crime
V. How Criminologists View Crime

A. The Consensus View of Crime
   1. According to the consensus view, crimes are behaviors believed to be repugnant to all elements of society.
      a. Social harm is what sets strange, unusual, or deviant behavior – or any action that departs from the social norms – apart from criminal behaviors.

B. The Conflict View of Crime
   1. The conflict view depicts society as a collection of diverse groups who are in constant and continuing conflict.
      a. Groups able to assert their political power use the law and criminal justice system to advance their economic and social position.
      b. Criminal laws are viewed as acts created to protect the haves from the have-nots.
      c. Crime is a political concept designed to protect the power and position of the upper classes at the expense of the poor.

C. The Interactionist View of Crime
   1. The Interactionist view holds that people, institutions, and events are viewed subjectively and labeled either good or evil according to the interpretation of the evaluator.
      a. Crime definitions reflect the preferences and opinions of people who hold social power in a particular legal jurisdiction.
      b. Criminals are individuals society has stigmatized, or chosen to label as outcasts or deviants, because they have violated social rules.
      c. Criminal law is seen as conforming to the beliefs of moral crusaders or moral entrepreneurs who use their influence to shape the legal process in the way they see fit.

D. Defining Crime
   1. Integrated definition: Crime is a violation of societal rules of behavior as interpreted and expressed by a criminal legal code created by people holding social and political power. Individuals who violate these rules are subject to sanctions by state authority, social stigma, and loss of status.
VI. Crime and the Criminal Law

A. The concept of criminal law has been recognized for more than 3,000 years.
   1. The Code of Hammurabi, one of the oldest, established a system of crime and punishment based on physical retaliation ("an eye for an eye").
   2. The Mosaic Code was the foundation for Judeo-Christian moral teachings and the U. S. legal system.
   3. German and Anglo-Saxon legal codes
      a. Compurgation: the accused person swore an oath of innocence with the backing of twelve to twenty-five “oath-helpers,” who could attest to his or her character and claims of innocence.
      b. Trial by ordeal: based on the principle that divine forces would not allow an innocent person to be harmed.

B. Common Law
   1. Judge-made law that emerged after the Norman conquest of England in 1066, that was based on precedents commonly applied in all similar cases.
      a. Mala in se – inherently evil and depraved
      b. Mala prohibitum – defined by Parliament

C. Contemporary Criminal Law
   1. Crimes divided into felonies and misdemeanors based on seriousness.
   2. Acts prohibited by the criminal law constitute behaviors considered unacceptable and impermissible by those in power.
   3. Social goals the government expects to achieve:
      a. Enforcing social control
      b. Discouraging revenge
      c. Expressing public opinion and morality
      d. Deterring criminal behavior
      e. Punishing wrongdoing
      f. Maintaining social order

D. The Evolution of Criminal Law
   1. Criminal law is constantly evolving in an effort to reflect social and economic conditions.
      a. Change may be prompted by highly publicized criminal cases.
      b. Change may be prompted by shifts in culture and social conventions.
      c. The future direction of criminal law remains unclear.