

Intro. to Criminal Justice 200

Chapter 3 Study Guide

Intro. to Criminological Theory

THEORY- is an assumption (or set of assumptions) that attempts to explain why or how things are related to each other

CRIMINOLOGICAL THEORY- the explanation of criminal behavior, as well as the behavior of police, attorneys, prosecutors, judges, correctional personnel, victims, and other actors in the criminal justice process

Classical Theory

CLASSICAL THEORY- a product of the Enlightenment period, or the Age of Reason, based on the assumption that people exercise free will and are thus completely responsible for their actions. Human behavior is motivated by a *hedonistic rationality* in which a person weighs the potential pleasure of an action vs. the possible pain associated with it.

- Enlightenment thinkers rejected the belief that nature or behavior was divinely ordained or predetermined
- Believed people exercised *free will* (the ability to choose any course of action) for which they were completely responsible
- Concerned with protecting human rights against corruption of legal institutions & excessive/horrible punishment (150-200 offenses in 18th Century carried death penalty)
- Crimes poorly defined, torture was routine, little consistency in application of law or punishments

Cesare Beccaria: best known classical criminologist; opposed death penalty; in 1794 his revolutionary book led to establishment of a more humane criminal law system & procedure.

Believed only legit. purpose of punishment is deterrence: special & general.

SPECIAL OR SPECIFIC DETERRENCE – prevention of the punished persons from committing crime again

GENERAL DETERRENCE- use of punishment of specific individuals to prevent people in general or society at large from engaging in crime

UTILITY- The principle that a policy should provide “the greatest happiness shared by the greatest number.”

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