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Examine the definition scope, and nature of criminology as a decipline critically analyse the historical development of criminology and the majour schools of criminological thought

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Abstract
Criminology is an interdisciplinary field that uses a scientific approach to examine crime, criminal conduct, its origins, and society's reaction to criminality. From pre-scientific explanations to modern integrated approaches, this article critically examines the definition, scope, and nature of criminology and outlines its historical growth. It highlights their contributions and limitations while evaluating the most prominent schools of criminological thinking, such as the Classical, Neo-Classical, Positivist, Sociological, Critical, and Feminist schools. Life course, labelling, and differential association theories are also addressed in the study, as are anomie, social disorganization, and strain theories. Additionally, it links criminological theories to the Indian legal and constitutional system, which includes the Bharatiya Nyaya Sanhita of 2023, the Bharatiya Nagarik Suraksha Sanhita of 2023, the Juvenile Justice Act of 2015, and the Probation of Offenders Act of 1958. Relevant Indian case laws are examined to show how deterrent, retributive, reformative, and rehabilitative approaches affect criminal justice. The study ends by stating that modern criminology is using an integrated, evidence-based method more often, seeing crime as a multi-causal occurrence affected by individual, social, structural, and developmental elements.

Keywords: Criminology, criminal behaviour, criminological theories, classical school, positivist school, sociological school

Introduction
Although crime is as ancient as human society itself, the methodical and scientific examination of crime, criminals, and society's reaction to criminality is a relatively new intellectual development. Criminology attempts to determine why people break criminal laws, how society responds to such breaches, and how to organize the criminal justice system to manage and lessen crime as a structured corpus of knowledge [1]. It is one of the most truly interdisciplinary fields within the social sciences, drawing on law, sociology, psychology, biology, economics, and political science [2]. The goal of this article is to define, describe, and analyze criminology's nature and scope. It follows its historical development from pre-scientific theories of crime to modern integrated theories, as well as critically examines the primary schools of criminological thought: classical, positivist, sociological, critical, and feminist. The conversation then places itself within the Indian statutory and constitutional framework, and Indian case law is examined to demonstrate how courts have frequently relied on traditional, positivist, and reformist assumptions when sentencing offenders, often without explicit acknowledgement. Finally, the article provides ideas for a more theory-driven, evidence-based criminal justice policy in India.

Literature Review
The main literature on which criminological theory and Indian sentencing law are founded must be reviewed before a critical assessment can be made. This review evaluates the main argument and its continuing relevance and shortcomings in ten groundbreaking sources, including classical, positivist, sociological, and Indian criminological literature.

Cesare Beccaria, On Offenses and Punishments (1764)
The classic school's cornerstone treatise, Beccaria's essay claims that punishment should be swift, sure, and commensurate to the crime, and that its goal is to deter rather than to exact retribution. Its enduring contribution is the concept of legality and proportionality, which is now incorporated in nearly all modern criminal codes, including India's. From a modern perspective, its restriction is its assumption of uniform rational computation, which has been significantly tempered by later studies on impulsivity, mental illness, and socioeconomic constraint [3].

Criminal Man by Cesare Lombroso (1876)
Lombroso established positivist criminology by suggesting that criminals might be identified by inherited physical 'atavistic' characteristics. Later versions of the work progressively watered down this argument in favor of a more multi-factorial explanation, and subsequent empirical testing completely disproved the biological-stigmata thesis. The text is still important today, not because of its factual findings, which are now thought to be unscientific and historically harmful, but rather because of its methodological emphasis on observing offenders in practice, which helped move criminology away from philosophy and toward science [4].

Criminal Sociology by Enrico Ferri (1884)
Ferri prolonged positivism by stressing the interplay of physical, individual, and societal origins of crime, and suggested that sentencing should respond to the offender's "dangerousness" rather than to the abstract severity of the crime alone. While his notion to substitute solely

preemptive "social defense" measures for punishment has been criticized as being too little protective of due process safeguards for the accused, his work is useful for bridging sociological explanation and biological positivism [5].

The Division of Labour in Society, by Émile Durkheim (1893)

The sociological school received its fundamental insight that crime is a typical, structurally created aspect of any society rather than individual pathology from Durkheim's idea of anomie, which refers to the collapse of shared normative regulation during rapid social change. The explanation of changes in crime rates during times of economic change is the enduring value of the work; its main flaw is that it is very abstract, works at a societal level, and provides little insight into why certain individuals commit crimes in a disorganized environment rather than others [6].

Social Structure and Anomie (1938) by Robert K. Merton

Merton converted Durkheim's anomie into strain theory, stating that crime occurs when there is a mismatch between culturally defined success goals and the uneven distribution of valid methods to reach them, resulting in unique adaptations like innovation (illegitimate means) or retreatism. The thesis successfully accounts for class-related property crime, but it has come under fire for failing to adequately account for affluent crime (corporate and white-collar offenses) and for presuming a uniformity of success aspirations throughout a genuinely pluralistic society [7].

Henry D. McKay and Clifford R. Shaw, Juvenile Delinquency and Urban Areas (1942)

By spatially mapping delinquency across decades, this Chicago School study demonstrated that certain urban zones maintained high crime rates regardless of the ethnic makeup of their residents, attributing the cause of crime to neighborhood disorganization rather than to the characteristics of any population group. Later detractors point out the work's relative lack of focus on the formal criminal justice system's role in exacerbating disadvantage in the very places it researched, yet it continues to serve as the cornerstone of community-based crime prevention [8].

Edwin H. Sutherland & Donald R. Cressey, Principles of Criminology (11th ed. 1992, orig. 1939)

The only explanation of how offenses are passed on culturally that is still frequently cited in sociology is Sutherland's theory of differential association, which states that criminal behavior is acquired via close contact with groups that support definitions favorable to breaking the law. Its primary drawback is that it clearly explains the spread of criminal ideals but has relatively little to say about why a person first enters an environment where such beliefs are present, or about impulsive, non-associational wrongdoing [9].

Outsiders: Studies in the Sociology of Deviance (1963) by Howard S. Becke

According to Becker's labeling theory, the criminological focus moved from the culprit to the organizations that create and respond to crime, stating that the use of a "criminal" label may establish a deviant persona and career through stigmatization and exclusion. Despite being criticized for minimizing the actual damage caused by the initial illegal act and for a certain degree of theoretical ambiguity regarding when labelling causes additional illegal activity rather than simply accompanying it, the work is fundamental to critical and constructionist criminology and to current diversion and juvenile justice policy [10].

Robert J. Sampson and John H. Laub, Crime in the Making: Pathways and Turning Points Through Life (1993)

Sampson and Laub demonstrated using longitudinal life-course data that informal social ties established during maturity—particularly a stable marriage and employment—can divert even chronic juvenile offenders away from continued criminality. They presented age-graded informal social control as an integrative framework that combines structural, relational, and developmental variables. Although its statistics come from a specific American cohort and its applicability to Indian family and societal systems has not been independently verified at a comparable scale, this is one of the most empirically rigorous and internationally impactful current works [11].

Ashutosh Trivedi, revised by, Criminology: Problems and Perspectives, 6th ed., Ahmad Siddique, 2010.

Siddique's work is considered one of India's most significant contributions to criminology. It examines Western theoretical frameworks within the context of Indian criminal trends, colonial criminal statutes, and post-independence penal reform, with in-depth analysis of the Probation of Offenders Act and juvenile justice legislation. While its most important input is placing imported theory within the context of India's socioeconomic and legal circumstances, its downside, which it shares with the majority of Indian criminology textbooks of its generation, is a relative lack of autonomous Indian empirical data (as opposed to doctrinal and case-law analysis) to evaluate how well Western theories apply to patterns of criminality in India.

While Siddique's Indian scholarship has attempted, with only moderate success, to test and adapt this primarily Western canon to Indian circumstances, this body of literature illustrates a discipline that has gradually widened its unit of analysis—from the free-willed individual (Beccaria), to the biologically determined individual (Lombroso), to social structure (Durkheim, Merton, Shaw and McKay), to the reactive institutions of criminal justice itself (Becker), and eventually to an integrated developmental account combining all of the above (Sampson and Laub). The critical analysis, statutory mapping, and case law discussion that follows are directly informed by this review.

An Examination of The Subject Matter

a. Criminology's Definition and Meaning

In 1885, Italian jurist Raffaele Garofalo used the word "criminologia" to describe the biological and anthropological study of offenders. The French anthropologist Paul Topinard is usually credited with coining the term "criminology," and Garofalo gave it systematic scientific currency. The scientific investigation of the causes, scope, nature, and management of crime, as well as criminal behavior and how society reacts to it, can be generally described as criminology. It should be separated from criminal law since criminal law is a

normative field that specifies what behavior should be punished and how, but criminology is an empirical and explanatory field that focuses on why such conduct occurs and what factors are connected to it. Edwin Sutherland identified criminology as encompassing three interconnected processes: the creation of criminal laws, their violation, and society's response to such violations. This formulation concisely outlines the discipline's three core concerns: the sociology of law, the etiology (causation) of crime, and penology, the study of punishment and correction.

b. Scope of Criminology

Crime in the Making: Pathways and Turning Points Through Life by John H. Laub and Robert J. Sampson (1993)

Sampson and Laub demonstrated that informal social ties formed in adulthood—particularly stable marriage and employment—can divert even persistent adolescent criminals from continuing crime by using longitudinal life-course data and introducing age-graded informal social control as an integrative framework that combines structural, relational, and developmental variables. This is one of the most empirically rigorous and internationally influential modern works, even if its data is based on a certain American cohort and its applicability to Indian social and family structures has not been independently examined at a similar scale.

Ahmad Siddique, Criminology: Problems and Perspectives (6th ed., Ashutosh Trivedi rev., 2010)

One of the most notable Indian criminology works, Siddique's book contextualizes Western theoretical schools within the specific setting of Indian crime patterns, colonial criminal legislation, and post-Independence penal reform, providing thorough analysis of the Probation of Offenders Act and juvenile justice legislation. Its main contribution is the contextualization of imported theory within Indian socio-legal circumstances; its limitation, typical of most Indian criminology textbooks of its generation, is a comparative lack of independent Indian empirical data (as opposed to doctrinal and case-law analysis) to test the applicability of Western theories to Indian offending patterns.

This body of literature, taken as a whole, demonstrates a discipline that has gradually widened its unit of analysis, from the free-willed individual (Beccaria) to the biologically determined individual (Lombroso), social structure (Durkheim, Merton, Shaw, and McKay), the reactive institutions of criminal justice itself (Becker), and finally to an integrated developmental account combining all of the above (Sampson and Laub). Meanwhile, Siddique's Indian scholarship has attempted, with only partial success, to test and adapt this largely Western canon to Indian conditions. This assessment directly supports the subsequent discussion of critical analysis, statutory mapping, and case law**.**

A Critical Analyse of The Subject

a. Definition and Meaning of Criminology

Paul Topinard, a French anthropologist, is commonly recognized as the source of the term "criminology." Raffaele Garofalo, an Italian lawyer, gave it scientific currency when he used the word "criminologia" in 1885 to describe the biological and anthropological study of criminals. In general, criminology is the scientific investigation of the causes, scope, nature, and management of crime, as well as the study of criminal behavior and the societal response to it. It should be distinguished from criminal law: criminology is an empirical and explanatory discipline concerned with why such behavior occurs and what factors correlate with it, while criminal law is a normative discipline that prescribes what behavior should be punished and how. The making of criminal laws, the breaking of those laws, and society's reaction to the breaking of those laws are the three interconnected processes that make up criminology, according to Edwin Sutherland, who also neatly summed up the three main concerns of the field: the sociology of law, the aetiology (causation) of crime, and penology, the study of punishment and correction**.**

b. Major Schools of Criminological Thought

1. The School of Classical Music

Mainly connected with Cesare Beccaria's 1764 work "On Crimes and Punishments" and later refined by Jeremy Bentham's utilitarian philosophy, the classical school viewed the offender as a logical, calculating person who willingly chooses to commit crime after evaluating its potential pleasure against its likely pain. Beccaria contended that punishment should be certain, quick, and commensurate with the harm caused, rather than harsh or arbitrary, and that its goal was to deter future crime rather than to avenge the past. Two long-lasting reforms were introduced by this school: the principle of legality (no crime or punishment without a prior statute) and the principle of proportionality between offense and punishment. Its assumption of consistent human rationality is the traditional school's fundamental flaw from a critical perspective; it fails to adequately account for crimes committed out of compulsion, mental illness, poverty, or intoxication, nor does it account for the vastly disparate social and economic starting points from which people exercise their supposedly "free" choices. It nevertheless continues to be crucial to modern criminal law's emphasis on codified, prospective, and fair punishment.

2. The Neo-Classical School

Nineteenth-century reformers, acknowledging the inflexibility of pure classicism, proposed the neo-classical modification, which maintained the assumption of rational choice but admitted that some classes of criminals—children, the insane, and those acting under duress—could not be held completely accountable and that judges needed limited discretion to customize sentences within a legally set range. This is the immediate forerunner of modern concepts of decreased responsibility, the age of criminal responsibility, and statutory defenses of necessity and duress, all of which temper strict classical liability without changing its framework.

3. The Positivist School

The positivist school, which included the jurist Enrico Ferri, Raffaele Garofalo, and the Italian physician Cesare Lombroso, repudiated free will as the cause of crime and instead looked for its origins in the biological, psychological, and social traits of the offender. Lombroso's most contentious and initial theory, stated in his 1876 book 'L'Uomo Delinquente,' held that atavistic physical markers could be used to spot a 'born criminal' a notion that he

significantly modified in subsequent editions after receiving empirical criticism, adopting a more multi-causal, environmentally aware stance. Ferri highlighted the interplay between physical, individual, and social variables as drivers of crime, advocating for a system of punishment that considers the offender's level of danger rather than solely the severity of the act. Garofalo, on the other hand, presented the concept of "natural crime" as behavior that affronts the core ethical principles of honesty and compassion inherent in all civilized cultures. Positivism's enduring legacy is methodological: it insisted on empirical testing for claims regarding the causes of crime, rather than a priori assertion, and it brought criminology's focus to the criminal as an object of investigation. scientific investigation, laying the foundation for present-day research on genetics, neurodevelopment, and impulse control, as well as for modern psychological and biosocial criminology. However, its main weakness is that early positivist claims were frequently utilized to support discriminatory and eugenicist policy, most notably in colonial legislation that branded whole communities as intrinsically "criminal by birth"—a legacy addressed in relation to the Criminal Tribes Act of 1871 (now repealed) in Part III below.

4. The Sociological School

The sociological school, which was popular throughout the twentieth century, ascribed the causes of crime to the social environment and structure rather than to the individual. Strain theory, which explains crime as a result of a discrepancy between culturally accepted goals (like material success) and the legal ways different social classes may achieve them, was created by Robert Merton from Émile Durkheim's idea of "anomie," or normlessness that occurs from rapid social change. Social disorganization theory was created by the Chicago School, in particular by Clifford Shaw and Henry McKay's research. They showed through spatial mapping of Chicago that crime rates remained consistently high in certain urban zones regardless of the ethnic group that lived there, thus attributing the origin of crime to neighborhood structure rather than to the characteristics of any specific population. Edwin Sutherland's differential association theory suggested that criminal behaviour is learned through interaction with intimate social groups that spread definitions that are either beneficial or detrimental to violating the law, much like any other behaviour. Howard Becker's labelling theory, on the other hand, shifted focus to the criminal justice system itself, arguing that deviance is partly created by society's act of labelling some individuals as criminals, which can, through stigmatisation, itself solidify a "deviant career." Although critics point out that it can underestimate individual moral agency and finds it difficult to explain why the majority of people in the same disadvantaged environment do not commit crimes, the sociological school as a whole corrected positivism's overemphasis on the individual and serves as the theoretical basis of contemporary rehabilitation, community policing, and situational crime prevention strategies.

5. Criminology in Feminism, Radicalism, and Criticism

Critical or radical criminology, which was founded on Marxist political economy, asserted from the 1960s forward that criminal law itself mirrors and defends the interests of powerful economic classes and that the criminal justice system disproportionately criminalizes the poor while underenforcing against white-collar and corporate wrongdoing that might inflict much larger aggregate harm. Feminist criminology, which began in the 1970s, criticized the nearly complete exclusion of women from prior criminological theorizing—both as offenders, whose relatively low offending rates were left unexplained by male-centered theories, and as victims, particularly of domestic violence and sexual offenses, whose experience the traditional criminal justice apparatus was shown to systematically under-record and under-punish. While they have been criticized for occasionally substituting one totalizing structural explanation (class or patriarchy) for another at the expense of individual-level nuance, both institutions have been crucial in exposing structural bias in criminal justice administration and in broadening the scope of criminology to include State crime, corporate crime, and gender-based violence.

6. Modern Integrated Solutions

Instead of pursuing a single master theory, modern criminology is increasingly turning to integrated, life-course, and developmental models—like Robert Sampson and John Laub's age-graded theory of informal social control—that integrate biological predisposition, family and peer influence, structural strain, and situational opportunity to explain why offending patterns rise in adolescence, why they persist for some people and desist for others, and how life events like marriage or steady employment might break a criminal path. This integrative move indicates a mature field that views earlier schools as partial explanations rather than mutually exclusive dogmas, each of which sheds light on a different facet of a truly multi-causal occurrence.

Applicable Statutes and Regulation

The conflicting theoretical premises addressed above are frequently, though not always, implicitly incorporated into Indian constitutional and criminal law. A criminological examination of Indian legislation would be especially interested in the clauses below. The Bharatiya Nyaya Sanhita of 2023 (which supersedes the Indian Penal Code of 1860) maintains the traditional structure of defining offences and prescribing appropriate punishments, whereas its general exceptions (Chapter III, which corresponds to Sections 76–106 of the old Penal Code), such as infancy, insanity, intoxication, and duress, demonstrate the neoclassical qualification of the pure free-will theory.

The Bharatiya Nagarik Suraksha Sanhita, 2023 (substituting the Code of Criminal Procedure, 1973), particularly its provisions on bail, plea bargaining, and victim compensation (corresponding to former Sections 357-A and 357-C, CrPC), signals a move toward restorative and victim-focused criminal procedure in line with contemporary victimological research.

By authorizing courts to release certain first-time or young offenders on probation rather than imprisonment, the Probation of Offenders Act, 1958 gives legal shape to rehabilitative and reformative criminology. This directly implements the sociological finding that short custodial sentences may raise, rather than decrease, recidivism through stigmatization and association with hardened offenders.

The Juvenile Justice (Care and Protection of Children) Act, 2015 embraces developmental and life-course criminology by classifying juvenile offenders as a unique group that needs counseling, instruction, and reintegration rather than punitive imprisonment. This is subject to the controversial "transfer" clause (Section 15), which allows for the trial of a heinous offense committed by a child between the ages of sixteen and eighteen as an adult, reintroducing a classical, culpability-based logic into an otherwise reformative statute. The Criminal Tribes Act of 1871, which was abolished in 1952 and replaced by Habitual Offender Acts passed by several states, is of direct historical relevance as an illustration of the misapplication of positivist theory to label entire hereditary groups as "born criminals," a colonial policy now largely seen as a case study in the discriminatory misuse of biological determinism.

Articles 20, 21, and 22 of the Indian Constitution establish due process and proportionality protections that are rooted in traditional criminology (safeguarding against ex post facto laws and double jeopardy under Article 20, and protecting life and personal liberty under Article 21), while judicial interpretation of Article 21 to include the right to a quick trial and decent prison circumstances reflects the reformative and rehabilitative shift addressed in Part IV below.

Analysis of Pertinent Case Laws

While rarely employing criminological terminology directly, Indian courts have often battled with the conflict between deterrent, retributive, and reformative theories of punishment, especially in the areas of prison administration and capital punishment.

a. Jagmohan Singh V State of Uttar Pradesh (1973)

The Supreme Court upheld the constitutionality of the death penalty and the uncontrolled judicial sentencing discretion under the Criminal Procedure Code at the time, arguing that sentencing requires an individualized assessment of the circumstances of the offense and the offender, and that such discretion could not be considered arbitrary. The ruling takes a broadly classical-retributive stance when viewed from a criminological perspective, with the severity of the offense serving as the main sentencing factor and some room left over for alleviating personal circumstances—an early, unstructured step toward individualized, offender-centered sentencing.

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