
The Future of Criminology: Exploring the New Avenues

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ABSTRACT

The Criminal Law in India is at the crossroad. The nature of crime and its mode operandi is changing everyday and warranting new reforms in the regime. Criminology remains a science which needs to be studied thoroughly by understanding the individual and societal behaviors. The new ways of affecting crimes is on the rise and direly urging for the changes to be made in the course of law so that the fruits of Justice can be realized. This paper is an attempt to take a sneak peak into the future of criminology and will also thrive to explore and analyze the area of difficulty in Crime & implementing the law in its proper spirit. The present paper shall further proceed to understand various perils involved in dealing with delinquent behavior of various kinds of offenders and also the possible remedies which may be subscribed to the problem. In its final phase, the paper shall focus towards suggesting various reforms in the regime of criminology.

INTRODUCTION

“He who does not present a crime when he can; encourages it”

-Seneca, Roman Philosopher

Crimes, since time immortal have always been the concern of the law makers and the law executors. It always have a harmful impact on society may it be social, personal, emotional or mental crimes includes external consequences of a person’s intentional act, which is prohibited act by the law of the land, and which follows punishment. The problem of crime control essentially involves the need for a thorough study of the factors influencing the personality of the offender. This has eventually led to development of modern criminology during the preceding two centuries. The purpose of study of this branch of knowledge is to analyze different aspects of crime and device effective measures for the treatment of criminals to bring about their resocialisation and rehabilitation in the community. According old Utilitarian school the crime was “an act which it is deemed necessary to forbid, because of the harm which it produces or tends to produce”¹.

The principles of criminology serve as effective guidelines for formulation of penal policy. The definition of crime, victim of crime, criminal as an individual, state as a criminal, all underwent revolutionary changes in interpretation after the Geneva Convention which was held after World War II. Prof. Gillin has aptly observed that it is not the humanity within the criminal but the criminality within the human being which needs to be curbed through effective administration of criminal justice.²

In an attempt to find a rational explanation of crime, a large number of theories have been propounded. Recently, there is greater emphasis on the study of emotional aspect of human nature. It may be so, as in modern society, emotionally disturbed person is more prone towards crime like rape, sexual harassment, suicide etc.

SOME CRIME STATISTICS AT A GLANCE

Today, the complexity of crime is increased. Every new technology that is introduced in society led to some extend criminal behavior. The most advanced countries have highest rate of crime. For e.g. According to statistics, there was a rape every 20 minutes, an aggravated assault every 3rd minute and

¹Please See. Bentham, “Yraite de legislation Penale” Cl. (ii) Fillangeri”, Scoenza della Legislezione”, Book I.C.XXXVLL.

²Please See. Nirmala Glory K, ‘Criminology: Teaching Material’ also available at < <https://chilot.files.wordpress.com/2011/06/criminology.pdf> > last visited on 04-04-2015 at 3.00 p.m.

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a burglary every 28 seconds in U.S.A². Similarly National Crime Records Bureau (NCRB), the total cognizable crimes committed in New Delhi under the Indian Penal Code have risen from 581 in 2001 to 751 in 2011 a 29.25% increase in 10 years.³ In India, the position of the changing concept of crimes has been well stated by the Santhanam Committee⁴ which also led to the setting up of the Central Vigilance Commission in 1964.

The rate of crime is multiplying particularly in cities and metropolitan cities. Along with the traditional type of crime, crime against family is at increase like killing your own children, or children killing their elders etc.

Systematic organization of knowledge pertaining to crime control is a prerequisite not only for understanding and explanation of present and future control policies for their efficient direction and administration as well.⁵

CRIME CONTROL & VARIOUS THEORIES OF CRIME CAUSATION

Every method for control of crime is based on implicitly or explicitly, on a theory of crime causation⁶. Accordingly policies relating to crime control differ from society to society as per their adoption of the theory of crime causation.

There are basically three types of theories relating to causation of crime:-

- **Punitive approach:** It is the traditional approach. It regards the criminals, as a basically dangerous sort of persons and the object under this approach is to inflict punishment on the offender in order to protect the society from his on sloughs.
- **Therapeutic approach:** This approach considers the criminal as a victim of circumstances and a product of various factors within the criminal society. It regards the criminal as a sick persons requiring treatment.
- **Preventive approach:** It, instead of focusing attention on a particular offender, seeks to eliminate those conditions which are responsible for crime causation⁷

THE FLUCTUATING PATTERNS & QUANTUM OF PUNISHMENT

“The Punishment of criminals should be of use, when a man is hanged he is good for nothing”

-Voltaire, French Philosopher

Punishment is a means of social control. The idea of involving pain or suffering in awarding the punishment has been modified in view of the modern reformatory methods. For e.g. Probation, parole or pardon are treated as substitute for the punishment. The basic idea is not to inflict pain or suffering but to teach the convict the methods and techniques including technical training, to make the prisoner a law abiding citizen.

Modern society considers various objectives in order to control crime and it considers imprisonment a means to attain the twin aims, i.e. reform and treatment of the criminals so that they will commit no crime after their release. Society also seeks protection from criminals and for this purpose prison

³ Please See. Young T.R., ‘Crime & Social Justice: Theory & Policy for 21st Century’, Red Feather Institute, also available at < <http://www.critcrim.org/redfeather/crime/010street.html>> last accessed on 03/04/2015 at 1.45 p.m.

⁴ The Santhanam Committee Report (1964) suggested institutional mechanisms and process-related steps to fight corruption.

⁵ *Id.*, The Committee Report goes on further to state: “The advance of technology and scientific development is, contributing to the emergence of ‘mass society’ with a large rank and file and small controlling elite, encouraging the growth of monopolies, the rise of a managerial class and intricate institutional mechanisms. Strict adherence to a high standards of ethical behavior is necessary for the event and honest functioning of new social, political and economic processes. The inability of all sections of society you appreciate the need, results in the emergence and growth of White Collar Crimes, and renders enforcement of laws, themselves not efficiently deterrent, more difficult”.

⁶ See. Sutherland, ‘Principles of Criminology’, 6th Ed.p.253

⁷ See. Siddique Ahmed, ‘Criminology & Penology’, Ed.13th, Eastern Book Co, 1976

isolates criminals, from the community for a certain time. All these objectives – reformation, retribution and deterrence, within the prison results in cross conflict.⁸

The truth is that few states have facilities to implement a rehabilitation programme at the level at which their policy insists on treatment under terms of confinement.

Even Jeremy Bentham, whose views modern criminologists have often ignored, says, “It is a great merit in a punishment to contribute to the reformation of the offender, not only through fear of being punished again, but by a change in his character and habits”⁹.

CONCLUSION: ROADMAP TOWARDS SOCIAL & LEGAL REFORMS

It is argued that all the science in the World cannot really rehabilitate a person whose attitude is anti-social. The only way to change a man is from the inside out. To put the issue into practice, he requires tremendous numbers of experts, time and the government capability to incur these expenses.

Reformatory and rehabilitation methods are adequate and appropriate in modern civilized world of democratic principles. Though these methods are use for such a long periods to time, the rate of crime is ever increasing. The main aim of criminology is not only to reform criminals, but also to prevent crime. So, the main aim of criminology in future would be to implement reformatory and rehabilitation methods. They have to plan the implementation programme, create experts who could handle these methods and implement it properly. They have to organize campaign to spread value, morals amongst the society members. Particularly at schools and college levels the councilors that a appointed, should do their jobs judiciously, as they are handling future of society. In short, good things should be highlighted more in order to eliminate bad things in society.

⁸ See. Sirohi . J. P., ‘ *Criminology and Criminal Administration* ’ , 5th edn.2003 p.120

⁹ *Ibid.* Also See. Bentham Jeremy, ‘ *The theory of Legislation* ’ , pp.338-339