

Criminal theories essay sample



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In 2008, there were a total number of 1, 093, 428 crimes committed in Texas alone. Throughout the years people have wondered why certain individuals commit these crimes. There are also many theories about criminal law and whether or not people with a mental incapability should be imprisoned or put into an institution where they can be treated and possibly return to civilization. Many theories and categories exist about why crimes are caused. Some of those theories include; Biological Theories, Conflict Theories, Sociological Theories, and Psychological Theories.

The Biological theory was introduced by Cesare Lombroso (1836-1909), who was an Italian physician pioneer in the study of biological crime. He stated in his work that one third of the subjects he tested were homo delinquents (someone who suffers from bodily and mental abnormalities who possess other physical and psychical characteristics than a normal person, or even someone who is mentally unbalanced).

Later, in the mid 1900s William Sheldon developed the method for classifying people based on their body type, otherwise known as somatotyping. After studying two-hundred juvenile delinquents between the ages of fifteen and twenty-one he decided the young men possessed one of three somatypes (body types). The three body types are Mesomorphs, which is someone with relatively more muscle, bone, and connective tissue, Endomorphs, or someone who is more round and soft throughout various regions of their body, short tapering and small limbs; small bones; and soft smooth velvety skin, and Ectomorphs which is someone that is thin, fragile, and delicate.

Another important theorist was Hans Eysenck, who believed that criminal behavior was inherited and also caused by interaction with environmental circumstances. To support his theory in the late 1970s he did a study indicating that men with an extra male chromosome (the y chromosome), called the xyy syndrome, were more likely to commit a crime.

Conflict perspective is the belief that conflict is a fundamental aspect of social life and can never be fully resolved. Radical criminology placed blame for criminally and deviant behavior. Radical criminology has its roots in early conflict theories and in the thoughts of Dutch criminologist Willem Bonger. Conflict theories originally stemmed from Karl Marx (1818-1883) who was a German philosopher, a political economist, and some think he was also a revolutionary. Although he did not write extensively about crime he was credited with coming up with the basis for social conflict theory. Those that have studied his writings and his work and that side with him are often called Marxist criminologists or sometimes are simply referred to as radical criminologists or critical criminologists.

Sociological Theories was largely an American contribution to the study of crime in the 1920s and the 1930s. The Chicago School of Sociology explained criminality as the product from societies' impact on an individual. Anomie, French for normallessness, entered literature by Emile Durkheim in the late nineteenth century. Robert Merton applied Anomie to criminology in 1938. He used the term to describe disjunction between socially acceptable goals and means in American society.

Merton believed that while the same goals and means are held out by society as desirable for everyone, they are not equally available to all.

Retreatists are those who reject success goals but still perform their daily tasks. Retreatists usually drop out of society by becoming derelicts, drug users, or hermits. Albert Cohen coined the term Reaction Formation to encompass the rejection of middle class values by status seeking class youths. In Cohen's eyes, reaction formation leads to the development of gangs in subcultures.

Most Psychological theories of crime make certain fundamental assumptions. Some of these assumptions include the beliefs that the individual is the primary unit of analysis, and that personality is a major motivational element within individuals. Crimes result from inappropriately conditioned behavior, and defective abnormal mental processes may have a variety of causes. One cause is the individual may have a diseased mind and inappropriate learning occurring in an early childhood.

Psychosis is a form of mental illness in which sufferers are said to be out of touch with reality. Persons with psychosis may also suffer hallucinations, delusions, and/or other breaks from reality. For example, a person may believe they are seeing things that are not there, or a person could believe they are the reborn Jesus Christ (an example would be The Branch Davidian Seventh Day Adventists in Waco Texas in 1993.) Psychotic people can also be classified as schizophrenic.

Criminal Law is the body of rules and regulations that define and specify the nature and punishments for offenses of a public nature or for wrongs

committed against the state or society. Criminal Law is also called Penal law. Those that are found guilty of violating a law are punished. Violations can vary in severity. Depending on the severity, the offense can fall under a Felony, Misdemeanor, Offenses, Treason and Espionage, or Inchoate offenses. A Felony is an offense punishable by death or incarceration for at least one year.

A Misdemeanor is punishable by incarceration, usually in a local facility for a period whose upper limit is prescribed by statute in a given jurisdiction usually one year or less. Without laws people wouldn't know what to expect from one another and they wouldn't be able to plan for the future with any certainty. Laws ensure that the philosophical, moral, and economic perspectives of their creators are protected and made credible. A few things laws do are: maintain order, enforce moral beliefs, sustain rights of individuals, and mandate punishment and retribution. The rule of law is the maxim that an orderly society must be governed by established principles and known codes that are applied uniformly and fairly to all its members.

It is important in any society to ensure that the laws and rules are clear. Each person should have a general understanding of what is and is not acceptable. Criminal Law helps set a standard that each must abide, or be punished. Unfortunately there are some who are unable to understand, and are mentally unable to process the moral values of society, as well as the laws. It is important to understand the criminal, and the way each of their minds work, in order to justly punish them.