

2. Criminology and Forensic Science (Optional)

REVISED SYLLABUS

w.e.f 2020-21 and Onwards

CRIMINOLOGY AND FORENSIC SCIENCE (OPTIONAL)

SEMESTER-III

PAPER 3A: INTRODUCTION TO PENOLOGY

Max.Marks: 80+20=100

Teaching 5 Hrs/Week

Objective of the Course:

This course introduces the concept of punishment, its various meanings, and types. It also narrates the classical views and objectives of punishment. An attempt is also made to bring in the religious roots of punishment, public policy towards wrong doing and legal nature of punishment.

Contents of the Course:

UNIT I:

(i) Definition and meaning of Penology, as a branch of criminology, as a normative science; its relation to Ethics, Religion (Hinduism, Islam, Christianity), Public Policy (social and legal); scope and importance of Penology.

(ii) **Meaning of punishment:** (i) Crime as action and punishment as reaction (tit for tat, eye for an eye, lextalionis of the past);

(ii) **Psychological meaning** of punishment (as pain physical and psychological);

(iii) **Sociological meaning** (as a means of maintaining social solidarity and deter wrong doing (Khap Panchayats, Caste Panchayats, Church punishments, parental discipline, punishments in school, ex-communication, banishment, fines, feasts, ordeals, branding, stoning, public spectacles, public executions, honor killings); Punishment as a means of organized control of individual behavior: concepts of right and wrong, good and bad: bad and wrong to be banned and violator to be punished; good and right to be recognized and rewarded punishment in society (in education, religion, family and clan).

(iv) **Punishment in law:** monopoly of the State: Tort versus Crime; Nature of legal punishment: (i) nullumcrimen sine lege; (ii) crime specific: punishment to fit the crime (hedonistic calculus), neither too harsh nor too lenient; (iii) on strict proof guilt through

judicial process/ due process laws and human rights of the accused (Article 22, 23, 24 of Indian Constitution; (iv) equality before law, same punishment to all similar criminals (Rule of Law); (v) To be imposed by a specified authority; (vi) Cruel and harsh punishments not allowed (stocks and pillory, branding, mutilation, flogging and flailing, (vii) Death penalty in rarest of the rare cases.

UNIT II:

Objectives of punishment: changing types and styles: as indication of evolution of human society from savage to more and more civilized forms: Stage I: punishment for avenging the wrong: retribution: moral right; idea of justice; private right of the victims and their clan to punish, “eye for an eye”, lex talionis, Code of Hammurabi, Islamic punishments;

UNIT III:

(a) **Deterrence:** General and specific: general deterrence as a lesson for others, as a preventive measure, exemplary punishments: public spectacles of executions, stoning, mutilation (chop off hands, legs, nose, ears, gouge out eyes), branding, stocks and pillory, whipping and flogging, flailing and skinning, tonsure and parade, rigorous labor, carrying cross, cannibalism, impaling, killing by inches, burning on the stakes, large number of offences carried death penalty, brutality of punishments in the past in England, Europe, Japan and India.

(b) **Specific Deterrence:** Punished persons do not commit crimes, recidivism to be zero or least; studies on specific deterrence do not support the assumption; Emerging new deterrence views on the horizon;

(c) **Incapacitation:** By long term imprisonment (presently in USA); by chopping off concerned limbs in Islamic countries, castration, to prevent offenders from repeating crimes sex crimes in Germany and USA; Indeterminate Sentencing: disparity in sentencing: controlling discretion through guidelines.

UNIT IV:

Reparation: a more civilized recent approach, part of restorative justice, balancing feelings of hurt through reparation by the offender; blood money, compensation, restitution, marry the victim’s wife/child or raped women, work in the victim’s house (now the Restorative Justice approach).

UNIT V:

Reformation: New Bible, Gandhi, love your enemy, hate won by love, one life lost other need not, reform the criminal, hate the crime not the criminal, birth of Corrections: medical model, its brief history, proliferation; Prisons as correctional institutions; Death of corrections following Martinson Report; emergence of Neo-deterrence: Future of Prisons as holding places; Death Penalty Debate.

Book for References

1. James Vadakumchary : Criminology and Penology
2. Paranjape : Criminology and Penology
3. Shirohi J.P.S : Criminology and Criminal Administration
4. Dr.Ahoka : *Aparadhashastramathunyayavignyana*
5. Rajesh M.R : *Aparadhashastramathusudharanaadalitha*
6. Sutherland and Creasy: The Principles of Criminology
7. Reckless W.C : The Crime Problem
8. Sethna M.J : The Society and the Crime

PAPER 3B

PRACTICAL: LAB/FIELD BASED

Max.Marks: 40+10=50

4 Hrs/Week

- I. Visit to Central Prison to study Correctional Programmes and case studies of inmates.
- II. Visit to Child Welfare Committee
- III. Visit to Observation Home
- IV. Visit to Juvenile Justice Board
- V. Visit to Probation office