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**Group ‘A’**

1. **Define Criminology? What are the methods of Criminology?**

* Criminology is the scientific study of crime, criminal and criminal behaviors looking at the societal, environmental, psychological and behavioral factors that perpetrate it. It is defined as **“t*he scientific study of the causation, correction, and* *prevention of crime”.*** Criminology includes the study of all aspects of crime and law enforcement, criminal psychology, the social setting of crime, prohibition and prevention, investigation and detection, capture and punishment.
* **BLACK’S LAW DICTIONARY**:- Criminology is the study of the nature of, cause of, and means of dealing  with crime. **Dr. Keatley**explains; “Criminology is the study of crime, criminals, and the legal system – from crime detection and prevention, through to courts and justice system, and prison and rehabilitation services.” One of the most famous definition of Criminology by **Sutherland** is that “It is the body of knowledge regarding crime as a social phenomena. It include within its scope the process of making of laws, breaking of laws and social reaction towards breaking of laws. So far as sub question concerned, there are various methods of criminology among them some prominent are of following types;
* **Historical Method**:- This is descriptive method, which describes a certain phenomena in its historical dimension of time sequence.
* **Comparative Method:**- This method compares two or more than two phenomenons to find the connection or dissimilarities between them. Suppose clear connection between crime and intelligence.
* **Psychological Method**:- This method consists of various behavior observations, attempt of behavior modifications aand attempts to predict future behavior of delinquencies.
* **Statistical Method**- This is only a method which is only accurate in inaccuracies.
* **Case study Method**:- Case study method is one of the best detail analysis ever introduced into science. However, case study are detail and scientific contributions in understanding the juvenile delinquencies. Many valuable results are gained through case study in criminology.
* **Experimental Method:**-A controlled experiment involves taking two closely related situations or groups, subjecting one of them to a specific stimulus, and comparing the subsequent characteristics of both. Besides these, some qualitative and quantitative methods, action research, prediction methods, cross disciplinary and cross cultural approach can also be used in criminology. This depends as per the nature of the crime and criminals as well.

In nutshell, Criminology [encompasses](https://www.merriam-webster.com/dictionary/encompasses) a number of [disciplines](https://www.merriam-webster.com/dictionary/disciplines), drawing on methods and techniques developed in both the natural and the social sciences. As do other disciplines, criminology distinguishes between pure and applied research and between statistical and intuitive ways of thinking. More than most other disciplines, however, criminological research depends upon the willing cooperation of governmental agencies and other public authorities for the provision of essential data.

1. **What is Classical Theory?**

* The Classical Theory in criminology is usually a reference to the eighteenth-century work with the pioneers Italian founder **Cesare Beccaria and British philosopher Jeremy Bentham.**The Classical theory, the first organized theory of crime, links **causation to appropriate punishments.** The main belief of this school is that all men are self-seeking and therefore they tempt to commit the offence.
* **Beccaria**proposed that, punishment of crime should be**proportionate to its seriousness. For** Beccaria, torture was inappropriate and thus allowed weak to incriminate and the strong would be found innocent before the adjudication Similarly, Bentham believed that people have the ability to choose right from wrong, good from evil. Hence, as per this school, **men possess free will**and act as per their **pleasure and pain**(hedonism). The theory of demonism; act of men under the influence of spirit is rejected here. The Doctrine of “**Utilitarianism”**leads to the exploration that the purpose of all actions should be to bring about the greatest happiness for the greatest number of people. Hence, Classical school followed Beccaria’s ideology which **focused on crime, not the criminal, and on principle of deterrence instead of punishment.**
* Moreover, this theory has following three assumptions:

1. Man’s emergence from the State’s religious fanaticism involved the application of his reason as a responsible individual.
2. It is the ‘act’ of an individual and ‘not his intent’ which forms the basis for determining criminality within him. So criminologists are concerned with the ‘act’ of the criminal rather than his ‘intent’.
3. The classical theory accepted punishment as a principal method of infliction of pain, humiliation and disgrace to create ‘fear’ in man to control his behavior.
4. The theory considered prevention of crime more important than the punishment for it.
5. The advocates of classical theory supported the right of the State to punish the offenders in the interest of public security. Relying on the hedonistic principle of pain and pleasure, they pointed out that individualization was to be awarded keeping in view the pleasure derived by the criminal from the crime and the pain caused to the victim from it.
6. The exponents of classical school further believed that the criminal law primarily rests on positive sanctions. They were against the use of arbitrary powers of Judges.

The contribution of classical school to the development of rationalized criminologist thinking was by no means less important, yet **it had some pitfalls as** well.

1. The classical school proceeded on an abstract presumption of free will and relied solely on the act (i.e., the crime) without devoting any attention to the state of mind of the criminal.
2. It erred in prescribing equal punishment for same offence thus making no distinction between first offenders and habitual criminals and varying degrees of gravity of the offence.

To speak in minimum, Classical thinking says that **criminals make a rational choice**, and choose to do criminal acts due to maximum pleasure and minimum pain. The classical school says criminals are rational, they weigh up the costs and therefore we should create deterrents which slightly outweigh what would be gained from the crime.

1. **What are the scope of Criminology?**

* Criminology is a broad field. Having its roots in sociology, it is the study of the causes, consequences, prevention, responses, prevalence, and nature of criminal behavior. It is concerned with both criminal behavior among individuals as well as at the societal level. It can be broadly said that criminology directs its inquiries along three lines: first, it **investigates the nature of criminal law and its administration and conditions under which it develops**; second, it analyzes the causation of crime and the personality of criminals; and third, it studies the control of crime. The scopes of criminology are all just about crime. Its ok to say they are three scopes of this social science study which is concerned about :
* **Crime**: Criminology is so concerned about crime,making it the study of crime. Crime and delinquency are products of the criminal law or norms of the society. People are labelled criminals when they conduct an act or exhibit a behavior*(criminal* behavior) which is against or not in line with the criminal law of the society in which they live in. The behavior that makes a person to be labelled or called a criminal is known as *criminal behavior*.its the criminal law of country that determines if an act or behavior of any of its citizens is criminal or not
* **How and why:** Criminology is also concerned with how or why a crime is committed,making this “how or why” also a scope of criminology. Criminology does not delays with forensic science and forensic pathology, rather criminology is concerned with the causes of crime and the various situations that may cause a person to become a criminal
* **Control of crime:** Lastly, criminology is also concerned about how crime can be controlled. This is the sole job of a country's *‘criminal justice system'*the criminal justice system consist of all the processes and measures taken right from when an individual that committed a crime( I.e opposed the criminal law of a country) is caught or apprehended by the police,taken to court,found guilty and sentenced by the judge either to death or to imprisonment, taken to prison and out of prison if*sentenced* imprisonment….These various process are all done by the criminal justice system/criminal justice process of a country. A country's criminal justice system constitutes(I.e is made up of )the police,the court or the judicial service and the prison service of a country.

As a conclusion, the scope of criminology includes **perspectives on making laws, breaking laws, and societal reactions to laws being broken**. Criminology studies crime and deviance, often within the context of other social issues, such as education, racism, poverty, and gender. As such, study within this social science is broad.. For short the scope of criminology are: the study of crime,how and why crimes are committed and the control of crime

1. **Explain about Differential Association Theory.**

The differential association is a theory proposed by **Sutherland** in 1939. It explains that people learn to become offenders from their environment. Through interactions with others, individuals learn the values, attitudes, methods and motives for criminal behavior. The first explicit statement of the theory of differential association appears in the 1939 edition of Principles of Criminology and in the fourth edition of it, **Sutherland** presented his final theory. His theory has following 9 basic postulates.

1. Criminal behavior is learned. This means that criminal behavior is not inherited, as such; also the person who is not already trained in crime does not invent criminal behavior.
2. Criminal behavior is learned in interaction with other persons in a process of communication. This communication is verbal in many cases but includes gestures.
3. The principal part of the learning of criminal behavior occurs within intimate personal groups. Negatively, this means the impersonal communication, such as movies or newspaper play a relatively unimportant part in committing criminal behavior.
4. When criminal behavior is learned, the learning includes (a) techniques of committing the crime, which are sometimes very simple; (b) the specific direction of motives, drives, rationalizations, and attitudes.
5. The specific direction of the motives and drives is learned from definitions of the legal codes as favorable or unfavorable. This different context of situation usually is found in US where culture conflict in relation to the legal code exists.
6. A person becomes delinquent because of an excess of definitions favorable to violation of law over definitions unfavorable to violation of law. This is the principle of differential association. When people become criminal, they do so not only because of contacts with criminal patterns but also because of isolation from anti criminal patterns. Negatively, this means that association which are neutral so far as crime is concerned have little or no effect on the genesis of criminal behavior.
7. Differential association may vary in frequency, duration, priority, and intensity. Priority seems to be important principally through its selective influence and intensity has to do with such things as the prestige of the source of a criminal or anti criminal pattern and with emotional reactions related to the association. These modalities would be rated in quantitative form and mathematical ratio but development of formula in this sense has not been developed and would be very difficult.
8. The process of learning criminal behavior by association with criminal and anti-criminal 3. patterns involves all of the mechanisms that are involved in any other learning. Negatively, this means that the learning of criminal behavior is not restricted to the process of imitation. A person who is seduced, for instance, learns criminal behavior by association, but this would not be ordinarily described as imitation.
9. While criminal behavior is an expression of general needs and values, it is not explained by those general needs and values since non-criminal behavior is an expression of the same needs and values. Thieves generally steal in order to secure money, but likewise honest laborers work in order to money. The attempts to explain criminal behavior by general drives and values such as the money motive have been, and must completely to be, futile, since they explain lawful behavior as completely as they explain criminal behavior.

**Criticism of the theory:**

Many researchers have attempted to validate Sutherland’s differential association theory. Others have criticized it. Much of the criticism stems from errors in interpretation: Some critics ask why it is that not everyone in heavy and prolonged contact with criminal behavior patterns becomes a criminal. For example, Correctional Officers in Prisons, Police Officers etc. They come in to contact with more criminal associations than non-criminal ones. How do they escape from learning to be law-violators themselves? The answer is, of course, that Sutherland does not tell us that individuals become criminal by associating with criminals or even by association with behavior patterns. He tells us, rather, that a person becomes delinquent because of an “excess of definitions favorable to violation of law.” The key word is “definitions.” The theory does not explain all types of criminal behavior. It has difficulty in explaining crimes of passion or impulsive violence.

**Group B**

1. **Sigmund Freud’s Psychoanalysis: The “id”, “ego”, and “superego”.**

According to **Sigmund Freud,** human personality is complex and has more than a single component. In his famous psychoanalytic theory, Freud states that personality is composed of three elements known as the id, the ego, and the superego. These elements work together to create complex human behaviors. Each component adds its own unique contribution to personality and the three interact in ways that have a powerful influence on an individual.

* **The Id**- According to Freud, the id is the source of all psychic energy, making it the primary component of personality. [The id](https://www.verywellmind.com/what-is-the-id-2795275) is the only component of personality that is present from birth. This aspect of personality is entirely unconscious and includes instinctive and primitive behaviors. The id is driven by the [pleasure principle](https://www.verywellmind.com/what-is-the-pleasure-principle-2795472), which strives for immediate gratification of all desires, wants, and needs. If these needs are not satisfied immediately, the result is a state anxiety or tension. For example, an increase in hunger or thirst should produce an immediate attempt to eat or drink.
* **The Ego**- According to Freud, [The ego](https://www.verywellmind.com/what-is-the-ego-2795167) develops from the id and ensures that the impulses of the id can be expressed in a manner acceptable in the real world. The ego functions in the [conscious](https://www.verywellmind.com/conscience-vs-conscious-whats-the-difference-2794961), preconscious, and [unconscious](https://www.verywellmind.com/what-is-the-unconscious-2796004) mind. The ego is the component of personality that is responsible for dealing with reality. The ego operates based on the [reality principle](https://www.verywellmind.com/what-is-the-reality-principle-2795801), which strives to satisfy the id's desires in realistic and socially appropriate ways. The reality principle weighs the costs and benefits of an action before deciding to act upon or abandon impulses.
* **The Superego**- The last component of personality to develop is [the superego](https://www.verywellmind.com/what-is-the-superego-2795876). According to Freud, the superego begins to emerge at around age five. The superego holds the internalized moral standards and ideals that we acquire from our parents and society (our sense of right and wrong). The superego provides guidelines for making judgments. The superego tries to perfect and civilize our behavior. It works to suppress all unacceptable urges of the id and struggles to make the ego act upon idealistic standards rather that upon realistic principles. The superego is present in the conscious, preconscious, and unconscious.

1. **What are the major activities of organized criminal groups?**

* **Three or more persons who act (or agree to act) together to further the carrying on of criminal activities** is known as organized criminal group. Organized criminal groups generate large amounts of money by activities such as **drug trafficking, arms smuggling, extortion, theft, and financial crime**.
* Organized criminal group performs the unlawful activities of the members of a highly organized, disciplined association engaged in supplying illegal goods and services, including but not limited to gambling, prostitution, loan sharking, narcotics, labor racketeering and other unlawful activities of such associations”.
* The core organized crime activity includes the supply of illegal goods and services. It is also deeply rooted on legitimate business and in labour unions. It employs illegitimate methods- monopolization, terrorism, extortion and tax evasion to drive out or control lawful ownership and leadership, and to extract illegal profits.
* illegal protection and extortion rackets to the trafficking and or smuggling of illicit drugs, humans, firearms and wildlife, cybercrime, oil theft, money laundering, counterfeiting and maritime piracy. Economic Crimes, Drug smuggling, Illegal logging and timber smuggling, Illegal trade in wildlife and Human trafficking, transit route of gold and sandal wood smuggling, gambling , prostitution, bank robberies, blackmailing etc. are the very common phenomenon in Nepal

1. **Who are exponents of Biological Theory?**

* Biological theories within the field of criminology attempt to explain behaviors contrary to societal expectations through examination of individual characteristics. These theories are categorized within a paradigm called *positivism* (also known as *determinism*), which asserts that behaviors, including law-violating behaviors, are determined by factors largely beyond individual control. This theory more often focuses on genetic inheritance, on chromosomal abnormalities, on psychological irregularities or on constitutional (body type) determinants.
* The basic premise of biological criminology is that certain people are born to be criminal through the inheritance of a genetic or physiological predisposition to crime. Environmental conditions are not ignored but viewed as potential triggers of the biological force. As behavior is viewed as reflecting a pre written, often inherited, code, criminality lies beyond individual control. Three leading exponents of this school are;
* **Cesare Lombrosso** (An Italian criminologist of 19 th century- Who believes that certain physical characteristics indicate a criminal nature of any individual)
* **Raffelo Garofalo** (An Italian criminologist and jurist of 19 th century- Who believes that certain physical characteristics and psychological characteristics indicate criminal nature of an individual)
* **Enrico Ferri** (An Italian criminologist, socialist and student of Cesare Lombroso, the founder of the Italian school of criminology researched in social and economic organic factors as a cause of crime and delinquency).

1. **What is Money Laundering?**

* Money laundering is a **process that criminals use in an attempt to hide the illegal source of their income**. By passing money through complex transfers and transactions, or through a series of businesses, the money is “cleaned” of its illegitimate origin and made to appear as legitimate business profits. It is the process of changing large amounts of money obtained from crimes, such as drug trafficking, into origination from a legitimate source. It is a key operation of organized crime and the underground economy.
* Money laundering is an act or attempted act to disguise the source of money or assets derived from the criminal activity. To launder money is to hide its illegal origin. Simply put, money laundering means ‘washing’ dirty money so that it appears clean. Corrupt officials and other criminals use money laundering techniques to hide the true sources of their income. This allows them to avoid detection by law enforcement and to spend their profits freely According to the international body under the United Nation defines money laundering as the method by which criminal disguise the illegal origins of their wealth and protect their asset bases, so as to avoid the suspicion of law enforcement agencies and prevent leaving a trail of incriminating evidence. Money laundering has got various negative social and economic implication that hamper national economy as well as local institutions as well as societal welfare.
* Nepal introduced Money laundering Prevention Act 2008 which highlighted the offense or assets that were considered to be on laundering under section 4 of the money laundering prevention act. This Act Criminalized money laundering by listing out the source of income through different offenses like;

a) Offenses under the prevailing arms and ammunition laws,

b) Offenses under the prevailing foreign exchange regulation laws,

c) Offenses of murder, theft, cheating, forgery documents, counterfeiting, kidnap or abduction under the concerned prevailing laws,

d) Offenses under the prevailing drug addiction control laws,

e) Offenses under the prevailing national park and wild animals’ conservation laws,

f) Offenses under the prevailing human trafficking and taking of hostages control laws,

g) Offenses under the prevailing cooperatives laws,

h) Offenses under the prevailing forest laws, i) Offenses under the prevailing corruption control laws,

j) Offenses under the prevailing bank and financial institution laws,

k) Offenses under the prevailing banking crime and punishment laws,

l) Offenses under the prevailing ancient monuments conversation laws,

m) Other offenses that Government of Nepal prescribes by publishing in the Nepal Gazette.

Speaking shortly, Money Laundering is a serious threat to financial system of all countries and it leads to destruction of the country’s sovereignty and character. The combating of money laundering has assumed an urgent impetus at both national and international levels as a result of the scale that money laundering has begun to assume, especially with respect to the financing of terrorist acts.

THE END!!!