

## INTRODUCTION TO PENOLOGY:

The word "penology" is derived from the word "punishment or penalty". It is an ancient denomination issued since the time of struggle for prisons reform.

Penology is a multi-disciplinary subject that aims for the study and evaluation of the application of penal laws onto the wrongdoers. It broadly explains the justification, characteristics, and effectiveness of punishment in its various forms. In other words, it is a systematic study of different facets of punishment and its impact on crimes, criminals, and society. As a matter of fact, penology owes its origin to Cesare Beccaria, the classical school of criminology. This Italian criminologist argued that justification of punishment must be to deter potential criminals, and not merely to punish the offender. Later, it was during the end of the 19th century that different theories of punishment were propounded focusing on the aims and objectives of the punishment.

The scope of penology is vast and hence it becomes difficult to define the same. Penology is almost seen in every aspect and type of punishment for the crimes and offences. To limit the scope, we have to study basically all the aspects of penology, where all the things are explained in their wider senses.

Modern penologists lay greater emphasis on the rationalism of punishment. The penal policy should be more reformation oriented rather than coercive penal sanctions. As Lewis Gallen (1871-1958) rightly observed:

*"The criminal is the product of his biological inheritance conditioned in his development by the experiences of life to which he has been exposed from early infancy up to the commission of a crime. By studying the offender in every possible way, the modern penology promises to throw light on his conditioning and arrive at a diagnosis of the factors entering into each individual case. From the standpoint of penology, it attempts to adapt the treatment of each offender in accordance with the diagnosis obtained by the scientific study of the criminal."*

Adopting a similar approach to penology, the Supreme Court in *Santa Singh v. State of Punjab*, (1976) 4 SCC 190; also have a glance on *State of Karnataka v. Puttaraja*, (2004) 1 SCC 475 observed that "penology regards crime and criminal as equally material when the sentence has to be awarded. It turns the focus not only on the gravity or nature of the crime but also on the criminal and seeks to personalize the punishment so that the reformist component is also many operatives as the deterrent element. A proper sentence is an amalgam of many factors such as nature of the offence, circumstances, previous record of the offender, his age, education, employment and family background, the possibility of social adjustment and reformation, etc."

As the imprisonment was accompanied by abuses in the treatment of the prisoner, reformers tried to eliminate these abuses and their efforts led to the following results:

1. The possibilities of the prisoner to claim justice in front the court.
2. The disciplinary sanction could not be applied unless after a disciplinary regular trial in which the prisoner's defense is heard.
3. The suppression of any discrimination due to race, religion or social position.
4. The freedom of religious belief and performing its rites.
5. The interdiction of any cruelty or savage treatment.

# Penology And Victimology Notes

**L Darling-Hammond**



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