- Bentham’s utilitarianism. Actions being decriminalised if they don’t cause pain to others eg homosexuality, sex before marriage etc.
  - Hence more equality today. Crimes being made not crimes if don’t hurt others.
- More fairness in due process as advocated by Beccaria. Legal advice, innocent until proven guilty etc.
- Can theorise punishment which other theories such as positivism lack. Has the victim in mind.

Weaknesses
- Very unsophisticated. Views of what is worth offending for are different amongst everyone. Not everyone thinks the same way.
- White and Haines 2004: classical school has three main challenges:
  - 1) How to make it serve the interests of justice and equality when faced with different defendants. Eg not all acting on own free will.
  - 2) Criminal bureaucracies such as police: growing efficiency may not always be compatible with equality eg their gain to decrease crime rates.
  - 3) Power issue. Rationalisation of legal system potentially means some reduction in their power, which may backfire in terms of being a deterrent.
- Not all people think in the same way and can think rationally. Biological factors such as mental disorders. Not the fault of people being born that way for example, if they have schizophrenia.
- Also, if principles of rationality are the only factors that affect crime then why do poor people predominate the CJS? Eg some people may need to commit crimes to survive such as crime, where there is less pressure on richer people. Jeffrey Reiman 1979: “the rich get richer and the poor get prison.”
  - Ignores poverty and social factors that influence crimes.
  - Similar to right-realism in this way.
- Other factors such as labelling of crimes (Becker). Only criminals because society has made them that. What is a crime is determined by powerful people and hence punishments don’t always deter actions.
  - Eg white collar crime. Stealing a loaf of bread which causes little pain to others can be jail yet large scale tax avoidance only civil offence. (against Bentham’s utilitarianism) Hence a big factor is who drafts the laws.
- Little focus on the victims of crime, all about the offender. Eg mitigating factors.