

A Criminological View of Crime and Criminal Act



Siniša Franjić*

Independent Researcher, Europe

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***Corresponding author:** Independent Researcher, Europe

Abstract

Criminology is a social-legal science that research crime and criminal acts as a social phenomenon, and studies and proposes a system of measures for the preventive fight against crime and criminal acts. A criminal act is any socially unacceptable behavior prescribed by criminal law and other laws.

Keywords: Crime; Criminology; Social Problem; Crime Prevention

Introduction

Today, in all jurisdictions, the legal definition of a criminal offense entails the elements of the criminal acts that should be confirmed in a court of law if the defendant is to be found guilty [1]. For the most part, not unusualplace criminal acts have each intellectual and physical elements, each of which should be present if the act is to be taken into consideration a legal crime. In order for a criminal offense to arise, the state should show that the accused committed the guilty act, or actus reus, and had the mens rea, or criminal intent, to commit the act. The actus reus can be an competitive act, along with taking someone's money, burning a building, or capturing someone; or it could be a failure to behave while there may be a legal obligation to do so, along with a parent neglecting to are searching for medical interest for a ill child. The mens rea (guilty mind) refers to an person's state of mind on the time of the act or, more specifically, the man or woman's intent to commit the crime.

Traditionally, criminology's central focus of study has been crime, law-breaking behaviour and the responses to it [2]. Defined on this manner, criminology may be taken into consideration an 'object' discipline, locating its epistemological grounds in so-called 'mother' disciplines, especially social sciences (particularly sociology and psychology) and law. Moreover, the sort of demarcation of criminology's study terrain appears to imply that the law, and especially criminal law, is used because the reference factor (norm) in defining which behaviour is criminal and which isn't. Laws, however, are variable in time - a few acts are legal

at one point in time and unlawful in any other-in addition to in location -what's legal in a single system of law is unlawful in any other. Since what's taken into consideration a 'crime' differs in time and location, many criminologists consider crime to be a social construct.

The social issues or behaviours which can be criminalized (described and treated as a criminal offense in a given time and location) are a depend of cultural practices, social constraints and political (power) relations. Even acts which can be apparently typically condemned, along with theft, rape or murder, are tolerated or maybe inspired in a few conditions, along with at some stage in conflict and different armed conflicts. Property legal guidelines and law enforcement, for instance, are very selective and particularly replicate the interests of these proudly owning property or effective sufficient to capture it. A landless peasant unlawfully trespassing a fence is probably criminalized and despatched to jail, even as a massive entrepreneur withinside the same area unlawfully grabbing land (with the aid of using faking titles, corrupting officers or using 'security' personnel) is probably visible with the aid of using the authorities as an agent of 'development and improvement'. Hence, criminal acts of the equal type may be treated in a completely extraordinary manner.

Actus Reus

To fulfill the necessities of actus reus, responsible moves should be voluntary [1]. Even alevn though an act can also additionally

purpose harm or damage, it isn't taken into consideration a criminal offense if it become finished with the aid of using coincidence or become an involuntary act. For instance, it'd now no longer be a criminal offense if a motorist obeying all of the traffic laws hit a child who ran into the street. If the equal motorist were drinking or speeding, then his motion might be taken into consideration a vehicular crime as it become a made of negligence. Similarly, it'd now no longer be taken into consideration a criminal offense if a babysitter accidentally dropped a child and the child died. However, it'd be taken into consideration manslaughter if the sitter threw the kid down in anger or frustration and the blow caused the kid's death. In a few occasions of actus reus, the usage of phrases is taken into consideration criminal. In the crime of sedition, the phrases of disloyalty represent the actus reus. If someone falsely yells "fire" in a crowded theater and those are injured withinside the rush to exit, that man or woman is held liable for the injuries, due to the fact the usage of the phrase in that scenario constitutes an unlawful act.

Mens Rea

In most situations, for an act to represent a criminal offense, it should be finished with criminal intent, or mens rea [1]. Intent, withinside the legal sense, can suggest carrying out an act intentionally, knowingly, and willingly. However, the definition additionally encompasses conditions wherein recklessness or negligence establishes the required criminal intent.

Age

There is standard settlement that age is inversely associated with illegal activity [1]. Regardless of economic status, marital status, race, sex, and so on, younger people commit crime more often than their older peers. Research indicates that on average, children who're persistent offenders start committing crime of their childhood, hastily growth their offending activities in past due formative years after which start a slowdown in adulthood. Early starters generally tend to commit more crime and are much more likely to continue to be involved in illegal activity over a longer period of time. While it's been long assumed that most kids commit crime in groups, and that peer help encourages offending in adolescence, the most current studies disputes the "co-offending" speculation and shows the great bulk of teens crime is a solo act. Kids who count on an outlaw personality find that their delinquent acts deliver them multiplied social status amongst peers who appreciate their risk-taking behaviors. Young criminals can be searching out an road of conduct that improves their peer group standing. Hence, they commit more crime in adolescence.

Adding to those incentives is the fact that younger people, mainly the indigent and delinquent, generally tend to discount the future. They are impatient, and due to the fact their future is uncertain, they're unwilling or not able to postpone gratification. As they mature, troubled youths are capable of develop a long-

time period life view and face up to the want for immediate gratification. Aging out of crime can be a feature of the natural history of the human existence cycle. Deviance in adolescence is fueled with the aid of using the want for cash and sex and reinforced with the aid of using near relationships with friends who defy traditional morality. At the equal time, teens are getting independent from dad and mom and other adults who put into effect traditional requirements of morality and behavior. They have a brand new feel of energy and strength and are involved with friends who're similarly vigorous and frustrated.

In adulthood, humans strengthen their capacity to postpone gratification and forgo the immediate gains that law violations deliver. They additionally begin trying to take obligation for his or her behavior and to stick to traditional mores. Getting married, elevating a own circle of relatives, and developing long-time period own circle of relatives ties offer the stableness that helps people desist from crime.

Measurement

By manner of illustrating simple concepts in measurement, we now focus more narrowly on extraordinary approaches of measuring crime [3]. Crime is a essential dependent variable in criminal justice and criminology. Explanatory research often are searching for to learn what causes crime, while carried out research regularly recognition on what moves is probably powerful in reducing crime. Descriptive and exploratory research can also additionally without a doubt want to count how much crime there may be in a specific area, a query of obvious concern to criminal justice officers as well as researchers. Crime also can be an independent variable- for instance, in a look at of ways crime influences worry or different attitudes or of whether or not folks who stay in high-crime regions are much more likely than others to choose lengthy jail sentences for drug dealers. Sometimes crime may be each an independent and a dependent variable, as in a study approximately the connection among drug use and other offenses.

Crimes contain four elements which can be regularly less complicated to understand withinside the summary than they're to definitely measure: offender, victim, offense, and incident. The maximum simple of those factors is the offender. Without an offender, there's no crime, so a criminal offense should, at a minimum, contain an offender. The offender is consequently one possible unit of analysis. We may determine to look at burglars, car thieves, bank robbers, child molesters, drug dealers, or humans who've committed many different types of offenses.

Crimes also require a few kind of victim, the second one possible unit of analysis. We may want to look at victims of burglary, car theft, bank robbery, or assault. Notice that this listing of sufferers consists of extraordinary styles of units: families or corporations for burglary, car owners for car theft, banks for

bank robbery, and people for assault. Some of those units are organizations (banks, corporations), a few are individual people, a few are abstractions (families), and a few are ambiguous (people or groups can own automobiles).

Criminology

Criminology is the study of crime, as indicated with the aid of using the formative Latin phrases *crimin* (accusation or guilt) and *-ology* (study of) [4]. As an intellectual domain, criminology comprises contributions from multiple academic disciplines, including psychology, biology, anthropology, law, and, especially, sociology. Although the defining statements of criminology are rooted throughout those numerous areas, modern-day criminology is turning into ever extra intertwined with still additional sciences and expert fields such as geography, social work, and public health.

This plurality of influences, regularly called multidisciplinary, is altogether logical given the complex subject matter and diverse nature of crime. Scholarly interest to crime from diverse views lets in for an in depth variety of studies inquiries to be addressed, making viable a fuller understanding of the criminal mind, the character of crime, and social control processes. Legal scholarship, for instance, ranges from philosophical attention to social justice issues to technocratic elements determinant of case outcome. Alternatively, psychology tactics the subject of crime with a focus on individual-stage maladjustment and behavioral abnormality. Sociological criminology differs nevertheless with the aid of using concentrating at the multiple reasons and nature of crime, in addition to society's response to it.

The individuals who study crime, criminologists, engage research on virtually each imaginable aspect of illegality and society's reactions to it, starting from the improvement of theories of crime causation, the roles and makes use of of social control (e.g., police, courts, and corrections), crime prevention, and victimization. Of course, criminologists have additionally evolved sizeable expertise bases on particular offenses, which can be regularly categorised as (a) crimes against property (e.g., burglary, theft, robbery, and shoplifting); (b) crimes against a person (e.g., homicide, assault, and rape); (c) morality/social order crimes (e.g., gambling, prostitution, substance offenses, vandalism); and now (d) technology crime/cybercrime, which overlaps with and regularly facilitates crime in every of the opposite categories. The collective simple expertise that criminologists have generated thru the scientific procedure has great potential for informing social policy and criminal justice practice thru enhancement of the effectiveness and efficiency of prevention, intervention, enforcement, and rehabilitative techniques and practices withinside the twenty first century.

Criminology is a well-established social science; for hundreds of years its aim has been to study, understand, and prevent crime [5]. As criminologists work to understand the various reasons of

crime, its distribution and control, explanations for the way crimes occur are produced along insight about why a few people commit crime. Many models have emerged to provide an explanation for crime, including learning, biological, and psychological theories of crime. The clarification of crime is theoretically competitive. In a few instances the reasons contain references to rule or law, law making, or role of law enforcement agencies. Other perspectives talk over with culture or the postmodern conditions of existence that bring about crime. Generally, criminological theories share a focus on criminal behavior; study crime described with the aid of using law, and consider victimization of non-human beings peripheral. Harm emerges from crime and is normally regarded as some thing that influences human beings. In this regard a good deal of what natural scientists recognise has had little effect on criminology. The discipline implies human control withinside the legalistic or normative sense is possible, effectual, warranted, and justified. It is understood for being highly theoretical and once in a while critiqued as being peripheral from policy and practice.

Social Control

If human beings are to live together in relative peace and harmony, delinquent conduct should be stored to a minimum [6]. Mechanisms which have been devised to perform this had been together referred to as social control. Social control involves any motion at the a part of others that allows conformity at the a part of the ones in the direction of whom the motion is directed. The first agents of social control we meet are our dad and mom, on whose shoulders control theorists location the primary burden of producing good citizens. It is that they who should train their offspring the accepted rules of proper conduct, that is the rational factor of our consciences. When we've internalized rules of conduct, we feel responsible, anxious, and ashamed while we misbehave, and satisfied and self-righteous while we behave well. Those less than adequately socialized feel no such emotions, and thus grant themselves permission to do more or less as they please-to do what comes naturally.

Control theorists trust that the actual query isn't why a few humans behave badly, however why maximum folks behave well most of the time. They share with evolutionary psychology the assumption that human beings are self-interested and could be searching for benefits to themselves any manner they are able to except influenced to behave well (to be good reciprocal altruists). We behave well if our ties to prosocial others are strong, however we may revert to predatory self-interest if they're now no longer.

After all, human infants express little else aside from subject for self-gratification, and it's miles most effective thru years of socialization that we come to recognize that our self-interest is certain to the self-interest of others. Children who aren't properly socialized hit, kick, bite, steal, whine, scream, and in any other case behave obnoxiously each time the mood strikes them. They ought to be trained now no longer to do those matters, which withinside

the absence of training “come naturally.” As Freud reminded us in his *Civilization and Its Discontents*, civilized society is sold on the fee of the repression of our freedom to do as we damn well please. For the control theorist, because it become for Durkheim, it is society that is “good” and human beings, withinside the absence of prosocial training, who’re “bad.” Crime is natural, and the criminal is simply the unsocialized self-centered child grown strong. Thus in preference to asking how natural social conformists are induced to act badly, control theorists ask how obviously egocentric people may be prompted to act well.

Social Problem

Crime isn’t the only social problem which confronts society [7]. There are many others, a number of which can be as complicated and stressful as illegal activity. Modern criminology can’t ignore alcoholism, drugs, AIDS, mental inadequacies and retardation, neglect in education, abuse of girls and children, chronic unemployment, acute poverty, ghettos of cities, indeed the hard-core of the sizeable under-class in quasi-permanent alienation and potential rage-all of which hold to crowd the agenda. Nor can criminology ignore the effect of worldwide conflicts and tensions. Yet it should be borne in thoughts that development in social welfare won’t always result in a reduction in crime. They can’t be recognized as a few kind of super-prophylaxis in opposition to delinquency. The fact is that crime takes different forms in different societies. In one it could be the fruit of poverty and absence of opportunities, in any other of satiation, boredom or cupidity. But it could in no way be assured that the amelioration of material conditions, or maybe the enlargement of upward social mobility, will necessarily reduce it. To placed it in a sentence and on the risk of indulging in an undesirable oversimplification, criminology and criminal policy, though they often impinge upon social policy and social reform, must be kept distinct from them.

Criminologists ought to keep away from crusading zeal, dogmatic beliefs and narrow expertise. They can’t resolve the trouble of crime and ought to take delivery of that crime is to a massive quantity inevitable; that it’s miles an integral a part of our society. It eludes the coercive or reformatory hand, at one time recoiling, however most effective for a sparkling surge forward, at any other assuming subtle changes of shape and proportion; once in a while due to the fact society itself postulates new offences, or breeds new opportunities for violating its legal guidelines, or without a doubt due to the fact the artwork of crime is ever evolving new modi operandi. But it nevertheless abides, a steady symptom in all societies, something their racial, national, social, ethical and monetary situations can also additionally occur to be. Criminologists can’t lessen illegal activity or have an effect on its form and trends. What they are able to do is to assist us better to understand it, to keep away from making errors in coping with it, and to instil a bit extra humanity and truth in our attitudes closer to the phenomenon of crime and its control.

Crime Prevention

Crime prevention guidelines may be derived from any clarification of criminal activity [8]. Logic indicates that the extra whole the theory, the extra powerful the crime prevention knowledgeable via way of means of the theory will be. Since biosocial criminology meaningfully integrates views and theories from the biological and social sciences, the technique gives a lot desire withinside the area of crime prevention. At the very least, biosocial crime prevention have to be a long way extra powerful than the ones techniques presently applied inside companies of criminal justice, which include mass incarceration and capital punishment, which are primarily based totally in large part on ideological ideals and common sense.

Crime prevention consists of any approach to get rid of the reasons of crime in order that crime does now no longer arise and does now no longer want to be handled via way of means of criminal justice agencies. It is usually concept to be the best manner to lessen crime. Efforts to prevent crime earlier than they arise may be divided into primary crime prevention, secondary crime prevention, and tertiary crime prevention. Primary crime prevention is the broadest shape of crime prevention and is geared toward stopping crime at all locations at all times; it usually includes large-scale efforts to prevent crime in society via way of means of reducing people’s exposure to those criminogenic elements that sell criminal activity (e.g., stress, poverty, deviant peers, brain damage). Secondary crime prevention is centered on individuals, groups, and groups which have both already been uncovered to such criminogenic elements or who’re probable to be. Tertiary crime prevention is reactive and better describes efforts to prevent future crimes amongst the ones who’ve already committed them.

Every criminological theory states an explanation as to why crime occurs. Generally, theories posit propositions that relate criminal activity to a few concept (s). Propositions are merely sentences that state relationships among diverse real-global matters (which include greed and crime). Concepts are the ones real-world matters which are associated withinside the proposition (e.g., greed, crime). An instance of a easy proposition is “greed causes crime.” Criminologists develop theories after which check them to see in the event that they enjoy empirical validity. That is, does real-world evidence support the propositions? When evidence helps the theory, the theory is thought to be legitimate or true. When evidence constantly indicates that a theory is false, we will say that the theory has been falsified, or that it is disproven.

A theory that may provide an explanation for a lot of crime can logically be used to prevent a lot of crime, as well. Crime prevention implications may be derived from theories withinside the form of guidelines, applications, and tasks. Policies are a “set of rules or guidelines for how to make a decision”. Programs are a “set of services aimed at achieving specific goals and objectives within

specified individuals, groups, organizations or communities". An example is an afterschool program for children to reduce the likelihood of delinquent behavior via way of means of kids when they otherwise might be unsupervised. Projects are basically time limited programs. Policies are extra standard than programs and projects and frequently encourage the improvement of specific applications and projects aimed at reducing some problem.

Conclusion

The object of study of criminology are economic, political, ideological, cultural and other social measures related to crime. The basic task of criminology is to answer the question why there are crimes and criminal acts, what enables them and what creates the conditions for their occurrence. In other words, the task of criminology is to study the connection between crime and the social community.

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