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A Conceptual Introduction of Crime: Systematic Observations

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The concept of crime in terms of researchers has different foundations and various forms. In other words, the views of legal scientist are not always same, it may even be considered as good practice. Crime is subject to social construction under severe criminal (procedural and substantive) national and international law to apply it. Title and subject matter of this article is incarcerated to the concept of crime to observe its efficacy and effectiveness perfectly.

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I. Introduction

The test of the efficiency of any society and any form of government is its capacity to deal with crime. Its power itself to survive and to contribute to the preservation for the humanity of the social principle for, notwithstanding Aristotle and those who have been repeating him for thousands of years, man is not a social animal but merely but a gregarious one and the perfect social man is still in the making.

The fundamental fact to resolve this concerning issue that crime is the point of conflict between individual and society. Here, the rights were superior to those of the individual. The struggle for the law is a struggle between the will of crime doer and the will of the state. A conclusive analysis finds itself epitomized in the effort to enforce the Law. Generally, the criminal law should seek to punish only conduct which causes harm to others. I have seen a lot of law students who does not even have a clear concept about crime. So the core purpose of this article is to clarify it. In reality, criminal law used to be seen as a straightforward subject in a traditional form; it can be extremely complex and is often controversial. Aim is to ensure a systematic observation to assemble a basic knowledge of crime.

II. Concept of Crime

The Oxford Dictionary of Sociology defines crime as 'an offense which goes beyond the personal and into the public sphere, breaking prohibitory rules or laws, to which legitimate punishments or sanctions are attached, and which requires the intervention of a public authority.'[2] According to social commentators, people are simultaneously attracted to and repulsed by crime especially gruesome crimes involving extreme personal violence.[3]

In psychology, there are widespread approaches to defining crime but these are the most widely accepted, we will consider those here.

a) *The Consensus View:* Crime is a criminal conduct. So without action, there can be no crime. The act must be legally forbidden. It is not enough to just be anti-social behaviour.[4] Crime is a circumstantial identification of illegal category. Such as,

- The criminal behaviors are detrimental to the majority of society.
- These behaviors must be recognized by statutory laws.
- These statutory laws must protect the detrimental issues of the majority of the society.

b) *The Conflict View:* The Conflict View is antithetical of the Consensus View. The exponents disagreed with the concept of society to collect an interest of majority people because it is not an incorporated structure.

The conflict perspective of crime was based on the conflict theory introduced by Karl Marx. The perspective divides society into the capitalist and the worker classes.[5] This view recognizes that the creation of laws is unequal and may not have consensus[6].

c) *The Interactionist View:* The Interactionist is a moderate version of the Consensus and Conflict View. It specifies a perception about society called symbolic interactinism.

The basis of Edwin Sutherland's theory of differential association states that deviant behavior is not involving personality or biological influence. But rather it is caused by association with others who behave defiantly. The principal of criminal liability is core tool for understanding the Criminal Laws. It can be used when laws are faced by an unfamiliar offense.

Most people would imagine the criminal law to be about murders, assaults, and thefts, but its scope is much wider than this. In line with that the Law plays a distinctive role in society, including the following functions:

- To deter people from doing acts that harm others or society.

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- To set a condition in performance of an act and the acts shall impose punishment.
- To provide some guidance on the kinds of behavior, which are seen as acceptable?

According to the modern view of criminal law, we can specify criminal conduct as a crime. The first and more important is that the defendant has done an act which has caused a prohibited kind of harm. The second is that the defendant is culpable (worthy of censure) for having caused that harm. Crime is identical to a criminal conduct, and everybody of a society wants to know about why this is so.

From the very commence point of view of natural law, we can clarify 'crime' as a commission or omission. Which are the general expectations or requirements of natural, in a naturalistic sense? The naturalistic evolutionary notions is a growing confidence in human rationality and the perfectibility of human affairs, led to the more inclusive and complete expression of this belief. Criminal conduct and crime are not equal in the directive sense of law.

The positivist view of criminal conduct is an approach to understanding the criminal behavior of the individual through:

- The ethical and humane application of systematic empirical methods of investigation, and
- The construction of rational explanatory system.[6]

Criminal conduct may engage an intention and preparation of a crime despite that an intention, preparation and criminal performance or result are the elements of a crime. The conflicts appear from the criminal conduct, when someone violates the legal rule of conduct orders. The incompatibility of the rule of conduct reacts otherwise than as prescribed form of rule of conduct. Further, it shall impose legislative expression to provide a legal direction to prevent crimes. Consistently, the infringement of a criminal statute becomes a crime under national law. Though, criminal legislative sanctions for individual offender and leniency policies have emerged as significant features of the enforcement discourse globally.

III. Conclusions

The concept and evaluation of a crime is exaggerated by the particular society in which we live. Therefore, we can say that it is a social construction. There is no specific definition of crime under any legal system, but receives diverse conception according to its severity. The discipline classified as infractions, misdemeanours, and felonies. Most of the related codifications are fundamental principle of Criminalistic policy. The modern legislatures or codifiers are adopting severe plans for establishing regulations to improve they're victimized and criminalized aspects.

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