

Introduction

Criminology is the scientific study of the nature, extent, management, causes, control, consequences, and prevention of criminal behavior, both on the individual and social levels. Criminology is an interdisciplinary field in both the behavioral and social sciences, drawing especially upon the research of sociologists, psychologists, psychiatrists, social anthropologists, as well as scholars of law. The term criminology was coined in 1885 by Italian law professor Raffaele Garofalo as *criminologia*. Later, French anthropologist Paul Topinard used the analogous French term *criminologie*.

“I need not pause to explain that crime is not a disease. It is criminology that is a disease.”

G.K. Ghesterton

1. Types and Definitions of Crime

Both the Positivist and Classical Schools take a consensus view of crime – that a crime is an act that violates the basic values and beliefs of society. Those values and beliefs are manifested as laws that society agrees upon. However, there are two types of laws:

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1. Natural laws are rooted in core values shared by many cultures. Natural laws protect against harm to persons (e.g. murder, rape, assault) or property (theft, larceny, robbery), and form the basis of common law systems.
2. Statutes are enacted by legislatures and reflect current cultural mores, albeit that some laws may be controversial, e.g. laws that prohibit cannabis use and gambling. Marxist criminology, Conflict criminology and Critical Criminology claim that most relationships between state and citizen are non-consensual and, as such, criminal law is not necessarily representative of public beliefs and wishes: it is exercised in the interests of the ruling or dominant class. The more right wing criminologies tend to posit that there is a consensual social contract between State and citizen.

Therefore, definitions of crimes will vary from place to place, in accordance to the cultural norms and mores, but may be broadly classified as blue-collar crime, corporate crime,

organized crime, political crime, public order crime, state crime, state-corporate crime, and white-collar crime. However, there have been moves in contemporary criminological theory to move away from liberal pluralism, culturalism and postmodernism by introducing the universal term 'harm' into the criminological debate as a replacement for the legal term 'crime'.

2. Crime

In ordinary language, the term crime denotes an unlawful act punishable by a state. The term "crime" does not, in modern criminal law, have any simple and universally accepted definition, though statutory definitions have been provided for certain purposes. The most popular view is that crime is a category created by law; in other words, something is a crime if declared as such by the relevant and applicable law. One proposed definition is that a crime or offence is an act harmful not only to some individual or individuals but also to a community, society or the state ("a public wrong"). Such acts are forbidden and punishable by law. The notion that acts such as murder, rape and theft are to be prohibited exists worldwide. What precisely is a criminal offence is defined by criminal law of each country. While many have a catalogue of crimes called the criminal code, in some common law countries no such comprehensive statute exists.

The state has the power to severely restrict one's liberty for committing a crime. In modern societies, there are procedures to which investigations and trials must adhere. If found guilty, an offender may be sentenced to a form of reparation such as a community sentence, or, depending on the nature of their offence, to undergo imprisonment, life imprisonment or, in some jurisdictions, execution. Usually, to be classified as a crime, the "act of doing something criminal" (actus reus) must with certain exceptions be accompanied by the "intention to do something criminal" (mens rea). While every crime violates the law, not every violation of the law counts as a crime. Breaches of private law (torts and breaches of contract) are not automatically punished by the state, but can be enforced through civil procedure .

3. Definition

(i) History

The following definition of "crime" was provided by the Prevention of Crimes Act 1871, and applied for the purposes of section 10 of the Prevention of Crime Act 1908. The expression "crime" means, in England and Ireland, any felony or the offence of uttering false or counterfeit coin, or of possessing counterfeit gold or silver coin, or the offence of obtaining goods or money by false pretences, or the offence of conspiracy to defraud, or any

misdemeanour under the fifty-eighth section of the Larceny Act, 1861.

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(ii) Sociology

A normative definition views crime as deviant behavior that violates prevailing norms cultural standards prescribing how humans ought to behave normally. This approach considers the complex realities surrounding the concept of crime and seeks to understand how changing social, political, psychological, and economic conditions may affect changing definitions of crime and the form of the legal, law-enforcement, and penal responses made by society. These structural realities remain fluid and often contentious. For example: as cultures change and the political environment shifts, societies may criminalise or decriminalise certain behaviours, which directly affects the statistical crime rates, influence the allocation of resources for the enforcement of laws, and re-influence the general public opinion. Similarly, changes in the collection and/or calculation of data on crime may affect the public perceptions of the extent of any given "crime problem". All such adjustments to crime statistics, allied with the experience of people in their everyday lives, shape attitudes on the extent to which the State should use law or social engineering to enforce or encourage any particular social norm. Behaviour can be controlled and influenced by a society in many ways without having to resort to the criminal justice system. Indeed, in those cases where no clear consensus exists on a given norm, the drafting of criminal law by the group in power to prohibit the behaviour of another group may seem to some observers an improper limitation of the second group's freedom, and the ordinary members of society have less respect for the law or laws in general whether the authorities actually enforce the disputed law or not.

(iii) Other definitions

Legislatures can pass laws (called mala prohibita) that define crimes against social norms. These laws vary from time to time and from place to place: note variations in gambling laws, for example, and the prohibition or encouragement of duelling in history. Other crimes, called mala in se, count as outlawed in almost all societies, (murder, theft and rape, for example). English criminal law and the related criminal law of Commonwealth countries can define offences that the courts alone have developed over the years, without any actual legislation: common law offences. The courts used the concept of malum in se to develop various common law offences.

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