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### *Definition of Crime*

Crime is not a self-evident and unitary concept. Its constitution is diverse, historically relative and continually contested. As a result an answer to the question 'what is crime?' depends upon which of its multiple constitutive elements is emphasized. This in turn depends upon the theoretical position taken by those defining crime.

#### *Distinctive Features*

Key elements in determining crime are: (1) harm; (2) social agreement or consensus; and (3) official societal response. 'Harm' includes the nature, severity and extent of harm or injury caused and the kind of victim harmed. 'Consensus' refers to the extent of social agreement about whether victims have been harmed. 'Official societal response' refers to the existence of criminal laws specifying under what conditions (such as intent and knowledge of the consequences) that an act resulting in harm can be called crime, and the enforcement of such laws against those committing acts that harm. These dimensions have emerged from and been differently emphasized by six basic theoretical traditions: legal, moral consensus, sociological positivism, rule-relativism, political conflict, powerharm. In early formulations, a simple relationship was assumed between each of the three key dimensions, such that if an action caused harm, people would be outraged and enact laws that the state would enforce to penalize the perpetrator. Thus emerged what became known as the moral or consensus position on crime that states that crimes are acts, which shock the common or collective morality, producing intense moral outrage among people. In founding this view Durkheim stated that, 'an act is criminal when it offends the strong, well-defined states of the collective consciousness'. Specifically, crime was a term used, 'to designate any act, which, regardless of degree, provokes against the perpetrator the characteristic reaction known as punishment'. As a result, the basic definition of crime became behaviour defined and sanctioned by criminal law. Thus there is no crime without law, and law is based on the 'injury' or 'harm done'. In a seminal statement reflecting the Durkheimian consensus view, Michael and Adler asserted that 'criminal law gives behaviour its quality of criminality' and that 'the character of the behaviour content of criminal law will be determined by the capacity of behaviour to arouse our indignation'.

## *crime*

- An act or omission in violation of law that either commands or forbids it to be done as generally defined in the penal or criminal code of a state or the federal government.

- Crimes are those wrongs which the government notices as injurious to the public, and punishes in what is called a “criminal proceeding,” in its own name. A crime may be defined to be any act done in violation of those duties which an individual owes to the community, and for the breach of which the law has provided that the offender shall make satisfaction to the public. Bell. A crime or public offense is an act committed or omitted in violation of a law forbidding or commanding it, and to which is annexed upon conviction, either of the following punishments: 1. Death; 2. Imprisonment; 3. Fine; 4. Removal from office; or 5. Disqualification to hold and enjoy any office of honor, trust or profit in this state. A crime or misdemeanor shall consist in a violation of a public law, in the commission of which there shall be a union or joint operation of act and intention, or criminal negligence.

## *Crime, criminal act*

A “crime” is any act or omission forbidden by law and punishable upon conviction by: death, imprisonment or fine, or removal from office, or disqualification to hold any office of trust, honor or profit under the state or by other penal discipline. Crimes are classified into felonies and misdemeanors.

## *Crime, Quasi*

An offense which although not against the law is in the nature of a crime. This includes a class of offenses against the public which are not established by law but nevertheless remain as wrongs against the public. A quasi crime would not include an indictable offense no matter to what degree, but simply forfeitures or penalties for the wrong.

## *criminal attempts*

An act or omission constituting an overt act (a substantial step) in a course of conduct planned to culminate in the commission of a crime.

## *criminal intent*

Unless otherwise provided for by statute an overt act, in order to constitute a crime, must be accompanied by crim-inal intent or such negligence as can be regarded as the equivalent of criminal intent. In order to constitute a crimethe unlawful intent with which the act was committed must be established. The intent with which the individual performed the act is the controlling factor.

## **criminal behavior.**

A term sometimes synonymous with crime or violations of criminal code, but general usage places the emphasis on the behavior itself, whether or not it is known to authorities. The term can embrace violations of all codes or rules: those of family, church, school, labor unions, and other associations. What makes behavior legally criminal is that it involves offenses against codes that are reportable to governmental or state authorities and have attached sanctions.

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