

2016 Paper Criminology

Q NO# 3 Define the term Crime and Criminality? Explain the types of Criminals in details?

Introduction: The different definitions of crimes are given by Donald Cressy, Donal theft, legalistic view of crime and Consensus view of crime. There are different types of crimes; based on the act of crime there are two types: Mala in se and mala prohibita. Based on the severity of crimes; there are three types of crimes: Infraction, Misdemeanor and felony. Other types of crimes are organized crimes, Habitual crimes, cybercrimes, Occasional crimes and violent crimes.

1. Definition of the term Crime and Criminals:

- "any act or omission which violates the Criminal Law is called as Crime."

~ Legalistic definition of Crime

- "The Study of Crime and its Scientific behaviour of Criminals."

~ Donald Cressy

• **Donald Theft**: defines crime in two ways:

- 1) General: means study of various types of crimes.
- 2) specific: means study of specific type of crime.

2. → **Consensus and Critical view; on Crime and Criminals:**

There are two views on crime and criminals:

- 2.1) Consensus / Legalistic view and criminal
- 2.2) Critical view on crime and criminal

2.1) **Consensus and legalistic view on crime:**

It advocates that any act which represents the collective will of the society is called the crime or criminal.

• **for example: Murder** is considered as a crime by law because society collectively call murder as a crime.

• **Criticism:** any act may be considered as a crime in one place but not considered as a crime in another place.

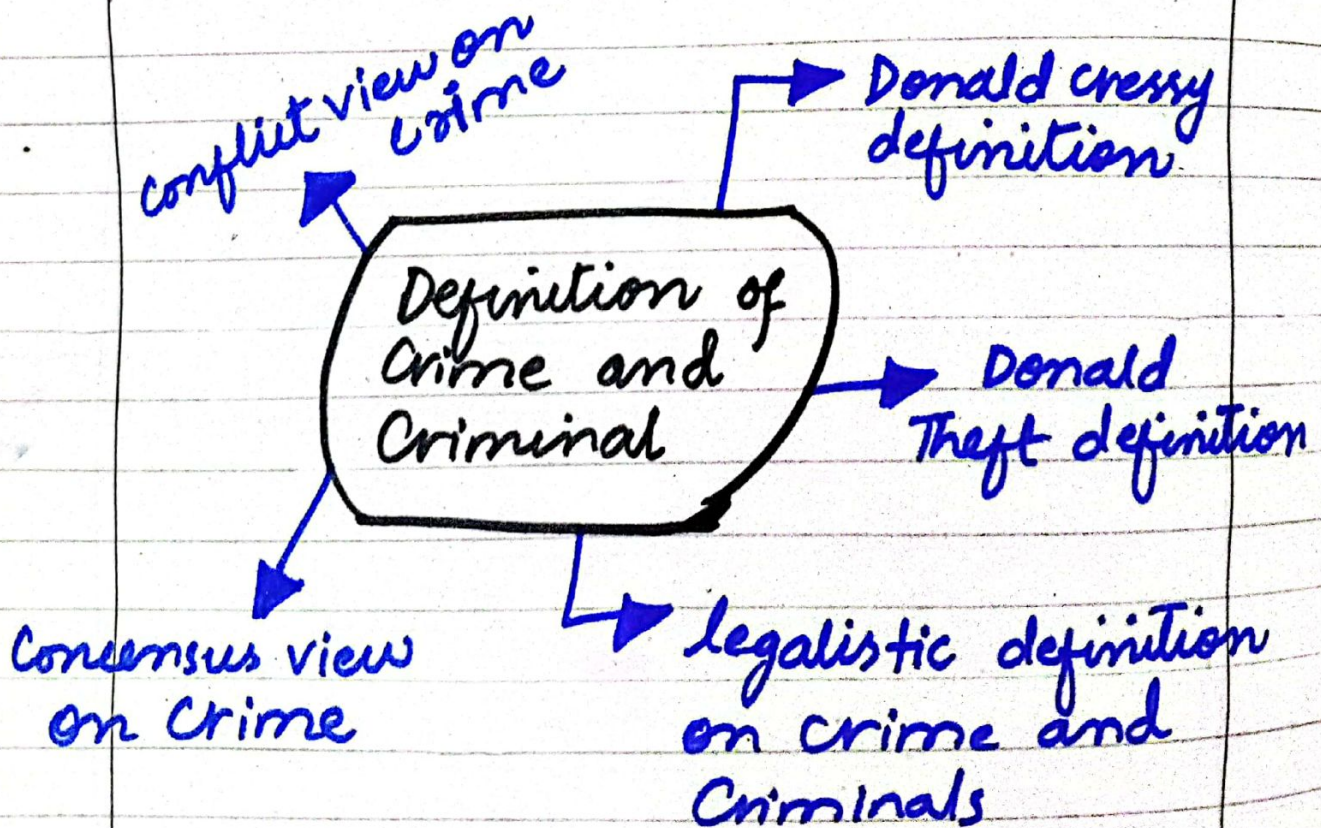
for example: **cow slaughter** is considered as a crime in India but not in any other country or region.

2.2) conflict and critical view on Crime and Criminal:

Society is comprised of diverse groups: such as businessman, workers, landlords, elites, poors etc. law making is meant to protect the elites.

for example: Street crimes are considered as crimes because it is committed by poors. whereas manufacturing and selling of Cigarettes is not considered as crime.

Criticism: law is meant to protect the elites; who had their influence in law making.



3. Types of Criminals:

There are two types of criminals:

- 3.1) Type of crime on the basis of nature of crime
- 3.2) Type of crime on the basis of severity of crime

3.1) Types of crimes on the basis of nature of crime:

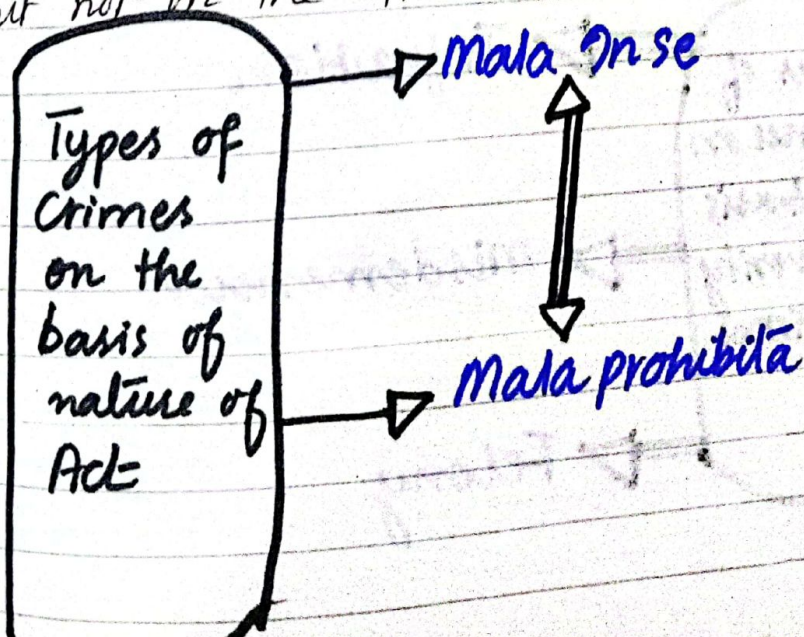
There are further two types of crimes on the basis of nature of act:

3.1.1) **Mala Inse**: These are the crimes which are universally declared as crimes

• For example: Murder is universally declared as a crime.

3.1.2) **Mala prohibita**: It means that these are the crimes which are declared as a crime in one state but not in the other state.

• For example: Kite ordinance in Punjab this was considered as a crime in Punjab but not in the other states.



3.2) Types of Crimes on the basis of Severity of Crime:

There are three types of crimes on the basis of severity of crimes:

- Infraction
- Misdemeanour
- Felony

3.2.1) **Infraction**: These are the types of crimes which are not severe. These only took fine from the individual.

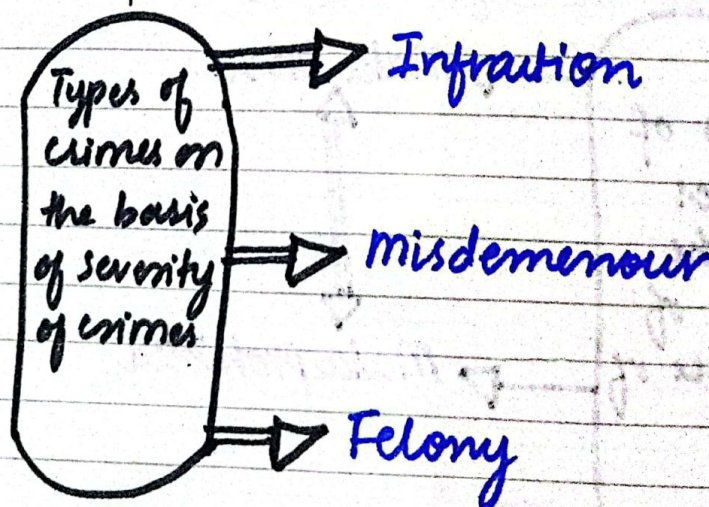
for Example: **violation of Traffic Signal**

3.2.2) **Misdemeanour**: These are the types of crimes which impose imprisonment to the individual as well as fine.

for Example: **Robbery**

3.2.3) **Felony**: These are the types of crimes which impose life time imprisonment or even death of an offender. These are very serious crimes.

for example: **Murder**



4) Other types of crimes and criminals:

The other types of crimes and criminals are:

4.1) Organized crimes: These are the crimes in which many criminals are involved to do crime. These types of crimes involve proper planning by criminals.
• For example: **Robbery.**

4.2) Habitual crimes or Recidivists: The tendency to recommit a crime after some interval is called Habitual crimes or Recidivists.

• for example: doing robbery again and again after some interval.

4.3) Cyber crimes: These are the types of crimes which are done by high elites or high professional individuals in a society.

• for example: **Money laundering, Copy rights infringement.**

Cyber crimes are the crimes which are done by elites or high status individuals in a society.

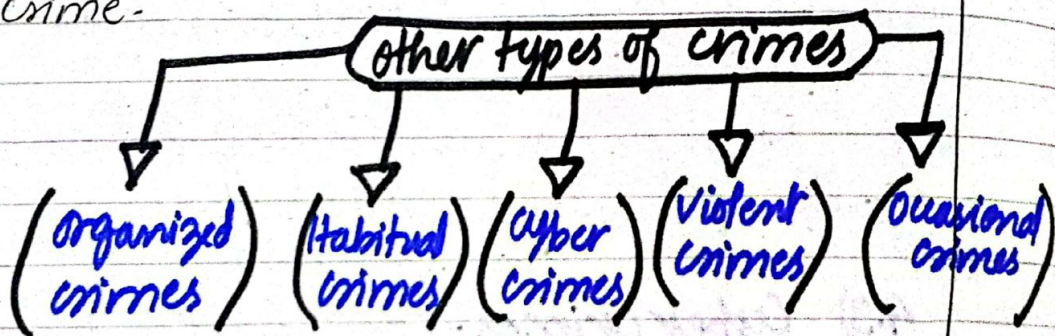
~ Edwin Sutherland

4.4) violent crimes: These are the types of crimes which are very serious and offensive.

- for example: Murder, Death

4.5) occasional crimes: These are the types of crimes which are done by criminals whenever criminal get any internal stimulus to attempt crime.

- for example: Robbery, or theft in case of much amount of cash in front of crime.



Conclusion: crimes and criminals both are interlinked concepts. Different criminologists have defined the term crime and criminals such as Donald theft, Donald Cressy and legal and conflict view on crime and criminals. The different types of crimes are Mala in se, Mala prohibita, Infraction, Misdemeanor, felony, cybercrimes, Habitual crimes, Occasional crimes, professional crimes and violent crimes.