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CRIMINOLOGICAL THEORY

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Annotation: Criminology in the current interpretation studies not some crime, but their sum – “crime”. Crime for Criminology is considered to be an individualized view of crime. Human behavior is a holistic phenomenon, which, precisely as behavior, cannot be divided into certain parts, including social, biological, psychological, spiritual, physiological, etc.

Keywords: criminology, crime, law, offense, behavior, punishment theory, psychology

The word “criminology” consists of two stems: *crimen* (Latin) - crime, criminal behavior, *logos* (Greek)-science, doctrine, knowledge. Indeed, “criminology” is the science of criminal or criminal behavior.

According to some researchers, the emergence of Criminology is due to the publication in 1764 of the small but significant book “on crimes and punishments” by the Italian legal scholar Cesare Beccaria. In 1884, an Italian judge in the city of Turin (northern Italy), R.Garofalo published his pamphlet, “criminology or the nature of crime and the theory of punishment”, consisting of the parts “crime”, “criminal” and “Punishment”.

In our opinion, this initial interpretation of Criminology is suitable for practice, since the science of “Criminal Law” in practice should be mainly concerned with the definition of the concepts of crime and criminal punishment, their signs and factors of realization.

Human behavior is a holistic phenomenon, which, precisely as behavior, cannot be divided into certain parts, including social, biological, psychological, spiritual, physiological, etc. People (the subject of knowledge) conditionally divide such parts only in order to study one or another aspect of behavior more comprehensively. Therefore, human behavior can be found in many disciplines (philosophy, religion, sociology, medicine, pedagogy, psychology, jurisprudence, etc.) are studied by.

Each specific crime is an “elementary particle” of crime¹. Any crime is a certain manifestation of human behavior. In the literature on psychology, behavior is understood as the activity in which an individual has free activity, that is, the opportunity to control the process in which the intended goal is realized and is happening. More specifically “behavior that acquires a certain content for the subject can be described as human behavior”². In other words,

¹ Кудрявцев В.Н. Генезис преступления. Опыт криминологического моделирования. - М., 1998. - С. 16.

² Хеккаузен Х. Мотивация и деятельность. Том 1. ~ М., 1986. - С. 14.

it refers to the conscious, including erroneous, negative, and non-conscious behavior of an individual.

Depending on the formation of any science, its subject also differs. The subject of Criminology is not any and simple behavior, but individual behavior. This behavior is criminal in nature, therefore it is called criminal behavior, that is, behavior is associated, first of all, with violation of the criminal law, its norms.

Criminology differs from other natural and social sciences that study human behavior mainly in this aspect. For this reason, criminal behavior is directly related to crime, since behavior is criminalized due to the fact that a certain criminal act was committed. However, Criminology in the current interpretation studies not some crime, but their sum – “crime”.

Crime for Criminology is considered to be an individualized view of crime. Therefore, crime is not a simple sum of crimes, but a new, holistic and inextricable phenomenon that differs from certain crimes.

Therefore, crime is a certain set of socially defined acts (actions or inaction) that are of a relatively public nature and at the same time pose a social threat to the benefit of people and society, therefore being recognized as a crime in current criminal law.

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