

CSS CRIMINOLOGY NOTES

Basic Concepts Used in Understanding
Crime, Criminality and Criminal

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Basic Concepts Used in Understanding Crime, Criminality and Criminal

Crime, Criminality and Criminal by Agha Zuhaib Khan are fundamental concepts in CSS Criminology and form the basis for understanding criminal behaviour, crime causation and the criminal justice system. These comprehensive CSS Criminology notes explain the legal, social, psychological and criminological dimensions of crime, criminality and the criminal, while also examining FPSC past-paper trends and the increasingly analytical approach adopted by the examiner.

FPSC Past Paper Analysis: Crime, Criminality and Criminal

An examination of the FPSC Criminology papers from 2016 to 2026 shows that the examiner does **not expect candidates merely to reproduce textbook definitions**. The trend has gradually moved from direct conceptual questions towards analytical and applied questions.

The 2016 paper directly asked candidates to **“Define the term Crime and Criminals”** and then explain types of criminals, making the conceptual distinction itself part of a 20-mark question. Criminology 2016 to 2026 In 2020, the examiner tested related foundational concepts such as criminal etiology, penology, phrenology and physiognomy, while also asking candidates to take a position on the nature-versus-nurture debate. Criminology 2016 to 2026

The pattern became more analytical in 2024, when the examiner asked candidates to explain **crime as a social problem and why perceptions of crime differ across societies**. Criminology 2016 to 2026 The 2025 MCQs separately tested **deviance, mens rea**, Lombroso's explanation of criminality, and related foundational concepts. Criminology 2016 to 2026 The 2026 paper goes further: instead of asking “What is crime?”, it requires candidates to use basic criminological concepts to explain

misinformation, polarization, hate crime, deviance, social resistance and emerging forms of criminality. Criminology 2016 to 2026

Therefore, for FPSC preparation, this topic should be understood at three levels:

**Crime = the prohibited act; Criminality = the tendency/process behind offending;
Criminal = the person who commits the prohibited act.**

But a high-scoring answer must go beyond this formula and explain their legal, social, psychological and criminological dimensions.

1. Introduction

Crime is not merely an unlawful act committed by an individual; it is a complex phenomenon produced through interaction among **law, human behaviour and society**. Criminology therefore distinguishes between three closely connected concepts: **crime, criminality and criminal**. Crime refers primarily to conduct prohibited by criminal law; criminality concerns the propensity, pattern or processes associated with criminal behaviour; whereas a criminal is the individual who commits an act recognized by law as a crime.

These concepts cannot be understood in isolation. An act becomes a crime because a legal and social system defines it as such. Criminality attempts to explain why individuals or groups engage in such behaviour, while the concept of the criminal directs attention towards the offender, his motives, circumstances, personality and relationship with society.

Thus:

Crime concerns the act; criminality concerns the behaviour or propensity; and criminal concerns the actor.

This distinction provides the conceptual foundation upon which criminological theories, crime causation, criminal justice and crime prevention are built.

2. Understanding the Concept of Crime

Meaning of Crime

In its simplest legal sense, a **crime is an act or omission prohibited by criminal law and punishable by the state**. However, criminologically, this definition is insufficient because laws themselves are products of particular societies and historical periods.

Paul Tappan famously approached crime from a legal perspective by treating it as an intentional violation of criminal law committed without legally recognized justification and sanctioned by the state. The essential point is that conduct does not become a crime simply because it is considered immoral or harmful. It must ordinarily fall within the prohibitions established by criminal law.

For example, murder, robbery, kidnapping and theft are crimes because the law expressly prohibits and punishes them. By contrast, behaviour may be socially condemned without necessarily constituting a criminal offence.

This distinction leads to an important criminological principle:

Nullum crimen sine lege — No crime without law

An individual cannot ordinarily be punished for conduct that was not legally prohibited as a crime when committed. Thus, criminality operates within a framework established by law.

3. Crime as Both a Legal and Social Concept

Crime has two interconnected dimensions.

Crime as a Legal Concept

From the legal perspective, crime is behaviour prohibited by the state through criminal law. The legal definition provides certainty because it identifies prohibited conduct and establishes punishment.

This perspective is particularly important for criminal justice institutions. Police investigate violations of law, courts determine criminal liability, and correctional institutions deal with convicted offenders.

Yet the legal definition has limitations. Laws differ across jurisdictions and change over time. Consequently, the same behaviour may be criminal in one society but lawful or tolerated in another.

Crime as a Social Concept

From the sociological perspective, crime is also a form of behaviour that violates important social norms and threatens values that society seeks to protect.

Crime therefore emerges within a social context. What society considers sufficiently harmful to warrant criminal prohibition is influenced by its culture, religion, economic organization, political structure and historical circumstances.

This dimension was explicitly tested in the 2024 paper, where FPSC asked candidates to explain **crime as a social problem and variations in its perception across societies**.
Criminology 2016 to 2026

For example, conduct relating to alcohol, gambling, sexual behaviour, public morality and political expression may receive significantly different legal treatment in different societies.

Hence:

Crime is legally defined but socially situated.

4. Crime as a Relative Concept

Crime is **relative rather than completely static**. Its definition may vary according to:

Time: Conduct regarded as criminal in one historical period may later be decriminalized, while new conduct may become criminalized.

Place: Different countries maintain different criminal laws.

Culture: Social values influence which conduct attracts serious condemnation.

Technology: Technological development creates entirely new opportunities for crime.

The emergence of cybercrime illustrates this transformation. Hacking, phishing, identity theft, ransomware and digital fraud could not have existed in their modern forms before computer networks.

The 2026 paper extends precisely this reasoning by asking how **deepfakes, quantum computing and AI surveillance may influence the nature of crime in coming decades**. Criminology 2016 to 2026

Thus, the forms of crime evolve alongside society.

5. Essential Elements of Crime

Although particular offences contain different legal requirements, criminal liability generally revolves around certain fundamental elements.

Actus Reus: The Criminal Act

Actus reus means the prohibited external conduct or “guilty act”. Criminal law ordinarily requires some voluntary act, unlawful omission or legally prohibited consequence.

For example, physically taking another person's property without lawful authority constitutes the behavioural component of theft.

The importance of this concept is evident from the 2026 FPSC MCQs, where *actus reus* was directly tested as meaning the **criminal act**. Criminology 2016 to 2026

Mens Rea: The Guilty Mind

Mens rea refers to the mental element accompanying an offence, such as intention, knowledge or recklessness, depending upon the offence.

The basic principle is often expressed as:

Actus non facit reum nisi mens sit rea

An act does not ordinarily make a person guilty unless the mind is also guilty.

The 2025 paper directly tested *mens rea* as the intent to commit a criminal act.
Criminology 2016 to 2026

Consider two situations. If A deliberately strikes B intending to cause serious injury, the act and the guilty intention coincide. If A accidentally bumps into B without negligence or criminal intention, the same physical consequence does not automatically create equivalent criminal liability.

Concurrence

The criminal act and the required mental state must normally coincide. Criminal intention existing at an unrelated time cannot automatically transform an innocent act into a crime.

Causation

Where an offence requires a particular result, the accused's conduct must have legally caused that result. This is especially important in offences such as homicide.

Absence of a Valid Defence

Even when the physical and mental elements appear to exist, liability may be excluded or modified by recognized legal defences, depending upon the circumstances, such as lawful self-defence, insanity or other legally recognized exceptions.

Therefore, the mere occurrence of harm does not automatically establish criminal responsibility.

6. Mala in Se and Mala Prohibita

A useful distinction for understanding crime is between **mala in se** and **mala prohibita**.

Mala in Se

Mala in se refers to acts regarded as **wrong in themselves** because they violate fundamental social and moral values. Murder, rape and robbery are common examples.

The 2026 FPSC paper directly tested this concept, identifying *mala in se* offences as conduct considered “wrong in themselves”. Criminology 2016 to 2026

Mala Prohibita

Mala prohibita refers to conduct considered wrongful primarily because it has been **prohibited by law or regulation**. Many regulatory offences fall within this broad category.

The distinction demonstrates why crime cannot be equated completely with morality. Some seriously immoral acts may not be criminal offences, while some legally prohibited conduct may not attract the same degree of moral condemnation as murder or robbery.

7. Crime and Deviance: A Crucial Distinction

One of the most important distinctions for an FPSC answer is between **crime and deviance**.

Deviance refers broadly to behaviour that violates significant social norms, whereas **crime** involves violation of criminal law.

Therefore:

All crimes are legal violations, but not all forms of deviance are crimes.

A person who violates an accepted dress convention may be considered socially deviant in a particular community, but this does not necessarily make the person a criminal. Conversely, some technical or regulatory crimes may carry relatively little social stigma.

The 2025 paper specifically defined deviance through an MCQ as non-conformity to norms accepted by a significant number of people in society. Criminology 2016 to 2026

This distinction becomes even more significant under **Labelling Theory**, according to which deviance cannot be understood merely through the act itself; social reaction and the process through which individuals are labelled as deviant also matter. FPSC devoted an entire 20-mark question to Labelling Theory and its effects on youth in 2024. Criminology 2016 to 2026

8. Crime, Sin, Vice and Immorality

These concepts overlap but should not be treated as synonymous.

Crime is principally a violation of criminal law.

Sin is a violation of religious or divine commands.

Vice generally refers to conduct regarded as morally degrading or harmful to the individual, such as certain forms of habitual indulgence.

Immorality refers to behaviour contrary to accepted moral principles.

An act can therefore be sinful or immoral without necessarily being criminal, while some acts can simultaneously constitute crime, sin and moral wrongdoing.

This distinction prevents a common examination mistake: defining every socially undesirable act as crime. **Criminal law provides the formal boundary of criminal conduct, while social and moral norms operate across a wider field.**

9. Crime as a Social Problem

Crime becomes a social problem when its scale, consequences and persistence damage collective welfare and generate widespread concern.

It affects society beyond the immediate offender and victim. Persistent criminal activity can generate insecurity, weaken trust, increase expenditure on policing and criminal justice, discourage investment and undermine social cohesion.

Street crime, organized crime, terrorism, cybercrime, corruption and violent crime illustrate how criminal conduct can develop broader societal consequences.

Crime must therefore be studied at two levels:

Individual level: Why did this particular person offend?

Structural level: What conditions make certain forms of crime more prevalent in particular communities?

The second question takes criminology beyond criminal law and into sociology, psychology, economics and political institutions.

10. Understanding Criminality

Meaning of Criminality

Whereas crime describes an act prohibited by law, **criminality refers to the tendency, propensity, pattern or condition associated with engagement in criminal behaviour.**

It is therefore a broader criminological concept than a single criminal act.

A person may commit one offence because of an unusual opportunity, intense situational pressure or exceptional circumstances. Another offender may repeatedly engage in offences as part of an established behavioural pattern. Criminology attempts to understand the processes producing these different forms of criminal behaviour.

Thus:

Crime asks: What happened?

Criminality asks: Why and through what processes does offending occur?

11. Criminality Is Not Explained by a Single Cause

Modern criminology generally rejects simplistic explanations that criminality results from one universal cause.

Historically, different schools have emphasized different factors.

Biological Explanations

Early positivists, particularly **Cesare Lombroso**, attempted to locate the causes of criminal behaviour in biological characteristics. Lombroso argued that criminals possessed certain inherited or biological characteristics.

The FPSC repeatedly tests Lombroso's place in criminological thought. The 2025 paper, for example, tested his claim that biological failings drove criminal behaviour, while the 2026 MCQs again identified him in relation to modern criminology. Criminology 2016 to 2026

Modern criminology does not accept the crude deterministic form of Lombroso's theory, but his work was historically significant because it encouraged the systematic study of offenders.

Psychological Explanations

Psychological approaches examine personality, cognition, emotional development, learning and other individual-level processes.

For example, psychoanalytic explanations associated with **Sigmund Freud** connect behaviour to the relationship among the id, ego and superego. FPSC directly tested this connection in the 2026 MCQs. Criminology 2016 to 2026

Sociological Explanations

Sociological criminology shifts attention from the offender's body or personality towards the social environment.

It examines factors such as poverty, inequality, social disorganization, blocked opportunities, peer association, weak social bonds, labelling and conflict.

This approach is particularly important for contemporary FPSC questions.

12. Nature Versus Nurture in Criminality

One of the oldest debates asks whether criminal behaviour originates primarily from **nature** or **nurture**.

Nature emphasizes biological and inherited characteristics, whereas nurture emphasizes family, peers, culture, economic circumstances, socialization and environment.

FPSC directly asked candidates in 2020:

“What is your position on the nature vs nurture debate in criminology?” Criminology 2016 to 2026

A mature criminological answer avoids treating these as mutually exclusive.

Criminality is better understood as the product of an **interaction among individual characteristics, social experiences, opportunities, institutions and situational conditions**. Biological or psychological characteristics may influence behaviour, but social circumstances influence whether and how such predispositions are expressed.

Thus, neither biological determinism nor complete environmental determinism provides a satisfactory universal explanation.

13. Criminality Through Major Criminological Perspectives

The concept becomes clearer when examined through major theories.

Strain and Criminality

Robert K. Merton argued that social structures can create strain where culturally approved goals are emphasized but legitimate opportunities for achieving them are unequally distributed.

Some individuals may therefore adopt illegitimate means to pursue socially approved goals. Merton described such adaptation as **innovation**.

FPSC has repeatedly examined this relationship and devoted a complete 20-mark question in 2025 to Merton's Strain Theory, particularly its effects on youth and possible remedies. Criminology 2016 to 2026

Criminality, from this perspective, cannot be explained simply by asking what is “wrong” with an offender. Attention must also be paid to unequal opportunities and social structure.

Differential Association and Criminality

Edwin Sutherland argued that criminal behaviour is **learned through interaction with others**.

Individuals learn techniques of offending as well as motives, rationalizations and attitudes favourable to law violation. Criminality can therefore develop through social association rather than biological inheritance.

FPSC devoted a full question to Sutherland's Differential Association Theory in 2019. [Criminology](#) 2016 to 2026

Social Bond and Criminality

Travis Hirschi reversed the conventional question. Instead of merely asking why people commit crimes, he examined why people **conform**.

Social Bond Theory maintains that strong attachment, commitment, involvement and belief connect individuals to conventional society. When these bonds weaken, restraints upon deviant behaviour may weaken as well.

Again, FPSC devoted an entire 20-mark question to this relationship in 2019. Criminology 2016 to 2026

Labelling and Criminality

Labelling Theory argues that social reaction can influence the development of deviant identities. Once an individual is publicly labelled a “criminal” or “deviant”, stigma and exclusion may restrict legitimate opportunities and strengthen association with deviant groups.

The theory therefore distinguishes between the original act and the subsequent social process through which deviance can become part of a person's identity.

This insight is especially important when discussing the concept of a **criminal**, because criminology should avoid assuming that an offender's entire identity is reducible to one illegal act.

14. Understanding the Criminal

Meaning of Criminal

A **criminal**, in the formal legal sense, is a person who has committed an offence and whose criminal responsibility is established according to law.

Criminologically, however, the concept is more complicated.

The term should not imply that offenders constitute a completely separate class of human beings. People commit crimes for different reasons, under different circumstances and with different levels of frequency and seriousness.

An individual may be:

- a first-time offender;
- an occasional offender;
- a habitual offender;
- a professional offender;
- a violent offender;
- an organized offender; or
- a repeat offender.

This classification matters because the causes, risks and appropriate correctional responses differ considerably.

Indeed, the 2024 [FPSC MCQs](#) described a person frequently convicted of criminal behaviour as a **habitual criminal**, demonstrating that offender classifications remain examinable. Criminology 2016 to 2026

15. Types of Criminals

Since FPSC directly asked **types of criminals** alongside the definition of crime and criminals in 2016, this classification deserves special preparation. Criminology 2016 to 2026

Occasional Criminal

An occasional criminal does not ordinarily pursue crime as a regular way of life. The offence may result from opportunity, situational pressure or exceptional circumstances.

The distinction is important because a single criminal act does not necessarily demonstrate persistent criminality.

Habitual Criminal

A habitual criminal repeatedly engages in criminal behaviour. Repetition creates a continuing pattern rather than an isolated offence.

Habitual offending is closely connected with the concept of recidivism, although the terms are not identical.

Professional Criminal

A professional criminal treats offending as a skilled and relatively systematic activity. Such offenders may acquire specialized techniques, develop criminal networks and plan their offences carefully.

Sutherland's ideas about learned criminal behaviour are particularly useful in explaining how criminal skills and attitudes can be transmitted through association.

Organized Criminal

Organized criminals operate through structured groups or networks engaged in continuing illegal activities such as trafficking, extortion, smuggling or money laundering.

Their criminality is collective and organized rather than merely individual.

White-Collar Criminal

Edwin Sutherland challenged the assumption that criminality belonged mainly to the poor by developing the concept of **white-collar crime**. It drew attention to offences committed in respectable occupational and organizational settings.

This was a major intellectual development because it demonstrated that criminality exists across social classes and cannot be explained solely by poverty.

16. Criminality and Recidivism

Recidivism refers broadly to repeated offending, particularly the return to criminal behaviour following punishment or intervention.

It is important because it distinguishes persistent criminal behaviour from isolated offending.

FPSC has repeatedly tested the concept. In 2019, candidates were asked how far prisons had limited recidivism and to discuss modern strategies for reintegrating criminals. Criminology 2016 to 2026 In 2020, the examiner again asked candidates to define recidivism and discuss institutional strategies for reintegration. Criminology 2016 to 2026

High recidivism may indicate that punishment alone has failed to address the factors associated with offending. This explains the criminological importance of rehabilitation, education, vocational training, counselling and social reintegration.

17. Criminality and the Role of Social Reaction

An important modern insight is that society does not merely respond to criminality; under certain circumstances, its response may influence subsequent behaviour.

A person convicted of an offence may experience:

stigma → social exclusion → reduced legitimate opportunities → association with deviant groups → reinforcement of criminal identity → possible reoffending.

This does not mean society creates every crime or that offenders lack personal responsibility. Rather, Labelling Theory demonstrates that **formal and informal social reactions can influence the subsequent trajectory of offending.**

For this reason, contemporary criminal justice increasingly considers rehabilitation and reintegration alongside punishment.

18. The Relationship Between Crime, Criminality and Criminal

The three concepts can now be integrated.

Crime: The Act

Crime identifies **what conduct has violated criminal law**.

Examples include theft, robbery, murder, fraud and cybercrime.

Criminality: The Behavioural Process

Criminality investigates **why criminal behaviour occurs, develops or persists**.

It may involve biological, psychological, social, economic, cultural and situational factors.

Criminal: The Actor

The criminal is the **person involved in the prohibited conduct**, whose behaviour becomes the subject of investigation, adjudication, punishment, rehabilitation and [criminological analysis](#).

Their relationship may be represented as:

Social conditions + individual factors + opportunity

↓

Criminal propensity/motivation or criminality

↓

Prohibited conduct or crime

↓

Legal determination of responsibility

↓

Offender/criminal

↓

Punishment, correction, rehabilitation or reintegration

This relationship demonstrates why criminology cannot be reduced to the study of criminal law. It investigates the **act, the actor, the causes of behaviour, the social reaction and the mechanisms of prevention and correction.**

19. Why Not Every Criminal Act Indicates Persistent Criminality

This distinction is particularly useful in analytical questions.

Suppose two individuals commit similar thefts.

The first commits theft once under unusual circumstances and never offends again. The second repeatedly commits planned thefts, associates with experienced offenders and treats theft as a continuing source of income.

Legally, both may have committed the same general category of crime. Criminologically, however, their **criminality differs substantially.**

Consequently:

The legal classification of an act tells us what offence occurred; criminological analysis explains the behavioural and social processes surrounding its occurrence.

This is precisely why criminology requires theories of causation rather than relying exclusively on criminal law.

20. Crime and Criminality in the Pakistani Context

In Pakistan, these concepts acquire particular importance because criminal behaviour occurs within rapidly changing demographic, economic, technological and institutional conditions.

Urbanization, unemployment, socioeconomic inequality, family and community structures, access to technology, peer networks, organized criminal groups and institutional effectiveness may all interact with criminal opportunities.

However, poverty or unemployment should **not automatically be treated as causes of crime**. Millions of economically disadvantaged people never commit crimes. A sound criminological explanation therefore examines interaction among structural pressures, individual responses, opportunities and social controls.

For instance, urban street crime can be understood through multiple perspectives simultaneously. Strain theory may emphasize blocked opportunities; social disorganization may focus on weakened community control; social learning theories may examine criminal peer networks; routine activity theory may consider the convergence of a motivated offender, suitable target and absence of capable guardianship.

Such a multidimensional explanation is stronger than simply stating that “poverty causes crime.”

21. Contemporary Expansion of the Concepts

The FPSC 2026 paper provides an important indication of where the examiner is taking this topic.

Candidates were asked to explain the criminological reasons behind **misinformation and disinformation during political conflicts**, the relationship between **youth polarization and hate crime**, and how declining institutional trust can contribute to **deviance, non-cooperation and social resistance**. Criminology 2016 to 2026

This means the examiner increasingly expects candidates to **apply basic concepts instead of merely defining them.**

For example, misinformation should not automatically be called crime. The candidate should first distinguish harmful, deviant and criminal behaviour and determine whether the conduct falls within applicable criminal law. Criminality then asks why individuals participate in such behaviour, while theories such as symbolic interactionism, social learning, strain or conflict theory may explain particular dimensions of the phenomenon.

This conceptual precision can significantly improve an analytical answer.

22. Critical Evaluation

The concepts of crime, criminality and criminal appear simple, but each contains important complexities.

First, **crime is not purely objective**, because criminal law changes across societies and historical periods. Yet it cannot be treated as entirely relative either, since criminal justice requires clear legal definitions.

Second, **criminality cannot be reduced to biology, psychology or socioeconomic circumstances alone**. Contemporary criminology increasingly treats offending as the outcome of interaction among individual characteristics, social environments, opportunities and institutions.

Third, the term **criminal must be used carefully**. Treating offenders as a permanently distinct category can overlook differences between occasional, habitual and professional offending and may reinforce the very stigmatization highlighted by [Labelling Theory](#).

Finally, understanding criminal behaviour requires a distinction between **explanation and justification**. Explaining how poverty, peer influence, inequality, weak social bonds or psychological factors contribute to criminality does not excuse criminal conduct. Criminology seeks to explain behaviour scientifically so that society can develop more effective mechanisms of prevention, justice, correction and rehabilitation.

Conclusion

Crime, criminality and criminal constitute three interconnected foundations of criminology. **Crime represents the legally prohibited act; criminality represents the tendencies, processes and circumstances associated with offending; and the criminal represents the individual whose conduct falls within the domain of criminal law.** Their relationship, however, cannot be understood through definitions alone.

Crime is simultaneously a legal and social phenomenon whose form varies across time and societies. Criminality emerges through complex interactions among individual, psychological, social, economic and environmental factors. Similarly, offenders differ in motivation, frequency, circumstances and patterns of behaviour. Therefore, modern criminology moves beyond the simplistic question of “**Who is a criminal?**” towards the more analytical questions of **why crime occurs, how criminal behaviour develops, how society defines and reacts to it, and how offending can be prevented or reduced.**

That broader analytical understanding is especially important for the current FPSC pattern. The progression from the direct 2016 question on crime and criminals to the applied questions of 2024–2026 shows that the examiner increasingly expects candidates to **use foundational concepts as analytical tools for interpreting contemporary social and criminal problems**, rather than reproduce memorized definitions.