



# Commentry on Criminal Law

**Daniel Anorve**

Department of Political and Government Studies, University of Guanajuato, Guanajuato, Mexico

**\*Corresponding author.** Email: Anorve123@gmail.com

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## DEFINITION

Criminal law refers to the body of law that applies to criminal acts. Where an individual or person commit a criminal act by breaking the law. The criminal law penalties involve the loss of rights and imprisonment. The body of law is different from civil law. The civil law is related to resolution of legal controversies and involves money damages. The main theory for criminal law includes todetermine crime, to reform the perpetrator, to provide retribution for the act, and to prevent the crimes.

## ELEMENTS OF CRIMINAL LAW

Generally there are mainly four important elements they are must be proven to convict a crime

Actus Reus, refer to Latin as guilty act, is the objective, external element of a crime. In most cases, there needs to be an act for there to be a crime. Speaking is an act is any voluntary or involuntary bodily movement. However Commission, omission, and possession are all forms of acts. Generally to prove actusreus, the defendant must voluntarily engage in the act.

Mens Rea, refer to Latin as guilty mind. Mens Rea is the mental element of a crime. It is always necessary to prove a person's intent to commit a crime to establish liability. Strict liability cases which involve the negligence are the exception to the rule. Generally, the defendant is only held liable for crimes committed with mens rea. That is to say that, the defendant either intentionally committed the crime. Concurrence needs the occurrence of both actus reus and mens rea. In Criminal Law, concurrence refers to both the intent of a crime and voluntary criminal act must both be present and proven.

Temporal concurrence refer when both actus reus andmens rea coincide.

Causation is proof of a causal relationship between the act and the resulting crime causation alone does not create liability. Infact it is not possible for In choate Offenses, which

are intended to-yet incompleated criminal acts.

## TYPES OF CRIMINAL LAWS

There are two types of criminal law they are:

**Felony** Within common-law countries, is a very severe criminal offense. These crimes, are defined by The United States and are punishable by death or imprisonment for more than one year. Some of the felony crimes includes murder, manslaughter, arson, burglary, battery, aggravated assault, tax evasion, fraud, kidnapping, blackmail, forgery, obstruction of justice, treason.

## MISDEMEANOR

These offenses are considered as low seriousness crimes punishable to a lesser degree than felony charges. The punishment for misdemeanors is fines and loss of privileges up to a year in prison. Misdemeanor offenses also include public intoxication, reckless driving, disorderly conduct, vandalism, petty theft, simple assault, trespassing.

The types of criminal offenses seem to be limitless in range and scope some of them are:

Personal Crimes are criminal offenses are those which results in the harm of another individual. Property Crimes are criminal offenses that involves the interference of another property.

Inchoate Crimes are intended to criminal acts that were never being completed or only assisted in to the commision of another crime.

Statutory Crimes are specifically the crimes that are proscribed by a legislative statute. Generally, these statutes are deterrents for crimes related to alcohol, drugs, traffic, or other societal issues.

Financial Crimes are also considered or referred as white-collar crimes. These moneyrelated crimes also include embezzlement, fraud, blackmail, tax evasion, and other deceptive crimes that also results in financial gain.