

In class writing: does breaking a law makes a criminal?

[Law](#), [Criminal Justice](#)



In Class Writing: Does breaking a law makes a criminal? To judge whether breaking a law makes a criminal, first we must define the terms law and crime. Every society makes and enforces laws that govern the conduct of the individuals. Without law we cannot live. Laws maximizes our individual right, facilitate the orders of our society, and it keeps peace in our civilization. The violation of those duties that he or she owes to society and for the breach of which the law provides is defined as a crime. Breaking the law does not always constitute criminality. Law is created within the ethical realm of human's principles, therefore laws fluctuates as our perception changes. To answer our question whether breaking a law makes a criminal, we must examine further to see if the action committed is incriminating by the criminal intent. Most crimes require criminal intent. Two elements must exist before a person to be found guilty of an intent crime and be label as criminal. First, the person must have actually performed the criminal act. For example, killing of someone without legal justification is a criminal act. This is because the law forbids person from killing on another. Criminal act is not always an action people take. A person can be a criminal for not acting. For example, if a taxpayer who is under a legal duty to file income tax returns and pay income tax, failure to do so will result in a criminal act. Second, to be found guilty of an intent crime, the accused must be found to have possessed an evil intent to do harm. For instances, assault and battery are usually consider an evil intent because the perpetrator intends a specific result with the purpose of doing harm to another. To further complex criminality, we should also examine non-intent crimes. Sometimes non-intent crimes can also result in a criminal act. Non-intent crimes are often imposed

for reckless or grossly negligent conduct that causes injury to another person. For example, the crime of involuntary manslaughter is a non-intent crime. If a person was driving 55 miles per hour while in a 35 miles per hour zone and the driver cannot stop his car at a red traffic light, enters the pedestrian crossing, and kills a pedestrian. He is guilty of the non-intent crime of involuntary manslaughter. Whether breaking a law makes a criminal, it all depends on one's perception. These laws exist because it lays general rules that organize the society. The primary intent is to protect and forbids people from engaging in certain undesirable activities. And what is "correct" is based on morality and ethics. Law is discovered by humans through the use of reason and choosing between good and evil.