

**THE CONCEPT OF CRIME AND THE CLASSIFICATION OF ITS FEATURES****Bozorov Maqsudali Mahmudovich**

Tashkent State Law University Specialized branch of criminal law

Lecturer in the Department of Science

e-mail: bozorov@gmail.com

**Abstract**

In the article, the author defines the legal term "crime" and explains its meaning, as well as reveals its main features.

**Keywords:** crime, act, public danger, punishment.

A crime is always an act expressed in action or inaction. It is always the behavior, activities of a particular person, and the only basis for liability under criminal law is the commission of a crime. An action or omission is not a crime, although formally containing signs of any act provided for by criminal law, but due to its insignificance, it does not pose a public danger. Responsibility under the current legislation of the republic comes only for guilty actions committed intentionally or through negligence. Actions committed in the absence of intent or negligence are not considered a crime. A characteristic feature of a crime is that the criminal law provides for punishment for its commission, the severity of which determines the danger of the act.

The concept of a crime is one of the main categories of criminal law. In order to implement the tasks facing the criminal legislation of ensuring peace and humanity, protecting the rights and freedoms of man and citizen, property, economic activity, public order and public safety, the environment, the constitutional order of the Republic of Uzbekistan from criminal encroachments, as well as preventing crimes, the Criminal Code of the Republic of Uzbekistan defines what acts dangerous for the individual, society or state are recognized as a crime [1]. In the criminal law, the concept of a crime is defined as follows: "A socially dangerous act (action or inaction) prohibited by this Code under the threat of punishment is recognized as a crime". The legislator, applying this wording of the law, emphasizes that a crime is always the behavior, activity of a particular person. Illegal behavior of a person can be expressed both in vigorous activity and in the inaction of a person. Inaction is a certain act.

The concept of an act covers both a socially dangerous act (action (inaction)), and its harmful consequences. Both lawful and unlawful, unlawful behavior of a person begins with mental activity, which in itself (these are thoughts, conclusions of a person, judgments) cannot be criminal if it is not accompanied by direct activity, actions of a person. Crime, as a legal phenomenon, has its own specific features. In the science of criminal law, the sign of a crime is usually called wrongfulness or illegality. The sign of illegality was first enshrined in the

fundamentals of the criminal legislation of the USSR and the Union republics on December 25, 1958 [2].

Wrongfulness indicates that the person who committed the crime violated the criminal law prohibition contained in the criminal law norm. The main component of criminal wrongfulness is the presence in the norm of a criminal law sanction, which contains the threat of applying a certain type of punishment in the event of an act provided for by the criminal law.

A crime is a socially dangerous act, and the presence of a social danger is a qualitative sign of a crime. This sign expresses the material essence of the crime and gives a description of why this or that act is recognized as a crime. Cesare Beccaria in his book "On Crimes and Punishments" wrote, "The true measure of crime is the harm they cause to society [2].

One of the main quantities that determine the social danger of an act is the harm that the committed act causes or can cause. It should be noted that some acts acquire the character of social danger upon the occurrence of consequences, such as murder, and some acts become socially dangerous from the moment the socially dangerous act is committed, regardless of the onset of socially dangerous consequences, such as robbery, banditry, extortion [1].

It should be noted that the public danger of a crime is associated with such features as motive and purpose, at the same time the science of criminal law and criminal law single out the qualitative and quantitative aspects of the public danger of acts. Revealing the content of the nature of public danger, it should be said that the nature is determined by those social relations on which the encroachment is committed, that is, the object of the crime. When determining the quantitative side of public danger - its degree, it should also be said about a number of factors: the severity of the consequences, the nature of guilt, the characteristics of the subject of the crime, that is, the specific manifestation of the signs of the crime. The degree of social danger of the crime finds its expression in the sanction.

In addition, in order to compare the degree of social danger of two, three or more crimes, it is necessary to compare their sanctions. Criminal wrongfulness and public danger are interrelated and the main features of a crime. By punishability as a sign of a crime, we understand the possibility of imposing punishment for the commission of each crime. However, is every facet of committing a crime accompanied by the imposition of punishment? For example, the crime was not solved, or the court issued a verdict of not guilty, or the person was released from criminal liability. The sign of punishability should be understood as follows: each fact of committing a crime is accompanied by the threat of punishment, and only such an act should be considered crimes for which the legislator considers it necessary to impose a criminal punishment [3].

Classifying the signs of a crime, two main signs should be indicated: illegality and public danger. Guilt and punishability are derivatives and follow from the sign of criminal wrongfulness. "An act (action or inaction) is not a crime, although it formally contains signs of any act provided for by criminal law, but due to its insignificance does not pose a public

danger, that is, it did not cause and did not create a threat of harm to the individual, society or the state” [1].

An act can be recognized as insignificant, and the person who committed it is not subject to criminal liability in the event that both objective and subjective signs of such a crime coincide. The insignificance of an act is determined in each specific case, taking into account all the specific circumstances of the case: the circumstances of the commission of the crime, the method of committing the crime, its motive, purpose, etc. If the perpetrator planned to inflict significant harm, but due to reasons within his control could not achieve this, then in this case the act cannot be considered insignificant. For example, if a person planned to commit a theft in a significant amount from a safe, but having opened the safe, for reasons beyond his control, he does not find anything in it, then in this case the action of such a person is qualified not as an insignificant act, but as an attempted theft, and moreover depending on the direction of intent as an attempted theft in a significant amount [1].

### **References**

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