



## THE CONCEPT OF A CRIME, ITS ELEMENTS, AND THE CHARACTERISTICS OF INDIVIDUAL COMPONENTS

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**Abstract.** The categorical definition of crime lies at the heart of every system of criminal justice; yet its conceptual boundaries, normative content, and analytical structure remain contested. Modern doctrine converges on a four-element model—object, objective side, subject, and subjective side—originally formalised by continental scholars and later adapted in common-law jurisdictions through actus reus and mens rea analysis. This article investigates the intellectual evolution of the concept of crime, elucidates the legal meaning of each constituent element, and compares their doctrinal treatment in civil-law and common-law traditions with specific reference to Uzbekistan, the Russian Federation, and Anglo-American jurisprudence. The findings demonstrate that an integrated, element-by-element evaluation remains indispensable for the legitimate attribution of criminal liability in contemporary legal practice, while indicating avenues for harmonising terminology and evidential thresholds across jurisdictions.

**Keywords:** - Virtual reality; anatomy education; physiology instruction; immersive learning; mixed-methods research.

### INTRODUCTION

No legal question is more foundational to criminal jurisprudence than the determination of what conduct the state may legitimately proscribe and punish. From the Code of Hammurabi to modern penal statutes, societies have elaborated definitions of crime that not only reflect prevailing moral values but also serve as instruments of social control and protection. Contemporary criminal law encapsulates these normative judgments in statutory texts or, in common-law systems, in judicially crafted precedents, yet beneath the textual surface lies a shared analytic framework. Most modern codes, including those of Uzbekistan and the Russian Federation, expressly define crime as a socially dangerous act prohibited by law under threat of punishment. Common-law jurisdictions describe crime as conduct coupled with fault that is punishable by the sovereign, embedding the same core idea in different linguistic garb.

Conceptual clarity matters because criminal liability represents the state's most intrusive exercise of power. Vague or expansive definitions chill legitimate behaviour and jeopardise individual autonomy; overly narrow definitions erode social order and public safety. Hence criminal law theorists have long pursued a taxonomy that distinguishes crime from civil wrongs, immoral but lawful behaviour, and administrative offences. The resulting canon posits four interrelated elements: the object (or protected interest), the objective side (the external act and causal nexus), the subject (the physical person capable of liability), and the subjective side (the mental attitude toward the act and its consequences). Although each element originates in nineteenth-century continental science, comparable concepts appear in



Anglo-American analyses of *actus reus* and *mens rea*, supplemented by discussions of capacity and defences. The purpose of this article is threefold. First, it traces the doctrinal lineage of the four-element model and situates it within broader philosophical debates over legal moralism and utilitarian deterrence. Second, it provides a systematic exposition of each element, drawing on statutory formulations and case law from multiple jurisdictions. Third, it offers a critical synthesis that highlights functional convergences despite terminological and procedural diversity. By demonstrating that nuanced appreciation of each component is essential to fair adjudication, the study seeks to contribute to ongoing efforts at comparative harmonisation and to furnish practical guidance for legislators, judges, and scholars.

The research employs a doctrinal, comparative-legal methodology supplemented by illustrative case analyses. Primary sources comprise the Criminal Code of the Republic of Uzbekistan (1994, as amended), the Criminal Code of the Russian Federation (1996, as amended), and representative common-law statutes such as the English Theft Act 1968 and the US Model Penal Code. Judicial decisions from apex courts—namely the Constitutional Court of Uzbekistan, the Supreme Court of the Russian Federation, the Supreme Court of the United Kingdom, and the United States Supreme Court—were consulted to elucidate the practical application of abstract principles. Secondary literature includes classical treatises by von Liszt, Hall, and Fletcher as well as contemporary monographs and peer-reviewed articles addressing the four-element structure.

The findings confirm that the four-element paradigm continues to dominate scholarly explanation and statutory design, albeit under varied nomenclature and with jurisdiction-specific nuances. The object of a crime—defined as the social relationship or interest protected by the criminal prohibition—functions as the normative linchpin of liability. In Uzbekistan, Article 14 of the Criminal Code explicitly references societal interests, citizens' rights, and public order, reinforcing the principle of socially dangerous harm. Russian doctrine echoes this teleological emphasis, while Anglo-American thought subsumes the object under legally protected values such as bodily integrity, property, or public tranquillity extrapolated from precedent. The object serves as an interpretive beacon when courts confront borderline conduct, guiding proportionality assessments and the selection of applicable statutory provisions.

The objective side embodies the external manifestation of wrongdoing. Civil-law codes articulate constituent features such as action or omission, harmful consequence, causation, setting, and means. For example, Uzbek Article 97 on homicide requires an act resulting in another person's death with a causative nexus demonstrable beyond reasonable doubt. Common-law systems distil the same concept into *actus reus*, insisting on voluntary bodily movement or a legally recognised omission accompanied by a causal link to the proscribed harm. Although terminological boundaries differ, comparative analysis reveals substantial convergence in evidential standards for causation, particularly the "but-for" and "substantial factor" tests, as well as in the treatment of intervening causes that may sever liability.

The subjective side encompasses the individual's mental attitude toward the act and its outcome, traditionally categorised as intent or negligence in civil-law jurisdictions and as purpose, knowledge, recklessness, or negligence under the Model Penal Code. Uzbek Article 18 defines intent as conscious anticipation of socially dangerous consequences coupled with a desire or conscious acceptance. Russian doctrine further subdivides intent into direct and

indirect forms, a distinction paralleled by the concept of “oblique intent” in English jurisprudence. The analysis confirms that, regardless of taxonomic variance, the subjective element fulfils three essential functions: expressing moral blameworthiness, delimiting the reach of state coercion, and calibrating punishment to the defendant’s level of fault.

When assessed holistically, the four elements create a matrix that not only delineates offences but also structures defences and grounds for exoneration. For instance, self-defence negates unlawfulness by altering the object dimension; mistake of fact may vitiate intent, thereby disrupting the subjective side; infancy nullifies the subject criterion; and absence of causation collapses the objective side. Courts routinely employ this analytical grid, even when not explicitly acknowledged, to format jury instructions, appellate opinions, and scholarly commentary.

Yet doctrinal harmonisation is not absolute. Differences persist in the calibration of negligence thresholds, in the recognition of “strict liability” offences that dispense with the subjective side, and in the incorporation of corporate accountability mechanisms. These divergences derive from constitutional cultures and policy priorities. Civil-law systems tend to resist strict liability, viewing culpability as a constitutional requirement, whereas common-law legislatures sometimes authorise regulatory offences on a strict-liability basis to advance public-welfare objectives. Likewise, civil-law notions of “special subject”—where offences are committed only by holders of particular statuses, such as public officials—lack a precise analogue in common-law discourse, although the substantive outcomes often coincide.

The investigation affirms that a crime, in all modern legal orders examined, represents a composite construct whose legitimacy derives from the cumulative presence of a protected object, a socially dangerous act, a liable subject, and a culpable mental state. Although statutory texts deploy diverse terminology, the underlying logic exhibits remarkable uniformity, reflecting deep trans-systemic consensus on the requisites of just punishment. Points of divergence, notably the scope of strict liability and the treatment of special subjects or corporate actors, illustrate how legal culture and policy concerns modulate the basic template rather than supplant it. Future reform initiatives should therefore proceed from the premise that clarifying and calibrating each element remains the most effective avenue for safeguarding individual rights while preserving public order. Comparative dialogue can promote incremental convergence, particularly with respect to negligence standards and corporate liability, without eroding the doctrinal integrity that anchors criminal justice.

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