**CRIMINAL JUSTICE**

# Law and social control

## Critical reflection

The term ‘crime’ is a legal notion that intends to indicate the deliberate involvement of a person into something wrongful. In this regard, the coinage ‘harsher social control penalties’ is vague since if it meant to indicate the expression of corporal punishment then, in humanitarian notions, it is also a crime. Thus, it is baseless to generalize any act as crime since it enforces to perceive the act against some prevalent social guidelines (Herring, 2014). If the eradication of crimes is the social motive then the term ‘criminal’ needs to be individualized and judged against the circumstances and the mindset that nudges him/her to commit that. In my opinion, harsher social control penalties instead of paving the society towards the eradication of crimes might encourage the same.

Black’s theory of law seem to suggest that, in order to transform the ‘unsocial instincts’ of a criminal into ‘instincts of social welfare’, the criminal needs to be ushered towards the sojourns of dignity and acceptance which might assist thy to combat or cope with the moral disputes. In this regard, the flagrant limitation of this approach is the consideration that every ‘crime’ is advocated by the moral disputes prevalent within the convict. This is an act of sheer generalization since sometimes; it is the social orthodoxy that dictates the respective entity to be involved into so called ‘unsocial’ acts (Reid, 2015). Candidly, nothing exists as a perpetual theory of social learning. One needs to extract the humane aspects of a ‘criminal’ through cultivating thy psyche with moral sincerity.

It is imperative to cultivate the mindset of the criminal that governs thy to be involved into such act. This is the column of individualizing a particular act of crime. The only perpetual aspect can be adopted to comprehend the psyche of the so-called criminal (Black, 2014). Sometimes it is the social stigma or a gruesome hatred that is prevalent within the society, which made him/her do such. In this regard, the consideration suggests that everyone is a victim. The one who apparently appears the convict is also a victim of some bigger crime.

# Article: One in five sexual-assault cases go to court, study finds. (2018).

## Significance

The story posed by the author is of paramount significance since it almost exposes a failure of the judicial system of Canada while heeding on the ground level reality regarding the reasons of the accusations of sexual assault going out of court. The charges against sexual assault have almost become rife in the Canadian premises that, apart from everything, seem to cause these cases of sheer judicial negligence (Simester, Spencer, Stark, Sullivan & Virgo, 2016). Moreover, it is also significant since it exposes the callousness of the local police since they hesitates to file the accusations against sexual assault. The narration is interesting since instead of framing the entire apprehension on a rigid notion and justifying it throughout the narrator seem to present fleeting remarks in a chronological fashion that enables the reader to apprehend it accordingly. The significance lies in the fact that the narrator has been able to simulate the confrontation of multiple interpretations and accomplished it by the means of aesthetic fecundity of the subject.

## Broader cause

It is very evident that the narrator urges to dig the moot causes that patronize this gruesome advent of sexual assault. Apart from highlighting the callousness of the judiciary, the prime intention, which is evident in the text, is to signify the reasons that might be a potential cause of this rise in sexual crimes (Simester, Spencer, Stark, Sullivan & Virgo, 2016). Apart from the side of judiciary that always hesitates to confront the ground level reality of this gruesome issue, the narrator also intends to address the fact that many woman being victim of a sexual assault abashed to report about it in the relevant authority. Instead of choking the text with frigid information, the author seeks the mindset that causes this callousness of judiciary and the victims as well. In this regard, for instance, the author intends to confront the columns that seem to cater the discourse of differentiating physical assault with sexual assault. In the same note, the author admonishes to point out the ‘rape myths’ which, being a cardinal social stigma justify the callousness of the relevant judiciary.

## Message

The text apparently seem devoid of any kind of messages which is justifiable since that trend is prone to smother the text of being multidimensional and expects compliance from the reader towards whatever have been conveyed in it. On the contrary, the author desire the readers to become reactive and actively protest against this judicial callousness along with the assurance of failure that refrains the victims to admit what had occurred with them. It has been acknowledged that in order to admit the atrocities that had occurred with a victim of sexual assault in front of the judiciary or any other legal analogue the victim seem to felt a similar kind of assault; although more intense since it is psychic (*One in five sexual-assault cases go to court, study finds*. 2018). In this regard, it is evident from the narration of the author that the author wants the victims to seek their own justice by their own. Furthermore, while delving deep into the moot questions that formulates such a horrible situation, the author seem to recommend an alternative way for the victim to protest against it instead of taking the law into their hand.

## Effective argument

It has been already mentioned that the author of the text has been able to create an ambience where, instead of imposing into something, the author indicates to the port of an open debate. The effectiveness of the argument is evident from the fashion that the author intends to present the information (Herring, 2014). Furthermore, the author also desires the reader to apprehend the stark contrast prevalent within two information of identical impulse since it is the firm belief of the author that it will facilitate the readers to participate into it actively. This is a reliable index to judge the effectiveness of an argument.

Furthermore, it assists the reader like me to transcend the bias of whatever kind since the fashion of presenting information indicates a sojourn of multiple interpretation irrespective of any partiality or discrimination.