

Describe the major differences existing between private wrongs and public crimes ...

Law



Private wrongs and public crimes have emerged as vital issues that significantly impact business communities. Differentiating between the two becomes very essential for the authorities and public at large. Crime as public wrong is intrinsically linked to acts of violation against the normative values held within the society while private wrongs ensure social justice and promote responsible behavior within the wider framework of civil laws that compensate victims for loss (Miller, 2011). The two are distinct in their scope and need to be clarified for enacting appropriate legal actions against the people or individuals suspected of the crime.

The major difference between private wrong and public wrong is that private wrong is an infringement of civil rights of individuals, regarded solely as individuals (ibid). The torts and contracts are concerned with private wrongs. As part of civil law, torts primarily deal with individuals or complainants who are victimized or wronged. In private wrongs, individuals incur some sort of loss due to the faults of others which needs to be compensated. Trespassing is one of the most common private wrong. The complainants are invariably individuals but the defendants could be individuals, group or even the state, which have, directly or indirectly, been responsible for inflicting injury on the innocent party (Fletcher, 1996). Another important feature is that here the victim or plaintiff is principally in charge of the legal process. A civil process or legal action puts the victim in charge who initiates proceedings against the person or people who have allegedly wronged him/her. There is no compulsion on the plaintiff to either pursue the case or to drop it.

Public wrong or crime, on the other hand, is exemplified as crime which necessitates criminal proceedings where state is mainly in charge of legal

process. The police and other state authorities are involved in the process to investigate the veracity of the crime. The state is responsible for the status of the criminal proceedings and main decision maker for deciding whether it should continue or not. The public wrongs have wide ramifications on the public and are not merely confined to individuals (Miller, 2011). Corporate scams like Enron and WorldCom are prime examples of public wrongs that have significantly impacted the public at large. Rape is another critical public wrong that requires criminal proceedings against the culprit and the punishment serves as deterrent for other offenders.

The response or outcome of the two wrongs is important imperative that enhances the basic differences between the two. Public wrongs have criminal proceedings that result in some sort of punishments which condemn the act and therefore make it key factor that deters other offenders to commit the same crime. Private wrongs have mostly compensation as major outcome that helps victims to overcome their loss or harm as envisaged by them. Private wrongs are important elements of law that is fundamentally based on being responsible for one's acts. Thus liability is not for acting wrongly but on committing a wrong. Both the laws safeguard the rights of common man.

(words: 504)

Reference

Fletcher, George (1996). *Domination in Wrongdoing*, Boston University Law Review 76, 347-360.

Miller, Roger LeRoy. (2011) *Fundamentals of Business Law: Summarized Cases*. 9th edition. Texas: Cengage learning.

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