

# Dynamics of crime and delinquency

Law



Crime and Delinquency: Question Number One: According to this passage, Baccaria believes that laws should be enacted by people, through consensus. That is, out of a free will. According to history, laws were enacted through consensus, and because of this, these laws did not trench on the rights of people. There was happiness and unity within the society. Baccaria therefore advocates for involving the majority in the affairs of the state, and legal rule. This is a characteristic of a democracy, and it plays a role in ensuring there is peace and stability within the state (Barker and Colin, 23). However, Baccaria denotes that currently, laws are enacted and enforced by a few people, who are out to achieve their own selfish agenda. This would not lead to the happiness of the society.

Question Number Two:

Under this statement, Baccaria means that the stronger members of the society are guilty of oppressing the weaker members of the society. This is because they are accused of crimes, and hence they are under torture, to either confess them, or implicate others. Baccaria advocates against torturing a suspect, and this is mainly because they are not guilty, until the courts prove that they are indeed the ones who committed the offence. Furthermore, Baccaria advocates against the prison sentence (Barker and Colin, 29). He believes that imprisonment is a crime against humanity. On this basis, people should make policies aimed at preventing crime, instead of punishing crime.

Question Number Three:

From this passage, we can denote that necessity refers to the preservation of the public liberty. These are rights and privileges enjoyed by the public. An individual can only be punished when they try to interfere with these

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public liberties.

Question Number Four:

Baccaria denotes that justice is a bond that makes it possible to unite the society. Furthermore, justice is a concept that prevents individuals from being barbarians. This is the original state of mankind. On this basis, punishments that aim at destroying this bond of unity are not just.

Works Cited:

Barker, D. L. A., and Colin F. Padfield. Law. 11th ed. Oxford: Made Simple, 2002. Print.