

Unit 6 assignment 4

Law



Unit 6 Assignment/4

Topic Unit 6 Assignment/4 Explain the Felony Murder doctrine and the rationales for it Felony murder doctrine is a doctrine in criminal law that goes against the traditional approach that a person can only be accused of murder if he/she committed the act intentionally and with full knowledge that that his/her action would lead to death. As such, the felony murder doctrine requires that a person who commits the act of killing be found guilty even if he/she never intended (Zanten 1568).

2 a. Define Manslaughter

Manslaughter is the unlawful act of an individual killing another without cruelty (Lippman 362)

b. Explain Voluntary Manslaughter and the concept of adequate provocation

Voluntary manslaughter is the killing of an individual that results from sufficient aggravation. The concept of adequate provocation arises from an act that is sufficient to elicit an ordinary person's passion and cause him/her to lose self-control (Lippman 361).

3. Explain and compare the personal restraint crimes of Kidnapping and False Imprisonment

Kidnapping is the scenario whereby an individual unlawfully physically moves another without his/her consent with the view of using the abduction for some wicked gains. False imprisonment, on the other hand, is the unlawful confinement of a person with the aim of limiting his/her movement devoid of his/her consent. While the former is an outright criminal offence, the latter comes as a rather civil damage as it is usually the harmless limiting of a person's freedom of movement (Lippman 361).

4. Assume John is thrown out of a bar. John gets into his car to leave. Angry, but not intending to hurt anyone, John discharges one round into the bar as he drove by. Unfortunately, the round strikes and kills a customer. In light of this, John commits involuntary manslaughter in view of the fact that he had no intention to kill anyone. Even though he felt aggrieved, the element of intention is lacking in order for his act to qualify as voluntary manslaughter (Lippman 362).

Works Cited

Lippman, Matthew. *Contemporary criminal law : concepts, cases, and controversies*. Thousand Oaks, Calif. : Sage Publications, 2010. Print

Zanten, Douglas. " Felony murder, the merger limitation, and legislative intent." 2007. 16 February 2012 . Web