

CLN4U
Homework Questions
Chapter 9

1. Why are we both fascinated and repelled by criminal behaviour? [265]
2. Cesare Beccaria and Jeremy Bentham's views on criminology are seen as belonging to the classical theory of criminology. Outline their views. [265]
3. Outline the Positivism School of thought. Provide a few examples. [266]
4. What is the main problem with believing that criminals were "born not made"? [266]
5. The sociological perspective of criminology includes a variety of theories and schools. Briefly outline what each one of the following states: [267]
 - a) Theory of Anomie
 - b) Ecological School
 - d) Social Conflict Theory
 - e) Consensus Theory
6. "Classic theory has evolved into rational choice and deterrence theories". What does this mean? [268]
7. Outline the main premise of the following contemporary theories: [268]
 - a) Strain Theory
 - b) Socialization Theory
 - c) Social Conflict Theory
8. Contemporary positivist theories are sometimes referred to as "biological trait theory". Explain. [269]
9. What do Neurophysiological theorists believe? [269]
10. What is the purpose of law? [270]
11. Where is the line drawn between personal liberties and the protection of society drawn? What determines it? [270]
12. Provide the main functions of our Criminal Code. [270]
13. What is vigilantism and why do we as a society want to prevent it? [271]
14. What is meant by "legal paternalism" and provide two examples depicting this concept. [271]
15. If there is no victim, should there be a crime? Provide two examples of this and provide your reasoning. [274]
16. Should morality factor into the Criminal Code? [274]
17. What is crime? What are quasi-criminal offences? State the 2 elements that must be proven in order to be convicted of a crime in Canada. [275]
18. What is the Criminal Code definition for actus reus? What does the Crown have to do to prove it? Use the example of the Kenneth Parks case to explain your answer. [275]
19. What is the Criminal Code definition of mens rea? [278]
20. Explain the following: [278]
 - a) general intent versus specific intent;
 - b) intent and motive;
 - c) knowledge;
 - d) recklessness and willful blindness.
21. Distinguish between subjective and objective distinction of mens rea. Use the case of R. v. Tutton and Tutton to help explain your answer. [279]
22. Distinguish between strict liability and absolute liability. [281]
23. Briefly describe our present Criminal Code. [282]
24. Define the following terms:
 - a) indictable offences;
 - b) summary conviction offences;
 - c) hybrid offences.
25. Describe the crime of assault and its relation to sporting events. What happened in the McSorley case? [284]
26. Discuss the offences of stalking and the use of firearms. [285]
27. Describe how our Criminal Code has been reformed. Provide three examples. [287]
28. What is the purpose of justice in our legal system? [290]
29. What is the relationship of justice to criminal law according to: [290]
 - a) the English;
 - b) the Greeks;
 - c) the Aborigines;
 - d) Canadian criminal justice system.