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OUTLINES OF CRIMINAL LAW

BOOK I

GENERAL CONSIDERATIONS

CHAPTER I

THE NATURE OF A CRIME

THROUGHOUT forty years' experience as an academical lecturer upon various legal subjects, I found criminal law to be usually regarded, both by its students and by its teachers, as one of the most attractive portions of their work. It has of course a great practical importance; on account of the large number of our criminal tribunals and, consequently, of the persons who have to take part in their administration. For to young counsel and solicitors these criminal courts offer the readiest access to professional employment and thus to experience, instructive if not lucrative, in the practical details of advocacy. And even persons who have no professional interest in legal matters often find themselves engaged, as jurymen or Justices of the Peace, in discharging public duties in which a knowledge of the criminal law is of great assistance to them. Again, without any such call either of public duty or of professional activity, the plainest private citizen may easily have direct personal cause to realise the value of this kind of knowledge. For our civilisation is not yet so perfect that a man can be sure that even the most prudent administration of his affairs will save him from having to invoke the protection of the criminal law, or that even the highest moral rectitude will remove all risk of his having to defend himself against groundless and malicious criminal accusations. But there are also other causes, less utilitarian than any of these,