

INDICE

	<i>pag.</i>
<i>Prólogo</i>	IX
di <i>Alberto Buela</i>	

FIRST PART PENALTY ISSUES

CHAPTER I

DEVELOPMENTS IN CRIMINAL LAW

1.1. Introduction	3
1.2. An adequate response to any deviation from the society	4
1.3. Criminal anthropology	5
1.4. The lack of morality makes the human being free to commit crime	7
1.5. Psychological, social and economic reasons of crime	10
1.6. “The criminal type”	11

CHAPTER 2

THE AGE OF NEUROCRIMINOLOGY

2.1. Introduction	13
2.2. The criminal’s lack of emotional capacity	15
2.3. The most urgent problem in the field of criminal law	16
2.4. The new term of neuroscience	17

	<i>pag.</i>
2.5. Neuroscientists in the courts	19
2.6. Neuroethics, a science that could solve the problem of imputability	21
2.7. The reassessment of the typical criminal figure	24

CHAPTER 3

THE PIONEER OF CRIME THEORIES

3.1. Introduction. The originality of Lombroso's ideas	29
3.2. Italian classical and positive school	30
3.3. The dispute between the two schools	31
3.4. Success and criticism of Lombroso's work	33
3.5. The myth built around the Vilella case	35
3.6. The science of deviance	38
3.7. The novelty of the second edition	39
3.8. The function of the criminal justice system	40
3.9. Criminal anthropology and the "diagnosis" of the propensity to crime	42

CHAPTER 4

THE ISSUE OF THE DEATH PENALTY

4.1. Introduction	45
4.2. From the Marquis to Robespierre	47
4.3. Voltaire and <i>Dei delitti e delle pene</i>	48
4.4. Beccaria's theses in North America	50
4.5. About the right to carry firearms	52
4.6. Injustice and uselessness of the death penalty	53
4.7. The return of the death penalty as a means of protecting social life	54
4.8. The main aim of the State: the protection of citizens who respect the law against crimes	57
4.8.1. Article 3 of the European Convention on Human Rights and Article 2 of the 1987 United Nations Convention	60

4.9. The explicit prohibition included in the draft European Constitution: the European continent is “without death penalty”	62
--	----

SECOND PART

ALARM ISSUES

CHAPTER 5

THE POSSIBLE SALVATION OF THE WORLD IN LAW

5.1. Introduction: a civilization in decline	69
5.2. A sense of nihilism	70
5.3. The origins of human life	71
5.4. Love as “food of the gods”	73
5.5. Acceptance of the other	74
5.6. Where are doctors of modern humanity?	75
5.7. The intense collective experience	77

CHAPTER 6

FROM THE MODERN AGE TO THE AGE OF GLOBALIZATION: TERRORISM AND ALERT

6.1. Introduction. Arts and techniques of human “doing”	79
6.2. The State of law	83
6.3. The fundamental dimensions of “dasein”	84
6.4. <i>Mondialisation</i> and its dangers	86
6.5. The darkness and dangers of hidden economic power	88
6.6. The terrorism of our times	90
6.7. The question of the state of emergency	93
6.8. Conclusion. <i>Recte vivere et abesse a delictis</i>	94

Bibliografia