



Antecedentes históricos de la responsabilidad penal de las personas jurídicas [

2021

text (article)

Analítica

This paper briefly analyzes the origin and evolution of Corporate Criminal liability over the centuries, beginning with Roman Law and then examining medieval law and canon law, until reaching the debate on this question in the nineteenth century. Although the principle *societas delinquere non potest* has frequently been showed as obvious and outdated, its formulation cannot go back beyond the eighteenth century or the first half of the 19th century having dominated in the preceding seven centuries the opposite idea *universitas delinquere et puniri potest*. Indeed, during the centuries prior to the 19th century, the criminal capacity of corporations was admitted and, therefore, the possibility of declaring their criminal liability for the commission of a crime. At that time the discussion focused especially on whether corporations, as soulless entities, could be punished with spiritual punishment such as excommunication. This work is inserted within the research lines of the Criminal Studies Group of the University of Zaragoza

This paper briefly analyzes the origin and evolution of Corporate Criminal liability over the centuries, beginning with Roman Law and then examining medieval law and canon law, until reaching the debate on this question in the nineteenth century. Although the principle *societas delinquere non potest* has frequently been showed as obvious and outdated, its formulation cannot go back beyond the eighteenth century or the first half of the 19th century having dominated in the preceding seven centuries the opposite idea *universitas delinquere et puniri potest*. Indeed, during the centuries prior to the 19th century, the criminal capacity of corporations was admitted and, therefore, the possibility of declaring their criminal liability for the commission of a crime. At that time the discussion focused especially on whether corporations, as soulless entities, could be punished with spiritual punishment such as excommunication. This work is inserted within the research lines of the Criminal Studies Group of the University of Zaragoza

This paper briefly analyzes the origin and evolution of Corporate Criminal liability over the centuries, beginning with Roman Law and then examining medieval law and canon law, until reaching the debate on this question in the nineteenth century. Although the principle *societas delinquere non potest* has frequently been showed as obvious and outdated, its formulation cannot go back beyond the eighteenth century or the first half of the 19th century having dominated in the preceding seven centuries the opposite idea *universitas delinquere et puniri potest*. Indeed, during the centuries prior to the 19th century, the criminal capacity of corporations was admitted and, therefore, the possibility of declaring their criminal liability for the commission of a crime. At that time the discussion focused especially on whether corporations, as soulless entities, could be punished with spiritual punishment such as excommunication. This work is inserted within the research lines of the Criminal Studies Group of the University of Zaragoza

Título: Antecedentes históricos de la responsabilidad penal de las personas jurídicas electronic resource]

Editorial: 2021

Tipo Audiovisual: historical background Corporate Criminal liability corporations and criminal law antecedentes históricos responsabilidad penal de las personas jurídicas empresa y Derecho penal antecedentes históricos responsabilidade penal das pessoas jurídicas direito empresarial e penal

Documento fuente: Revista Ratio Juris, ISSN 1794-6638, Vol. 16, N°. 32, 2021, pags. 93-116

Nota general: application/pdf

Restricciones de acceso: Open access content. Open access content star

Condiciones de uso y reproducción: LICENCIA DE USO: Los documentos a texto completo incluidos en Dialnet son de acceso libre y propiedad de sus autores y/o editores. Por tanto, cualquier acto de reproducción, distribución, comunicación pública y/o transformación total o parcial requiere el consentimiento expreso y escrito de aquéllos. Cualquier enlace al texto completo de estos documentos deberá hacerse a través de la URL oficial de éstos en Dialnet. Más información: <https://dialnet.unirioja.es/info/derechosOAI> | INTELLECTUAL PROPERTY RIGHTS STATEMENT: Full text documents hosted by Dialnet are protected by copyright and/or related rights. This digital object is accessible without charge, but its use is subject to the licensing conditions set by its authors or editors. Unless expressly stated otherwise in the licensing conditions, you are free to linking, browsing, printing and making a copy for your own personal purposes. All other acts of reproduction and communication to the public are subject to the licensing conditions expressed by editors and authors and require consent from them. Any link to this document should be made using its official URL in Dialnet. More info: <https://dialnet.unirioja.es/info/derechosOAI>

Lengua: Spanish

Enlace a fuente de información: Revista Ratio Juris, ISSN 1794-6638, Vol. 16, N°. 32, 2021, pags. 93-116

Baratz Innovación Documental

- Gran Vía, 59 28013 Madrid
- (+34) 91 456 03 60
- informa@baratz.es