

CONSENT AND OBVIOUS VULNERABILITY

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ABSTRACT: *While the penal codes includes certain offences that one may regard as falling under the species of „crimen natural” (e.g. homicide or theft), human trafficking is conceivable as crime only in the framework of the Modern social order. In the same time, the criminalization itself, as it presents itself exemplary in the new Romanian penal code, shows the limits of the legal paradigm, that departs from the (extreme) vulnerability of the human individuals, forced by their own reason to submit themselves under an authority, whose exercise is legitimated by their own consent.*

KEYWORDS: *human trafficking, consent, Romanian criminal Code, criminal or non-criminal nature of some offences*

JEL CLASSIFICATION: *K 14, K 19*