

**THE PHILOSOPHY OF THE SOCIETY RIGHTS IN THE
APPLICATION OF PENALTIES IN IMPLEMENTING
THE CRIMINAL LAW**

Lucian CHIRIAC*
Sonia Bianca BLAJ**

Abstract: *"Responsibility" means, on one hand, responsibility for your acts and actions, and, on the other hand, liability for the consequences of your acts and deeds. Our approach starts from the second point, where there is a moral, ethical, deontological, legal, material liability, etc. Legal liability intervenes where the law provides or jurisprudence establishes. It is natural to resume the notion of responsibility to legal liability and this shall be based only on law or jurisprudence. Everything lies in the extent of liability, meaning, will we be the followers of the Law of Talion, or the measure must be a reflection of a necessary social and human balance? In criminal law is called punishment, in administrative-contraventional law, sanction. Who gives society the right to apply the rules of deprivation of liberty for the acts and deeds of an individual? In this context, Montesquieu states that "any punishment that does not derive from an absolute necessity is tyrannical." By means of this study, the authors ask the questions and try to answer to the proposed theme.*

Keywords: *punishment; liability; responsibility; rules; society; deprivation of liberty.*
JEL CODE: *K14, K38*

* University professor, PhD at Faculty of Economics, Law and Administrative Sciences, „Petru Maior” University from Tirgu-Mures; Lawyer at Mures Bar, ROMANIA.

** Trainee lawyer at Mures Bar, ROMANIA.