犯罪类

1. On the one hand, fixed punishments will have a deterring effect on society. Individuals knowing that they will be subject to a certain punishment if they are convicted with a given crime, will reconsider committing this act in the first place. This deterring effect also leads to social stability and security, through minimizing the number of crimes committed.

一方面，固定惩罚将对社会产生震慑作用。人们如果知道自己被判刑后会受到的某种惩罚，他们将一开始 便重新考虑是否实施这一行为。这种威慑作用还通过最大限度地减少犯罪数量来实现社会稳定和安全。

2. On the other hand, taking the circumstances of a crime and its motivation into consideration is a prerequisite for establishing and ensuring justice and equity. A person killing in self-defense cannot be compared to a serial killer, moving from one victim to the next.

另一方面，考虑犯罪的情节及其动机是建立和确保正义和公平的前提。一个为自卫而杀人的人不能与一个不断找寻受害者的连环杀手相比。

3. However, criminal laws have to provide for a minimum and a maximum for the punishment and the laws also have to foresee certain cases of exemptions. An example for setting minimum and maximum penalties is Competition Law where a person being held liable of a crime under this law will be convicted to pay a fine, according to the harm caused by the violation and the profit gained by the violator through committing the crime. As for the exemptions, in some countries the law exempts thieves stealing food during a period of famine taking into consideration the distress and hunger.

但是，刑法必须规定惩罚的最低限度和最高限度，法律还必须规定某些豁免情况。以竞争法为例，根据该 法规定对犯罪负有责任的人将根据违规行为造成的损害和违规者通过犯罪获得的利润被判处罚款. 至于豁 免，在一些国家，考虑到苦难和饥饿，法律对在饥荒期间偷食物的小偷予以豁免。