

The Handbook Of Comparative Criminal Law

Research Handbook of Comparative Criminal Justice Comparative Criminal Justice The Handbook of Comparative Criminal Law Comparative Criminal Law Comparative Criminal Justice Systems Comparative Criminal Justice Comparative Criminal Justice and Globalization Comparative Criminal Law Handbuch des Strafrechts The Oxford Handbook of Criminal Law Comparative Criminal Justice Systems Transnational Crime Comparative Criminal Procedure Criminal Justice Theory Proof, Evidence and Hate Crime Handbook of Transnational Crime and Justice Comparative Criminal Procedure Comparative Criminal Justice Systems Comparative Restorative Justice Criminal Law Nelken, David Francis Pakes Kevin Jon Heller Albin Eser Philip L. Reichel David Nelken Professor David Nelken Albin Eser Martin Asholt Markus Dirk Dubber Erika Fairchild Jessica Roher John H. Langbein Edward R. Maguire Tshepo Bogosi Mosaka Philip Reichel Jacqueline E. Ross Marko Nikolić Theo Gavrielides Markus Dubber

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with contributions from leading experts in the field this timely research handbook reconsiders the theories assumptions values and methods of comparative criminal justice in light of the challenges and opportunities posed by globalisation deglobalisation and transnationalisation

this book aims to meet the need for an accessible introductory text on comparative criminal justice examining the ways different countries and jurisdictions deal with the main stages and elements in the criminal justice process from policing through to sentencing examples are taken from all over the world with a particular focus on europe the uk the united states and australasia the main aims of the book are to provide the reader with a comparative perspective on criminal justice and its main components an understanding of the increasing globalization of justice and standards of the administration of justice a knowledge of methodology for comparative research and analysis an understanding of the most important concepts in

criminal justice such as inquisitorial and adversarial trial systems policing styles crime control versus due process retribution versus rehabilitation etc discussion of global trends such as the rise of imprisonment penal populism diversion international policing and international tribunals an insight into what the essential ingredients of doing justice might be this fully updated and expanded new edition of comparative criminal justice takes into account the considerable advances in comparative criminal justice research since the first edition in 2004 each chapter has been thoroughly updated and in addition there is a new chapter on establishing the rate of crime in a comparative context the rate of development in international policing and international development has been such that there is now an individual chapter devoted to each and throughout the book the role of globalization changing both the local and the global in criminal justice arrangements orientations and discourses has now been given the prominence it deserves

this handbook explores criminal law systems from around the world with the express aim of stimulating comparison and discussion general principles of criminal liability receive prominent coverage in each essay including discussions of rationales for punishment the role and design of criminal codes the general structure of criminal liability accounts of mens rea and the rights that criminal law is designed to protect before the authors turn to more specific offenses like homicide theft sexual offenses victimless crimes and terrorism this key reference covers all of the world's major legal systems common civil asian and islamic law traditions with essays on sixteen countries on six different continents the introduction places each country within traditional distinctions among legal systems and explores noteworthy similarities and differences among the countries covered providing an ideal entry into the fascinating range of criminal law systems in use the world over

this work deals with the development objectives and methods of comparative criminal law the wide reaching study explores questions of positioning and of methodology it also asks what the objectives and functions of comparative criminal law should be whether they be theoretical judicial or legislative finally it assesses the future outlook for the discipline

for courses in comparative criminal justice systems comparative criminology and comparative government help readers gain a solid understanding of the diversity in legal systems around the world comparative criminal justice systems a topical approach is designed to effectively explain the complexities of justice systems around the world using an accessible easy to understand comparative approach it helps students recognize the growing importance of an international perspective key concepts are organized in a sequence that many students will already find familiar progressing from issues concerned with criminal law to examinations of police courts and corrections students gain a realistic understanding of the many ways policing adjudication and corrections systems can be organized and operated unlike most competitive books it covers more than 30 countries offering insights into such issues as islamic legal tradition and the eastern asia legal tradition learning objectives utilize bloom's taxonomy phrasing to ensure clarity usefulness and accessibility and visually appealing images further add to the book's readability the seventh edition updates statistics changes in law and modifications of procedures throughout includes new and updated topic

covera enhances and updates popular pedagogical features and provides a number of important chapter modifications to ensure readers are getting the most useful information on this constantly growing field

the increasingly important topic of comparative criminal justice is examined from an original and insightful perspective by one of the top scholars in the field addressing the need for a globalized criminology david nelken looks at why we should study crime and criminal justice in a comparative and international context and the difficulties we encounter when we do evaluating global trends in crime risk and security the book draws upon the author s experience of working in a number of settings around the world a range of case studies are included to illustrate the discussion covering areas such as white collar crime juvenile delinquency and organized crime

in this exciting and topical collection leading scholars discuss the implications of globalisation for the fields of comparative criminology and criminal justice how far does it still make sense to distinguish nation states for example in comparing prison rates is globalisation best treated as an inevitable trend or as an interactive process how can globalisation s effects on space and borders be conceptualised how does it help to create norms and exceptions the editor david nelken is a distinguished scholar of the american sociological association a recipient of the sellin glueck award of the american society of criminology and an academician of the academy of social sciences uk he teaches a course on comparative criminal justice as visiting professor in criminology at oxford university s centre of criminology

dieses werk behandelt die entwicklung ziele und methoden der strafrechtsvergleichung und gliedert sich grob auf wie folgt standortbestimmung ziele und funktionen der strafrechtsvergleichung theoretische judikative legislative und evaluativ kompetitive strafrechtsvergleichung methodik der strafrechtsvergleichung zusammenhang von ziele und methoden untersuchungsstufen prüfungsschritte personelle und institutionelle rahmenbedingungen leitfaden für straf rechtsvergleichende arbeiten ausblick

band 9 strafprozessuale rechtsmittel besondere verfahrensarten strafvollstreckung und internationale bezüge nimmt die rechtsmittel jeweils einzeln ausführlich in den blick bespricht strafvollstreckung und strafvollzug und betrachtet die besonderheiten des jugendverfahrens und des steuerstrafrechts internationale bezüge werden durch umfassende beiträge zum unionsrecht zur europäischen menschenrechtskonvention und dem strafverfahren vor internationalen strafgerichten hergestellt band 9 komplettiert nicht nur die darstellung zum strafprozessrecht sektion iii sondern schließt auch das gesamte handbuch des strafrechts ab wodurch die edition in ihrer wissenschaftlichen auseinandersetzung mit den straf und strafverfahrensrechtlichen fragestellungen vollendet wird konzeption das auf neun bände angelegte handbuch des strafrechts ist eine gesamt Darstellung des deutschen strafrechts und strafverfahrensrechts das nicht über kommentierungen einzelner vorschriften sondern in form themenspezifischer abhandlungen erschlossen wird es besteht aus drei sektionen von denen die erste die grundlagen sowie den allgemeinen teil des strafrechts behandelt die zweite den besonderen teil mit ausgesuchten

teildisziplinen des strafrechts und die dritte das strafverfahrensrecht das handbuch des strafrechts stellt dezidiert die dogmatik in den mittelpunkt es berücksichtigt vor allem die grundlagen und deren fortentwicklung losgelöst von den herausforderungen des augenblicks und des einzelfalls begleitet es die entwicklung des deutschen strafrechts beständig und dauerhaft aus einer kritischen distanz es trägt dazu bei andere strafrechtswissenschaftliche untersuchungen auf ein solides fundament zu stellen aufgrund von interdisziplinarität und einbeziehung europäischer und internationaler tendenzen ist das werk über die nationalen grenzen hinaus für die gesamte strafrechtliche forschung und praxis von interesse

providing scholars with a comprehensive international resource a common point of entry into cutting edge contemporary research and a snapshot of the state and scope of the field the oxford handbook of criminal law takes a broad approach to its subject matter disciplinarily geographically and systematically

comparative criminal justice systems is a topical approach to the subject rather than a countryby country approach this approach allows the author to explore historical political economic social and cultural influences on various criminal justice systems around the world the author uses six main countries as model countries to give specific examples within each chapter every chapter ends with a summary questions for discussion and suggestions for further reading

philip jessup coined the term transnational law in his storrs lecture on jurisprudence delivered in 1956 to describe law that regulates activities or actions that transcend national borders the term redefined the development and practice of the law and became a distinct field of study in 2001 neil boister applied jessup s concept to the field of criminal law and identified the emergence of transnational criminal law in a formative article published in the european journal of international law inspired by boister s work the editors of the journal transnational legal theory sought contributions from leading academics and practitioners for a symposium issue on transnational criminal law in their papers the authors built upon and developed novel approaches to legal issues arising in an increasingly globalized world where both crimes and the regulation of crimes transcend borders the publication of this book marks the sixtieth anniversary of jessup s seminal lecture and exemplifies the significant impact that jessup and later boister have had on legal scholarship and practice in the area of criminal law we are honoured to publish the symposium as a monograph and to contribute to this rapidly evolving field this book was previously published as a special issue of transnational legal theory

criminal justice theory is the first comprehensive volume on the theoretical foundations of criminal justice the authors argue that theory in criminal justice is currently underdeveloped and inconsistently applied especially in comparison to the role of theory in the study of crime itself in the diverse range of essays included here the authors and contributors integrate examples from the study of criminal justice systems judicial decision making courtroom communities and correctional systems building the argument that students of criminal justice must not evaluate their discipline solely on the basis of the effectiveness of specific measures in reducing the crime rate

rather if they hope to improve the system they must acquire a systematic knowledge of the causes behind the structures policies and practices of criminal justice

proof is the property of a disputed fact being established inferentially from an extant fact this book explicates the structural components of this phenomenon in the context of hate crimes across various jurisdictions around the world it departs from the orthodox conception of evidence and proof as being a general value neutral or non normative and epistemic subject and offers a relativistic conception of this area of law the core argument is that proof is both semantically and methodologically determined by three conditions of materiality process and probativity this argument is then justified by the context specific application of this relativistic theory of proof to hate crimes this theoretical application of proof is sustained throughout the book using multiple examples and illustrations of hate crimes around the world the discussion both at the level of proof and hate crimes while focusing on the grounds of race religion and ethnicity specifically is framed in jurisprudential cross jurisdictional and interdisciplinary terms the book will be of interest to academics and researchers working in the areas of criminal law legal philosophy and procedural law

transnational crime and justice will characterize the 21st century in same way that traditional street crimes dominated the 20th century in the handbook of transnational crime and justice philip reichel and jay albanese bring together top scholars from around the world to offer perspectives on the laws crimes and criminal justice responses to transnational crime this concise reader friendly handbook is organized logically around four major themes the problem of transnational crime analysis of specific transnational crimes approaches to its control and regional geographical analyses each comprehensive chapter is designed to be explored as a stand alone topic making this handbook an important textbook and reference tool for students and practitioners alike

this handbook presents innovative research that compares different criminal procedure systems by focusing on the mechanisms by which legal systems seek to avoid error protect rights ground their legitimacy expand lay participation in the criminal process and develop alternatives to criminal trials such as plea bargaining as well as alternatives to the criminal process as a whole such as intelligence operations the criminal procedures examined in this book include those of the united states germany france spain russia india latin america taiwan and japan among others

comparative criminal justice investigates and evaluates a national system of justice in terms of other countries and cultures comparative criminal justice takes a descriptive historical or political approach comparativists are trying to find the best solutions by observing international practice through space and time this book thoroughly investigates systems of comparative criminal justice

this edited collection introduces and defines the concept of comparative restorative justice putting it in the context of power relations and inequality it aims to compare the implementation and theoretical development of

restorative justice internationally for research policy and practice in part i this volume compares practices in relation to the implementing environment be that cultural political or societal part ii looks at obstacles and enablers in relation to the criminal justice system and considers whether inquisitorial versus adversarial jurisdictions have impact on how restorative justice is regulated and implemented finally part iii compares the reasons that drive governments regional bodies and practitioners to implement restorative justice and whether these impetuses impact on ultimate delivery featuring fifteen original chapters from diverse authors and practitioners this will serve as a key resource for those working in social justice or those seeking to understand and implement the tenets of restorative justice comparatively

criminal law a comparative approach presents a systematic and comprehensive analysis of the substantive criminal law of two major jurisdictions the united states and germany presupposing no familiarity with either u s or german criminal law the book will provide criminal law scholars and students with a rich comparative understanding of criminal law s foundations and central doctrines all foreign language sources have been translated into english cases and materials are accompanied by heavily cross referenced introductions and notes that place them within the framework of each country s criminal law system and highlight issues ripe for comparative analysis divided into three parts the book covers foundational issues such as constitutional limits on the criminal law before tackling the major features of the general part of the criminal law and a selection of offences in the special part throughout readers are exposed to alternative approaches to familiar problems in criminal law and as a result will have a chance to see a given country s criminal law doctrine on specific issues and in general from the critical distance of comparative analysis

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Introduction

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