

CRIMINAL LAW CONVERSATIONS



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Criminal Law Conversations

John Deigh, David Dolinko



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of Life and the Criminal Law Dennis J. Baker, Jeremy Horder, 2013-02-14 Fourteen essays on major theoretical issues in contemporary criminal law and medical law ethics **The ^AOxford Handbook of Philosophy of Criminal Law** John Deigh, David Dolinko, 2011-06-01 This is the first comprehensive handbook in the philosophy of criminal law *The Oxford Handbook of Criminal Law* Markus D Dubber, Tatjana Hörnle, 2014-11-27 The Oxford Handbook of Criminal Law reflects the continued transformation of criminal law into a global discipline 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 To this end the Handbook takes a broad approach to its subject matter disciplinarily geographically and systematically Its contributors include current and future research leaders representing a variety of legal systems methodologies areas of expertise and research agendas The Handbook is divided into four parts Approaches Methods I Systems Methods II Aspects Issues III and Contexts Comparisons IV Part I includes essays exploring various methodological approaches to criminal law such as criminology feminist studies and history Part II provides an overview of systems or models of criminal law laying the foundation for further inquiry into specific conceptions of criminal law as well as for comparative analysis such as Islamic Marxist and military law Part III covers the three aspects of the penal process the definition of norms and principles of liability substantive criminal law along with a less detailed treatment of the imposition of norms criminal procedure and the infliction of sanctions prison law Contributors consider the basic topics traditionally addressed in scholarship on the general and special parts of the substantive criminal law such as jurisdiction mens rea justifications and excuses Part IV places

criminal law in context both domestically and transnationally by exploring the contrasts between criminal law and other species of law and state power and by investigating criminal law's place in the projects of comparative law transnational and international law *The Legitimacy of EU Criminal Law* Irene Wiecezorek, 2020-07-09 This book traces the history of the EU competence EU policy discourse and EU legislation in the field of criminalisation from Maastricht until the present day It asks Why EU Criminal Law looking at what rationales the Treaty policy document and legislation put forth when deciding whether a certain behaviour should be a criminal offence To interpret the EU approach to criminalisation it relies on both modern and post modern theoretical frameworks on the legitimacy of criminal law read jointly with the theories on the functions of EU harmonisation of national law The book demonstrates that while EU constitutional law leans towards an effectiveness based enforcement driven understanding of criminal law the EU has in fact in more than one instance adopted symbolic EU criminal law ie criminal law aimed at highlighting what values are important to the EU but which is not fit to actually deter individuals from harming such values The book then questions whether this approach is consistent or in contradiction with the values based constitutional identity the EU has set for itself **Rationale-Based Defences in Criminal Law**

Mark Dsouza, 2017-05-04 PRAISE FOR THE BOOK Despite the existing scholarly literature on criminal defences many issues remain contested or unresolved Dr Dsouza offers a thorough and scholarly treatment of a complex topic which can be expected to become a point of reference for future work in the field Professor James Chalmers University of Glasgow Mark Dsouza has produced an engaging incisive and cogently argued monograph that makes an original contribution to criminal law theory Required reading for scholars and graduate students working on criminal law defences Professor Paul Roberts University of Nottingham Although it is often accepted that rationale based defences to criminal liability can be justificatory or excusatory disagreements about how best to conceptualise the categories of justification and excuse have appeared so interminable that some theorists argue that they should be abandoned altogether This book offers a novel principled and intuitively appealing conceptual account of the natures of justifications and excuses showing how they differ and why the distinction between them matters The monograph breaks new ground by defending a model of rationale based defences that turns solely on the quality of the defendant's reasoning This model is shown to generate appealing liability outcomes advance convincing solutions to questions that have puzzled criminal lawyers for years and offer suggestions for doctrinal reform that are both normatively sound and practical By proposing new ways to think about defences this book makes an original contribution to criminal law theory that will be of benefit to academics practitioners and persons interested in law reform Crime, Punishment, and Responsibility Rowan Cruft, Matthew H. Kramer, Mark R. Reiff, 2011-07-14 For many years Antony Duff has been one of the world's foremost philosophers of criminal law This volume collects essays by leading criminal law theorists to explore the principal themes in his work In a response to the essays Duff clarifies and develops his position on central problems in criminal law theory Some of the essays concentrate on the topic of

criminalization That is they examine what forms of conduct including attempts offensiveness and negligence can aptly qualify as criminal offences and what principled limits if any should be placed on the reach of the criminal law Several of the other essays assess the thesis that punishment is justifiable as a form of communication between offenders and their community Those essays examine the presuppositions about the nature and function of community and about the moral structure of atonement that must be embraced if communication is to be a primary role for punishment The remaining essays examine the nature and limits of responsibility in the law as they engage with philosophical debates over moral luck by investigating the ways in which the law can legitimately hold people responsible for events that were not within their control These chapters tie the first and third parts of the book together as they explore the relationship between the principles that determine a person s responsibility and the principles that determine which types of actions can appropriately be criminalized Finally Duff responds with comments that seek to defend and clarify his views while also acknowledging the correctness of some of the critics objections

Criminal Law Kathryn H. Christopher, Russell L. Christopher, 2012 Law students often find criminal law to be one of the most interesting but also one of the most difficult courses In Criminal Law Model Problems and Outstanding Answers Russell Christopher and Kathryn Christopher make criminal law both easier and more interesting by offering typical fact patterns and model answers followed by an important self assessment section

Smith, Hogan, and Ormerod's Criminal Law David Ormerod, Karl Laird, 2018 Smith Hogan Ormerod s Criminal Law is rightly regarded as the leading doctrinal textbook on criminal law in England and Wales Published in its first edition over fifty years ago it continues to be a key text for undergraduates and an essential reference source for practitioners

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