

Transnational Crime Law Theory And Practice At The Crossroads

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[Trafficking of Human Beings from a Human Rights Perspective](#) Tom Obokata 2006-08-30 It has been widely accepted that trafficking of human beings is a human rights issue. However, it has been difficult to address the human rights aspects of the phenomenon in practice, because a comprehensive analysis of applicable human rights norms and principles has not been fully developed, and therefore the nature of obligations imposed upon States is not entirely clear. The purpose of this book, then, is to establish a human rights framework to promote better understanding of the multi-faceted problems inherent in trafficking of human beings, articulate obligations imposed upon States, and facilitate a holistic approach. The book also contains chapters on case studies at the national, regional, and international levels, thereby combining the theory and practice.

[Understanding Crime](#) Latham Thomas Winfree 2003 This thought-provoking examination of crime and criminological theory takes a direct approach to a question that often confuses and frustrates students--why do people commit crimes? UNDERSTANDING CRIME begins with an overview of the key elements of the study of crime and criminology, including law, public policy, research literature, and the philosophical origins of crime theories. These theories, based in biology, psychology, and sociology, are then broken down to their basic elements and causal processes in order to be explored. The authors examine the practical implications and applications each theory has on the administration of justice. In conclusion, the text looks at the future of crime theory by speculating whether or not new research designs, theories, and paradigms are needed. With a new modular format, this text can be customized for any teaching or learning style.

[Amnesty, Serious Crimes and International Law](#) Josepha Close 2019-06-04 Amnesty, Serious Crimes and International Law examines the permissibility of amnesties for serious crimes in the contemporary international order. In the last few decades, there has been a growing tendency to consider that amnesties are prohibited in respect of certain grave crimes. However, the question remains controversial as there is no explicit treaty ban and general amnesties continue to be frequently issued in post-conflict and transitional contexts. The first part of the book explores the use of amnesties from antiquity to the present day. It reviews amnesty traditions in ancient societies and provides a global picture of modern amnesties. In parallel, it traces the development of the accountability paradigm underpinning the current prohibitive stance on amnesties. The second part assesses the position of modern international law on amnesties. It comprehensively analyses the main arguments supporting the existence of a general amnesty ban, including the duty to prosecute international crimes, the right to redress of victims of human rights violations, international standards and trends in state practice, and the mandate of international criminal courts. The book argues that, while international legal or policy requirements restrict the freedom of states to extend amnesty in respect of serious crimes, or the effectiveness of amnesty measures in preventing the prosecution of such crimes, these restrictions do not add up to an absolute and universal prohibition.

[Criminal Profiling](#) Richard N. Kocsis 2007-06-30 In this book, renowned profiler Dr. Richard Kocsis presents a distinct approach to profiling called Crime Action Profiling or CAP. The volume explains the scope and methodology employed in the studies that the author has undertaken over the past decade and a half. CAP adopts the view that profiling essentially represents a psychological technique that has its foundations in the disciplinary knowledge of forensic psychology.

[White Collar Crime](#) Seigel L. Michael 2011-11-21 As reflected in its title, this book provides concise yet comprehensive coverage of the most important issues arising out of modern day WCC, including in-depth examinations of (1) the most widely used WCC statutes and regulations; (2) the aspects of criminal procedure, such as the use of grand juries, that are particularly pertinent to the practice of WCC; (3) the sociology and psychology connected to White Collar Crime; and (4) practical considerations in the prosecution and defense of WCC. Features: Distinguished authorship: Seigel, the author of many articles on Criminal Law and WCC, as well as a former organized crime prosecutor and First Assistant United States Attorney, prosecuted and supervised hundreds of WCC cases during his tenure with the federal government. He has testified twice before the United States Senate Judiciary Committee on WCC matters over the last four years Unique introductory material, including journalists' accounts of recent WCC scandals and sociological and psychological insights into WCC and WC criminals, starting with the famous speech during which Edwin H. Sutherland coined the phrase Heavy emphasis on where the action is Chapter on Bank Fraud: critical for understanding current DOJ emphasis resulting from fallout from 2008 economic crisis One hundred page chapter devoted to Securities Fraud ever since ENRON, most major cases have been prosecuted under the securities law Coverage of the impact of Sarbanes-Oxley and Dodd-Frank Acts on the economic regulatory system and their spillover into the criminal arena Inclusion of materials related to battle over Honest Services Fraud. Fresh and interesting cases; facts of cases are robust, helping students understand the complex business context in which sophisticated WCC takes place. Carefully constructed questions fill in the gaps between cases. "Test Your Understanding" distinctive approach of employing real case facts as well as hypothetical problems to challenge students and focus classroom discussion

[Developments in Customary International Law](#) Birgit Schlütter 2010-05-17 Building on an empirical analysis of the jurisprudence of the International Court of Justice and the two ad hoc tribunals for ex-Yugoslavia and Rwanda, this book sheds new light on the development of custom as a source of international (criminal) law.

[Global Corruption](#) Gerry Ferguson 2018-02

[An Introduction to Transnational Criminal Law](#) Neil Boister 2012-09-06 The suppression of cross-border criminal activity has become a major global concern. An Introduction to Transnational Criminal Law examines how states, acting together, are responding to these forms of criminality through a combination of international treaty obligations and national criminal laws. Multilateral 'suppression conventions' oblige states parties to criminalise a broad range of activities including drug trafficking, terrorism, transnational organised crime, corruption, and money laundering, and to provide for different types of international procedural cooperation like extradition and mutual legal assistance in regard to these offences. Usually regarded as a sub-set of international criminal justice, this system of law is beginning to receive greater attention as a subject in its own right as the scale of the criminal threat and the complexity of synergizing the criminal laws of different states is more fully understood. The book is divided into three parts. Part A asks and attempts to answer what is transnational crime and what is transnational criminal law? Part B explores a selection of substantive transnational crimes from piracy through to cybercrime. Part C examines the main procedural mechanisms involved in establishing jurisdiction and then the exercise of jurisdiction through the effective investigation and prosecution of transnational crimes. Finally, Part D looks at the implementation of transnational criminal law and the prospects for transnational criminal justice. Until recently this system of law has been largely the domain of professionals. An Introduction to Transnational Criminal Law provides a comprehensive introduction designed to fill that gap.

[Crime Prevention](#) Stephen Schneider 2014-12-16 In Crime Prevention: Theory and Practice, Second Edition, Dr. Schneider has updated every chapter in this reliable text using the latest research, the most recently published articles and books, and feedback from professors and students using the first edition. Providing an introduction to dominant approaches, key concepts, theories, and research, the book supplies concrete advice on planning, implementing, and evaluating a crime prevention plan. This edition includes a new chapter applying crime prevention through social development principles to adolescents and young adults. This chapter is a recognition of the disproportionate rate of offending by adolescents and young adults as well as the distinctive risk factors faced by these groups. It also emphasizes the unique nature of applying social problem-solving solutions to adolescents and young adults who have been in formal contact with the criminal justice system. The focus is on recidivism prevention, an often-ignored, but critical aspect of crime prevention. Laying out a systematic blueprint for a successful crime prevention project, the book also updates the extant literature on crime prevention—in particular the addition of research that has been published since the first edition of this book. Updated case studies reflecting new data present real examples of crime prevention programs and organizations and illustrate the conceptual, theoretical, and empirical elements of the book. Learning objectives, discussion questions, and exercises facilitate learning and retention and a companion website provides ancillary material for students and professors.

[Theory and Practice of International and Internationalized Criminal Proceedings](#) Geert-Jan G. J. Kooops 2005 Although a number of serious crimes have been recognized and defined as international in nature most obviously genocide, war crimes, and crimes against humanity - no universal code of procedural law can be said to govern the conduct of international criminal trials. This important new books takes a giant step toward the development of such a code through an in-depth analysis of actual procedure before existing international and internationalized courts - the International Military Tribunal for Nuremberg and Tokyo (1945), the International Criminal Tribunal for the former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR), the International Criminal Court (ICC), the Special Court for Sierra Leone (SCSL), and the East Timor Special Panels for Serious Crimes. The author also explores and clarifies the crucial role of human rights law, especially as it has evolved in the jurisprudence of the European Court of Human Rights (ECHR), in the field of international criminal procedural law. Any professional, official, or academic concerned with ensuring the highest standards of international justice will find this book rewarding and useful, Practitioners and policymakers in any criminal justice system will appreciate the detailed practical evaluation and guidance provided here.

[The Theory and Practice of International Criminal Law](#) Leila Nadya Sadat 2008 "Cherif Bassiouni" is often referred to as "the father of international criminal law." Every major international criminal law instrument developed in the last forty years, from the Torture Convention to the Statute of the International Criminal Court, bears his hallmark. His writings, diplomatic initiatives, fieldwork, and even litigation have made an unparalleled contribution to the emergence of international criminal law as a distinct discipline within the field of international law. This book contains a collection of fifteen scholarly essays, written by leading experts from around the world, about the theory and practice of modern international criminal law, with a focus on "Cherif Bassiouni's" unique legacy within this important area. Among the contributing authors are "Louise Arbour," UN High Commissioner for Human Rights; "Mahmoud Arsanjani," Chief of the UN Office of Legal Affairs Codification Division; "Diane Orentlicher," UN Independent Expert on Combating Impunity; "Michael Reisman," former President of the Inter-American Commission for Human Rights; "Yves Sandoz," Director for International Law of the International Committee of the Red Cross; "William Schabas," Member of the Sierra Leone Truth Commission; "Brigitte Stern," Advocate for the Bosnians in the World Court's Genocide case; and "Prince Hassan bin Talal," first President of the Assembly of States Parties of the International Criminal Court.

[Effective Policing?](#) S. Kirby 2013-09-20 This book provides a unique insight into the way policing is performed. By embracing both organizational management issues as well as operational police business such as crime reduction and detection, firearms, disorder, organised crime and terrorism, it provides a comprehensive overview of contemporary police theory and practice.

[Criminal Law in Serbia](#) Zoran Stojanovi? 2018-05-09 Derived from the renowned multi-volume International Encyclopaedia of Laws, this book provides a practical analysis of criminal law in Serbia. An introduction presents the necessary background information about the framework and sources of the criminal justice system, and then proceeds to a detailed examination of the grounds for criminal liability, the justification of criminal offences, the defences that diminish or excuse criminal liability, the classification of criminal offences, and the sanctions system. Coverage of criminal procedure focuses on the organization of investigations, pre-trial proceedings, trial stage, and legal remedies. A final part describes the execution of sentences and orders, the prison system, and the extinction of custodial sanctions or sentences. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable resource for criminal lawyers, prosecutors, law enforcement officers, and criminal court judges handling cases connected with Serbia. Academics and researchers, as well as the various international organizations in the field, will welcome this very useful guide, and will appreciate its value in the study of comparative criminal law.

[Criminal Procedure](#) Jefferson L. Ingram 2008 Criminal Procedure: Theory and Practice 2/e presents a broad overview of criminal procedure as well as a detailed analysis of specific areas of the law that require specialized consideration. The second edition has been thoroughly revised to provide students with an updated, comprehensive text written in reader-friendly language to introduce them the field of criminal procedure. Cases are now integrated into each chapter and comments, notes and questions accompany each case. This edition features three new chapters, How Would You Decide exercises and a companion website to support the text. Using a balanced text/case format it provides an overview of criminal procedure as well as a detailed analysis of areas of the law that require specialized consideration.

[Cooperation and the International Criminal Court](#) Olympia Bekou 2016-05-19 In Cooperation and the International Criminal Court: Perspectives from Theory and Practice, Olympia Bekou and Daley J. Birkett bring together expert contributions from both academia and practice, providing detailed insight into the cooperation regime of the International Criminal Court.

[The International Criminal Court and Complementarity](#) Carsten Stahn 2011-10-06 This systematic, contextual and practice-oriented account of complementarity explores the background and historical expectations associated with complementarity, its interpretation in prosecutorial policy and judicial practice, its context (ad hoc tribunals, universal jurisdiction, R2P) and its impact in specific situations (Colombia, Congo, Uganda, Central African Republic, Sudan and Kenya). Written by leading experts from inside and outside the Court and scholars from multiple disciplines, the essays combine theoretical inquiry with policy recommendations and the first-hand experience of practitioners. It is geared towards academics, lawyers and policy-makers who deal with the impact and application of international criminal justice and its interplay with peace and security, transitional justice and international relations.

[International Human Rights Law](#) Riccardo Pisillo Mazzeschi 2021-09-29 This textbook provides a thorough and systematic overview of human rights law, including the most relevant practice and case law, but also dealing with theoretical issues. It pursues an original approach, seeking to reconcile its didactic

purpose with a scientific one, positing that there must be a necessary synergy between these two purposes. Furthermore, the author is convinced that international human rights law should not be studied (as is done in virtually every textbook) as a special legal regime, separate and autonomous from the overall system of international law; but as a regime that is fully integrated into the international legal order. The book's dominant theme is the interrelationship of international human rights law and general international law. Following this approach, the author has chosen to devote comparatively little content to institutional issues (Part IV) and to instead more intensively explore the structural impact of human rights law on the entire international order (Part I); on the sources (Part II) and obligations (Part III) of general international law; and what constitutes "fundamental" human rights (Part V), without neglecting other rights (Part VI).

Corruption in Commercial Enterprise Liz Campbell 2018-04-17 This edited collection analyses, from multiple disciplinary perspectives, the issue of corruption in commercial enterprise across different sectors and jurisdictions. Corruption is commonly recognised as a major 'social bad', and is seriously harmful to society, in terms of the functioning and legitimacy of political-economic systems, and the day-to-day lives of individuals. There is nothing novel about bribes in brown envelopes and dubious backroom deals, ostensibly to grease the wheels of business. Corrupt practices like these go to the very heart of illicit transacting in both legal markets – such as kickbacks to facilitate contracts in international commerce – and illegal markets – such as payoffs to public officials to turn a blind eye to cross-border smuggling. Aside from the apparent pervasiveness and longevity of corruption in commercial enterprise, there is now renewed policy and operational attention on the phenomenon, prompting and meriting deeper analysis. Corruption in commercial enterprise, encompassing behaviours often associated with corporate and white-collar crime, and corruption in criminal commercial enterprise, where we see corruption central to organised crime activities, are major public policy issues. This collection gives us insight into their nature, organisation and governance, and how to respond most appropriately and effectively.

International Crimes Caroline Fournet 2006-01-01 International Crimes: Theories Practice and Evolution is unique in that it proposes a theory of international criminal law by questioning the law itself. The analysis focuses on particular definitional aspects of international crimes in order to highlight their similarities as well as the defects of the relevant instruments and to ultimately stress the need for change and the feasibility of such a proposal. The recurring theme of the book is the idea that international criminal law is not, and should not be considered, as a static legal corpus. Rather, it should be acknowledged that the different crimes it covers interact greatly and could, and should, influence one another in order to reinforce, or enforce, the implementation and effectiveness of international criminal law. By exploring methods of improvement of international criminal law, this book addresses both theoretical issues as well as practical matters and, in that respect, will be of interest to both academics and practitioners.

Histories of Transnational Criminal Law Neil Boister 2021-08-02 This book provides an account of the origins of transnational criminal law. The volume examines a range of topics, beginning with normative, intellectual, and institutional histories. It discusses specific transnational crimes ranging from piracy to cybercrime, and scrutinises jurisdiction, modes of liability, and the place of the individual.

Corruption in Commercial Enterprise Liz Campbell 2018 Mark Findlay / Corruption as business across market contexts -- Jay Albanese / When corruption and organized crime overlap : an empirical hierarchy of corrupt conduct -- Kenneth Murray / Unfair advantage : the corruptive influence of criminal money on legitimate markets -- Rose Broad and Nicholas Lord / Corruption as a facilitator of human trafficking : some key analytical issues -- Liz Campbell / The organisation of corruption in commercial enterprise : concealing (and revealing) the beneficial ownership of assets -- David Bamaung and John Cuddihy / Corruption : the exposure and exploitation of human vulnerabilities -- Adriaan Denkers / Mickey-mouse-money and gingerbread cookies : bonuses and organizational measures as predictors of corruption in organizations -- Anna Markovska and Petrus van Duyne / Contextualising corporate criminality in different cultural settings : the case of the gas industry in Ukraine -- Aleksandra Jordanoska / The dark side of finance : policing corruption through regulatory means -- Liliya Gelemerova, Jackie Harvey and Petrus van Duyne / Banks assessing corruption risk : a risky undertaking -- Calum Darling / The duty to disclose : implications for corruption in commercial enterprise -- Maurizio Bellacosa / The fight against corruption in commercial enterprises : a comparative overview in light of the Italian experience -- Nicholas Lord and Colin King / Negotiating non-contention : civil recovery and deferred prosecution in response to transnational corporate bribery -- Alan Doig / Non-conviction financial sanctions, corporate anti-bribery reparation, and their potential role in delivering effective anti-corruption pay-back : the emerging UK context

Comparative, International, and Global Justice Cyndi Banks 2015-09-23 Comparative, International and Global Justice: Perspectives from Criminology and Criminal Justice presents and critically assesses a wide range of topics relevant to criminology, criminal justice and global justice. The text is divided into three parts: comparative criminal justice, international criminology, and transnational and global criminology. Within each field are located specific topics which the authors regard as contemporary and highly relevant and that will assist students in gaining a fuller appreciation of global justice issues. Authors Cyndi Banks and James Baker address these complex global issues using a scholarly but accessible approach, often using detailed case studies. The discussion of each topic is a comprehensive contextualized account that explains the social context in which law and crime exist and engages with questions of explanation or interpretation. The authors challenge students to gain knowledge of international and comparative criminal justice issues and think about them in a critical manner. It has become difficult to ignore the global and international dimensions of criminal justice and criminology and this text aims to enhance criminal justice education by focusing on some of the issues engaging criminology worldwide, and to prepare students for a future where fields of study like transnational crime are unexceptional.

Research Handbook on the Theory and Practice of International Lawmaking Catherine Brölmann 2016-04-29 The global landscape has changed profoundly over the past decades. As a result, the making of international law and the way we think about it has become more and more diversified. This Research Handbook offers a comprehensive guide to the theory and practice of international lawmaking today. It takes stock at both the conceptual and the empirical levels of the instruments, processes, and actors involved in the making of international law. The editors have taken an approach which carefully combines theory and practice in order to provide both an overview and a critical reflection of international lawmaking. Comprehensive and well-structured, the book contains essays by leading scholars on key aspects of international lawmaking and on lawmaking in the main issue areas. Attention is paid to classic processes as well as new developments and shades of normativity. This timely and authoritative Handbook will be a valuable resource for academics, students, legal practitioners, diplomats, government and international organization officials as well as civil society representatives.

Research Handbook on the Theory and History of International Law Alexander Orakhelashvili 2020-12-25 This updated and revised second edition, with contributions from renowned experts, provides a comprehensive scholarly framework for analyzing the theory and history of international law. Featuring an array of legal and interdisciplinary analyses, it focuses on those theories and developments that illuminate the central and timeless basic concepts and categories of the international legal system, highlighting the interdependency of various aspects of theory and history and demonstrating the connections between theory and practice.

International Humanitarian Law: Theory, Practice, Context Daniel Thürer 2011-07-11 This book is about international humanitarian law or - as it is also called - the "law of armed conflict" or "law of war". It emerged from a series of lectures delivered at the Hague Academy of International Law. The author deals with war and the means by which international law attempts to contain and, as it were, "humanize" organized violence. But the ambitions of the author go beyond the battlefield. The book explores the many complex ways in which law functions to regulate warfare, in theory and practice. The author looks into treaties and other sources of international law, but he also tries to step outside the boundaries of "black-letter law" to deal broadly with such matters as the influence of culture in shaping the norms on war, the institutions that develop those norms and work for their universal acceptance, the networks of humanitarian actors in this area and the legal procedures in which the law of war and its various institutions are embedded. The book demonstrates that even wars are, in various ways, conducted in "the shadow of the law".

Theory and Practice of Harmonisation Mads Andenas 2012 Harmonised and uniform international laws are now being spread across different jurisdictions and fields of law, bringing with them an increasing body of scholarship on practical problems and theoretical dimensions. This comprehensive and insightful book focuses on the contributions to the development and understanding of the critical theory of harmonisation. The contributing authors address a variety of different subjects concerned with harmonisation and the application of legal rules resulting from harmonisation efforts. This study is written by leading scholars engaged in different aspects of harmonisation, and covers both regional harmonisation within the EU and regional human rights treaties, as well as harmonisation with international treaty obligations. With comparative analysis that contributes to the development of a more general theory on the harmonisation process, this timely book will appeal to EU and international law scholars and practitioners, as well as those looking to future legal harmonisation in other regions in Asia, Latin America and Africa.

Criminal Theory and International Human Rights Law Steven Malby 2019-09-11 The development of an international human rights jurisprudence on criminalization is in its relative infancy. Nonetheless, systematic examination of international decisions on acts engaging the criminal law reveals an emerging human rights approach to the acceptability, or not, of criminalization. This book provides an in-depth characterization of the reasoning and principles that underpin those decisions. The work builds upon and adds value to existing literature by bringing together two fields of study – international human rights law and criminal theory – that usually receive separate treatment. It provides an in-depth analysis of human rights criminalization jurisprudence and presents a systematic identification of underlying reasoning and concepts that influence international human rights decisions on criminalization. The work thus advances both fields independently, as well as providing an example of inter-(sub)disciplinary analysis. The book will be a valuable resource for academics and students working in the areas of International Human Rights Law, Criminal Law, and Moral Philosophy.

International Law and International Relations Thomas J. Biersteker 2006-10-19 This unique volume examines the opportunities for, and initiates work in, interdisciplinary research between the fields of international law and international relations; disciplines that have engaged little with one another since the Second World War. Written by leading experts in the fields of international law and international relations, it argues that such interdisciplinary research is central to the creation of a knowledge base among IR scholars and lawyers for the effective analysis and governance of macro and micro phenomena.

International law is at the heart of international relations, but due to challenges of codification and enforceability, its apparent impact has been predominantly limited to commercial and civil arrangements. International lawyers have been saying for years that 'law matters' in international affairs and now current events are proving them right. International Law and International Relations makes a powerful contribution to the theory and practice of global security by initiating a research agenda, building an empirical base and offering a multidisciplinary approach that provides concrete answers to real-world problems of governance. This book will be of great interest to all students of international law, international relations and governance.

The Oxford Handbook of Transnational Law Peer Zumbansen 2021-04-30 The Oxford Handbook of Transnational Law offers a unique and unparalleled treatment and presentation in the field of Transnational Law that has become one of the most intriguing and innovative developments in legal doctrine, scholarship, theory, and practice today. This in itself constitutes an ambitious editorial project, not only within law and legal doctrine, but also with regard to an increasing interest in an interdisciplinary engagement of law with social sciences - including sociology, anthropology, political science, geography, and political theory. Closely tied into the substantive transformation that many legal fields are undergoing is the observation that many of these developments are driven by changes in an increasingly global legal practice today. The concept then, of 'transnational law' aims at capturing the distinctly border-crossing nature even of those legal fields which had for the longest been time been seen as having merely 'domestic' relevance. This shift also requires a conscious effort among law school classroom instructors, casebook authors, and curriculum reformers to adapt their teaching content to these circumstances. As the authors of this Handbook make clear, this adaptation requires a close dialogue between a scholarly investigation into the transnational 'concept of law' and the challenges faced by practicing lawyers, be that as solicitor, in-house counsel, as judges, or as bureaucrats in a globalized regulatory and socio-economic environment. While the main thrust is on the transnationalization of legal doctrine and legal theory, with a considerable contribution from and engagement with social sciences, the Handbook features numerous reflections on the relationship between transnational law and legal practice.

Corruption, Fraud, Organized Crime, and the Shadow Economy Maximilian Edelbacher 2015-10-15 Fueled by corruption, fraud, and organized crime, the shadow economy also known as the informal, black market, illegal, or underground economy is currently on the rise worldwide. Corruption, Fraud, Organized Crime, and the Shadow Economy addresses shadow economies and the players involved by examining various aspects of criminal law and prosecution

International Law Eric Suy 1998-05-11 Professor Suy occupies a prominent place in international law, both as an academic lawyer as well as the former Under-Secretary-General & Legal Counsel of the United Nations. His activities as a teacher, scholar, UN Legal Counsel, keynote speaker on many occasions & as a legal advisor to Belgian & foreign governmental authorities naturally led to the sub-divisions of this volume, such as the law of international organizations, the law of the European Union, the law of armed conflict, & the peaceful settlement of disputes. The contributions, all by friends of Eric Suy, present the vast panorama of his intellectual pursuits.

Global Corruption Law, Theory and Practice Gerry Ferguson 2017

Shocking the Conscience of Humanity Margaret M. deGuzman 2020-04-13 The most commonly cited justification for international criminal law is that it addresses crimes of such gravity that they "shock the conscience of humanity." From decisions about how to define crimes and when to exercise jurisdiction, to limitations on defences and sentencing determinations, gravity rhetoric permeates the discourse of international criminal law. Yet the concept of gravity has thus far remained highly undertheorized. This book uncovers the consequences for the regime's legitimacy of its heavy reliance on the poorly understood idea of gravity. Margaret M. deGuzman argues that gravity's ambiguity may at times enable a thin consensus to emerge around decisions, such as the creation of an institution or the definition of a crime, but that, increasingly, it undermines efforts to build a strong and resilient global justice community. The book suggests ways to reconceptualize gravity in line with global values and goals to better support the long-term legitimacy of international criminal law.

Psychology and Criminal Justice János Boros 1998-01-01

Realizing Reparative Justice for International Crimes Miriam Cohen 2020-05-31 Provides an original approach to the emerging practice of reparations for international crimes and a fresh analysis of the recent jurisprudence at the International Criminal Court.

Transnational Legal Ordering of Criminal Justice Gregory Shaffer 2020-05-31 Hard and soft law developed by international and regional organizations, transgovernmental networks, and international courts increasingly shape rules, procedures, and practices governing criminalization, policing, prosecution, and punishment. This dynamic calls into question traditional approaches that study criminal justice from a predominantly national perspective, or that dichotomize the study of international from national criminal law. Building on socio-legal theories of transnational legal ordering, this book develops a new approach for studying the interaction between international and domestic criminal law and practice. Distinguished scholars from different disciplines apply this approach in ten case studies of transnational legal ordering that address transnational crimes such as money laundering, corruption, and human trafficking, international crimes such as mass atrocities, and human rights abuses in law enforcement. The book provides a comprehensive treatment of the changing transnational nature of criminal justice policymaking and practice in today's globalized world.

Transnational Crime Jessica Roher 2018-09-03 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.

The Philosophical Foundations of Extraterritorial Punishment Alejandro Chehtman 2010-12-09 Originally presented as the author's thesis (Ph.D.)--London School of Economics, 2009 under the title: The morality of extraterritorial punishment.

The Un Security Council and the International Criminal Court Gabriel M. Lentner 2018-11-30 Drawing on both theory and practice, this insightful book offers a comprehensive analysis of the relationship between the United Nations Security Council (UNSC) and the International Criminal Court (ICC), centered on the referral mechanism. Arguing that the legal nature of the referral must be conceptualized as a conferral of powers from the UNSC to the ICC, the author explores the complex legal relationship between interacting international organizations. With a novel approach to the relationship between the UNSC and the ICC, this book addresses important questions raised in practice. In particular, Gabriel M. Lentner explores issues regarding any limits and conditions for referral under the UN Charter and the Rome Statute, and the legal effects on heads-of-state immunity, as well as the validity of jurisdictional exemptions for other specific categories of nationals. This is a persuasive study into the powers of the UNSC with respect to international criminal law. With its timely focus on an important topic, this book will be vital reading for academics in international institutional law, international criminal law, and human rights law. ICC judges and lawyers, as well as lawyers involved in the UN, governments, and non-governmental organizations will also benefit from this book.

Comparative Criminal Justice Systems Shahid M. Shahidullah 2012-09-19 Written for students of criminal justice, Comparative Criminal Justice Systems: Global and Local Perspectives examines the nature of crime and justice in varying countries and cultures in North America, Europe, Asia, Africa, and Latin America. Using a topical approach, it compares different systems of crime and justice in terms of their differences from, and similarities to, the laws and institutions of modern criminal justice, focusing on the United States as a standard of comparison. By examining different criminal justice systems in terms of their local peculiarities and understanding their change and continuity, readers will gain a well-rounded international perspective of the world's varying systems of criminal justice. Key Features: -Explores the rise of modern criminology and the criminal justice system in the nineteenth century. It is critical for students to understand the history of modern systems to fully comprehend the varying nature of today's main legal systems, focusing on the United States as a standard of comparison. -Employs a topical approach to examine the criminal justice systems in varying countries in Europe, Asia, Africa, and Latin America, including comparative views on law enforcement, judicial systems, corrections, due process of law, and search and seizures. -Includes discussions on comparative processes of criminalization and decriminalization on such issues as domestic violence, child abuse, homosexuality, and sexual harassment. -Discusses new global crimes and their impact on modern and traditional criminal justice systems, including human smuggling, global sex trade, global illegal drug trade, illegal trafficking of conventional military weapons, money laundering, cybercrime, and global terrorism. -Discussion questions ensure that student's grasp the core theoretical concepts.