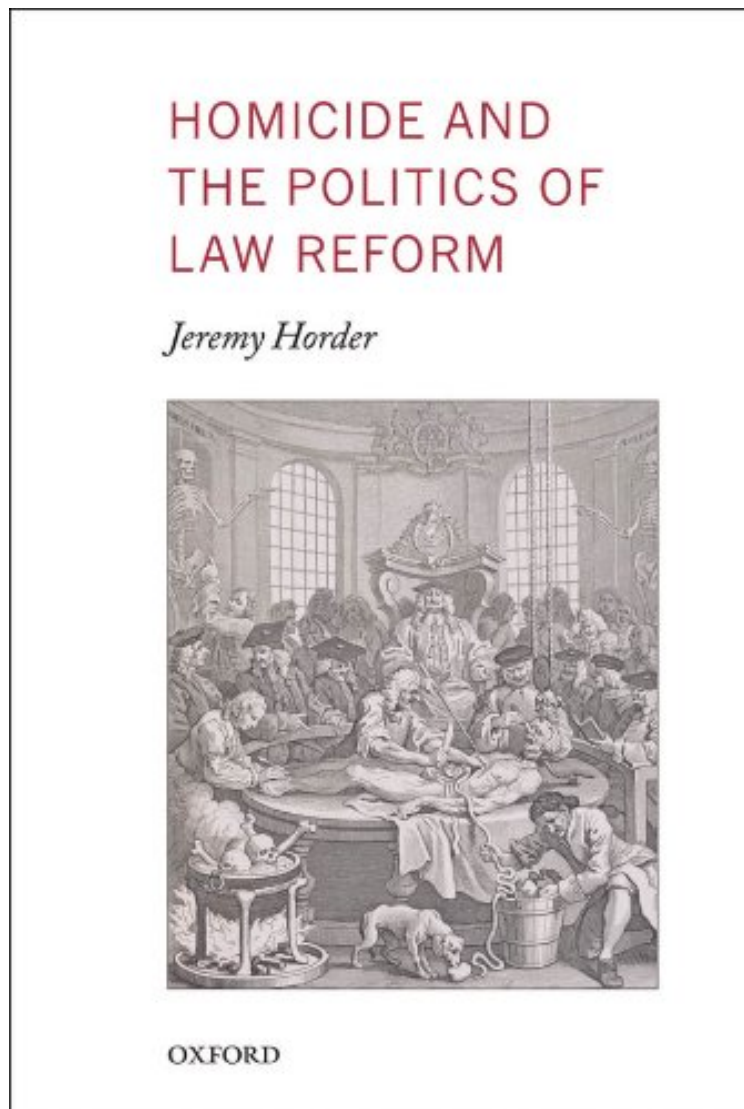


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Homicide and the Politics of Law Reform (Oxford Monographs on Criminal Law and Justice)

Von Jeremy Horder

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Von Jeremy Horder : Homicide and the Politics of Law Reform (Oxford Monographs on Criminal Law and Justice) before purchasing it in order to gauge whether or not it would be worth my time, and all praised Homicide and the Politics of Law Reform (Oxford Monographs on Criminal Law and Justice):

Kundenrezensionen Hilfreichste Kundenrezensionen 1 von 1 Kunden fanden die folgende Rezension hilfreich.

Perspectives.... Von Phillip Taylor MBEPERSPECTIVES ON HOMICIDE LAW REFORM FROM A FORMER LAW COMMISSIONER An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers Controversies surrounding homicide law continue to abound in the arena of public debate over such matters as mercy killing and for another example: the rights or lack of them of a householder who unintentionally kills to protect their family and property. The lawyer, academic, or policy maker involved in such issues, will find much useful commentary in this book recently published by the Oxford University Press as part of the OUP's Oxford Monographs on Criminal Law and Justice series under the editorship of Professor Andrew Ashworth. As the author, Professor Horder was formerly a Law Commissioner Ashworth's introduction to the book commends it as a unique insider's view of the ways and means by which law reform in the context of homicide can be accomplished. Those who seek the reform of homicide law will be interested in Horder's view that a degree of deference to public opinion on this issue (as opposed to elite or expert opinion) is essential for conferring true legitimacy on homicide law reform in a democracy. He expresses dismay early on in the book that, in his words, public opinion - properly and professionally researched - on homicide law reform remains regarded as largely irrelevant to the legislative process. 'Citizens of the state,' he says 'are onlookers in the process.' Horder elaborates quite logically and sometimes controversially on this state of affairs and goes on to suggest that 'the merits of morally controversial legal reforms should be made automatically subject to review (roughly) every fifteen to twenty years.' This sounds reasonable, although many lawyers would cite the dangers of public opinion emerging as the sole arbiter of changes in the law. One wonders if, for example, the majority of public opinion in the UK has ever supported the abolition of the death penalty. (In many states in America, the death penalty is what the majority of public opinion wants and that's exactly what it's got.) The book is nothing if not thought provoking, however, and closely argued in the author's thorough examination of this and a number of other key issues. It explores, for instance, the definition of murder, secondary liability, murder and manslaughter in the domain of homicide and much more, including the various grounds for defence and rather topically, corporate manslaughter. Copiously footnoted, the book has extensive tables of cases and legislation, a useful index and a massive bibliography of almost twelve pages. What a find for those doing detailed research on this subject. Here then, is a book that challenges opinion on all salient aspects of homicide law reform and as such, constitutes a welcome and erudite addition to the continuing debate -- including criminological as well as legal debate -- in this difficult area of law. The publication date is cited as at 2012.

Kurzbeschreibung What makes murder, murder? How should we understand the difference between intentional and reckless killing? Should offenders be punished differently according to the perceived severity of their crime and when should they be excused? These questions are the topic of intense debate within legal circles and beyond in the UK, the US, and the rest of world. Jeremy Horder's role as the Law Commissioner for England and Wales on criminal law has given him unique insight into these questions and the debates surrounding them. Here he analyses the recent political and legal reform movements, offering a political history of homicide law reform from the 19th century to the modern era. Using homicide as a starting point, Horder raises deeper questions of who is and should be responsible for making and changing the law. What role should there be for expert bodies, judges, and politicians? What role should there be for the general public? These questions invoke strong emotional responses. Horder argues that comprehensive research into, and a degree of deference to, public opinion on the scope of homicide is essential to the reform process. It is essential principally as a means of conferring true legitimacy on homicide reform in a democracy. Elite or expert opinion alone will never authentically secure such legitimacy. Offering an insider's view into the processes of achieving law reform, Horder expresses criticism of a system that excludes the vast majority of people from consultation on reform of the laws that govern them. Pressestimmen This text is ... recommended to those (including more advanced students) interested in the process of law reform, as well as the substantive law of homicide. It is a valuable addition to both fields. * Shona Wilson, Cambridge Law Journal * Kurzbeschreibung What makes murder, murder? How should we understand the difference between intentional and reckless killing? Should offenders be punished differently according to the perceived severity of their crime and when should they be excused? These questions are the topic of intense debate within legal circles and beyond in the UK, the US, and the rest of world. Jeremy Horder's role as the Law Commissioner for England and Wales on criminal law has given him unique insight into these questions and the debates surrounding them. Here he analyses the recent political and legal reform movements, offering a political history of homicide law reform from the 19th century to the modern era. Using homicide as a starting point, Horder raises deeper questions of who is and should be responsible for making and changing the law. What role should there be for expert bodies, judges, and politicians? What role should there be for the general public? These questions invoke strong emotional responses. Horder argues that comprehensive research into, and a degree of deference to, public opinion on the scope of homicide is essential to the reform process. It is essential principally as a means of conferring true legitimacy on homicide reform in a democracy. Elite or expert opinion alone will never authentically secure such legitimacy. Offering an insider's view into the processes of

achieving law reform, Horder expresses criticism of a system that excludes the vast majority of people from consultation on reform of the laws that govern them.