

1. Record Nr.	UNINA9910777722503321
Titolo	Regulating deviance : the redirection of criminalisation and the futures of criminal law / edited by Bernadette McSherry, Alan Norrie and Simon Bronitt
Pubbl/distr/stampa	Oxford ; Portland, Or., : Hart Publishing, 2009
ISBN	1-84113-890-8 1-4725-6459-6 1-282-11900-1 9786612119002 1-84731-476-7
Edizione	[1st ed.]
Descrizione fisica	1 online resource (326 p.)
Collana	Onati international series in law and society
Classificazione	86.41
Disciplina	345
Soggetti	Criminal law
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Papers originally presented at a workshop held at the International Institute for the Sociology of Law in Onati, Spain in June 2007
Nota di contenuto	Regulating deviance : the redirection of criminalisation and the futures of criminal law / Bernadette McSherry, Alan Norrie and Simon Bronitt -- Citizenship, authoritarianism and the changing shape of criminal law / Alan Norrie -- Fixing the future? The pre-emptive turn in criminal justice / Lucia Zedner -- 'Victim-driven' criminalisation? Some recent trends in the expansion of the criminal law / Leslie Sebba -- Criminal law, human rights and preventative justice / Andrew Ashworth -- The theory of vulnerable autonomy and the legitimacy of civil preventative orders / Peter Ramsay -- Expanding the boundaries of inchoate crimes : the growing reliance on preparatory offences / Bernadette McSherry -- Social science and criminal law reform : beyond mere opinion polling and penal populism / Mark Nolan -- Criminal law and private spaces : regulating homosexual acts in Singapore / Kumaralingam Amirthalingam -- Moral uncertainties of rape and murder : problems at the core of criminal law theory / Ngaire Naffine -- Criminal codes in the 21st century : the paradox of the liberal promise / Simon Bronitt and Miriam Gani -- Faultlines between guilt and punishment in Australia's model criminal code / Ian Leader-Elliot

Part I: Introduction -- 1. Regulating Deviance: The Redirection of Criminalisation and the Futures of Criminal Law -- Bernadette McSherry, Alan Norrie and Simon Bronitt -- Part II: Shifts in Criminal Justice Policies -- 2. Citizenship, Authoritarianism and the Changing Shape of the Criminal Law -- Alan Norrie -- 3. Fixing the Future? The Pre-emptive Turn in Criminal Justice -- Lucia Zedner -- 4. 'Victim-Driven' Criminalisation? Some Recent Trends in the Expansion of the Criminal Law -- Leslie Sebba -- Part III: The Quest for Security -- 5. Criminal Law, Human Rights and Preventative Justice -- Andrew Ashworth -- 6. The Theory of Vulnerable Autonomy and the Legitimacy of Civil Preventative Orders -- Peter Ramsay -- 7. Expanding the Boundaries of Inchoate Crimes: The Growing Reliance on Preparatory Offences -- Bernadette McSherry -- 8. Social Science and Criminal Law Reform: Beyond Mere Opinion Polling and Penal Populism -- Mark Nolan -- Part IV: The Scope and Justification of Sexual Offences -- 9. Criminal Law and Private Spaces: Regulating Homosexual Acts in Singapore -- Kumaralingam Amirthalingam -- 10. Moral Uncertainties of Rape and Murder: Problems at the Core of Criminal Law Theory -- Ngaire Naffine -- Part V: Codification and The Liberal Promise -- 11. Criminal Codes in the 21st Century: The Paradox of the Liberal Promise -- Simon Bronitt and Miriam Gani -- 12. Faultlines Between Guilt and Punishment in Australia's Model Criminal Code -- Ian Leader-Elliott

Sommario/riassunto

The criminal attacks that occurred in the United States on 11 September 2001 have profoundly altered and reshaped the priorities of criminal justice systems around the world. Domestic criminal law has become a vehicle for criminalising 'new' terrorist offences and other transnational forms of criminality. 'Preventative' detention regimes have come to the fore, balancing the scales in favour of security rather than individual liberty. These moves complement already existing shifts in criminal justice policies and ideologies brought about by adjusting to globalisation, economic neo-liberalism and the shift away from the post-war liberal welfare settlement. This collection of essays by leading scholars in the fields of criminal law and procedure, criminology, legal history, law and psychology and the sociology of law, focuses on the future directions for the criminal law in the light of current concerns with state security and regulating 'deviant' behaviour
