1. Record Nr. UNINA9910826932203321 Autore Van Zyl Smit Dirk Titolo Taking life imprisonment seriously: in national and international law / / by Dirk van Zyl Smit The Hague; ; London, : Kluwer Law International, c2002 Pubbl/distr/stampa **ISBN** 1-280-46808-4 9786610468089 1-4175-5151-8 90-474-0309-6 Edizione [1st ed.] Descrizione fisica 1 online resource (253 p.) Disciplina 345.0773 Soggetti Life imprisonment Criminal justice, Administration of Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Description based upon print version of record. Note generali Includes bibliographical references and index. Nota di bibliografia Acknowledgements. -- 1. Studying Life Imprisonment. -- 2. The United Nota di contenuto States of America. -- 3. England and Wales. -- 4. Germany. -- 5. International Criminal Justice. -- 6. Taking Life Imprisonment Seriously. -- Bibliography. -- List of Tables. -- Index. Life imprisonment is a complex and drastic penal sanction. It gives the Sommario/riassunto State the power to curtail the liberty of offenders for the rest of their lives. In many jurisdictions life imprisonment is the ultimate sanction for the most serious crimes. It is frequently touted as an alternative to the death penalty. At the same time, life imprisonment is often imposed as a preventive measure, where the offence alone does not justify using the ultimate sanction in the penal arsenal. The complexity of life imprisonment is frequently overlooked. Often it is assumed that it is not as drastic as it sounds, as it will not be enforced for the whole life of the offender. There may also be a reluctance to subject life imprisonment to close scrutiny, lest its perceived suitability as an alternative to the death penalty be undermined. This book tackles the complexity of life imprisonment head on by describing how various

> forms of it are imposed and implemented in the United States of America, in England and Wales and in Germany, as well as in the

emerging international system of criminal justice. From this basis it examines the justifications advanced for life imprisonment and the modifications that have resulted in individual jurisdictions in response to criticisms of its imposition and implementation. At the same time, the book develops a more general critique of life imprisonment. It evaluates it against constitutional human rights standards that have been developed in many jurisdictions to judge the acceptability of punishment generally. It concludes that some current practices in both the imposition and implementation of life imprisonment clearly are fundamentally unacceptable, but that questions remain, even about carefully implemented life sentences imposed for the most serious crimes. The jurisprudential analysis provides the basis for a major reevaluation of life imprisonment and raises doubts about the unquestioning acceptance of this ultimate penalty.