

Self-Made Madness

**Rethinking Illness and Criminal
Responsibility**

Edward W. Mitchell



Self Made Madness Rethinking Illness And Criminal Responsibility

Charles A. Erin, Suzanne Ost



Self Made Madness Rethinking Illness And Criminal Responsibility:

Self-Made Madness Edward W. Mitchell, 2017-09-08 This multi disciplinary book lies in the general areas of forensic psychiatry psychology sociology jurisprudence criminal law and criminology It questions traditional assumptions about illness and mental disorder and deals with the controversial notion that mental disorders and possibly other illnesses may be to varying extents the fault of the sufferer It examines how the law can take into account such culpable notions of mental disorder in determining criminal responsibility This culpability for the defense causing condition or responsibility for level of criminal responsibility is called meta responsibility The book is divided into two parts The first section discusses theoretical issues such as the manner in which traditional illness models relate to meta responsibility the insanity defence and other mental condition defences the relationship of clinical issues such as medication non compliance and insight to meta responsibility and the counterfactual notion that consideration of the possible voluntary origins of mental disorder may benefit the criminal and non criminal mentally disordered The second section of the book presents a case vignette experiment of mock jurors examining the effect of a meta responsibility insanity test General Defences in Criminal Law

Alan Reed, Michael Bohlander, 2016-04-15 The law relating to general defences is one of the most important areas in the criminal law yet the current state of the law in the United Kingdom reveals significant problems in the adoption of a consistent approach to their doctrinal and theoretical underpinnings as exemplified by a number of recent developments in legislation and case law A coherent and joined up approach is still missing This volume provides an analysis of the main contentious areas in British law and proposes ways forward for reform The collection includes contributions from leading experts across various jurisdictions Part I examines the law in the United Kingdom with specialist contributions on Irish and Scottish law Part II consists of contributions by authors from a number of foreign jurisdictions all written to a common research grid for maximum comparability which provide a wider background of how other legal systems treat problems relating to general defences in the context of the criminal law and which may serve as points of reference for domestic law reform *Manifest Madness* Arlie Loughnan, 2012-04-19 Bringing together previously disparate discussions on criminal responsibility from law psychology and philosophy this book provides a close study of mental incapacity defences tracing their development through historical cases to the modern era Psychiatry in Law / Law in Psychiatry, Second Edition

Ralph Slovenko, 2009-03-03 Psychiatry in Law Law in Psychiatry 2nd Edition is a sweeping up to date examination of the infiltration of psychiatry into law and the growing intervention of law into psychiatry Unmatched in breadth and coverage and thoroughly updated from the first edition this comprehensive text and reference is an essential resource for psychiatry residents law students and practitioners alike **Mental State Defences in Criminal Law** Steven Yannoulidis, 2016-04-22 By defining appropriate boundaries for the defence of insanity and the doctrine of automatism this book presents a consistent and principled approach to the reform of mental state defences In particular by undertaking an interdisciplinary analysis of

the various factors that inform these defences the book concludes with several practical and robust reform proposals There are three objectives that underpin the suggested reform proposals First to ensure that an accused will be able to raise a defence of insanity for involuntary conduct arising from mental disorder even where he or she is aware of the nature and quality of such conduct Second to provide principled means by which to establish the criminal responsibility of an accused for conduct performed in a state of drug induced psychosis Third to ensure that criminal conduct arising from a state of impaired consciousness does not automatically result in the outright acquittal of an accused In articulating the competing demands that must be balanced in order to secure a principled approach to the reform of mental state defences the book will be of relevance to all common law countries The Criminal Justice System and Health Care Charles A. Erin, Suzanne Ost, 2007

This book examines questions of medical accountability and ethics It analyses how the criminal justice system regulates health care practice and to what extent it can and should be used as a tool to resolve ethical conflict in health care For most of the twentieth century criminal courts were engaged in matters relating to medicine principally as a forum to resolve ethical controversies over the sanctity of life However the judiciary approached this function with reluctance and a marked tendency to defer to the medical profession to define what constituted ethical and thus lawful conduct However over the past 25 years criminal courts have increasingly been drawn into these types of question and the criminal law has become a major actor in the resolution of ethical conflict The trend to prosecute for aberrant professional conduct or medical malpractice and the role of the criminal process in medicine has been analytically neglected in the UK There is scant literature addressing the appropriate boundaries of the criminal process in resolving ethical conflict the theoretical legal analysis of the law's relationship with health care or the practical impact of the criminal justice system on professionals and the delivery of health care in the UK This volume addresses these issues via a combination of theoretical analyses and key case studies drawing on the experiences of other carefully selected jurisdictions It places a particular emphasis on the appropriateness of the involvement of the criminal justice system in health care the limitations of this developing trend and solutions to the problems that arise from it **Fault in Criminal Law** Alan Reed, Michael Bohlander, 2022-08-22 This volume presents a comparative examination of the issue of fault in criminal law Extant law reveals significant problems in adoption of consistent approaches to doctrinal and theoretical underpinnings of fault liability and culpability thresholds in criminal law This has been exemplified by a plethora of recent jurisprudential authorities revealing varying degrees of confusion and vacillation This collection focuses on fault liability for inculcation with contributions from leading specialists from different jurisdictions presenting alternative perspectives The book addresses three specific elements within the arena of fault embracing an overarching synergy between them This structure facilitates an examination of UK provisions with specialist contributions on domestic law and in contrasting these provisions against alternative domestic jurisdictions as well as comparative contributions addressing a particularised research grid for content The comparative chapters provide a wider background of

how other legal systems treat a variety of specialised issues relating to fault elements in the context of the criminal law With contributions from leading experts in the field the book will be an invaluable resource for researchers academics and practitioners working in this area *The Palgrave Handbook of Applied Ethics and the Criminal Law* Larry Alexander, Kimberly Kessler Ferzan, 2019-12-02 This handbook consists of essays on contemporary issues in criminal law and their theoretical underpinnings Some of the essays deal with the relationship between morality and criminalization Others deal with criminalization in the context of specific crimes such as fraud blackmail and revenge pornography The contributors also address questions of responsible agency such as the effects of addiction or insanity and some deal with punishment its mode and severity and the justness of the state's imposition of it These chapters are authored by some of the most distinguished scholars in the fields of applied ethics criminal law and jurisprudence Civil Society Activism Under Authoritarian Rule Francesco Cavatorta, 2013 This volume examines theoretical and comparative perspectives on civil society activism under authoritarian constraints to offer a better understanding of its relationship with regime change Rejecting a normative approach the authors focus on the whole range of civic activism under authoritarianism The British National Bibliography Arthur James Wells, 2004 **International Bibliography of Book Reviews of Scholarly Literature Chiefly in the Fields of Arts and Humanities and the Social Sciences**, 2004 **Current Publications in Legal and Related Fields**, 2004 *Forthcoming Books* Rose Arny, 2003-12 **Rethinking Criminal Law Theory** Francois Tanguay-Renaud, James Stribopoulos, 2012-01-10 In the last two decades the philosophy of criminal law has undergone a vibrant revival in Canada The adoption of the Charter of Rights and Freedoms has given the Supreme Court of Canada unprecedented latitude to engage with principles of legal moral and political philosophy when elaborating its criminal law jurisprudence Canadian scholars have followed suit by paying increased attention to the philosophical foundations of domestic criminal law Because of Canada's leadership in international criminal law both at the level of the International Criminal Court and of specific war crimes tribunals they have also begun to turn their attention to international criminal law per se This collection seeks to bring all these Canadian voices together for the first time and evidence the fact that criminal law theory is no longer to be associated exclusively with the older British German and American traditions The topics covered include questions of philosophical methodology the legitimate scope of domestic and international criminalization rationales for criminal law defences in both domestic and international law the philosophical underpinnings of specific crimes and forms of joint responsibility as well as the theorization of criminal procedure and evidence law ENDORSEMENTS In continental Europe academic commentary on the criminal law has long manifested large philosophical ambitions Less so in common law countries where the dominance of jury trial and the piecemeal development of case law together with the famously robust attitudes of common lawyers have militated against detailed philosophical engagement with doctrine Over the last 20 years or so however new generations of philosophically literate lawyers and legally informed philosophers have overcome the

historic resistance Nowhere more so it seems than in Canada where the common law and civilian traditions meet In Rethinking Criminal Law Theory Fran ois Tanguay Renaud and James Stribopoulos have joined with 14 talented Canadian colleagues to showcase the tremendous breadth and depth of their contemporary national contribution to the subject Ranging across topics as diverse as emergency obscenity and insanity these essays without exception insightful and penetrating set a high standard for the rest of us to aspire to John Gardner University of Oxford Rethinking Criminal Law Theory is an excellent collection of essays demonstrating the vigour creativity and range of Canadian criminal justice scholarship It covers a wide range of problems and issues both in the domestic and the international context Core questions are examined in depth and new questions are brought to the fore I recommend it very highly to criminal lawyers and philosophers of the criminal law Professor Victor Tadros University of Warwick Rethinking Criminal Law Theory is packed with outstanding contributions from criminal law theorists who are among the best not only in Canada but in the whole English speaking world Broad and deep in its coverage the collection offers fresh approaches to a wide range of cutting edge issues in the field It provides a resource readers will come back to repeatedly Stuart Green Professor of Law and Justice Nathan L Jacobs Scholar Rutgers University

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American Book Publishing Record ,2004 *Revue de science criminelle et de droit pénal comparé* ,2004 **Internationale Bibliographie der Rezensionen wissenschaftlicher Literatur** ,2006 Books In Print 2004-2005 Ed Bowker Staff,Staff Bowker, Ed,2004 *Psychopathology and Social Prejudice* Derek Hook,Gillian Eagle,2002 This volume offers an innovative set of critical examinations of the field of psychopathology It investigates the social formation of psychopathology across different cultural discursive and political contexts and draws upon theory from two traditional domains of psychology social and abnormal psychology The diverse topics covered include xenophobia anorexia nervosa witch hunting post traumatic stress homosexuality race categorization and crosscultural issues The various topics work in concert to unseat the notion of psychopathology as comprising decontextualized individualized essentialist categories of organic illness

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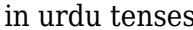
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