



THE WITCH No2

Punishment On Trial

Austin Sarat



Punishment On Trial:

Prison on Trial Thomas Mathiesen, 2006 *Prison On Trial* is the classic critique of prisons and imprisonment a book for everyone's library shelf and collection

Radical Evil on Trial Carlos Santiago Nino, 1996-01-01 Does an emergent democracy have an obligation to prosecute its former dictators for crimes against humanity for what Arendt and Kant called radical evil What impact will such prosecutions have on the future of democracy In this book Carlos Santiago Nino offers a provocative first hand analysis of developments in Argentina during the 1980s when a brutal military dictatorship gave way to a democratic government Nino played a key role in guiding the transition to democracy and in shaping the human rights policies of President Raúl Alfonsín after the fall of the military junta in 1983 The centerpiece of Alfonsín's human rights program was the trial held in a federal court in Buenos Aires in 1985 which resulted in the convictions of five of the leading members of the junta that ruled the country from 1976 to 1983 Placing the Argentine experience in the context of the war crimes trials at Nuremberg Tokyo and elsewhere Nino examines the broader questions raised by human rights trials He considers their political repercussions and their potential for strengthening the new democratic government He explains why prosecutions for human rights violations should be grounded on a theory of the criminal law that emphasizes the preventive rather than retributive functions of punishment Nino rejects the obligation to punish perpetrators of radical evil and argues instead for a more forward looking duty to safeguard democracy This he believes is what ultimately justified the Argentine trials and should be the focus of any international action

Sinners on Trial Magda Teter, 2011-05 Teter casts new light on the most infamous type of sacrilege the accusation against Jews for desecrating the eucharistic wafer The book recounts dramatic stories of torture trial and punishment

Death Penalty on Trial Gary P. Gershman, 2005-04-19 An extensive survey of the pros and cons evolution and current issues surrounding one of the hottest topics in today's social debates *Death Penalty on Trial A Handbook with Cases Laws and Documents* sifts through the rhetoric politics and emotion that characterize one of the most highly discussed yet least understood issues facing the United States today Placing the death penalty in a historical perspective with an emphasis on the last 50 years this case driven volume explains the legal theory that has perpetuated it and the judicial reasoning both pro and con behind such landmark Supreme Court cases as *Furman v Georgia* and *The United States of America v Alan Quinones* From the first Massachusetts Bay Colony execution and the inventions of the electric chair and gas chamber to DNA testing of inmates readers will learn how and why capital punishment continues to be so controversial

Shari'ah on Trial Sarah Eltantawi, 2017-03-28 In November of 1999 Nigerians took to the streets demanding the re implementation of shari'ah law in their country Two years later many Nigerians supported the death sentence by stoning of a peasant woman for alleged sexual misconduct Public outcry in the West was met with assurances to the Western public stoning is not a part of Islam stoning happens only in Africa reports of stoning are exaggerated by Western sensationalism However none of these statements are true *Shari'ah on Trial* goes

beyond journalistic headlines and liberal pieties to give a powerful account of how Northern Nigerians reached a point of such desperation that they demanded the return of the strictest possible shari ah law Sarah Eltantawi analyzes changing conceptions of Islamic theology and practice as well as Muslim and British interactions dating back to the colonial period to explain the resurgence of shari ah with implications for Muslim majority countries around the world

Hell on Trial John Muhia Karanja, 2005 Hell is the most misunderstood doctrine by Christians throughout the world This book deals with issues that I believe the Bible teaches and that are lamentably dismissed by many churches as heresy These include Humans were created with the potential to become mortal or immortal beings As a result of the Fall humans acquired a mortal nature Immortality is God's gift to the righteous The wicked lack immortality and will be annihilated Death and not hell is the final destiny of the wicked When people die their whole being ceases to exist Their souls do not continue to live in an intermediate state as is believed by many Christians and non Christians At death God withdraws his power of life resulting in cessation of being This is why a resurrection is needed The dead has no concept of time there is no time between death and resurrection At the resurrection people will be restored back to the earthly nature The Saints will be transformed and clothed with immortality while the wicked will be annihilated Rev Dr John Muhia Karanja the author of this book is a Presbyterian Church Minister He is married to Ann and has three children

Mercy on Trial Austin Sarat, 2009-02-09 On January 11 2003

Illinois Governor George Ryan a Republican on record as saying that some crimes are so horrendous that society has a right to demand the ultimate penalty commuted the capital sentences of all 167 prisoners on his state's death row Critics demonized Ryan For opponents of capital punishment however Ryan became an instant hero whose decision was seen as a signal moment in the new abolitionist politics to end killing by the state In this compelling and timely work Austin Sarat provides the first book length work on executive clemency He turns our focus from questions of guilt and innocence to the very meaning of mercy Starting from Ryan's controversial decision Mercy on Trial uses the lens of executive clemency in capital cases to discuss the fraught condition of mercy in American political life Most pointedly Sarat argues that mercy itself is on trial Although it has always had a problematic position as a form of lawful lawlessness it has come under much more intense popular pressure and criticism in recent decades This has yielded a radical decline in the use of the power of chief executives to stop executions From the history of capital clemency in the twentieth century to surrounding legal controversies and philosophical debates about when if ever mercy should be extended Sarat examines the issue comprehensively In the end he acknowledges the risks associated with mercy but he argues those risks are worth taking

An Empire on Trial Martin J. Wiener, 2008-12-08 An Empire on Trial is the first book to explore the issue of interracial homicide in the British Empire during its height examining these incidents and the prosecution of such cases in each of seven colonies scattered throughout the world It uncovers and analyzes the tensions of empire that underlay British rule and delves into how the problem of maintaining a liberal empire manifested itself in the late nineteenth and early twentieth centuries

The work demonstrates the importance of the processes of criminal justice to the history of the empire and the advantage of a trans territorial approach to understanding the complexities and nuances of its workings An Empire on Trial is of interest to those concerned with race empire or criminal justice and to historians of modern Britain or of colonial Australia India Kenya or the Caribbean Political and post colonial theorists writing on liberalism and empire or race and empire will also find this book invaluable

The Trial on Trial: Volume 3 R A Duff, Lindsay Farmer, Sandra Marshall, Victor Tadros, 2007-11-20 The criminal trial is under attack Traditional principles have been challenged or eroded in England and Wales the right to trial by jury has been restricted and rules concerning bad character evidence double jeopardy and the right to silence have been substantially altered to rebalance the system in favour of victims In the pursuit of security particularly from terrorism the right to a fair trial has been denied to some altogether In fact trials have for a long time been an infrequent occurrence most criminal convictions being the consequence of a guilty plea Moreover while this very public struggle over the future of the criminal trial is conducted there is also a less publicly observed controversy about the significance of trials in modern society Trials are under normative attack their value being doubted by those who seek different kinds of process conciliatory or restorative to address the needs of victims and move away from the imposition of state power through trials and punishments This book seeks to develop a normative theory of the criminal trial as a way of defending the importance of trials in our criminal justice system The trial it is suggested calls defendants to answer a charge and if they are criminally responsible to account for their conduct The trial is seen as a communicative process through which the defendant can challenge claims of wrongdoing made against him including the norms in the light of which those claims are made The book develops this communicative theory by first making a careful study of the history of trials before moving on to outline the theory which is then developed through chapters looking at the practices and principles of trials alternative regulatory models the roles of participants the relationship between investigation and trial and trials as public fora

Restorative Justice on Trial H. Messmer, H.U. Otto, 2013-06-29 Victim offender mediation schemes have experienced significant growth in the last decade They are seen as an important and innovative alternative to the traditional sanctions of the criminal justice system After a critical look at mediation schemes in the United States and Canada most European countries have also increased their efforts to develop informal strategies to deal with deviant behavior In terms of their legal and organizational base it turns out that type extent and capacities for development are quite different in the individual countries resulting in a remarkable diversity of programs with different outcomes The contributions in this book are revised and edited versions of papers presented at the NATO Advanced Research Workshop Conflict Crime and Reconciliation The Organization of Welfare Intervention in the Field of Restitutive Justice in April 1991 at Il Ciocco Italy The chapters document the present stage of restorative justice in the individual countries critically assess legal constraints and public needs discuss the organizational requirements of implementation and also evaluate outcomes in a broader context of crime and social policy In the long run this book should

encourage further debates in the field of restorative justice and help build valid guidelines for an international evaluation research

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