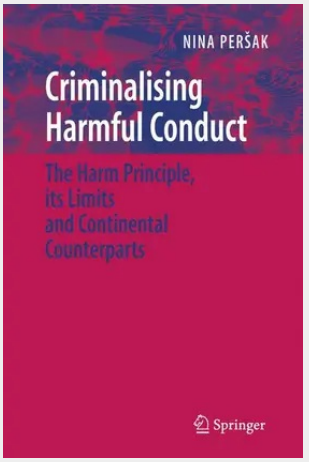
Persak

Criminalising Harmful Conduct

The Harm Principle, Its Limits and Continental Counterparts



This book explores the issue of legitimate criminalization in a modern, liberal society. It argues that criminalization, as one of the most intrusive state interventions into the autonomous sphere of the individual, should be limited by normative principles, defining the substance of what can be legitimately proscribed. Coverage provides a comparative study between two major criminal legal systems and its theories: the Anglo-American, on one side, and the Continental criminal legal system of Germanic legal circle, on the other. In addition, the book offers a model structure of the ideal criminalization in respect of the principles and other criteria that should be followed to render the outcome justifiable. Legal scholars interested in criminology, criminal law and legal philosophy will greatly value this book.

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106,99 €
99,99 € (zzgl. MwSt.)

Nicht mehr lieferbar

Artikelnummer: 9780387464039
Medium: Buch
ISBN: 978-0-387-46403-9
Verlag: Springer
Erscheinungstermin: 29.03.2007
Sprache(n): Englisch
Auflage: 2007. Auflage 2007
Produktform: Gebunden
Gewicht: 390 g
Seiten: 153
Format (B x H): 165 x 242 mm

Kundenservice Verlag Dr. Otto Schmidt KG
Neumannstraße 10, 40235 Düsseldorf | kundenservice@otto-schmidt.de | 0221-93738-997 (Inland)