Rethinking Miscarriages Of Justice Beyond The Tip Of The Iceberg

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The Citizen and the State  Angus Nurse 2020-05-14 The Citizen and the State examines the conflict between criminal justice and civil liberties from a critical criminology perspective. It argues that far from being a search for truth or justice, contemporary criminal justice represents the power of the state against the individual.

Rethinking Miscarriages of Justice  M. Naughton 2007-09-05 Drawing on Foucauldian theory and ‘social harm’ paradigms, Naughton offers a radical redefinition of miscarriages of justice from a critical perspective. This book uncovers the limits of the entire criminal justice process and challenges the dominant perception that miscarriages of justice are rare and exceptional cases of wrongful imprisonment.

Ignorance, Power and Harm  Alana Barton 2018-10-15 This book discusses the concept of ‘agnosia’ and its significance for criminology through a series of case studies, contributing to the expansion of the criminological imagination. Agnotology – the study of the cultural production of ignorance, has primarily been proposed as an analytical tool in the fields of science and medicine. However, this book argues that it has significant resonance for criminology and the social sciences given that ignorance is a crucial means through which public acceptance of serious and sometimes mass harms is achieved. The editors argue that this phenomenon requires a systematic inquiry into ignorance as an area of criminological study in its own right. Through case studies on topics such as migrant detention, historical institutionalised child abuse, imprisonment, environmental harm and financial collapse, this book examines the construction of ignorance, and the power dynamics that facilitate and shape that construction in a range of different contexts. Furthermore, this book addresses the relationship between ignorance and the achievement of ‘manufactured consent’ to political and cultural hegemony, acquiescence in its harmful consequences and the deflection of responsibility for them.

Criminal Evidence  Paul Roberts 2010-08-26 Based on Adrian Zuckerman’s ‘The Principles of Criminal Evidence’, this book presents a comprehensive treatment of the fundamental principles & underlying logic of the law of criminal evidence. It includes changes relating to presumption of innocence, privilege against self-incrimination, character, & the law of corroborration.

Criminology  Eamonn Cabrinne 2020-04-07 Comprehensive, critical and accessible, Criminology: A Sociological Introduction offers an authoritative overview of the study of criminology, from early theoretical perspectives to pressing contemporary issues such as the globalisation of crime, crimes against the environment, terrorism and cybercrime. Authored by an internationally renowned and experienced group of authors in the Department of Sociology at the University of Essex, this is a truly international criminology text that delves into areas that other texts may only reference. It includes substantive chapters on the following topics: • Histories of crime; • Theoretical approaches to crime and the issue of social change; • Victims and victimisation; • Crime, emotion and social psychology; • Drugs, alcohol, health and crime; • Criminal justice and the sociology of punishment; • Green criminology; • Crime and the media; • Terrorism, state crime and human rights. The new edition fuses global perspectives in criminology from the contexts of post-Brexit Britain and America in the age of Trump, and from the Global South. It contains new chapters on cybercrime; crimes of the powerful; organised crime; life-course approaches to understanding delinquency and desistance; and futures of crime, control and criminology. Each chapter includes a series of critical thinking questions, suggestions for further study and a list of useful websites and resources. The book also contains a glossary of the criminological terms and concepts used in the book. It is the perfect text for students looking for a broad, critical and international introduction to criminology, and it is essential reading for those looking to expand their ‘criminological imagination’.


Handbook of Psychology in Legal Contexts  David Carson 2003-07-11 The second edition of this popular international handbook highlights the developing relationship between psychology and the law. Consisting of all-new material and drawing on the work of practitioners and academics from the UK, Europe, North America and elsewhere, this volume looks not only at the more traditional elements of psychology and the law - the provision of psychological assessments about individuals to the courts - but also many of the recent developments, such as the interaction between psychologists and other professionals, decision-making by judges and juries, and the shaping of social policy and political debate. Contemporary and authoritative in its scope, the second edition of The Handbook of Psychology in Legal Contexts will again prove to be a valuable resource for scholars and students, as well as being a vital tool for all professionals working in the field. * Well known editors and an international list of authors, most of whom are leaders in their field * Focus on psychological concepts and knowledge that will enlighten best practice and research * The focus on process and issues ensures that the book is not limited in interest by specific legal codes or legislation, it is international * More than an updating of the old chapters, really a rethinking of the field and what is now important and emerging
The book exposes the myriad of victims of wrongful conviction by going beyond the innocent person who has been wrongfully incarcerated to include the numerous indirect victims who suffer collaterally. In no way overlooking the egregious effects on the wrongfully convicted, this book widens the net to also examine consequences for family, friends, co-workers, witnesses, the initial victims of the crime, and society in general—all indirect victims who are often forgotten in treatments of wrongful conviction. Utilizing interviews of exonerees and accounts from experts, it examines the tangible and intangible costs of victimization across the board. The prison experience is examined through the lens of an innocent person, and the psychological impact of incarceration for the exoneree is explored. Special attention is given to the often-ignored experience of female exonerees and to the impact of race as a compounding factor in a vast number of miscarriages of justice. The book concludes with an overview of the victimization experiences that follow exonerees upon release. Unique to this book is its interdisciplinary approach to the troubling subject of wrongful conviction, combining perspectives from a number of fields including law, social justice, criminology, victimology, psychology, sociology, social justice, history, political science, and law. Undergraduate and graduate students in these disciplines will find this book helpful in their respective areas of study, and professionals in the legal system will benefit from appreciation of the far-reaching costs of wrongful convictions.

We Are Not Like Them Christine Pride 2021-10-05 A GOOD MORNING AMERICA BOOK CLUB PICK Named a Best Book Pick of 2021 by Harper’s Bazaar and Real Simple Named a Most Anticipated Book of Fall by People, Essence, New York Post, PopSugar, New York Newday, Entertainment Weekly, Town & Country, Bustle, Fortune, and Book Riot Told from alternating perspectives, this "propulsive, deeply felt tale of race and friendship" (People) follows two women, one Black and one white, whose friendship is indelibly altered by a tragic event. Jen and Riley have been best friends since kindergarten. As adults, they remain as close as sisters, though their lives have taken different directions. Jen married young, and after years of trying, is finally pregnant. Riley pursued her childhood dream of becoming a television journalist and is poised to become one of the first Black female anchors of the top news channel in their hometown of Philadelphia. But the deep bond they share is severely tested when Jen’s husband, a city police officer, is involved in the shooting of an unarmed Black teenager. Six months pregnant, Jen is in freefall as her future, her husband’s freedom, and her friendship with Riley are thrown into uncertainty. Covering this career-making story, Riley wrestles with the implications of this tragic incident for her Black community, her ambitions, and her relationship with her lifelong friend. Like Tayari Jones’s An American Marriage and Jodi Picoult’s Small Great Things, We Are Not Like Them takes “us to uncomfortable places—in the best possible way—while capturing so much of what we are all thinking and feeling about race. A sharp, timely, and soul-satisfying novel” (Emily Giffin, New York Times bestselling author) that is both a powerful conversation starter and a celebration of the enduring power of friendship.

The Wrongful Convictions Reader Russell D. Covey 2018-10 Fueled by more than 2,000 exonerations of wrongfully convicted men and women, the “innocence revolution” is shaking the criminal justice system to its core. By gathering the leading research, law, and policy analysis into one volume, The Wrongful Convictions Reader explores the core contributing factors to wrongful convictions: false confessions, witness misidentification, bias in police and prosecutorial misconduct, and ineffective assistance of counsel.

Wrongful Convictions in China Na Jiang 2016-08-08 The primary focus of this comparative and empirical work is to address wrongful convictions between China and common-law countries in order to promote a better understanding of wrongful convictions in China’s practice with the help of comparative analyses, verifiable and empirical data and case studies. It examines the scope of wrongful convictions and offers new insights into the worldwide movement to prevent them, assesses how far it has progressed and what reforms are most needed. The book suggests that adversarial and inquisitorial systems alike could benefit from this research and learn valuable lessons from one another on how to effectively reduce the risk of wrongful convictions.

Moving Away from the Death Penalty Ivan Šimonoč 2014-11-01 Capital punishment is irrevocable. It prohibits the correction of mistakes before they are irreversible and leaves unchecked the possibility of error, with the gravest of consequences. There is no evidence of a deterrent effect of the death penalty. Those sacrificed on the altar of retributive justice are almost always the most vulnerable. This book covers a wide range of topics, from the discriminatory application of the death penalty, wrongful convictions, proven lack of deterrence effect, to legality of the capital punishment under international law and the morality of taking of human life. 

Counter-terrorism, Constitutionalism and Miscarriages of Justice Genevieve Lennon 2018-11-01 The purpose of this book is to honour the influential and wide-ranging work of Professor Clive Walker. It explains his contribution to the development of the law and policy in relation to counter-terrorism and miscarriages of justice since the 1970s. This historical perspective, which is often overlooked, is particularly timely 17 years after 9/11 as trends become clearer and historical
The Precariat

Guy Standing 2011-02-28 This book presents the Precariat – an emerging class, comprising the rapidly growing number of people facing lives of insecurity, moving in and out of jobs that give little meaning to their lives. Guy Standing argues that this class is producing instabilities in society. Although it would be wrong to characterise members of the Precariat as victims, many are frustrated and angry. The Precariat is dangerous because it is internally divided, leading to the victimisation of migrants and other vulnerable groups. Lackling agency, its members are churned through the systems of punishment and social exclusion. The Precariat is becoming central to a progressive strategy.

Revisiting the Law and Governance of Trafficking, Forced Labor and Modern Slavery

Prabha Kotiswaran 2017-05-25 Trafficking typically involves the movement of persons for exploitation for a third party's benefit. Inspired by the Palermo protocols, several states today criminalize trafficking, and it is perceived as an issue of serious organized crime. This edited volume brings together academics, activists and officials from international organizations who believe that the choice of a criminal law response arose from a particular alignment of geo-political interests of developed countries in the wake of globalization. Adopting an inter-disciplinary, multi-stakeholder approach, contributors to this volume instead understand trafficking through the lens of labor migration and extreme exploitation and consequently rethink both the law and governance of trafficking. This volume considers many key factors, including the evolving international law on trafficking, the relationship between trafficking and domestic migration law and policy, as well as newly emergent techniques of governance including indicators, with a view to exploring prospects for economic justice in a globalized world.

The Criminal Cases Review Commission

Michael Naughton 2009-10-29 This book focuses on the world's first publicly-funded body- the Criminal Cases Review Commission- to review alleged miscarriages of justice, set up following notorious cases such as the Birmingham Six in the UK. Providing a critique of its operations, the book shows that its help to innocent victims of wrongful conviction is merely incidental.

Convicting the Accused, Judith Edgar, Naomi Borchardt

1961 Criminal Justice Andrew Sanders 2010-07-15 This text concentrates on the apprehension, investigation and trial of suspected offenders, overlaying its analysis with a critical appraisal of the system and suggesting pointers to improvement.

Core Concepts in Criminal Law and Criminal Justice

Kai Ambos 2019-12-31 A comparative and collaborative study of the foundational principles and concepts that underpin different domestic systems of criminal law.

Miscarriages of Justice

Sam Poyer, 2018-05-16 Miscarriages of justice occur far more frequently than we realise and have the power to ruin lives. This book aims to enable criminal justice practitioners to understand them, given significant developments in recent years in law and police codes of practice. This text, part of the Key themes in policing textbook series, is written by three highly experienced authors with expertise in the fields of criminal investigation, forensic psychology and law and provides an up-to-date and comprehensive analysis of miscarriages of justice. They highlight difficulties in defining miscarriages of justice, examine their dimensions, forms, scale and impact and explore key cases and their causes. Discussing informal and formal remedies against miscarriages of justice, such as campaigns and the role of the media and the Court of Appeal and the Criminal Cases Review Commission (CCRC), they highlight criticism of the activities and decision-making of the latter and examine changes to police investigation in this area. Designed to incorporate ‘evidence-based policing’, each chapter provides questions reflecting on the issues raised in the text and suggestions for further reading.

Miscarriages of Justice in Canada

Kathryn M. Campbell

The Cambridge Handbook of Social Problems

A. Javier Treviño 2018-03-22 The introduction of the Affordable Care Act in the United States, the increasing use of prescription drugs, and the ongoing debate over the effectiveness and the availability of legal aid and access to justice increasing the potential (if not likelihood) for miscarriages to occur. By including a critical historical perspective, this book enables us to learn lessons from the past and to minimise contemporary risks of miscarriages of justice. Secondly, this book provides a critical analysis of the law and policy as it stands today, and its future trajectory. Applying Walker’s theoretical and analytical contributions to the field, the authors focus on pressing contemporary concerns, identifying lacunae where relevant, as well as the possible, probable and preferable future trends. Finally, the book celebrates and recommends today criminalizing trafficking by bringing each chapter built around one or more of Walker’s key works.

Criminal Justice in Transition

Anne-Marie McAlinden 2015-11-12 This book represents a critical examination of key aspects of crime and criminal justice in Northern Ireland which will have resonance elsewhere. It considers the core aspects of criminal justice policy-making in Northern Ireland which are central to the process of post-conflict transition, including reform of policing, judicial decision-making and correctional services such as probation and prisons. It examines contemporary trends in criminal justice in Northern Ireland and various dimensions of crime relating to female offenders, young offenders, sexual and violent offenders, community safety and restorative justice. The book also considers the extent to which crime and criminal justice issues in Northern Ireland are being affected by the broader processes of ‘policy transfer’, globalisation and transnationalism and the extent to which criminal justice in Northern Ireland is divergent from the other jurisdictions in the United Kingdom. Written by leading international authorities in the field, the book offers a snapshot of the cutting edge of critical thinking in criminal justice practice and transitional justice contexts.

Communicating Risks and Benefits

Baruch Fischhoff 2012-03-08 Effective risk communication is essential to the well-being of any organization and those people who depend on it. Ineffective communication can cost lives, money and reputations. Communicating Risks and Benefits: An Evidence-Based User’s Guide provides the scientific foundations for effective communications. The book authoritatively summarizes the relevant research, draws out its implications for communication design, and provides practical ways to evaluate and improve communications for any decision involving risks and benefits. Topics include the communication of quantitative information and warnings, the roles of emotion and the news media, the effects of age and literacy, and many other well as how to meet the organization’s goals. The guide will help users in any organization, with any budget, to make the science of their communications as sound as the science that they are communicating.

The Rise and Fall of the Right of Silence

Hannah Quirk 2016-11-25 Within an international context in which the right to silence has long been regarded as sacrosanct, this book provides the first comprehensive, empirically-based analysis of the effects of curtailing the right to silence. The right to silence has served as the practical expression of the principles that an individual was entitled to be considered innocent until proven guilty, and that it was for the prosecution to establish guilt. In 1791, the Fifth Amendment to the US Constitution proclaimed that none ‘shall be compelled in any criminal case to be a witness against himself’. In more recent times, the privilege against self-incrimination has been a founding principle for the International Criminal Court, the new
South African constitution and the ad hoc International Criminal Tribunals for Rwanda and the former Yugoslavia. Despite this
pedigree, over the past 30 years when governments have felt
under pressure to combat crime or terrorism, the right to silence has been reconsidered (as in Australia), curtailed (in most of the
United Kingdom) or circumvented (by the creation of the military
tribunals to try the Guantánamo detainees). The analysis here
focuses upon the effects of the Criminal Justice and Public Order Act 1994 in England and Wales. There, curtailing the right to
silence was advocated in terms of ‘common sense’ policy-making
and was achieved by an eclectic borrowing of concepts and
policies from other jurisdictions. The implications of curtailing
this right are here explored in detail with reference to England,
Wales and Northern Ireland, but within a comparative context
that examines how different ‘types’ of legal systems regard the
right to silence in relation to the different legal and cultural
contextual factors involved.

Justice Flora Sapio 2017-07-31 Claims about a pursuit of justice weave through all periods of China’s modern history. But what do
authorities mean when they refer to ‘justice’ and do Chinese
citizens interpret justice in the same way as their leaders? This
book explores how certain ideas about justice have come to be
dominant in Chinese polity and society and how some conceptions
of justice have been rendered more powerful and legitimate than
others. This book’s focus on ‘how’ justice works incorporates a
concern about the processes that lead to the making, un-making
and re-making of distinct conceptions of justice. Investigating the
peoples’ resistance against the threats of the subject of justice,
certain ideas about justice have come to the political and social forefront in China
today. This innovative work explains how these ideas are
articulated through spoken performances and written expression
by both the state-party and its citizenry.

The Use and Abuse of Music Eleanor Peters 2019-08-23 Using a
critical criminological approach, this book analyses what is
deviant and transgressive about music, focusing on three main
parts; the concept of ‘harmful’ or deviant music; the use of music
as punishment and the censorship and silencing of music.

Harmful Societies Pemberton, Simon A. 2016-03-23 While the
notion of social harm has long interested critical criminologists it is
now being explored as an alternative field of study, which
provides more accurate analyses of the vicissitudes of life.
However, important aspects of this notion remain undeveloped, in
particular the definition of social harm, the question of
responsibility and the methodologies for studying harm. This
book, the first to theorise and define the social harm concept
beyond criminology, seeks to address these omissions and
questions why some capitalist societies appear to be more
harmful than others. In doing so it provides a platform for future
debates, in this series and beyond. It will be a valuable resource
for academics and researchers across criminology, sociology,
social policy, socio-legal studies and geography.

Emergent Strategy adrienne maree brown 2017-03-20 In the
tradition of Octavia Butler, here is radical self-help, society-help,
and planet-help to shape the futures we want. Change is constant.
The world, our bodies, and our minds are in a constant state of
flux. They are a stream of ever-mutating, emergent patterns.
Rather than steel ourselves against such change, Emergent
Strategy teaches us to map and assess the swirling structures and
to read them as they happen, all the better to shape that which
usually appears unshapable. This is a hopeful, materialist spirituality based equally on science and science
fiction: a wild feminist and Afro-futurist ride! adrienne maree
brown, co-editor of Octavia’s Brood: Science Fiction from Social
Justice Movements, is a social justice facilitator, healer, and doula
living in Detroit.

Traditional Justice and Reconciliation After Violent Conflict
Lucien Huyse 2008 This book presents the findings of a major
complement conventional judicial systems and represent a real
potential for promoting justice, reconciliation and a culture of
democracy. At the same time it cautions against unrealistic
expectations of traditional structures and offers a sober,
evidence-based assessment of both the strengths and the
weaknesses of traditional conflict management mechanisms
within the broader framework of post-conflict social
reconstruction efforts. The book is intended to serve both as a
general knowledge resource and as a practitioner’s guide for
national bodies seeking to employ traditional justice mechanisms,
as well as external agencies aiming to support such processes.

Rethinking Emotion Rüdiger Campe 2014-06-18 What are
emotions, where do they originate and how are they brought into
being? While from antiquity to early modernity, affects or
passions were mostly conceived of as external physiological
forces which act upon the subject of emotions, more recent
thinking generally locates emotions within the subject. Drawing on the
dichotomy of “interiority / exteriority” as a complex
interdependent relationship, they mostly envision emotions as
interior processes. Contemporary conceptions of emotion from
such different fields as human geography, art history and
cognitive sciences recently started to challenge this notion of
internal emotions by developing alternative descriptions of
externalized emotion. This book reevaluates premodern, modern
and contemporary conceptions of affects, passions and emotion
by analyzing various historical manifestations and historical
texts on emotion. Unlike most previous research, which - especially in the
German tradition - often focused exclusively on the rise of the
modern (Romantic) interiority without paying attention to the
underlying dichotomy of “interiority / exteriority”, this study aims to
explore the historical preconditions, the internal logic and the
possible shortcomings that inform our thinking on emotion.

The Innocent and the Criminal Justice System Michael Naughton
2013-06-11 The Innocent and the Criminal Justice System
examines competing perspectives on, and definitions of,
miscarriages of justice to tackle these questions and more in this
critical sociological examination of innocence and wrongful
conviction. This book: - Is the first book of its kind to cover wrong
convictions, from definition and causation to the limits of redress
- Provides a wealth of case studies and statistics to apply
theoretical discussions of the criminal justice system to real-life
situations - Discusses ideas and challenges that are highly
relevant to current political and social debates
Elegantly written by a leading expert in the field, this book is essential reading for
students of criminology, criminal justice and law, looking to understand the
workings of the criminal justice system and how it
can fail the innocent.

Miscarriages of Justice in Potentially Capital Cases Hugo Adam
Bedau 1987

China and International Human Rights Na Jiang 2013-12-12
This book is designed to introduce law students, legal actors and
human rights activists, particularly participants in human rights
dialogues with China, to the process and reality of a newly
confident China’s participation in the international human rights
system, albeit with inherent challenges. From an international
and comparative perspective, one of the key findings of the
author’s research is that progress towards human rights depends
more on judges than on legislators. Chinese legislators have
enacted a series of reforms in order to better protect human
rights. Unfortunately, these reforms have not led to greater
adherence to China’s international human rights obligations
in practice. The reforms failed because they have generally been
misunderstood by Chinese judges, who often have a limited
understanding of international human rights norms. Specifically,
this book will examine how judicial misunderstandings have
blocked reforms in one specific area, the use of severe
punishments, based on international human rights theory
and case studies and data analyses. This examination has several
purposes. The first is to suggest that China ratify the ICCPR as
the next step for its substantive progress in human rights and as
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to demonstrate how the international community could better engage with China in a manner that is more conducive to human rights improvements. The author’s ultimate goal is to enhance dialogue on human rights in China between judges and the Chinese government, between Chinese judges and their foreign counterparts and between China’s government and the international community. Another significant aim of this book is to clarify the controversial question of what obligations China should undertake before its ratification of the ICCPR and to re-examine trends in its developing human rights policy after standing down from the Council in late 2012. The tortuous progress of China’s criminal law and criminal justice reforms has confirmed that Chinese judges need further instruction on how to apply severe punishments in a manner consistent with international standards. Judges should be encouraged to exercise more discretion when sentencing so that penalties reflect the intent of relevant domestic laws as well as the international human rights standards enumerated in the ICCPR. In order to better educate and train judges, this book contains introductory chapters that examine the severe punishments currently available to Chinese judges from an international human rights perspective. To illustrate how Chinese justice currently falls short of international norms, this paper also examines several cases that are considered to be indicative of China’s progress towards greater respect for human rights and the rule of law. These cases demonstrate that China still has a long way to go to achieve its goals, at least before abolishing the death penalty, forced labor and torture.

Claims of Innocence Michael Naughton 2010