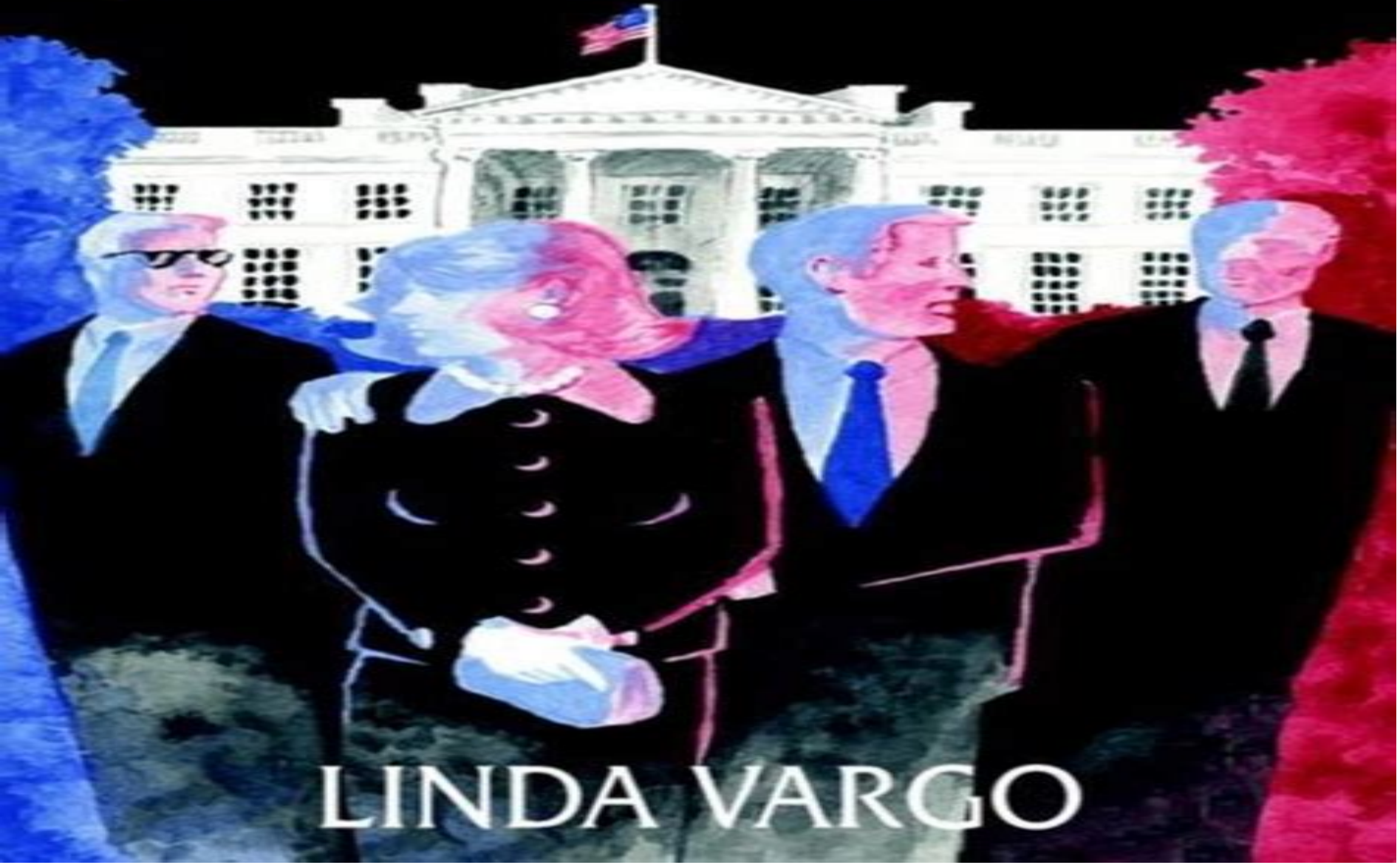


JUSTIFIED CONDUCT



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Justified Conduct

John Deigh, David Dolinko



Justified Conduct:

Justification Defenses and Just Convictions Robert F. Schopp, 1998-01-13 This major study advances an interpretation of criminal justification defences that views them as an integral component of the structure of the criminal law A definition of criminal law is included in this book

Justification and Excuse in International Law Federica Paddeu, 2018-01-11 The defences available to an agent accused of wrongdoing can be considered as justifications which render acts lawful or excuses which shield the agent from the legal consequences of the wrongful act This distinction is familiar to many domestic legal systems and tracks analogous notions in moral philosophy and ordinary language Nevertheless it remains contested in some domestic jurisdictions where it is often argued that the distinction is purely theoretical and has no consequences in practice In international law too the distinction has been fraught with controversy though there are increasing calls for its recognition This book is the first to comprehensively and thoroughly examine the distinction and its relevance to the international legal order Combining an analysis of state practice and historical doctrinal and theoretical developments the book shows that the distinction is not only possible in international law but that it is also one that would have important practical implications

Physical Therapy Ethics Donald L Gabard, Mike W Martin, 2010-09-02 The thoroughly revised updated and expanded 2nd Edition offers physical therapists the tools they need as they confront the ethical dilemmas and moral controversies that they will encounter in professional practice At the same time it stimulates reflection on the moral significance of a therapist's work a neglected area of study

The Oxford Handbook of Practical Ethics Hugh LaFollette, 2005-09-15 This is a guide to contemporary thought on ethical issues in all areas of human activity personal medical sexual social political judicial and international from the natural world to the world of business

Attempts Gideon Yaffe, 2012-11-29 Gideon Yaffe presents a ground breaking work which demonstrates the importance of philosophy of action for the law Many people are serving sentences not for completing crimes but for trying to So the law governing attempted crimes is of practical as well as theoretical importance Questions arising in the adjudication of attempts intersect with questions in the philosophy of action such as what intention a person must have if any and what a person must do if anything to be trying to act Yaffe offers solutions to the difficult problems courts face in the adjudication of attempted crimes He argues that the problems courts face admit of principled solution through reflection either on what it is to try to do something or on what evidence is required for someone to be shown to have tried to do something or on what sentence for an attempt is fair given the close relation between attempts and completions The book argues that to try to do something is to be committed by one's intention to each of the components of success and to be guided by those commitments Recognizing the implications of this simple and plausible position helps us to identify principled grounds on which the courts ought to distinguish between defendants charged with attempted crimes

An Introduction to the Model Penal Code Markus D. Dubber, 2015-03-10 In this second edition of his well received introductory overview of the

Model Penal Code Markus Dubber retains the book's original aim to serve as an accessible companion to the Code Professor Dubber unlocks the Model Penal Code's potential as a key to the study of American criminal law for law students and teachers and for anyone else with an interest in understanding the basic contours of American criminal law While the book's general goal and basic approach remain unchanged its content has been thoroughly revised Citations to primary and secondary materials have been updated and supplemented where appropriate The American Law Institute's ongoing revision of the Code's sentencing and sexual offense provisions has been taken into account Also the comparative analysis found sporadically throughout the original edition has been expanded in places to provide additional context *Defences in Tort*

Andrew Dyson,James Goudkamp,Frederick Wilmot-Smith,2015-02-26 This book is the first in a series of essay collections on defences in private law It addresses defences to liability arising in tort The essays range from those adopting a primarily doctrinal approach to others that examine the law from a more theoretical or historical perspective Some essays focus on individual defences while some are concerned with the links between defences or with how defences relate to the structure of tort law as a whole A number of the essays also draw upon concepts and literature that have been developed mainly in relation to the criminal law and consider their application to tort law The essays make several original contributions to this complex important but neglected field of academic enquiry **Ethics and Weapons of Mass Destruction** Sohail H.

Hashmi,Steven Lee,Steven P. Lee,2004-07-19 Publisher Description [The Protestant Doctrine of Justification and Scheme of Salvation, Philosophically Confuted in Sixteen Articles](#) Charles Cholmondeley,1854 **Exceptions in International Law**

Lorand Bartels,Federica Paddeu,2020-06-18 Many international obligations are subject to exceptions These can be expressed in several ways an obligation may be vitiated by the presence of one of its constitutive negative requirements an obligation may be set aside by the application of another more specific rule or an actor might have a right to act in a certain way notwithstanding a contrary obligation Exceptions are also of fundamental practical importance for example they affect the allocation of the burden of proof This volume provides a systematic and analytic study of exceptions to legal obligations in international law and defences for breaches of these obligations It features contributions written by legal philosophers who introduce various theoretical approaches to the role of exceptions and scholars of international law who elaborate on generic issues applicable to exceptions in international law as well as examine specific issues arising from exceptions in their respective areas of expertise Topics covered include the use of force international criminal law human rights trade investment environment and jurisdictional immunities *New Essays on the Nature of Legal Reasoning* Mark

McBride,James Penner,2022-05-19 This is the first book to bring together distinguished jurisprudential theorists as well as up and coming scholars to critically assess the nature of legal reasoning The volume is divided into 3 parts The first part General Jurisprudence and Legal Reasoning addresses issues at the intersection of general jurisprudence those pertaining to the nature of law itself and legal reasoning The second part Rules and Reasons addresses two concepts central to two prominent

types of theory of legal reasoning The essays in the third and final part Doctrine and Practice delve into the mechanics of legal practice and doctrine from a legal reasoning perspective **The Oxford Handbook of Philosophy of Criminal Law** John Deigh, David Dolinko, 2011-09-22 This title contains 17 original essays by leading thinkers in the field and covers the field's major topics including limits to criminalization obscenity and hate speech blackmail the law of rape attempts accomplice liability causation responsibility justification and excuse duress and more **Mass Atrocity, Ordinary Evil, and Hannah Arendt** Mark Osiel, 2001-01-01 Is it possible that the soldiers of mass atrocities Adolph Eichmann in Nazi Germany and Alfredo Astiz in Argentina's Dirty War for example act under conditions that prevent them from recognizing their crimes In the aftermath of catastrophic state sponsored mass murder how are criminal courts to respond to those who either gave or carried out the military orders that seem unequivocally criminal This important book addresses Hannah Arendt's controversial argument that perpetrators of mass crimes are completely unaware of their wrongdoing and therefore existing criminal laws do not adequately address these defendants Mark Osiel applies Arendt's ideas about the kind of people who implement bureaucratized large scale atrocities to Argentina's Dirty War of the 1970s and he also delves into the social conditions that could elicit such reprehensible conduct He focuses on Argentine navy captain Astiz who led one of the most notorious abduction squads to discover how he and other junior officers could justify the murders of more than ten thousand suspected subversives Osiel concludes that legal stipulations labeling certain deeds as manifestly illegal are indefensible He calls for a significant change in the laws of war to preserve both justice and the possibility of dialogue between factions in such sharply divided societies as Argentina Osiel's proposals have profound implications for future prosecutions of Pinochet's lieutenants Milosevic's henchmen the willing executioners of Rwanda and East Timor and other perpetrators of state endorsed murder and torture **Elements of Accessorial Modes of Liability** Sarah Finnin, 2012-08-27 This volume continues the work of the Preparatory Commission of the International Criminal Court by developing elements for ordering instigating and aiding and abetting the commission of international crimes under Article 25 3 b and c of the Rome Statute The development of proposed elements for these accessorial modes of liability is necessary because while detailed elements for the substantive crimes within the jurisdiction of the Court were identified in the Elements of Crimes no such elements were elaborated for the modes of liability in those crimes The proposed elements in this volume break new ground and are designed to assist the ICC in applying the provisions of the Rome Statute to the cases before it for trial with consistency and accuracy Cases & Materials on Criminal Law Mike Molan, 2009-01-13 Cases and Materials on Criminal Law provides a comprehensive selection of key materials drawn from law reports legislation Law Commission consultation papers and reports and Home Office publications Clear and highly accessible this volume is presented in a coherent structure and provides full coverage of the topics commonly found in the criminal law syllabus The range of thoughtfully selected materials and authoritative commentary ensures that this book provides an essential collection of materials and analysis to stimulate

the reader and assist in the study of this difficult and challenging area of law New features include revised text design with clear page layout headings and boxed and shaded sections to aid navigation and readability chapter introductions to highlight the salient features under discussion short chapter table of contents to enable easier navigation Comments and Questions sections to encourage students to reflect on their reading expanded further reading to encourage students to engage further with the subject a Companion Website to provide regular updates to the book Recent decisions of note that are extracted and analysed include R v Kennedy manslaughter based on supply of heroin Attorney General for Jersey v Holley provocation R v Mark and R v Willoughby elements of killing by gross negligence R v Barnes consent as a defence to sporting injuries Attorney General s Reference No 3 of 2004 accessorial liability and R v Hatton intoxicated mistake in self defence cases Consideration is also given to the likely changes to the law relating to corporate manslaughter at the time of writing contained in the Corporate Manslaughter and Corporate Homicide Bill currently before Parliament Two major law reform publications are extensively extracted and contextualised in this 4th edition the Law Commission s report on Murder Manslaughter and Infanticide Law Com No 304 and the Law Commission s Report on Inchoate Liability for Assisting and Encouraging Crime Law Com No 300 This book is an invaluable reference for students on undergraduate or CPE PG Diploma in Law criminal law courses particularly those studying independently or on distance learning programmes

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

Basic Concepts of Criminal Law George P. Fletcher, 1998-10-08 In this text Fletcher maintains that there is much greater unity among diverse systems of criminal justice than commonly realized and that any adequate system of criminal law must address a set of universal basic issues

Fighting Hurt Henry Shue, 2016-03-25 Some of our most fundamental moral rules are violated by the practices of torture and war If one examines the concrete forms these practices take can the exceptions to the rules necessary to either torture or war be justified Fighting Hurt brings together key essays by Henry Shue on the issue of torture and relatedly the moral challenges surrounding the initiation and conduct of war and features a new introduction outlining the argument of the essays putting them into context and describing how and

in what ways his position has modified over time The first six chapters marshal arguments that have been refined over 35 years for the conclusion that torture can never be justified in any actual circumstances whatsoever The practice of torture has nothing significant in common with the ticking bomb scenario often used in its defence and weak U S statutes have loopholes for psychological torture of the kind now favoured by CIA in the war against terrorism The other sixteen chapters maintain that for as long as wars are in fact fought it is morally urgent to limit specific destructive practices that cannot be prohibited Two possible exceptions to the UN Charter's prohibition on all but defensive wars humanitarian military intervention and preventive war to eliminate WMD are evaluated and one possible exception to the principle of discrimination Michael Walzer's supreme emergency is sharply criticized Two other fundamental issues about the rules for the conduct of war receive extensive controversial treatment The first is the rules to limit the bombing of dual use infrastructure with a focus on alternative interpretations of the principle of proportionality that limits collateral damage The second is the moral status of the laws of war as embodied in International Humanitarian Law It is argued that the current philosophical critique of IHL by Jeff McMahan focused on individual moral liability to attack is an intellectual dead end and that the morally best rules are international laws that are the same for all fighters Examining real cases including U S bombing of Iraq in 1991 the Clinton Administration decision not to intervene in the 1994 Rwandan genocide NATO bombing of Serbia in 1999 and CIA torture after 9 11 and its alternatives this book is highly accessible to general readers who are interested in the ethical status of American political life especially foreign policy

The Philosophy of Criminal Law Douglas N. Husak, 2010 This volume collects 17 of Douglas Husak's influential essays in criminal law theory The essays span Husak's original and provocative contributions to the major topics in the field including the grounds of criminal liability the significance of culpability the role of defences and the justification of punishment The volume includes an extended introduction by the author drawing together the themes of his work and exploring the goals of criminal theory Together the essays present a desert based analysis of issues in criminal theory that rejects the consequentialist approach more familiar among legal scholars The foremost concern of these essays is to ensure that the principles and doctrines of the criminal law preserve justice and do not sacrifice individuals for the common welfare Engagingly written the essays are accessible to non specialists and represent an excellent introduction to current issues and debates in the theory of criminal law

Answering for Crime R A Duff, 2007-11-16 In this long awaited book Antony Duff offers a new perspective on the structures of criminal law and criminal liability His starting point is a distinction between responsibility understood as answerability and liability and a conception of responsibility as relational and practice based This focus on responsibility as a matter of being answerable to those who have the standing to call one to account throws new light on a range of questions in criminal law theory on the question of criminalisation which can now be cast as the question of what we should have to answer for and to whom under the threat of criminal conviction and punishment on questions about the criminal trial as a process through

which defendants are called to answer and about the conditions bars to trial given which a trial would be illegitimate on questions about the structure of offences the distinction between offences and defences and the phenomena of strict liability and strict responsibility and on questions about the structures of criminal defences The net result is not a theory of criminal law but it is an account of the structure of criminal law as an institution through which a liberal polity defines a realm of public wrongdoing and calls those who perpetrate or are accused of perpetrating such wrongs to account

Whispering the Secrets of Language: An Emotional Quest through **Justified Conduct**

In a digitally-driven earth wherever monitors reign great and immediate interaction drowns out the subtleties of language, the profound strategies and emotional nuances hidden within words frequently get unheard. Yet, situated within the pages of **Justified Conduct** a fascinating literary prize pulsating with organic emotions, lies an extraordinary quest waiting to be undertaken. Published by a skilled wordsmith, this marvelous opus encourages visitors on an introspective trip, softly unraveling the veiled truths and profound impact resonating within the very cloth of each and every word. Within the psychological depths of this moving review, we can embark upon a heartfelt exploration of the book's key styles, dissect their fascinating publishing fashion, and fail to the powerful resonance it evokes heavy within the recesses of readers' hearts.

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