

## **Essay Sample on Israel's Criminal Justice System Essay**

### **Introduction**

Israel stands out among the numerous nations, states, and empires in the world, primarily for its superiority biblically, and secondly for its determination to gain nationalism from its former Palestinian state. The slogan "A land without a people for a people without a land" diligently granted the Israeli's land to call their own. On the fourteenth day of May 1948, Israel was proclaimed a state—a Jewish state of Palestine (Guberman, 2000). This victory was accompanied by a Declaration of the state of Israel as one that would be welcoming to the Jewish immigrants and the ingathering of the exiles, ensure sociopolitical equality to all its inhabitants regardless of their race, gender or religion, and be faithful to the guidelines and principles of the UN charter. The declaration likewise presented a crucial piece of the functioning of the state as one based on justice, peace and the freedom of language, culture, education, religion, and conscience. This was the basis of the criminal justice system of Israel, coupled up with other laws that came into play later on. The criminal justice systems are a set of agencies set aside for the controlling of crime and upon occurrence, imposing penalties and mitigations for the crime offenders. Any basic criminal justice system comprises of the law enforcement, the prosecution, defense attorneys, the courts, and correction facilities and officers, and it is these systems that draw paths through which the rights and freedoms of citizens are protected and respected. In light of these facts and occurrences, it is only fair and logical to take an in-depth look at Israel's criminal justice system, critically scrutinize its laws and policies, and tactically compare its penal system with that of the United States, pointing out areas of weakness, strength and outlining a few recommendations from each system to the other. To do this, the history of the criminal justice system for Israel will be incredibly resourceful, its current systems, reforms made as well as a brief look at the United States current criminal justice system, and compare and contrast it to that of Israel.

### **The History of Israel's Criminal Justice System**

The past is as relevant as the future, and it is this very phenomenon that made the criminal justice system, CJS, of Israel to incorporate the laws of the land it previously belonged to. The first enactment of the provincial state council was the law and administration ordinance of 1948, which under section 11, stated that the pre-existing laws prior to the attainment of statehood of Israel would continue to be in force, and subject to enactments and modifications (Roznala, & Volachic, 2018). This, therefore, made Israel's legal system to incorporate the Ottoman law, the British mandatory legislation as well as the laws of the various religious societies and communities when it came to matters of personal status. The ottoman law primarily operated under the majelle, an Islamic-based comprehensive civil code (Guberman, 2000). The British mandatory regulation then chipped in with the gaining of the mandate of the British over the then Palestine. This law closely incorporated the English legal systems, either the common or the codified law. Then there was the introduction of the criminal code in 1936, which, in conjunction with criminal procedures and evidence, formed the penal law. Years that followed were dominated with feuds, conflicts, and wars, and this necessitated the formation of the emergency regulations in 1945, designed to address the economy as well as the security of the Israelis. The new state of Israel then came under the

# Justice In Israel The Criminal Justice System

**Gad J. Bensinger**



## **Justice In Israel The Criminal Justice System:**

Crime and Criminal Justice in Israel Robert R. Friedmann, 2012-02-01 Assessing the Israeli criminal justice knowledge base with implications for Israel and international scholarship this book explores crime legislation law enforcement courts corrections and the victim The book discusses the development of criminal justice and criminology in a new society adding to the understanding of crime and societal reaction The authors examine the historical development of Israeli criminal justice describe the state of current knowledge and point to possible future directions Justice for All? Arye Rattner, Gideon Fishman, 1998-08-20 How does the Israeli criminal justice system treat its most significant minority group the Arabs This book explores the functioning of Israel's criminal justice system in the context of the volatile relationship between Jews and Arabs in Israel and the conflict between Jews and the Palestinians of the occupied territories Examining decisions at each juncture of the system the authors study the question of whether the system treats Arabs fairly and equally or discriminates against them Aware of the potentially volatile nature of the subject the authors have taken care to make the book methodologically sound and their findings level headed Their study shows that despite legislative efforts to protect minority rights and treat all citizens as equals these goals are not always achieved Arabs are treated differently in the criminal justice system

**Comparative and International Criminal Justice Systems** Dale June, 2013-05-13 Comparative and International Criminal Justice Systems Policing Judiciary and Corrections Third Edition examines the history dynamics structure organization and processes in the criminal justice systems in a number of selected countries Designed for courses in comparative criminal justice systems comparative criminology and international Elders, Crime, and the Criminal Justice System Max B. Rothman, JD, LLM, Burton D. Dunlop, PhD, Pamela Entzel, JD, 2004-01-01 This book provides a comprehensive analysis of interactions between older people and the criminal justice system The editors present current research on elders in a multitude of roles from victim and offender to attorney defendant witness juror and prisoner Of particular interest are chapters on the psychological and medical conditions of elder prisoners and issue around selective decarceration Each contributor documents empirical data and identifies social policy and ethical implications where applicable Recommended for gerontologists sociologists social workers and professionals in the legal and criminal justice fields

Doing Justice to Court Interpreting Miriam Shlesinger, Franz Pöchhacker, 2010-10-21 First published as a Special Issue of Interpreting 10 1 2008 and complemented with two articles published in Interpreting 12 1 2010 this volume provides a panoramic view of the complex and uniquely constrained practice of court interpreting In an array of empirical papers the nine authors explore the potential of court interpreters to make or break the proceedings from the perspectives of the minority language speaker and of the other participants The volume offers thoughtful overviews of the tensions and conflicts typically associated with the practice of court interpreting It looks at the attitudes of judicial authorities towards interpreting and of interpreters towards the concept of a code of ethics With further themes such as the interplay of different groups of

linguists at the Tokyo War Crimes Tribunal and the language rights of indigenous communities it opens novel perspectives on the study of interpreting at the interface between the letter of the law and its implementation

**Criminal Justice in International Society** Willem de Lint, Marinella Marmo, Nerida Chazal, 2014-01-03 This book adopts a critical criminological approach to analyze the production representation and role of crime in the emerging international order It analyzes the role of power and its influence on the dynamics of criminalization at an international level facilitating an examination of the geopolitics of international criminal justice Such an approach to crime is well developed in domestic criminology however this critical approach is yet to be used to explore the relationship between power crime and justice in an international setting This book brings together contrasting opinions on how courts prosecutors judges NGOs and other bodies act to reflexively produce the social reality of international justice In doing this it bridges the gaps between the fields of sociology criminology international relations political science and international law to explore the problems and prospects of international criminal justice and illustrate the role of crime and criminalization in a complex evolving and contested international society

**Transitional Justice for Israel/Palestine** Jeremie Bracka, 2022-01-01 This book applies the dynamic field of transitional justice to conflict resolution in Israel Palestine Around the globe diverse societies have pursued truth telling restorative justice and reconciliation to end conflict yet the language of transitional justice has been all but absent in Israel Palestine This volume squarely addresses how transitional justice could contribute to conflict transformation and accountability incorporating the questions of collective justice memory and human rights It covers the most important historical and legal issues facing Israel Palestine with a focus on civil societies in South Africa Northern Ireland and Latin America Ultimately the book proposes an unofficial Israeli Palestinian Truth and Empathy Commission IPTEC to address gross human rights abuses committed by both nations Transitional Justice for Israel Palestine will be of interest to researchers NGOs and policy makers working in transitional justice and societies with ongoing conflict

**Criminology and Criminal Justice Systems of the World** Peter O. Nwankwo, 2011 Professor Peter Nwankwo argues based on this textbook volume I that the world has been turned into a global village and that we have no reason s to ignore the awareness of what is going on in other countries of the world This textbook Criminology and criminal Justice System of the world A comparative perspective is a unique text not because of its title but because it contains what will ever be needed for the undergraduate and graduate students in the field of Criminology and Criminal Justice especially those taking a course in Comparative Criminal Justice The text is prodigious and profusely descriptive explored and explained by researching the police the court systems corrections or prisons including Juvenile Justice Systems and Crime Statistics in the following countries United States of America china Saudi Arabia Japan The Netherlands Bulgaria Haiti Botswana Philippines Uganda and Israel It is worthy to note that the United States of America had too much information so it was necessary to split it into two chapters i e chapter one and chapter two Additionally The Netherlands was also split into two chapters thus Chapters 6 7 The overall Chapters in this Volume I are

thirteen VOLUME II Volume two of this text contains twenty four chapters and over 24 countries were researched and included as follows and will be published in a few in a few months The countries are Nigeria Norway Northern Ireland England and Wales Estonia Ethiopia Egypt South America Mauritania Jamaica Iraq Dominican Republic Turkey South Africa Russia Kenya Romania Congo Germany France Cameroon Ghana and Denmark No matter the adversities of the readers and purchasers I do strongly advice that you order these two volumes together when the later would be available on the internet or through the publishers International Criminal Justice Gideon Boas,William Schabas,Michael P. Scharf,2012-01-01

International criminal justice indeed is a crowded field But this edited collection stands well above the crowd And it does so with dignity Through interdisciplinary analysis the editors skillfully turn shibboleths into intrigues Theirs is a kaleidoscopic project that scales a gamut of issues from courtroom discipline to gender to the defense to history Through vivid deployment of unconventional methods this edited collection unsettles conventional wisdom It thereby pushes law and policy toward heartier horizons Mark A Drumbl Washington and Lee University School of Law US International criminal justice as a discipline throws up numerous conceptual issues engaging disciplines such as law politics history sociology and psychology to name but a few This book addresses themes around international criminal justice from a mixture of traditional and more radical perspectives While law and in particular international law is at the heart of much of the discussion around this topic history sociology and politics are invariably infused and in some aspects of international criminal justice are predominant elements Fundamentally the exploration concerns questions of coherence and legitimacy which are foundational to both the content and application of the discipline and the book charts an illuminating path through these diverse perspectives The contributions in this book come from some of the eminent scholars and practitioners in the area and will provide some profound insight into and an enriched understanding of international criminal justice helping to advance the field of study This ambitious and necessary book will appeal to academics and students of international criminal law international criminal justice international law transitional justice and comparative criminal law as well as practitioners of international criminal law

*Policing in Israel* Tal Jonathan-Zamir,David Weisburd,Badi Hasasi,2015-10-05 It is hoped that through this series it will be possible to accelerate the process of building knowledge about policing and help bridge the gap between the two worlds the world of police research and police practice This is an invitation to police scholars and practitioners across the world to come and join in this venture Dilip K Das PhD *Justice in Israel* Gad J. Bensinger,1998 Criminal Justice Systems in Europe and North America Leslie Sebba,Menachem Horovitz,Ruth Geva,2003 *Politics and Government in Israel* Gregory S. Mahler,2011 This even handed and thorough text explores Israeli government and politics First tracing the history and development of the state Mahler then examines the social religious economic and cultural contexts within which Israeli politics takes place The book explains the operation of political institutions and behavior in Israeli domestic politics as well as Israel s foreign policy setting and apparatus the Palestinian conflict and the question of Jerusalem and the Middle

East peace process overall This clear and concise text provides an invaluable starting point for all readers needing a cogent introduction to Israel today      *Restoring Justice after Large-scale Violent Conflicts* Ivo Aertsen, Jana Arsovska, Holger-C Rohne, Marta Valiñas, Kris Vanspauwen, 2013-05-13 This book provides a comparative analysis of the potential of restorative justice approaches to dealing with mass victimization in the context of large scale violent conflicts focusing on case studies from Kosovo Israel Palestine and Congo incorporating contributions from leading authorities in these areas One of the main objectives of the book is to examine if how and to what extent restorative justice is applicable in various different cultural social and historical contexts and what common themes can be identified within the different regions under analysis The book will also provide a critical analysis of the UN Basic Principles on the use of restorative justice programmes in criminal matters as applied to the context of large scale violence      *Africa and International Criminal Justice* Fred Agwu, 2019-11-04 This book provides an overview of crimes under international law radical evils in a number of African states This overview informs a critical analysis of the debates surrounding the African Union's call for withdrawal from the International Criminal Court and proposes a way forward with a more pertinent role for the Court The work critically analyzes the arguments around withdrawal from the ICC and the extension of the jurisdiction of the African Court into criminal matters It is held that this was not intended in the spirit of complementarity as envisaged by the Rome Statute and is subject to political calculation and manipulation by national governments Recasting the ICC as a court of second instance would provide a stronger institutional and jurisdictional regime The book will be a valuable resource for students academics and policymakers working in the areas of international humanitarian law international criminal law African studies and genocide studies      *The Architecture of Desistance* Stephen Farrall, 2019-06-06 The volume of studies into desistance has grown dramatically in recent years Much of this research has focused on the internal dynamics of desistance such as decision making choice and restraint Bringing together leading figures and drawing upon case studies from around the world this book seeks to fill a vacuum in the contemporary literature on desistance by considering processes and practices at a societal level that influence how and why people desist from crime Beginning with an outline of what is known about how social cultural and economic structures shape desistance from crime this book proceeds to explore studies of desistance in countries such as the UK Brazil France Israel Ireland Sweden and Chile These studies touch on variations by ethnicity the nature of the criminal justice system economic cycles gender religious belief systems and the use of time and space Policy matters relating to desistance such as the rehabilitation and supervision of former offenders are also explored This book will be invaluable reading to students and scholars of criminology sociology and social studies engaged in studies of desistance criminology criminal justice victimology penology and probation      *Bargaining in the Criminal Justice Systems of the United States and Germany* Susanne Kobor, 2008 The book compares the bargaining practice in the United States and Germany it displays differences and similarities also taking historical as well as legal and cultural aspects into consideration The author shows that

bargaining in both countries is highly influenced by the respective legal systems common and civil law The study also pays attention to current developments changes and proposed legislation

**Encyclopedia of Criminology** J. Mitchell Miller, Richard A. Wright, 2013-12-17 This three volume work offers a comprehensive review of the pivotal concepts measures theories and practices that comprise criminology and criminal justice No longer just a subtopic of sociology criminology has become an independent academic field of study that incorporates scholarship from numerous disciplines including psychology political science behavioral science law economics public health family studies social work and many others The three volume Encyclopedia of Criminology presents the latest research as well as the traditional topics which reflect the field's multidisciplinary nature in a single authoritative reference work More than 525 alphabetically arranged entries by the leading authorities in the discipline comprise this definitive international resource The pivotal concepts measures theories and practices of the field are addressed with an emphasis on comparative criminology and criminal justice While the primary focus of the work is on American criminology and contemporary criminal justice in the United States extensive global coverage of other nations justice systems is included and the increasing international nature of crime is explored thoroughly Providing the most up to date scholarship in addition to the traditional theories on criminology the Encyclopedia of Criminology is the essential one stop reference for students and scholars alike to explore the broad expanse of this multidisciplinary field

*Crime & Justice International*, 2001

**The Oxford Companion to International Criminal Justice** Antonio Cassese, 2009 The move to end impunity for human rights atrocities has seen the creation of international and hybrid tribunals and increased prosecutions in domestic courts The Oxford Companion to International Criminal Justice is the first major reference work to provide a complete overview of this emerging field Its 1200 pages are divided into three sections In the first part 21 essays by leading thinkers offer a comprehensive survey of issues and debates surrounding international humanitarian law international criminal law and their enforcement The second part is arranged alphabetically containing 300 entries on doctrines procedures institutions and personalities The final part contains over 330 essays on different trials from international and domestic courts dealing with war crimes crimes against humanity genocide torture and terrorism With analysis and commentary on every aspect of international criminal justice this Companion is designed to be the first port of call for scholars and practitioners interested in current developments in international justice

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