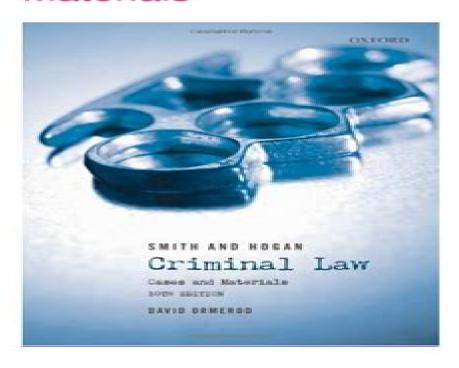
Smith and Hogan Criminal Law: Cases and Materials



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Lauren Gardner

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and longer runs Four models of legalized torture are next examined including current ones in Israel and the USA and the idea of torture warrants Finally related legal issues are analyzed among them the lawfulness of coercive interrogation under international law and attempts to allow torture only after the fact for instance by applying the criminal law defence of necessity A minimal absolutist view under which torture whether by private individuals or by state officials must be prohibited absolutely in law policy and practice and allowing no exceptions for ticking bomb situations is defended throughout Cases and Materials on Criminal Law Janet Dine, James Gobert, William Wilson, 2010-09-30 An array of carefully selected case report and academic article extracts combined with author commentary to provide a thorough and engaging assessment of criminal law provisions Necessity and National Emergency Clauses Diane A. Desierto, 2012-01-06 States invoke economic crises and security threats to justify treaty non compliance The most dramatic recent examples of this phenomenon include necessity defences in international investment law emergency derogations in international human rights treaties exceptions for non conforming measures in international trade law and doctrinal misapplications of necessity in jus ad bellum and jus in bello Necessity and National Emergency Clauses is the first to trace the doctrine's genealogy from medieval Christian and Islamic religious history to post Westphalian practices the International Law Commission s codifications and modern treaty formulations Recognizing the doctrine's thematic linkage with the State's sovereign right to delimit international obligation the volume proposes analytical criteria to assess the lawfulness and legitimacy of interpretations of necessity and national emergency clauses within specialized treaty regimes This volume is intended for law students legal scholars arbitrators international judges and other international law practitioners interested in deriving interpretive solutions to treaty controversies on the doctrine of necessity Diane Desierto was awarded the 2010 2011 Ambrose Gherini Prize the highest prize awarded in the field of International Law by Yale Law School for her JSD dissertation upon which this book is based

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