Corporations And Criminal Responsibility Oxford Monographs On Criminal Law And Justice

Corporate social responsibility (CSR) continues to grow as an area of interest in academia and business. Encompassing broad topics such as the relationship between business, society, and government, environmental issues, globalization, and the social and ethical dimensions of management and corporate operation, CSR has become an increasingly interdisciplinary subject relevant to areas of economics, sociology, and psychology, among others. New directions in CSR research include advanced 'micro' based investigations in organizational behaviour and human resource management, additional studies of environmental social responsibility and sustainability, further research on 'strategic' CSR, connections between social responsibility and entrepreneurship, and improvements in methods and data analysis as the field matures. Through authoritative contributions from international scholars across the social sciences, this Handbook provides a cohesive overview of this recent expansion. It introduces new perspectives, new methodologies, and new evidence from a range of disciplines to encourage and facilitate interdisciplinary research and global implementation of corporate social responsibility.

Few contemporary scholars have done more in their work to develop the idea of

responsibility than Nicola Lacey. She ranks alongside thinkers and writers such as HLA Hart and Antony Honoré in developing approaches to understanding responsibility. Like these authors, the influence of her work has spread beyond academia to change the perception of responsibility amongst practitioners. Both Hart and Honoré have during their lifetime had volumes dedicated to their work. This book does the same for Nicola Lacey, marking her ongoing influence and accomplishments in the common law world through a collection of essays by leading international scholars reflecting and interrogating her contribution to understanding criminal responsibility. Additionally, the book aims to promote the best legal scholarship on responsibility in the common law world and inspire the brightest legal scholars through a collection of essays designed to mark Professor Lacey's ongoing contribution to the understanding of criminal responsibility. The role of Professor Lacey's work in this area (as well as others) cannot be overlooked: her scholarship includes not only a prize-winning biography of HLA Hart himself but numerous articles and tomes on the subject, culminating with her most recent work In Search of Criminal Responsibility: Ideas, Interests, and Institutions (OUP 2016). This Festschrift, one of few common law publications to pay homage to the erudition of a female jurist, can be seen as a continuation of the themes in this book via reflection and interrogation of her work by leading scholars on the topic. The Festschrift will therefore not only be a celebration of her work but also an attempt to take forward intellectual engagement with the topic of responsibility by continued engagement with

her ideas. Each author brings new ideas to bear on her work, touching upon important aspects of responsibility that are current in the scholarship: categorization, frameworks for understanding criminal responsibility and the relationships between them, women in criminal law, the history of criminal law, blameworthiness and ascriptions of responsibility, moral responsibility, the role of politics and political economy. Nicola Lacey is a School Professor of Law, Gender, and Social Policy. From 1998 to 2010 she held a Chair in Criminal Law and Legal Theory at the LSE; she returned to the LSE in 2013 after spending three years as Senior Research Fellow at All Souls College, and Professor of Criminal Law and Legal Theory at the University of Oxford. She has held a number of visiting appointments, most recently at Harvard Law School and the Australian National University. She is an Honorary Fellow of New College Oxford and University College Oxford; and a Fellow of the British Academy. In 2011 she was awarded the Hans Sigrist Prize by the University of Bern for outstanding scholarship on the function of the rule of law in late modern societies; and in 2018, an Honorary Doctorate by the University of Edinburgh. In 2017 she was awarded a CBE for services to Law, Justice, and Gender Politics.

Bringing together previously disparate discussions on criminal responsibility from law, psychology, and philosophy, this book provides a close study of mental incapacity defences, tracing their development through historical cases to the modern era.

Corporations and Criminal ResponsibilityOxford University Press on Demand

Judge Mettraux's four-volume compendium, International Crimes: Law and Practice, will provide the most detailed and authoritative account to-date of the law of international crimes. It is a scholarly tour de force providing a unique blend of academic rigour and an insight into the practice of international criminal law. The compendium is un-rivalled in its breadth and depth, covering almost a century of legal practice, dozens of jurisdictions (national and international), thousands of decisions and judgments and hundreds of cases. This second volume discusses in detail crimes against humanity.

In Corporate Criminal Liability and Compliance Management Systems: A Case Study of Spain Santiago Wortman Jofre presents a case study in which he analyses the regulation on compliance as deterrent for corporate criminality. He also examines the role of criminal justice and offers a view on the incentives to prevent corporate criminality.

Originally published: Oxford: Clarendon, 1997.

Ideas of collective responsibility challenge the doctrine of individual responsibility that is the dominant paradigm in law and liberal political theory. But little attention is given to the consequences of holding groups accountable for wrongdoing. Groups are not amenable to punishment in the way that individuals are. Can they be punished – and if so, how – or are other remedies available? The topic crosses the borders of law, philosophy and political science, and in this volume specialists in all three areas contribute their perspectives. They examine the limits of individual criminal liability in

addressing atrocity, the meanings of punishment and responsibility, the distribution of group punishment to a group's members, and the means by which collective accountability can be expressed. In doing so, they reflect on the legacy of the Nuremberg Trials, on the philosophical understanding of collective responsibility, and on the place of collective accountability in international political relations.

Through a theoretical examination of the preventive turn in criminal law and justice which has gained momentum in Anglo-American criminal justice systems since the late-twentieth century, The Preventive Turn in Criminal Law demonstrates how recent transformations in criminal law and justice are intrinsically related to and embedded in the way liberal society and liberal law have been imagined, developed, and conditioned by its social, political, and historical context. Henrique Carvalho identifies a tension between the idea of punishment as an expression of individual justice, and prevention as a manifestation of the need for security and the promotion of welfare. Tracing this tension back to an intrinsic ambivalence within the modern conception of individual liberty, which is both repressed and preserved by liberal conceptions of responsibility and punishment, Carvalho proves that as long as this ambivalence remains unexamined, liberal law has the potential to both promote and undermine individual justice. Engaging with the dominant contemporary literature on criminal law, prevention, risk, security, and criminalisation, this volume deploys a theoretical perspective developed through a critical analysis of both classical and contemporary works of social

and political theory. The book reveals that the pervasiveness of prevention in 21st century criminal justice systems represents not only the consequence of new and unprecedented features of contemporary politics and society, but also the manifestation of essential aspects of the liberal legal and political tradition.

Atrocities such as genocide or crimes against humanity are usually committed by a large number of perpetrators. Moreover, those who masterminded the crimes may not have actively participated. This book sets out how these people can be held responsible for their crimes by international criminal tribunals.

The crime of manslaughter exists as a 'catch-all offence' to punish those who are blameworthy in causing the death of another but whose culpability falls short of that required for murder. Manslaughter is an extremely broad offence and it has a difficult task in ensuring that all those who warrant punishment for 'non-aggressive' deaths are convicted. Simultaneously, it should not be too broad in covering those who do not warrant punishment for such deaths. There is little consistency in whether a particular dangerous activity leads to liability for a specific offence or for the generic offence of manslaughter when death is caused. This book examines the current law and includes a variety of perspectives on the subject with chapters on specific modes of killing as well as issues that permeate all areas. The first half of the book deals with issues such as how any special offences for non-aggressive death should relate to a hierarchy of homicide offences. The second half deals with issues specific to different activities,

which may or may not justify the creation of specific homicide offences. The book includes a comparative chapter on Australian law.

Through a rational reconstruction of orthodox legal principles, and reference to cutting-edge neuro-science, this book reveals some startling truths about the criminal law, its history and the fundamental doctrines that underpin the attribution of criminal fault.

While this has important implications for the criminal law generally, the focus of this work is the development of a theory of corporate criminality that accords with modern theory of group agency, itself informed by advancements in contemporary philosophy and social science. The innovation it proposes is the theoretical and practical means by which criminal fault can be attributed directly to the corporate actor, where liability cannot or should not be reduced to its individual members.

Should business strive to be socially responsible, and if so, how? The Debate over Corporate Social Responsibility updates and broadens the discussion of these questions by bringing together in one volume a variety of practical and theoretical perspectives on corporate social responsibility. It is perhaps the single most comprehensive volume available on the question of just how "social" business ought to be. The volume includes contributions from the fields of communication, business, law, sociology, political science, economics, accounting, and environmental studies. Moreover, it draws from experiences and examples from around the world, including but not limited to recent corporate scandals and controversies in the U.S. and Europe.

A number of the chapters examine closely the basic assumptions underlying the philosophy of socially responsible business. Other chapters speak to the practical challenges and possibilities for corporate social responsiblilty in the twenty-first century. One of the most distinctive features of the book is its coverage of the very ways that the issue of corporate social responsibility has been defined, shaped, and discussed in the past four decades. That is, the editors and many of the authors are attuned to the persuasive strategies and formulations used to talk about socially responsible business, and demonstrate why the talk matters. For example, the book offers a careful analysis of how certain values have become associated with the business enterprise and how particular economic and political positions have been established by and for business. This book will be of great interest to scholars, business leaders, graduate students, and others interested in the contours of the debate over what role large-scale corporate commerce should take in the future of the industrialized world.

This book considers the proper nature and scope of criminal responsibility in the light of its institutional and political role. Tadros begins by providing an account of the foundations, both ethical and political, of criminal responsibility, and moves on to reconsider some of the central doctrines of criminal responsibility. Part 1 examines the nature of criminal responsibility by employing a distinctive new conception of autonomy. Tadros explores the nature of autonomy, and asks what it means to respect autonomy. Building upon this consideration of autonomy, Tadros then explores the central

conditions of responsibility. He provides the first systematic consideration of the relationship between criminal responsibility and liberal political theory, showing how the conditions of responsibility are articulated in, and restrained by, the institutional setting of the criminal law. In Part 2, Tadros moves on to consider some of the central doctrines of criminal responsibility. He examines the proper nature and role of causation, intentions, and beliefs; asking whether these concepts should be understood as descriptive or normative. The book moves on to provide a systematic normative investigation of the nature and role of criminal omissions and criminal defenses. Included are: a thorough account of the different ways in which mental disorders might ground defenses, the nature of justification defenses, the different kinds of excuse claim and the role that particular characteristics of the accused might have on the standards which the defendant must have met to escape criminal responsibility.

When corporations carry on their business in a grossly negligent manner, or take a cavalier approach to risk management, the consequences can be catastrophic. The harm may be financial, as occurred when such well-regarded companies as Enron, Lehman Brothers, Worldcom and Barings collapsed, or it may be environmental, as illustrated most recently by the Gulf oil spill. Sometimes deaths and serious injuries on a mass scale occur, as in the Bhopal gas disaster, the Chernobyl nuclear explosion, the Paris crash of the Concorde, the capsize of the Herald of Free Enterprise, and rail crashes at Southall, Paddington and Hatfield in England.What role can the law play in

preventing such debacles and in punishing the corporate offenders? This collection of thematic papers and European country reports addresses these questions at both a theoretical and empirical level. The thematic papers analyse corporate criminal liability from a range of academic disciplines, including law, sociology/criminology, economics, philosophy and environmental studies, whilst the country reports look at the laws of corporate crime throughout Europe, highlighting both common features and irreconcilable differences between the various jurisdictions.

Veiled Power conducts a thorough historical study of the relationship between international law and business corporations. It chronicles the emergence of the contemporary legal architecture for corporations in international law between 1886 and 1981. Doreen Lustig traces the relationship between two legal 'veils': the sovereign veil of the state and the corporate veil of the company. The interplay between these two veils constitutes the conceptual framework this book offers for the legal analysis of corporations in international law. By weaving together five in-depth case studies - Firestone in Liberia, the Industrialist Trials at Nuremberg, the Anglo-Iranian Oil Company, Barcelona Traction and the emergence of the international investment law regime - a variety of contexts are covered, including international criminal law, human rights, natural resources, and the multinational corporation as a subject of regulatory concern. Together, these case studies offer a multifaceted account of the history of corporations in international law over time. The book seeks to demonstrate the

facilitative role of international law in shaping and limiting the scope of responsibility of the private business corporation from the late-nineteenth century and throughout the twentieth century. Ultimately, Lustig suggests that, contrary to the prevailing belief that international law failed to adequately regulate private corporations, there is a history of close engagement between the two that allowed corporations to exert influence under a variety of legal regimes while obscuring their agency.

This book provides the first comprehensive legal analysis of the twelve war crimes trials held in the American zone of occupation between 1946 and 1949, collectively known as the Nuremberg Military Tribunals (NMTs). The judgments the NMTs produced have played a critical role in the development of international criminal law, particularly in terms of how courts currently understand war crimes, crimes against humanity, and the crime of aggression. The trials are also of tremendous historical importance, because they provide a far more comprehensive picture of Nazi atrocities than their more famous predecessor, the International Military Tribunal at Nuremberg (IMT). The IMT focused exclusively on the 'major war criminals'-the Goerings, the Hesses, the Speers. The NMTs, by contrast, prosecuted doctors, lawyers, judges, industrialists, bankers-the private citizens and lower-level functionaries whose willingness to take part in the destruction of millions of innocents manifested what Hannah Arendt famously called 'the banality of evil'. The book is divided into five sections. The first section traces the evolution of the twelve NMT trials. The second section discusses the law, procedure,

and rules of evidence applied by the tribunals, with a focus on the important differences between Law No. 10 and the Nuremberg Charter. The third section, the heart of the book, provides a systematic analysis of the tribunals' jurisprudence. It covers Law No. 10's core crimes-crimes against peace, war crimes, and crimes against humanity-as well as the crimes of conspiracy and membership in a criminal organization. The fourth section then examines the modes of participation and defenses that the tribunals recognized. The final section deals with sentencing, the aftermath of the trials, and their historical legacy.

The Holocaust, Corporations, and the Law explores the challenge posed by the Holocaust to legal and political thought by examining issues raised by the restitution class action suits brought against Swiss banks and German corporations before American federal courts in the 1990s. Although the suits were settled for unprecedented amounts of money, the defendants did not formally assume any legal responsibility. Thus, the lawsuits were bitterly criticized by lawyers for betraying justice and by historians for distorting history. Leora Bilsky argues class action litigation and settlement offer a mode of accountability well suited to addressing the bureaucratic nature of business involvement in atrocities. Prior to these lawsuits, legal treatment of the Holocaust was dominated by criminal law and its individualistic assumptions, consistently failing to relate to the structural aspects of Nazi crimes. Engaging critically with contemporary debates about corporate responsibility for human rights violations

and assumptions about “law,” she argues for the need to design processes that make multinational corporations accountable, and examines the implications for transitional justice, the relationship between law and history, and for community and representation in a post-national world. Her novel interpretation of the restitution lawsuits not only adds an important dimension to the study of Holocaust trials, but also makes an innovative contribution to broader and pressing contemporary legal and political debates. In an era when corporations are ever more powerful and international, Bilsky’s arguments will attract attention beyond those interested in the Holocaust and its long shadow.

Modern corporations are key participants in the new globalized economy. As such, they have been accorded tremendous latitude and granted extensive rights. However, accompanying obligations have not been similarly forthcoming. Chief among them is the obligation not to commit atrocities or human rights abuses in the pursuit of profit. Multinational corporations are increasingly complicit in genocides that occur in the developing world. While they benefit enormously from the crime, they are immune from prosecution at the international level. Prosecuting Corporations for Genocide proposes new legal pathways to ensure such companies are held criminally liable for their conduct by creating a framework for international criminal jurisdiction. If a state or a person commits genocide, they are punished, and international law demands such. Nevertheless, corporate actors have successfully avoided this through an array of legal arguments which Professor Kelly challenges. He demonstrates how international criminal jurisdiction should be extended over corporations for complicity in genocide and makes the case that it should be done promptly.

Corporate law and corporate governance have been at the forefront of regulatory activities across the world for several decades now, and are subject to increasing public attention following the Global Financial Crisis of 2008. The Oxford Handbook of Corporate Law and Governance provides the global framework necessary to understand the aims and methods of legal research in this field. Written by leading scholars from around the world, the Handbook contains a rich variety of chapters that provide a comparative and functional overview of corporate governance. It opens with the central theoretical approaches and methodologies in corporate law scholarship in Part I, before examining core substantive topics in corporate law, including shareholder rights, takeovers and restructuring, and minority rights in Part II. Part III focuses on new challenges in the field, including conflicts between Western and Asian corporate governance environments, the rise of foreign ownership, and emerging markets. Enforcement issues are covered in Part IV, and Part V takes a broader approach, examining those areas of law and finance that are interwoven with corporate governance, including insolvency, taxation, and securities law as well as financial regulation. The Handbook is a comprehensive, interdisciplinary resource placing corporate law and governance in its wider context, and is essential reading for scholars, practitioners, and policymakers in the field.
Why be lenient towards children who commit crimes? Reflection on the grounds for such leniency is the entry point into the development, in this book, of a theory of the nature of criminal responsibility and desert of punishment for crime. Gideon Yaffe argues that child criminals are owed lesser punishments than adults thanks not to their psychological, behavioural, or neural immaturity but, instead, because they are denied the vote. This conclusion is reached through accounts of the nature of criminal culpability, desert for

wrongdoing, strength of legal reasons, and what it is to have a say over the law. The centrepiece of this discussion is the theory of criminal culpability. To be criminally culpable is for one's criminal act to manifest a failure to grant sufficient weight to the legal reasons to refrain. The stronger the legal reasons, then, the greater the criminal culpability. Those who lack a say over the law, it is argued, have weaker legal reasons to refrain from crime than those who have a say. They are therefore reduced in criminal culpability and deserve lesser punishment for their crimes. Children are owed leniency, then, because of the political meaning of age rather than because of its psychological meaning. This position has implications for criminal justice policy, with respect to, among other things, the interrogation of children suspected of crimes and the enfranchisement of adult felons -- Provided by the publisher.
What makes someone responsible for a crime and therefore liable to punishment under the criminal law? Modern lawyers will quickly and easily point to the criminal law's requirement of concurrent actus reus and mens rea, doctrines of the criminal law which ensure that someone will only be found criminally responsible if they have committed criminal conduct while possessing capacities of understanding, awareness, and self-control at the time of offense. Any notion of criminal responsibility based on the character of the offender, meaning an implication of criminality based on reputation or the assumed disposition of the person, would seem to today's criminal lawyer a relic of the 18th Century. In this volume, Nicola Lacey demonstrates that the practice of character-based patterns of attribution was not laid to rest in 18th Century criminal law, but is alive and well in contemporary English criminal responsibility-attribution. Building upon the analysis of criminal responsibility in her previous book, Women, Crime, and Character, Lacey investigates the changing nature of criminal responsibility in

English law from the mid-18th Century to the early 21st Century. Through a combined philosophical, historical, and socio-legal approach, this volume evidences how the theory behind criminal responsibility has shifted over time. The character and outcome responsibility which dominated criminal law in the 18th Century diminished in ideological importance in the following two centuries, when the idea of responsibility as founded in capacity was gradually established as the core of criminal law. Lacey traces the historical trajectory of responsibility into the 21st Century, arguing that ideas of character responsibility and the discourse of responsibility as founded in risk are enjoying a renaissance in the modern criminal law. These ideas of criminal responsibility are explored through an examination of the institutions through which they are produced, interpreted and executed; the interests which have shaped both doctrines and institutions; and the substantive social functions which criminal law and punishment have been expected to perform at different points in history.

Providing scholars with a comprehensive international resource, a common point of entry into cutting edge contemporary research and a snapshot of the state and scope of the field, this Handbook takes a broad approach to its subject matter, disciplinarily, geographically, and systemically.

The Oxford Handbook of Criminal Law reflects the continued transformation of criminal law into a global discipline, providing scholars with a comprehensive international resource, a common point of entry into cutting edge contemporary research and a snapshot of the state and scope of the field. To this end, the Handbook takes a broad approach to its subject matter, disciplinarily, geographically, and systematically. Its contributors include current and future research leaders representing a variety of legal systems, methodologies, areas of expertise,

and research agendas. The Handbook is divided into four parts: Approaches & Methods (I), Systems & Methods (II), Aspects & Issues (III), and Contexts & Comparisons (IV). Part I includes essays exploring various methodological approaches to criminal law (such as criminology, feminist studies, and history). Part II provides an overview of systems or models of criminal law, laying the foundation for further inquiry into specific conceptions of criminal law as well as for comparative analysis (such as Islamic, Marxist, and military law). Part III covers the three aspects of the penal process: the definition of norms and principles of liability (substantive criminal law), along with a less detailed treatment of the imposition of norms (criminal procedure) and the infliction of sanctions (prison or corrections law). Contributors consider the basic topics traditionally addressed in scholarship on the general and special parts of the substantive criminal law (such as jurisdiction, mens rea, justifications, and excuses). Part IV places criminal law in context, both domestically and transnationally, by exploring the contrasts between criminal law and other species of law and state power and by investigating criminal law's place in the projects of comparative law, transnational, and international law.

Originally presented as the author's thesis (Ph.D.)--Utrecht University, 2010.

This book examines questions of medical accountability and ethics. It analyses how the criminal justice system regulates health care practice, and to what extent it can and should be used as a tool to resolve ethical conflict in health care. For most of the twentieth century, criminal courts were engaged in matters relating to medicine principally as a forum to resolve ethical controversies over the sanctity of life. However, the judiciary approached this function with reluctance and amarked tendency to defer to the medical profession to define what

constituted ethical, and thus lawful conduct. However, over the past 25 years, criminal courts have increasingly been drawn into these types of question, and the criminal law has become a major actor in the resolution of ethical conflict. The trend to prosecute for aberrant professional conduct or medical malpractice and the role of the criminal process in medicine has been analytically neglected in the UK. There is scant literature addressing the appropriate boundaries of the criminal process in resolving ethical conflict, the theoretical legal analysis of the law's relationship with health care, or the practical impact of the criminal justice system on professionals and the delivery of health care in the UK. This volume addresses these issues via a combination of theoretical analyses and key case studies, drawing on the experiences of other carefully selected jurisdictions. It places a particular emphasis on theappropriateness of the involvement of the criminal justice system in health care, the limitations of this developing trend, and solutions to the problems it throws up. The book takes euthanasia as a primary example of the issues raised by the intersection of health care and the criminal law, and questions whether health care issues appropriately fall within the remit of the criminal justice system.

Corporate Criminal Liability is on the rise worldwide: More and more legal systems now include genuinely criminal sanctioning for legal entities. The various regulatory options available to national criminal justice systems, their implications and their constitutional, economic and psychological parameters are key questions addressed in this volume. Specific emphasis is put on procedural questions relating to corporate criminal liability, on alternative sanctions such as blacklisting of corporations, on common corporate crimes and on questions of transnational criminal justice.

This classic collection of essays, first published in 1968, has had an enduring impact on academic and public debates about criminal responsibility and criminal punishment. Forty years on, its arguments are as powerful as ever. H.L.A. Hart offers an alternative to retributive thinking about criminal punishment that nevertheless preserves the central distinction between guilt and innocence. He also provides an account of criminal responsibility that links the distinction between guilt and innocence closely to the ideal of the rule of law, and thereby attempts to by-pass unnerving debates about free will and determinism. Always engaged with live issues of law and public policy, Hart makes difficult philosophical puzzles accessible and immediate to a wide range of readers. For this new edition, otherwise a reproduction of the original, John Gardner adds an introduction engaging critically with Hart's arguments, and explaining the continuing importance of Hart's ideas in spite of the intervening revival of retributive thinking in both academic and policy circles. Unavailable for ten years, the new edition of Punishment and Responsibility makes available again the central text in the field for a new generation of academics, students and professionals engaged in criminal justice and penal policy.

The behavior of managers-such as the rewards they obtain for poor performance, the role of boards of directors in monitoring managers, and the regulatory framework covering the corporate governance mechanisms that are put in place to ensure managers' accountability to shareholder and other stakeholders-has been the subject of extensive media and policy scrutiny in light of the financial crisis of the early 2000s. However, corporate governance covers a much broader set of issues, which requires detailed assessment as a central issue of concern to business and society. Critiques of traditional governance research based on agency

theory have noted its "under-contextualized" nature and its inability to compare accurately and explain the diversity of corporate governance arrangements across different institutional contexts. The Oxford Handbook of Corporate Governance aims at closing these theoretical and empirical gaps. It considers corporate governance issues at multiple levels of analysis-the individual manager, firms, institutions, industries, and nations-and presents international evidence to reflect the wide variety of perspectives. In analyzing the effects of corporate governance on performance, a variety of indicators are considered, such as accounting profit, economic profit, productivity growth, market share, proxies for environmental and social performance, such as diversity and other aspects of corporate social responsibility, and of course, share price effects. In addition to providing a high level review and analysis of the existing literature, each chapter develops an agenda for further research on a specific aspect of corporate governance. This Handbook constitutes the definitive source of academic research on corporate governance, synthesizing studies from economics, strategy, international business, organizational behavior, entrepreneurship, business ethics, accounting, finance, and law.

This book argues that ignorance of law should usually be a complete excuse from criminal liability. It defends this conclusion by invoking two presumptions: first, the content of criminal law should conform to morality; second, mistakes of fact and mistakes of law should be treated symmetrically. The author grounds his position in an underlying theory of moral and criminal responsibility according to which blameworthiness consists in a defective response to the moral reasons one has. Since persons cannot be faulted for failing to respond to reasons for criminal liability they do not believe they have, then ignorance should almost always excuse.

But persons are somewhat responsible for their wrongs when their mistakes of law are reckless, that is, when they consciously disregard a substantial and unjustifiable risk that their conduct might be wrong. This book illustrates this with examples and critiques the arguments to the contrary offered by criminal theorists and moral philosophers. It assesses the real-world implications for the U.S. system of criminal justice. The author describes connections between the problem of ignorance of law and other topics in moral and legal theory.

Business corporations wield enormous economic power, and legal structures largely serve their interests. This book analyses the background to the demands to use criminal law sanctions against corporations, including demand for corporate manslaughter.

This book brings together leading experts to explore contemporary issues facing the laws of war.

Although white-collar crime has caused a substantial amount of damage on both the individual and societal levels, it often ranks below street crime as a matter of public concern. Thus, white-collar crime remains an ambiguous and even controversial topic among academics, with a relative dearth of scholarly focus on the issue. The Oxford Handbook of White-Collar Crime offers a comprehensive treatment of the most up-to-date theories and research regarding white-collar crime. Contributors tackle a vast range of topics, including the impact of white-collar crime, the contexts in which white-collar crime occurs, current crime policies and debates, and examinations of the criminals themselves. The volume concludes with a set of essays that discuss potential responses for controlling white-collar crime, as well as promising new avenues for future research. Uniting conceptual theories, empirical research, and ethnographic data, the Handbook provides the first unified analytic framework on white-collar crime. Given

the astronomical aggregate losses to victims, building a more nuanced understanding of the dynamics of white-collar crime is a topic of immediate social concern. The definitive resource on white-collar crime, this Handbook will be a valuable resource for developing both intellectual and policy-related solutions.

This volume analyses the prospects and challenges of the African Court of Justice and Human and Peoples' Rights in context. The book is for all readers interested in African institutions and contemporary global challenges of peace, security, human rights, and international law. This title is also available as Open Access on Cambridge Core.

Celia Wells always felt like an outsider. Her unconventional early life was shaped by her Communist Party parents, she grew up as ‘town’ not ‘gown’ in Oxford, surrounded by books but living in a council house. She has uncovered an intriguing backstory with a bigamous grandmother, a convicted forger cousin transported to Australia in the 1840s, and the rise and fall of landed gentry. The author describes her parents’ bohemian friends and their coded language and uses their original wartime correspondence to produce a picture of a fascinating heritage which ran against the grain and shaped an inquiring mind. A Woman in Law shows how the post-war political landscape provided opportunities for women yet failed to shift many entrenched advantages of gender and class. Tracing the rocky path to becoming Cardiff University’s first female law professor, the author shows how her distinctive academic research led to different approaches to teaching criminal law as well as contributing to key reforms described in the book. As she asserts, ‘I wanted to write about my rather confused political and cultural background, and to relate it to my professional and personal life, to my academic writing, to my relationships, and my beliefs, my experiences of suicide and addiction

in my close family.' A frank and revealing account which distils the essence of women's career challenges and highlights the issues women continue to face. Review 'Beautifully written and searingly honest ... a rare resource ... emotionally articulate and deeply considered'--Nicola Lacey

2. Nature of the Act.

This book explores the philosophical underpinnings of the law's major doctrines concerning actus reus, mens rea, and defences, showing that they are not always driven by culpability but are grounded also in principles of moral responsibility, ascriptive responsibility, and wrongdoing.

The Prosecution of Corporations and their Officers examines corporate prosecutions and sentencing in Australia. The book provides an exposition of existing laws and provides critical analysis of the legal complexity, and possibilities for reform.

The international legal status of corporations is a contentious issue, as they do not easily fit within a system traditionally designed around states. This book assesses the ways in which corporations are bound by international human rights and environmental law, and the form their obligations take.

The Handbook offers a diverse set of scholarly perspectives on the nature of corporate reputation: what it is, where it comes from, and how it may be

managed to create and protect corporate as well as societal value. Written and organized in an accessible way, it assesses the current state of the field and provides guidance for future research.

The Oxford Handbook of the Corporation assesses the contemporary relevance, purpose, and performance of the corporation. The corporation is one of the most significant, if contested, innovations in human history, and the direction and effectiveness of corporate law, corporate governance, and corporate performance are being challenged as never before. Continuously evolving, the corporation as the primary instrument for wealth generation in contemporary economies demands frequent assessment and reinterpretation. The focus of this work is the transformative impact of innovation and change upon corporate structure, purpose, and operation. Corporate innovation is at the heart of the value-creation process in increasingly internationalized and competitive market economies, and corporations today are embedded in a world of complex global supply chains and rising state and state-directed capitalism. In questioning the fundamental purpose and performance of the corporation, this Handbook continues a tradition commenced by Berle and Means, and contributed to by generations of business scholars. What is the corporation and what is it becoming? How do we define its form and purpose and how are these changing?

To whom is the corporation responsible, and who should judge the ultimate performance of corporations? By investigating the origins, development, strategies, and theories of corporations, this volume addresses such questions to provide a richer theoretical account of the corporation and its contested future.