



*Stephanos Bibas*

# THE MACHINERY OF CRIMINAL JUSTICE

OXFORD

# The Machinery Of Criminal Justice

**Sharon Dolovich, Alexandra Natapoff**



## **The Machinery Of Criminal Justice:**

**The Machinery of Criminal Justice** Stephanos Bibas, 2012-04-26 Two centuries ago the criminal justice system was primarily run by laymen In court victims and defendants interacted face to face while lay jurors from the community sat in judgment Jury trials passed moral judgment on crimes vindicated victims and innocent defendants denounced guilty defendants and reconciled and healed wounded relationships But over the last two centuries lawyers have taken over the process silencing victims and defendants and in many cases substituting a plea bargaining system for voice of the jury This lawyerized machinery has purchased efficient speedy processing of many cases at the price of sacrificing softer values such as reforming defendants and healing wounded victims and relationships In other words the U S legal system has bought quantity at the price of quality without recognizing either the trade off or the great gulf separating lawyers and laymen s incentives interests values and powers The Machinery of Criminal Justice explores these trends and considers how criminal justice could better accommodate lay participation values and relationships

**The Machinery of Criminal Justice** Stephanos Bibas, 2012-02-28 Two centuries ago American criminal justice was run primarily by laymen Jury trials passed moral judgment on crimes vindicated victims and innocent defendants and denounced the guilty But since then lawyers have gradually taken over the process silencing victims and defendants and in many cases substituting plea bargaining for the voice of the jury The public sees little of how this assembly line justice works and victims and defendants have largely lost their day in court As a result victims rarely hear defendants express remorse and apologize and defendants rarely receive forgiveness This lawyerized machinery has purchased efficient speedy processing of many cases at the price of sacrificing softer values such as reforming defendants and healing wounded victims and relationships In other words the U S legal system has bought quantity at the price of quality without recognizing either the trade off or the great gulf separating lawyers and laymen s incentives values and powers In The Machinery of Criminal Justice author Stephanos Bibas surveys the developments over the last two centuries considers what we have lost in our quest for efficient punishment and suggests ways to include victims defendants and the public once again Ideas range from requiring convicts to work or serve in the military to moving power from prosecutors to restorative sentencing juries Bibas argues that doing so might cost more but it would better serve criminal procedure s interests in denouncing crime vindicating victims reforming wrongdoers and healing the relationships torn by crime

**Criminal Justice in America** Roscoe Pound, 2018-01-16 Roscoe Pound believed that unless the criminal justice system maintains stability while adapting to change it will either fossilize or be subject to the whims of public opinion In Criminal Justice in America Pound recognizes the dangers law faces when it does not keep pace with societal change When the home neighborhood and religion are no longer capable of social control increased conflicts arise laws proliferate and new menaces wrought by technology drugs and juvenile delinquency flourish Where Pound saw the influence of the motion pictures as part of the multiplication of the agencies of menace today we might cite television and the

Internet His point still holds true The old machinery cannot meet the evolving needs of society In *Criminal Justice in America* Pound points out that one aspect of the criminal justice problem is a rigid mechanical approach that resists change The other dimension of the problem is that change when it comes will result from the pressure of public opinion Justice suffers when the public is moved by the oldest of public feelings vengeance This can result in citizens taking the law into their own hands from tax evasion to mob lynchings as well as in altering the judicial system from sensationalizing trials to producing wrongful convictions Ron Christenson in his new introduction discusses the evolution of Roscoe Pound's career and thought Pound's theories on jurisprudence were remarkably prescient They continue to gain resonance as crimes become more and more sensationalized by the media *Criminal Justice in America* is a fascinating study that should be read by legal scholars and professionals sociologists political theorists and philosophers

**Exploring the Boundaries of International Criminal Justice** Mark Findlay, 2016-04-15 This collection discusses appropriate methodologies for comparative research and applies this to the issue of trial transformation in the context of achieving justice in post conflict societies In developing arguments in relation to these problems the authors use international sentencing and the question of victims interests and expectations as a focus The conclusions reached are wide ranging and highly significant in challenging existing conceptions for appreciating and giving effect to the justice demands of victims of war and social conflict The themes developed demonstrate clearly how comparative contextual analysis facilitates our understanding of the legal and social contexts of international punishment and how this understanding can provide the basis for expanding the role of restorative international criminal justice within the context of international criminal trials

*The New Criminal Justice Thinking* Sharon Dolovich, Alexandra Natapoff, 2018-11-06 A vital collection for reforming criminal justice After five decades of punitive expansion the entire U S criminal justice system mass incarceration the War on Drugs police practices the treatment of juveniles and the mentally ill glaring racial disparity the death penalty and more faces challenging questions What exactly is criminal justice How much of it is a system of law and how much is a collection of situational social practices What roles do the Constitution and the Supreme Court play How do race and gender shape outcomes How does change happen and what changes or adaptations should be pursued *The New Criminal Justice Thinking* addresses the challenges of this historic moment by asking essential theoretical and practical questions about how the criminal system operates In this thorough and thoughtful volume scholars from across the disciplines of legal theory sociology criminology Critical Race Theory and organizational theory offer crucial insights into how the criminal system works in both theory and practice By engaging both classic issues and new understandings this volume offers a comprehensive framework for thinking about the modern justice system For those interested in criminal law and justice *The New Criminal Justice Thinking* offers a profound discussion of the complexities of our deeply flawed criminal justice system complexities that neither legal theory nor social science can answer alone

Hispanics in the U.S Criminal Justice System Martin Guevara Urbina, Sofía Espinoza Álvarez, 2018-05-07 This updated

and expanded new edition resumes the theme of the first edition and the findings reveal that race ethnicity gender class and several other variables continue to play a significant and consequential role in the legal decision making process The book is structured into three sections each of which corresponds to a different body of work on Latinos Section One explores the historical dynamics and influence of ethnicity in law enforcement and focuses on how ethnicity impacts policing field practices such as traffic stops use of force and the subsequent actions that police departments have employed to alleviate these problems A detailed examination of critical issues facing Latino defendants seeks to better understand the law enforcement process The history of immigration laws as it pertains to Mexicans and Latinos explains how Mexicans have been excluded from the United States through anti immigrant legislation Latino officers must cope with structural and political issues the community and media as these practices and experiences within the American police system are explored Section Two focuses on the repressive practices against Mexicans that resulted in executions vigilantism and mass expulsions The topic of Latinos and the Fourth Amendment reveals that the constitutional right of people to be protected against unreasonable searches and seizures has been eviscerated for Latinos and particularly for Mexicans Possible remedies to existing shortcomings of the court system when processing indigent defendants are presented Section Three studies the issue of Hispanics and the penal system The ethnic realities of life behind bars probation and parole the legacy of capital punishment and life after prison are discussed Section Four addresses the globalization of Latinos social control and the future of Latinos in the U S Criminal justice system Lastly the race and ethnic experience through the lens of science law and the American imagination are explored concluding with policy recommendations for social and criminal justice reform and ultimately humanizing differences Written for professionals and students of law enforcement this book will promote the understanding of the historical legacy of brutality manipulation oppression marginalization prejudice discrimination power and control and white America s continued fear about racial and ethnic minorities      The Oxford Handbook of Criminal Law Markus Dirk Dubber,Tatjana Hörnle,2014 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 The Oxford Handbook of Criminal Law takes a broad approach to its subject matter disciplinarily geographically and systematically      The Collapse of American Criminal Justice William J. Stuntz,2013-10-07 Rule of law has vanished in America s criminal justice system Prosecutors decide whom to punish most accused never face a jury policing is inconsistent plea bargaining is rampant and draconian sentencing fills prisons with mostly minority defendants A leading criminal law scholar looks to history for the roots of these problems and solutions      **Ethnicity and Criminal Justice in the Era of Mass Incarceration** Martin Guevara Urbina,Sofía Espinoza Álvarez,2017-02-27 ETHNICITY AND CRIMINAL JUSTICE IN THE ERA OF MASS INCARCERATION A Critical Reader on the Latino Experience is designed as a Latino reader in criminal justice covering a much broader spectrum of the Latino experience in criminal justice and society while giving readers a broad overview of the

Latino experience in a single book Considering the shifting trends in demographics and the current state of the criminal justice system along with the current political climate this book is timely and of critical significance for the academic political and social arena The authors report sound evidence that testifies to a historical legacy of violence brutality manipulation oppression marginalization prejudice discrimination power and control and to white America s continued fear about ethnic and racial minorities a movement that continues in the twenty first century as we have been witnessing during the 2015 2016 presidential race highly charged with anti immigrant and anti Mexican political rhetoric A central objective of this book is to demystify and expose the ways in which ideas of ethnicity race gender and class uphold the functioning and legitimacy of the criminal justice system In this mission rather than attempting to develop a single explanation for the Latino experience in policing the courts and the penal system this book presents a variety of studies and perspectives that illustrate alternative ways of interpreting crime punishment safety equality and justice The findings reveal that race ethnicity gender class and several other variables continue to play a significant role in the legal decision making process With the social control from police brutality to immigration discourse reaching unprecedented levels the book will have broad appeal for students police officers advocates activists attorneys the media and the general public

Juries and the Transformation of Criminal Justice in France in the Nineteenth and Twentieth Centuries James Michael Donovan, 2010 James Donovan takes a comprehensive approach to the history of the jury in modern France by investigating the legal political sociocultural and intellectual aspects of jury trial from the Revolution through the twentieth century He demonstrates that t

*Encyclopedia of Crime and Punishment* David Levinson, 2002 Authoritative and comprehensive this multivolume set includes hundreds of articles in the field of criminal justice Impressive arrays of authors have contributed to this resource addressing such diverse topics as racial profiling money laundering torture prisoner literature the KGB and Sing Sing Written in an accessible manner and attractively presented the background discussions definitions and explanations of important issues and future trends are absorbing Interesting sidebars and facts reference lists relevant court cases tables and black and white photographs supplement the entries Appendixes cover careers in criminal justice Web resources and professional organizations A lengthy bibliography lists relevant works The Best of the Best Reference Sources American Libraries May 2003

**Journal of the American Institute of Criminal Law and Criminology** Коллектив авторов, International Criminal Justice at the Yugoslav Tribunal Mohamed Shahabuddeen, 2012-11 Bringing together Judge Shahabuddeen s thoughts on the Tribunal on which he served for many years this book provides an insider s account of the development of international criminal law at the International Criminal Tribunal for the former Yugoslavia Judge Shahabuddeen a respected figure in international law also assesses its legacy

**The Intermediary in the Criminal Justice System** John Taggart, 2025-07-25 This book undertakes a sociolegal examination of the intermediary role within the criminal justice system The intermediary special measure is one of the most innovative and controversial developments in the history of English criminal procedure But what

does the role actually involve That is the central question explored in this book Despite increased academic attention into this new criminal justice actor the content of the intermediary role remains unclear Based centrally on empirical data gathered in England and Wales and Northern Ireland but also drawing upon comparative material from other jurisdictions the book examines how those executing the intermediary role understand its work and how other criminal justice actors perceive it The book then uses this as the basis for generating a theory of the intermediary role and its scope and content It also considers the future of the role and its integration into the criminal justice system This book will appeal to those researching and studying in the areas of sociolegal studies criminal law and criminology as well as lawyers judges intermediaries and policy makers working in relevant areas

**Justice for Crimes Against Humanity** Mark Lattimer,Philippe Sands,2003-12 This book assesses developments in international law and seeks to end impunity by bringing to justice those accused of crimes against humanity

**Roscoe Pound and Criminal Justice** Roscoe Pound,1965 Criminal Justice India Series: Haryana, 2002 ,2002

**Criminal Law** Markus Dubber,Tatjana Hörnle,2014-03 A systematic and comprehensive comparative analysis of criminal law focused on two major jurisdictions the United States and Germany Book jacket

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

*The Palgrave Handbook of Global Rehabilitation in Criminal Justice* Maurice Vanstone,Philip Priestley,2022-11-22 This handbook provides a unique overview of rehabilitation as practiced internationally in criminal justice Through the contributions of a diverse group that includes among others academics some of whom are former practitioners research students a judge and a probation chief it reflects common features of criminal justice in different countries and documents their diversity and celebrates their vitality In recent times the idea of law and order has been expropriated by populist authoritarian and doctrinaire regimes almost always and nearly everywhere in the service of arbitrary and unjust rule By and large this handbook does not include such regimes But law itself also has the capacity to constrain rulers and order in the form of social peace is a universally approved civic asset In part the book provides a counter narrative demonstrating that although criminal justice dispositions such as probation prisons and parole can be represented as a *via dolorosa* rehabilitation as

illustrated in these pages can become a journey that leads by degrees towards the possibility of a better life The handbook will be of interest to students academics practitioners managers policy makers and all those who wish to gain insight into the why and the how of rehabilitation in criminal justice systems across the world



## **The Machinery Of Criminal Justice** Book Review: Unveiling the Power of Words

In some sort of driven by information and connectivity, the power of words has be evident than ever. They have the capability to inspire, provoke, and ignite change. Such may be the essence of the book **The Machinery Of Criminal Justice**, a literary masterpiece that delves deep to the significance of words and their effect on our lives. Published by a renowned author, this captivating work takes readers on a transformative journey, unraveling the secrets and potential behind every word. In this review, we will explore the book is key themes, examine its writing style, and analyze its overall effect on readers.

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