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This anthology explores the ways in which women of color are monitored, criminalized and regulated. Two parallel investigations take place after every aviation accident: one technical, one judicial. The former must be conducted with the sole intention of making safety recommendations to prevent the recurrence of similar accidents. The judicial investigation, however, has the intention of identifying those parties that have been at fault and to apportion blameworthiness for criminal and civil liability. Consequently, this results in a predicament for those parties that have been identified as having played a role in the accident, a dilemma between not supplying information aimed at enhancing safety and preventing future accidents and, on the other hand, supplying such information which may possibly be used against them in subsequent criminal prosecution. The situation is compounded by inconsistent approaches between different legal systems; aviation professionals may find themselves faced with criminal charges in one country but not in another, and they may also be unsure as to whether statements given during the technical investigation could be used against them in a court of law. Aviation safety is, to a large extent, built upon the trust placed by pilots, ATCOs and other aviation professionals in the process of accident investigation. This book examines the growing trend to criminalize these same people following an accident investigation and considers the implications this has for aviation safety. The development of an international human rights jurisprudence on criminalization is in its relative infancy. Nonetheless, systematic examination of international decisions on acts engaging the criminal law reveals an emerging human rights approach to the acceptability, or not, of criminalization. This book provides an in-depth characterization of the reasoning and principles that underpin those decisions. The work builds upon and adds value to existing literature by bringing together two fields of study – international human rights law and criminal theory – that usually receive separate treatment. It provides an in-depth analysis of human rights criminalization jurisprudence and presents a systematic identification of underlying reasoning and concepts that influence international human rights decisions on criminalization. The work thus advances both fields independently, as well as providing an example of inter-(sub)disciplinary analysis. The book will be a valuable resource for

academics and students working in the areas of International Human Rights Law, Criminal Law, and Moral Philosophy. I begin by introducing the main issues of the work, and inviting their consideration; as enticement, I offer a sketch of their practical importance, and of the philosophical challenge they present. And I provide a preview of the work's organization and central argument. There is something so obvious that it is easily-and often-overlooked: the enforcing of criminal statutes is the most intrusive and coercive exercise of domestic power by a state. Forcibly preventing people from doing that which they wish to do, forcibly compelling people to do that which they do not wish to do-and wielding force merely attempting to compel or prevent-these state activities have extraordinarily serious ramifications. Indeed, no state institutions are likely to have more profound an impact on the lives of individual citizens than those of the criminal justice system. I endorse Herbert Packer's assessment: The criminal sanction is the law's ultimate threat. Being punished for a crime is different from being regulated in the public interest, or being forced to compensate another who has been injured by one's conduct, or being treated for a disease. The sanction is at once l uniquely coercive and, in the broadest sense, uniquely expensive. As a consequence, these state activities are in special need of moral warrant. Given the great potential for doing grave injustice, the power of the state embodied in the criminal justice system ought not be exercised in the absence of a complete and compelling moral justification. The subject of this essay is reflected in its title. The title poses a disagreement with the end result of criminalization and claims the essay as a comprehensive reasoning on the processes of criminalization. The first part of the title “but criminalization is selective” states the essay's disagreement with the end result of criminalization and introduces two considerations. These considerations extend one another. One consideration is that the process of criminalization is selective about what that process determines as crime. The second consideration is that the process of criminalization is partial - again selective - with the range of acts/conducts it embraces as crime, and/or would want to accept as crime within its already restrictive determination of crime. Thus, the main purpose of this essay is encapsulated by, and in, the simple question of “what is crime”? The second part of the essay's title "a comprehensive reasoning" offers the essay as a keen examination of the processes of criminalization and attendant shortcomings. The essay explores some literature on prevailing discussions of crime and the practices of criminalization. This exploration brings us to the understanding that the determination of what is crime is restricted to legal formulation and the resultant penal code. Any conduct insofar as it is not within the legal proscription, no matter how abhorrent, is not crime and therefore not subject to criminalization and hence will not attract any punishment. The essay finds that the process of the determination of crime necessarily follows from moral outrage and social indignation founded on the preferences of the representatives of the people elected into the legislature. At times, these so-called representatives of the people are self-imposed and they make law by diktat. Whether appointed into the legislature by election or self-appointed with the barrel of the gun, 'The People's' legislative representatives are invariably oligarchic and the choices they make for 'The People' are underwritten by oligarchic preferences. Inevitably, this essay concludes that the proper foundation for the determination of crime should encompass issues of moral imperatives and social norms (customs) – not moral outrage and/or social indignation – important to 'The People' rather than the codifying of oligarchic preferences of 'The People's' legislative representatives (ushered in by the vote or self-imposed by means including the barrel of the gun and/or the concerted and well-orchestrated calculations of the minority masquerading as the voice of the majority). Criminalization is a new series arising from an interdisciplinary investigation into criminalization, focussing on the principles and goals that should guide decisions about what kinds of conduct are to be criminalized, and the forms that criminalization should take. Developing a normative theory of criminalization, the six volumes will tackle the key questions at the heart of issue: By reference to what principles and goals should legislations decide what to criminalize? How should criminal wrongs be classified and differentiated? And how should law enforcement officials apply the law's specification of offences? Boundaries of the Criminal Law is the first book in this series examining the scope and boundaries of the criminal law. Investigations into the scope of the

criminal law have often focused on the harm principle, the principle that conduct can be justifiably criminalized only if it is harmful, or other master principles that might determine the proper scope of the criminal law. This collection of original essays by some of the leading scholars in criminal law and philosophy from the UK and the US makes significant advances in the development of a broader range of ideas that might inform criminalization decisions. A range of issues are discussed, including the significance for criminalization of ideas of moral wrongdoing and of using a person as a means, the distinction between criminal law and other forms of legal regulation, the role of new technology in our understanding of the evolving scope of the criminal law, and the role of criminal justice officials in decision-making about criminalization. The authors draw on legal and philosophical sources, but also on history, sociology and social psychology in their investigations for a truly interdisciplinary approach. This is a groundbreaking set of essays which will help to reorient legal and philosophical discussion about the proper scope of the criminal law. Criminalization of Activism draws on a multiplicity of perspectives and case studies from the Global South and the Global North to show how protest has been subject to processes of criminalization over time. Contributors include scholars and activists from different disciplinary backgrounds, with a balance between authors from the Global North and the Global South. An introduction frames the topic within critical criminology, while also highlighting the possible disciplinary approaches and definitions of criminalization of resistance/activism. The editor also investigates the particularities of the current times in comparison to dynamics of criminalization in prior stages of capitalism. Bringing together a range of criminalization themes into a single volume, compromising historical criminology, Indigenous studies, gender studies, critical criminology, southern criminology and green criminology, it will be of great interest to scholars and students of criminology, social movement theory and social sciences, as well as those involved in activism and with a stand against criminalization. This book presents arguments and proposals for constraining criminalization, with a focus on the legal limits of the criminal law. The book approaches the issue by showing how the moral criteria for constraining unjust criminalization can and has been incorporated into constitutional human rights and thus provides a legal right not to be unfairly criminalized. The book sets out the constitutional limits of the substantive criminal law. As far as specific constitutional rights operate to protect specific freedoms, for example, free speech, freedom of religion, privacy, etc, the right not to be criminalized has proved to be a rather powerful justice constraint in the U.S. Yet the general right not to be criminalized has not been fully embraced in either the U.S. or Europe, although it does exist. This volume lays out the legal foundations of that right and the criteria for determining when the state might override it. The book will be of interest to researchers in the areas of legal philosophy, criminal law, constitutional law, and criminology. Has Africa moved on from 'classical corruption? What are the political and economic origins of official implication in crime? What are the new frontiers of crime in South Africa? The Criminalization series arose from an interdisciplinary investigation into criminalization, focussing on the principles that might guide decisions about what kinds of conduct should be criminalized, and the forms that criminalization should take. Developing a normative theory of criminalization, the series tackles the key questions at the heart of the issue: what principles and goals should guide legislators in deciding what to criminalize? How should criminal wrongs be classified and differentiated? How should law enforcement officials apply the law's specifications of offences? The sixth volume in the series offers a philosophical investigation of the relationship between moral wrongdoing and criminalization. Considering they justification of punishment, the nature of harm, the importance of autonomy, inchoate wrongdoing, the role of consent, and the role of the state, the book provides an account of the nature of moral wrong doing, the sources of wrong doing, why wrong doing is the central target of the criminal law, and the ways in which criminalization of non-wrongful conduct might be permissible. "Bringing together prominent early contributions from this emergent perspective, the volume traces the origins, theory and methodology of a nascent ghost criminology. From the powers of exorcism and erasure marshaled by state agents, street-level struggles over memorialization and memory, to the lingering violence of crime scenes and the ghostly traces of outlaw artists, Ghost Criminology is a book

attuned to that which is well-theorized in other disciplines-the spectral, hauntological, apparitional. Each of the writers assembled here shares, as Mark Fisher (2017) put it, a fascination for the outside, "that which lies beyond standard perception, cognition and experience." As such, this collection uses cutting-edge social and cultural theory to tangle with some of criminology's most stubborn revenants-the politics of criminalization, the commodification of crime and violence, the haunting power of the image, as well as the unheard and disregarded cries of the dead"-- The American criminal justice system is becoming ever more centralized and punitive, owing to rampant federalization and mandatory minimum sentencing guidelines. Go Directly to Jail examines these alarming trends and proposes reforms that could rein in a criminal justice apparatus at war with fairness and common sense. From anti-terrorism agendas, to the punishment of the poor and the governance of parenting, this book explores how diverse fields of social policy intersect more deeply than ever with crime control and in so doing, deploy troubling strategies. We are said to face a crisis of over-criminalization: our criminal law has become chaotic, unprincipled, and over-expansive. This book proposes a normative theory of criminal law, and of criminalization, that shows how criminal law could be ordered, principled, and restrained. The theory is based on an account of criminal law as a distinctive legal practice that functions to declare and define a set of public wrongs, and to call to formal public account those who commit such wrongs; an account of the role that such practice can play in a democratic republic of free and equal citizens; and an account of the central features of such a political community, and of the way in which it constitutes its public realm-its civil order. Criminal law plays an important, but limited, role in such a political community in protecting, but also partly constituting, its civil order. On the basis of this account, we can see how such a political community will decide what kinds of conduct should be criminalized - not by applying one or more of the substantive master principles that theorists have offered, but by considering which kinds of conduct fall within its public realm (as distinct from the private realms that are not the polity's business), and which kinds of wrong within that realm require this distinctive kind of response (rather than one of the other kinds of available response). The outcome of such a deliberative process will probably be a more limited, and a more rational and principled, criminal law. This book contains a collection of essays in honor of Alan A. Block including his now classic study on the origins of IRAN-CONTRA. It brings together important contributions from Block's students and contemporaries to show the impact of his work on the field of global organized crime. Professor Alan A. Block of Penn State University has proven to be one of the most inspiring criminologists in the field. This timely book brings together contributions from prominent scholars and practitioners to the ongoing debate on the criminalization of competition law enforcement. Recognizing that existing remedies and sanctions may be insufficient to deter breaches of competition law, several EU Member States have followed the US example and introduced pecuniary penalties for executives, professional disqualification orders, and even jail sentences. Addressing issues such as unsolved legal puzzles, standard of proof, leniency programs and internal cartel stability, this book is a marker for future policy debate. With perspectives from an international cast of contributors, Criminalization of Competition Law Enforcement will be of great interest to academics and policy makers as well as students and practitioners in law. This volume is concerned with three structures of criminal law: the internal structure of the law itself; the place of criminal law within the larger structure of law; and the relationships between legal, social and political structures. From the Master and Servant legislation to the Factories Acts of the 19th century, the criminal law has always had a vital yet normatively complex role in the regulation of work relations. Even in its earliest forms, it operated both as a tool to repress collective organizations and enforce labour discipline, while policing the worst excesses of industrial capitalism. Recently, governments have begun to rediscover criminal law as a regulatory tool in a diverse set of areas related to labour law: 'modern slavery', penalizing irregular migrants, licensing regimes for labour market intermediaries, wage theft, supporting the enforcement of general labour standards, new forms of hybrid preventive orders, harassment at work, and industrial protest. This volume explores the political and regulatory dimensions of the new 'criminality at work' from a wide range of disciplinary perspectives, including

labour law, immigration law, and health and safety regulations. The volume provides an overview of the regulatory terrain of 'criminality at work', exploring whether these different regulatory interventions represent politically legitimate uses of the criminal law. The book also examines whether these recent interventions constitute a new pattern of criminalization that operates in preventive mode and is based upon character and risk-based forms of culpability. The volume concludes by reflecting upon the general themes of 'criminality at work' comparatively, from Australian, Canadian, and US perspectives. Criminality at Work is a timely, rich and ambitious piece of scholarship that examines the many intersections between criminal law and work relations from a historical and contemporary vantage-point. Ableism is embedded in Canadian criminal justice institutions, policies, and practices, making incarceration and institutionalization dangerous – even deadly – for disabled people. Disability Injustice examines disability in contexts that include policing and surveillance, sentencing and the courts, prisons and alternatives to confinement. The contributors confront challenging topics such as the pathologizing of difference as deviance; eugenics and crime control; criminalization based on biased physical and mental health approaches; and the role of disability justice activism in contesting discrimination. This provocative collection highlights how, with deeper understanding of disability, we can challenge the practices of crime control and the processes of criminalization. The book addresses the consequences of criminalization, the effectiveness of the measures used and the implications for attitudes towards the young. What is the criminal law for? One influential answer is that the criminal law vindicates pre-political rights and condemns wrongdoing. On this account, the criminal law has an intrinsic subject matter-certain types of moral wrongdoing-and it provides a distinctive response to that wrongdoing, namely condemnatory punishment. In Criminal Law in the Age of the Administrative State, Vincent Chiao offers an alternative, public law account. What the criminal law is for, Chiao suggests, is sustaining social cooperation with public institutions. Consequently, we only have reason to support the use of the criminal law insofar as its use is consistent with our reasons for valuing the social order established by those institutions. By starting with the political morality of public institutions rather than the interpersonal morality of private relationships, this account shows how the criminal law is continuous with the modern administrative and welfare state, and why it is answerable to the same political virtues. Chiao sketches a democratic egalitarian account of those virtues, one that is loosely consequentialist, egalitarian but not equalizing, and centered on a form of freedom-effective access to central capabilities-as its currency of evaluation. From this point of view, the role of the criminal law is to help public institutions create a society in which each person can lead a life as a peer among peers. Chiao shows how a democratic egalitarian approach to criminal justice provides a fresh perspective on a range of contemporary problems, from mass incarceration to overcriminalization, due process and the collateral consequences of a criminal conviction. Celebrating the scholarship of Andrew Ashworth, Vinerian Professor of English Law at the University of Oxford, this collection brings together leading international scholars to explore questions of principle and value in criminal law and criminal justice. Internationally renowned for elaborating a body of principles and values that should underpin criminalization, the criminal process, and sentencing, Ashworth's contribution to the field over forty years of scholarship has been immense. Advancing his project of exploring normative issues at the heart of criminal law and criminal justice, the contributors examine the important and fascinating debates in which Ashworth's influence has been greatest. The essays fall into three distinct but related areas, reflecting Ashworth's primary spheres of influence. Those in Part 1 address the import and role of principles in the development of a just criminal law, with contributions focusing upon core tenets such as the presumption of innocence, fairness, accountability, the principles of criminal liability, and the grounds for defences. Part 2 addresses questions of human rights and due process protections in both domestic and international law. In Part 3 the essays are addressed to core issues in sentencing and punishment: they explore questions of equality, proportionality, adherence to the rule of law, the totality principle (in respect of multiple offences), wrongful acquittals, and unduly lenient sentences. Together they demonstrate how important Ashworth's work has been in shaping

how we think about criminal law and criminal justice, and make their own invaluable contribution to contemporary discussions of criminalization and punishment. Published some two decades ago, Elizabeth Comack’s Women in Trouble explored the connections between the women’s abuse histories and their law violations as well as their experience of imprisonment in an aged facility. What has changed for incarcerated women in those twenty years? Are experiences of abuse continuing to have an impact on the lives of criminalized women? How do women find the experience of imprisonment in a new facility? Drawing on the stories of forty-two incarcerated women, Coming Back to Jail broadens the focus to examine the role of trauma in the women’s lives. Resisting the popular move to understand trauma in psychiatric terms — as post-traumatic stress disorder (ptsd) — the book frames trauma as “lived experience” and locates the women’s lives within the context of a settler-colonial, capitalist, patriarchal society. Doing so enables a better appreciation of the social conditions that produce trauma and the problems, conflicts and dilemmas that bring women into the criminal justice net. In Coming Back to Jail, Comack shows how — despite recent moves to be more “gender responsive” — the prisoning of women is ultimately more punishing than empowering. What is more, because the sources of the women’s trauma reside in the systemic processes that have contoured their lives and their communities, true healing will require changing women’s social circumstances on the outside so they no longer keep coming back to jail. What is a crime and how do we construct it? The answers to these questions are complex and entangled in a web of power relations that require us to think differently about processes of criminalization and regulation. This book draws on Foucault's concept of governmentality as a lens to analyze and critique how crime is understood, reproduced, and challenged. It explores the dynamic interplay between practices of representation, processes of criminalization, and the ways that these circulate to both reflect and constitute crime and "justice." This volume examines the political morality of the criminal law, exploring general principles and theories of criminalisation. Chapters provide accounts of the criminal law in the light of ambitious theories about moral and political philosophy - republicanism and contractarianism, or reflect upon on the success of important theories of criminalisation by viewing them in a novel light. The ambiguity of the concept of crime is evident in the two strands of anthropological research covered in this review. One strand, the anthropology of criminalization, explores how state authorities, media, and citizen discourse define particular groups and practices as criminal, with prejudicial consequences. Examples are drawn from research on peasant rebellion, colonialism, youth, and racially or ethnically marked urban poor. The other strand traces ethnographic work on more or less organized illegal and predatory activity: banditry, rustling, trafficking, street gangs, and mafias. Although a criminalizing perspective tends to conflate these diverse forms of quot;organizedquot; crime, in particular erasing the boundary between street gangs and drug trafficking, the forms have discrete histories and motivations. Their particularities, as well as their historical interactions, illuminate everyday responses to crime and suggest ways to put in perspective the quot;crime talkquot; of today, which borders on apocalyptic. In the last few decades, there has been a considerable effort, mainly from Western liberal countries, to create, develop, and diffuse into domestic laws, an internationally harmonized counter-terrorist financing regime through international treaties, recommendations and resolutions. This book aims to explore the penal (criminalization and confiscation) measures of the regime. Belonging to the category of analytical research, the book explores the nature of terrorist financing, and critically and extensively examines how it has been conceptualized and criminalized. The book argues that the application of these penal measures results in over-criminalization due to the vague conceptualization of the concept of terrorist financing, and due to its incompatibility with basic notions of criminalization and fundamental principles of the criminal law of many countries specifically Anglo-American law. Examining a number of ASEAN countries’ law on terrorist financing, the book then shows how these controversial measures have been crept into their law, resulting in the violation of human rights and democratic values which Western countries seek to promote. The third book in the Criminalization series examines the constitutionalization of criminal law. It considers how the criminal law is constituted through the political processes of the state; how

the agents of the criminal law can be answerable to it themselves; and finally, how the criminal law can be constituted as part of the international order. Addressing the ways in which and the grounds on which types of conduct can be justifiably criminalized, the first four chapters of this volume focus on the questions that arise from a consideration of the political constitution of the criminal law. The contributors then turn their attention to the role of the state, its institutions and officials, and their role not only as creators, enactors, interpreters, and enforcers of the criminal law, but also as subjects of it. How can the agents of the criminal law also be answerable to it? Finally discussion turns to how the criminal law can be constituted as part of an international order. Examining the relationships between domestic laws of different nation-states, and between domestic criminal law and international or transnational law, the chapters also look at the authority and jurisdiction of international criminal law itself, and its relationship to other dimensions of the international order. A vital examination of one of the most important topics in modern criminal legal theory, this volume raises new questions central to the study of the criminal law and offers new suggestions for addressing them. For many years, Antony Duff has been one of the world's foremost philosophers of criminal law. This volume collects essays by leading criminal law theorists to explore the principal themes in his work. In a response to the essays, Duff clarifies and develops his position on central problems in criminal law theory. Some of the essays concentrate on the topic of criminalization. That is, they examine what forms of conduct (including attempts, offensiveness, and negligence) can aptly qualify as criminal offences, and what principled limits, if any, should be placed on the reach of the criminal law. Several of the other essays assess the thesis that punishment is justifiable as a form of communication between offenders and their community. Those essays examine the presuppositions (about the nature and function of community, and about the moral structure of atonement) that must be embraced if communication is to be a primary role for punishment. The remaining essays examine the nature and limits of responsibility in the law, as they engage with philosophical debates over 'moral luck' by investigating the ways in which the law can legitimately hold people responsible for events that were not within their control. These chapters tie the first and third parts of the book together, as they explore the relationship between the principles that determine a person's responsibility and the principles that determine which types of actions can appropriately be criminalized. Finally, Duff responds with comments that seek to defend and clarify his views while also acknowledging the correctness of some of the critics' objections. In his second book to deal with Japanese corrections, Elmer H. Johnson explores the cultural heritage and structure of the criminal justice administration that underlies Japan s reluctance to use imprisonment, which he first examined in "Japanese Corrections: Managing Convicted Offenders in an Orderly Society. "Here Johnson introduces the concept of criminalization, its implications, and its two versions that differentiate four of the six cohorts who have entered prison in increasing numbers in recent decades: yakuza (Japanese mafia), adult traffic offenders, women drug offenders, and juvenile drug and traffic offenders. Foreigners and elderly inmates, the other two cohorts, elude criminalization as groups but also have become prisoners in greater numbers for other reasons.""" The fifth book in the series offers an historical and conceptual account of the criminal law, as it has developed in England and spread to common law jurisdictions around the world. It traces how and why criminal law has come to be accorded with a central role in securing civil order in modernity, and justifies who and what should be treated as criminal under the law. Farmer argues that the emergence of the modern state in which criminal law is recognized as an instrument of government is a result of the distinct body of rules which have emerged from the modern criminal law. The Caribbean poses a significant drugs problem for the UK and the US, as the recent phenomenon of yardie gangs in British cities graphically illustrates. But in the islands themselves ganja, crack cocaine and the policies to control them have become, as this book demonstrates, a veritable social disaster. The authors, who are among the leading local researchers and engaged professionals in the region as well as the former regional head of the UN Drugs Control Programme, bring together new research investigations, insightful policy analysis and practical experience of on-the-ground interventions putting demand reduction into practice. The dimensions of the illicit drugs market in the Caribbean are made clear.

The origins of the problem lie in part, it is argued, with the impact of neoliberal economic policies that have opened up the region's borders and gravely undermined its traditional sources of employment and exports, like bananas and sugar. The islands, in part under external US pressure, have adopted a region-wide policy of criminalization This has involved the creation of specialized drug courts and serious human and social consequences as a result of criminalizing traditional cultural practices around ganja consumption. Fascinating light is thrown on the difficulties facing drug abuse and rehabilitation centres and the dilemmas they throw up. Harm reduction as a fundamentally alternative approach to the drugs problem is also explored. This is the first book to examine the experiences of Caribbean countries since they adopted a coordinated approach to the drugs problem. There are valuable lessons to be learned at both policy and practical levels for other countries, and in particular those like the UK and US with large Caribbean populations. Western societies are immersed in debates about immigration and illegality. This book examines these processes and outlines how the figure of the "crimmigrant other" has emerged not only as a central object of media and political discourse, but also as a distinct penal subject connecting migration and the logic of criminalization and insecurity. Illegality defines not only a quality of certain acts, but becomes an existential condition, which shapes the daily lives of large groups within the society. Drawing on rich empirical material from national and international contexts, Katja Franko outlines the social production of the crimmigrant other as a multi-layered phenomenon that is deeply rooted in the intricate connections between law, scientific knowledge, bureaucratic practices, politics and popular discourse. Winner of the 2013 John Hope Franklin Book Prize presented by the American Studies Association Social Death tackles one of the core paradoxes of social justice struggles and scholarship—that the battle to end oppression shares the moral grammar that structures exploitation and sanctions state violence. Lisa Marie Cacho forcefully argues that the demands for personhood for those who, in the eyes of society, have little value, depend on capitalist and heteropatriarchal measures of worth. With poignant case studies, Cacho illustrates that our very understanding of personhood is premised upon the unchallenged devaluation of criminalized populations of color. Hence, the reliance of rights-based politics on notions of who is and is not a deserving member of society inadvertently replicates the logic that creates and normalizes states of social and literal death. Her understanding of inalienable rights and personhood provides us the much-needed comparative analytical and ethical tools to understand the racialized and nationalized tensions between racial groups. Driven by a radical, relentless critique, Social Death challenges us to imagine a heretofore “unthinkable” politics and ethics that do not rest on neoliberal arguments about worth, but rather emerge from the insurgent experiences of those negated persons who do not live by the norms that determine the productive, patriotic, law abiding, and family-oriented subject. In the US, one out of every 138 residents is incarcerated. The size of the prison population has quadrupled since 1980. Approximately 2.4% of Americans are either on probation and parole -- the US has the highest rate of criminal punishment in the Western world. The problem with American criminal law, as many see it, is that there is simply too much of it. Recent years have seen a dramatic expansion in the amount of criminal statutes and in the resulting reliance on punishment for convictions under those laws. The author argues that this is regrettable for several reasons, but most importantly, he says that much of the resulting punishment is unjust, excessive, and disproportionate. He also claims that it is destructive to the rule of law and undermines the principle of legality. The author's goal in this book is to formulate a normative theory of criminalization that will allow us to distinguish which criminal laws are justified, and which are not--something he sees as essential in order to reverse the trend towards too many criminal laws. The first part of this book makes the case that there is both too much criminal law and too much punishment, and clarifies the relationship between the two using empirical data. Examples are provided of dubious criminal laws enacted by legislatures, in particular statutes on drugs possession and guns. The latter part of the book develops the theory, which establishes principles that should set limits (both external and internal to the criminal law) on what we can and should criminalize. "The punitive effects of accusations that lead to criminalization have received considerable attention. Less well documented

is the actual role, process, and meaning of accusation per se. This collection of essays sets out the terms of a new debate about a largely overlooked but foundational dimension of criminalizing justice; namely, accusation. As a figurative gatekeeper, accusation calls subjects to account, to avow truth about themselves in relation to historical orders through idioms recognizable and decipherable to criminal law's institutions. Criminal accusation, however, does more than define the outer borders of criminal justice institutions. It is directly implicated in providing a steady flow of potential criminals who are fed into expanding criminal justice arenas. Despite the basic politics through which legal persons are selected to face possible criminalization, there are few analyses directed at how accusation works in theoretical, historical, criminological, social, cultural, and procedural realms. The essays in this collection highlight the effects of accusatory moments where contextually imagined legal persons become potential subjects of criminalization. Incorporating interdisciplinary perspectives, rigorous scholarship, and a unique contribution to the field of socio-legal studies and criminology, this book establishes a new and important field of inquiry."-- Constructing Crime examines why particular behaviours are defined and enforced as crimes and particular individuals are targeted as criminals. Contributors interrogate notions of crime, processes of criminalization, and the deployment of the concept of crime in five areas � the enforcement of fraud against welfare recipients and physicians, the enforcement of laws against Aboriginal harvesting practices, the perceptions of disorder in public housing projects, and the selective criminalization of gambling. These case studies and an afterword by Marie-Andr�e Bertrand challenge us to consider just who is rendered criminal and why. Criminalization of politics is one of the major problems facing India. There has been an increase in the number of politicians with criminal backgrounds who have been elected as legislative representatives in the past few decades. This raises the question as to why Indians elect criminal politicians. The causes of crime in India are classified into social, economic, political, geographic, mental and psychological, and biological. Criminalization of politics in India takes many forms, and include electoral fraud, political candidates with criminal backgrounds contesting elections, use of muscle power in mobilizing voters, political scams, bureaucratic scams, and politicians protecting criminal gangs. Some of the causes of criminalization of politics in India include political control of the police, state money, corruption, weak laws and abuse of discretion, lack of intraparty democracy transparency, lack of ethics or values, vote bank politics, and loopholes in the functioning of the Election Commission. Ignorance due to illiteracy is prevalent as approximately 25% of the population are illiterate. Ethnic identity is the most important factor in Indian politics. Ethnic identity includes caste, religion, and language. Competition over local dominance among various social groups is one of the major factors that makes Indian voters elect politicians with a criminal history. Most of the media houses have their political affiliations, and they continue to indulge in perception mapping of public. Indian voters elect criminals due to the perceived benefits they would receive from them since the politicians would have huge discretionary powers over the implementation of policies that facilitate the distribution of benefits to the public. Indian voters also vote for politicians with a criminal record due to being coerced. Candidates with criminal links provide the electorate with a form of social insurance. The ability of candidates with criminal links to provide platforms that facilitate dispute resolutions is also one of the factors that make Indian voters choose politicians with criminal links. Having a weak rule of law in India is the major factor that has led to the thriving of the alternative forms of dispute resolution. The election of candidates with a criminal record has several impacts. It leads to an increase in the level of political control of the police. The criminal politicians can use the police to achieve their personal goals. The governance delivered by the criminal politicians may contradict the prevailing principles of good governance in a democratic system. For instance, they may engage in practices that favor certain groups within the society to the detriment of other groups. Politicians with a criminal background create negative economic impacts. These politicians can use their discretionary powers in the allocation of public resources to the state-controlled corporations to engage in corrupt activities that enrich them or their benefactors. Therefore, they may embezzle public resources or allocate the public resources to private parties for their refinement or development, which would have a negative

impact on the welfare of the residents of the region. Criminal politicians can also treat public resources as their personal assets and use them to engage in various criminal activities. It would lead to the breakdown of the rule of law since the politicians would support criminal activities conducted by their cronies. This may lead to the proliferation of criminal organization, which would be a threat to peace and security and also lead to the loss of public faith in the credibility of the judiciary. The situation is alarming and needs to be controlled before it goes out of hand and threatens the future social economic development of the country. These are the major issues that are discussed in this book. While liberal-democratic states like America, Britain and Australia claim to value freedom of expression and the right to dissent, they have always actually criminalized dissent. This disposition has worsened since 9/11 and the 2008 Great Recession. This ground-breaking study shows that just as dissent involves far more than protest marches, so too liberal-democratic states have expanded the criminalization of dissent. Drawing on political and social theorists like Arendt, Bourdieu and Isin, the book offers a new way of thinking about politics, dissent and its criminalization relationally. Using case studies like the Occupy movement, selective refusal by Israeli soldiers, urban squatters, democratic education and violence by anti-Apartheid activists, the book highlights the many forms dissent takes along with the many ways liberal-democratic states criminalize it. The book highlights the mix of fear and delusion in play when states privilege security to protect an imagined 'political order' from difference and disagreement. The book makes a major contribution to political theory, legal studies and sociology. Linking legal, political and normative studies in new ways, Watts shows that ultimately liberal-democracies rely more on sovereignty and the capacity for coercion and declarations of legal 'states of exception' than on liberal-democratic principles. In a time marked by a deepening crisis of democracy, the book argues dissent is increasingly valuable. The book defines and critically discusses the following five principles: the harm principle, legal paternalism, the offense principle, legal moralism and the dignity principle of criminalization. The book argues that all five principles raise important problems that point to rejections (or at least a rethink) of standard principles of criminalization. The book shows that one of the reasons why we should reject or revise standard principles of criminalization is that even the most plausible versions of the harm principle and legal paternalism that have been offered so far are rendered redundant by general moral theories. Furthermore, it demonstrates that the other three principles (or versions thereof), the offense principle, legal moralism and the dignity principle of criminalization, can either be covered by the harm principle, thus making these principles also redundant, or be seen to have what look like other unacceptable implications (e.g. that versions of legal moralism are based on speculative and incorrect empirical assumptions or violate what is called the criminological levelling-down challenge). As such, there is reason to move beyond traditional principles of criminalization, and instead to investigate alternative principles the state should be guided by when attempting to justify which kinds of conduct should be criminalized. Moreover, this book presents and defends such a principle – the utilitarian principle of criminalization.