<u>OUP Handbook of Criminal Law</u> Markus Dubber & Tatjana Hörnle

I. Approaches & Methods

- philosophy
- criminology
- sociology
- political theory
- history
- economics
- psychology
- neuroscience
- literature
- technology
- feminist studies
- critical race theory
- criminal law science

II. Systems & Models

- Marxist/Soviet
- National Socialist
- Indigenous
- Jewish
- Islamic
- Canon (church law)
- Military

III. Aspects & Issues

A. Foundations

- Theories of crime and punishment
- Codification (Sources of Criminal Law, Branches of Government)
- Jurisdiction
- Constitutional principles

B. Substantive criminal law

1. General Part

- Analytic Structure (Verbrechenslehre)
- Elements of Criminal Liability
 - Objective
 - o act
 - causation

- Subjective/mens rea
- Inchoate offenses
- Complicity
- Corporate Criminal Liability
- "Defenses" (Justifications, Excuses)
 - o necessity/duress
 - o self-defense
 - o consent
 - o insanity/intoxication

2. Special Part

- General (Rechtsgut/harm principle, protected interests, criminalization)
- Offenses
 - Person
 - o death (homicide)
 - o harm (assault)
 - Sexual Autonomy
 - Property
 - Drugs
 - Internet
 - Terrorism
 - "White collar" crimes (insider trading, money laundering, Untreue/honest services fraud, etc.)
 - Public welfare offenses

C. Criminal Process

- Inquisitorial/adversarial; professional/lay
- Discretion (police, prosecutor, judge, warden, executive (pardon, etc)); plea bargaining

D. Criminal Sanctions

- Types of punishment (incl. collateral sanctions)
- Prison/corrections law
- Sentencing

IV. Contexts & Comparisons

- Province of Criminal Law
 - o paradigms
 - Justice/Police
 - Security/Prevention
 - Criminal Law/War

- varieties of public law (vs. administrative law (incl. police law));
 Ordnungswidrigkeitenrecht
- o public law vs. private law (vs. tort law; victim compensation law)
- Beyond Domestic Criminal Law
 - o comparative criminal law
 - o international criminal law
 - o European criminal law