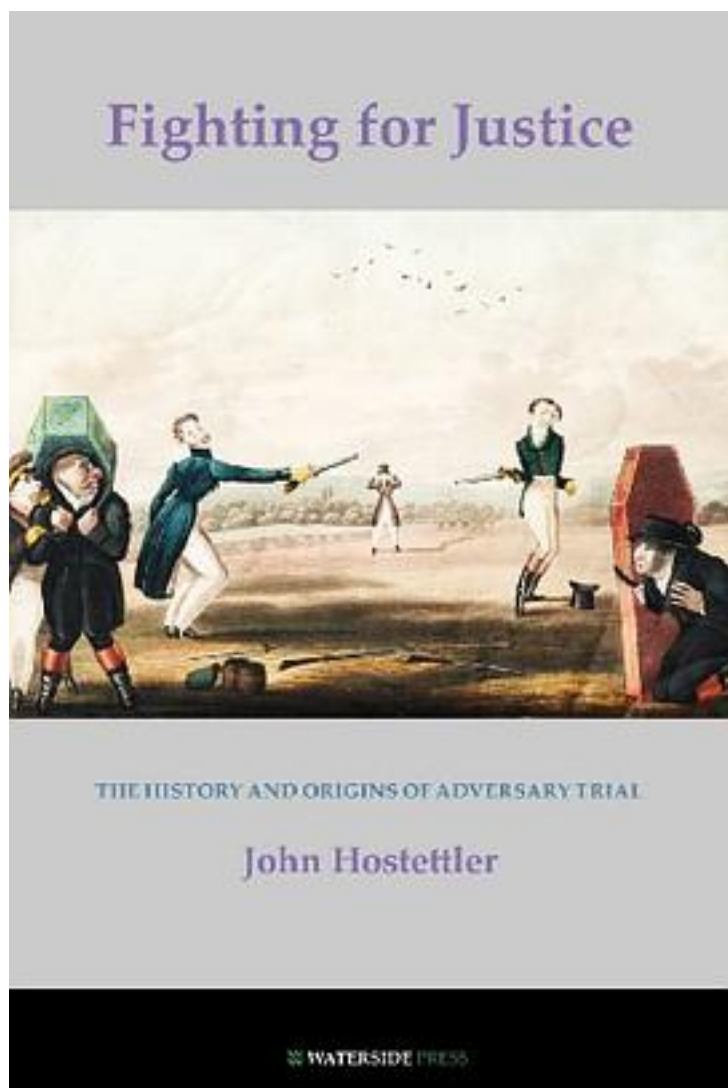


# Fighting for Justice



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著者:Hostettler, John

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This book shows how adversary trial evolved in England only in the 18th century. Its origins and significance have tended to go unrecognised by judges, lawyers, jurists and researchers until relatively modern times when conflict has become a key social issue. Even now, there is a major dispute as to how and why adversary trial came into existence and little connection has been made with its contribution to the genesis of many rules of evidence and procedure and the modern-day doctrine of human rights - whereby citizens are able to take a stand against the power of the state or vested interests. John Hostettler sets the record straight. John Hostettler is an eminent commentator on criminal justice and its history. In this book he focuses not only on the birth and meaning of adversary trial but also on the historic central role of the lawyer and advocate Sir William Garrow. Hostettler assesses how deep-rooted is the notion of opposing parties in the common law, the English psyche and thus within other countries such as the USA that have followed the same model - whereby lawyers champion opposing causes. One aim of the book is to provide an aid to understanding of present-day moves for reform in the direction of restorative methods by outlining the contribution that adversary trial has made to the development of common law systems. 'Interestingly characterises the emergence of adversary trial, in which defence counsel is allowed to cross-examine the prosecution, as the genesis of a recognisably modern human rights culture, which has subsequently expanded across the developed world': Thames View

作者介绍:

目录:

[Fighting for Justice\\_ 下载链接1](#)

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