

# The Trial



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出版者:HarperPerennial

出版时间:2006-7-3

装帧:Paperback

isbn:9780007111220

In an extraordinary history of the criminal trial, Sadakat Kadri shows with wit, legal insight and a travel writer's eye for detail, how the irrationality of the past lives on in the legal systems of the present. A bold and brilliant debut from a prize-winning new writer. 'The Trial' spans a vast distance in time, opening in the dread silence of the Egyptian Hall of the Dead and ending with the melodramas and hubbub of the 21st-century trial circus. Reconciliation and vengeance, secrecy and spectacle, superstition and reason all intertwine continually. The book crosses from the marbled courtrooms of Athens through the ordeal pits of Anglo-Saxon England, past the torture chambers of the Inquisition to the judicial theatres of 17th-century Salem, and from 1930s Moscow and post-war Nuremberg to the virtual courtrooms of modern Hollywood. Kadri shows throughout how the trial has always been concerned with doing more than guaranteeing fairness and holding human beings to account for their deliberate crimes. He recounts how insentient and irrational defendants from caterpillars to corpses were once summonsed to court, before being exiled for their failure to attend or sentenced to die again -- and argues that the same urge to punish lives on in today's trials of children and the mentally ill. But although Justice's sword has always been double-edged -- as ready to destroy a community's enemies as to defend its dreams of due process -- the judicial contest also operates to enshrine some

of the western world's most cherished values. The show trials of Stalin's Soviet Union were shams, but Guantanamo Bay and Abu Ghraib are a reminder that a lack of a trial is equally unjust, and at a time when our constitutional landscape seems to be melting away, an appreciation of the criminal courtroom's history is more necessary than ever. As the Labour government launches an almost annual attempt to truncate trial by jury, and as authorities on both sides of the Atlantic are indefinitely detaining people in the name of an endless war on terror, 'The Trial' could hardly be more timely.

作者介绍:

Sadakat Kadri was born in 1964 and studied history and law at Cambridge and Harvard universities. As well as being a member of the New York Bar and a tenant at London's Doughty Street Chambers, he is a travel writer whose Cadogan Guide to Prague was shortlisted for the Thomas Cook award and who won the Shiva Naipaul/Spectator Prize in 1998. As a barrister, he has represented several prisoners on death row in the Caribbean, prosecuted one African dictator and challenged the legality of a military dictatorship in Fiji. He lived in Manhattan while writing the book, arriving shortly before 11 September 2001, but now lives in London.

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标签

电子版

法律

kara

2006

评论

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## 书评

一封联名信又将复旦投毒案推向高潮，一石激起千层浪。令我意外的是，复旦这样一个令人向往和仰慕的高等学府的学生，毫无技巧的将事件推向更负面的状况，而大部分公众的声音，也似乎没有太多理性可言。如果平衡两者来看，如何做到公正审判才是大家最终追求的结果，刑事判决书上...

从亚当与夏娃被赶出伊甸园开始，人类一直都在试图对错误的行为给予惩罚。《审判为什么不公正》这本书主要讲述了西方大陆法系和欧美股系的审判历史。在导言中作者就将他所关注的重点挑开，即秘密、公开和透明度之间的关系。司法过程的公开与否与能否实现公正之间的关系的确是一...

前段时间有本很实用的书，名字叫《商业就是一场秀》。商人要想把自己的商品推销出去，商品本身固然是一方面，但营销手段同样是制胜的关键。“热卖的产品或服务都是演示出来的”，说到底，如何让人们关注某个产品，并将关注的热情转变为购买的动力，才是现代商业经营的制胜...

书里的人、人物的故事，都是从最浅显处开始，慢慢地，会领着人想：如苏格拉底者，如成千上万的女巫，如辛普森，甚至如某某著名战争“罪人”，他们的审判，不公的审判，都从一声叹息的故事开始，让人惊心的结局结束。

好书，优秀的书，不是让人记得他们苏格拉底们的故事，而是让...

收获不大，最干货的大概是最后的法律检索部分了。

从神明裁判到纠问式审判，原因是基督教教会不希望因为无法把控的神判结果而放过想要迫害的人。

猎巫行动和巫术审判起源于基督教会认为只有上帝才具有超能力，一切具有超能力过能行使巫术的人都是违背基督教理论的，都必须审判...

弗朗西斯·培根在《培根随笔集·论司法》中说过一句鞭辟入里的名言，至今读来仍振聋发聩，“一次不公正的审判，比十次犯罪所造成危害还要严重。因为犯罪不过弄脏了水流，而不公正的审判则败坏了水的源头。”

《不公正的审判》这本书非虚构类的法学书籍即聚焦于时间长达两千多...

一本值得耐下性子看的好书，卡德里用流畅的笔触深入浅出的梳理了跨越两千多年的西方审判史。

从古希腊古罗马开始，法律源于神意是历史上全人类都曾相信的少数事情之一，古老文明都同样确信制裁违法行为的权力掌握于诸神之手。在《俄瑞斯忒亚》这部最古老的法庭戏剧中，借助神明...

书中列举案例，除了巫术等古代明显的非理性的案，对于现代案件，就算是判罪的也其实没有一个真相~

作者想必是在电脑上写了本书，很厚实，不多说优点一大串，有意思的是讲到维辛斯基审判布哈林还有讲纽伦堡审判后面的几章。

但是在一本审判史为什么会像小说一样呢，作者在每一章的末尾总是用一句反讽或是引文收束。每章开篇都用的是卡夫卡的名言，或许该书正是由卡夫卡得来的灵...

公元前399年，苏格拉底被希腊城邦判处死刑。他的学生企图帮助老师越狱，苏格拉底不肯逃跑。他对学生说：“你们去生，我去死，到底何者为佳，只有神灵知道。”为什么，睿智如苏格拉底，却甘愿接受一次不公正的审判？是什么信念，让他如此坦然面对死亡？英国作家萨达卡特·卡德...

这是一本足以让人深思的书，也是一本让人感到越来越有希望的书。我们很多人与审判、法官的距离其实并没有那么遥远——也许我们很少有机会亲身经历，但无论是从书本上还是影视中，这样的场景我们都曾经或多或少地见识过。那么，对于审判，无论刑事审判也罢，无论民事审判...

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