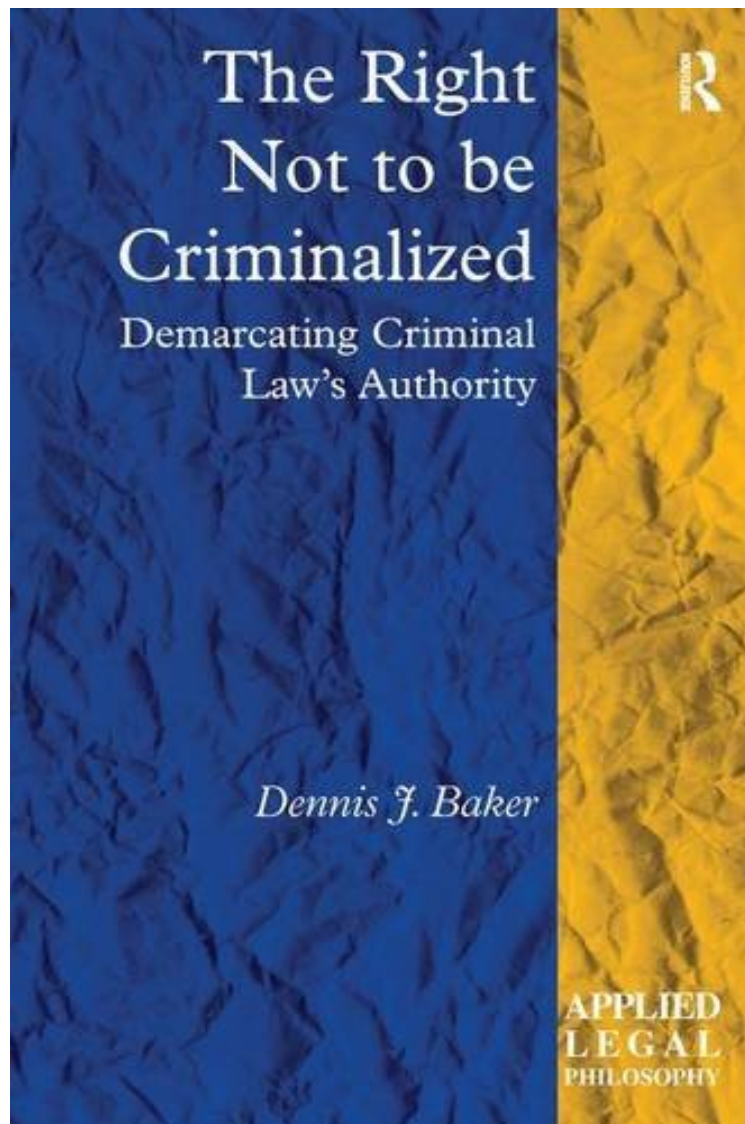


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## The Right Not to be Criminalized: Demarcating Criminal Law's Authority (Applied Legal Philosophy)

*Dennis J. Baker*

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**Dennis J. Baker : The Right Not to be Criminalized: Demarcating Criminal Law's Authority (Applied Legal Philosophy)** before purchasing it in order to gauge whether or not it would be worth my time, and all praised The Right Not to be Criminalized: Demarcating Criminal Law's Authority (Applied Legal Philosophy):

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.

Prize: Shortlisted for the SLS Peter Birks Prize for Outstanding Legal Scholarship 2011 'Baker's remedy to the crisis of unjust punishment is to locate a fundamental right not to be criminalized in the U.S. Constitution and its international counterparts. He persuasively argues that the time has come to take this fundamental right seriously. Legislatures that follow Baker's sage advice will produce a more just and enlightened penal code.' Douglas Husak, Rutgers University, USA 'Dennis Baker provides fascinating insight into the justification, if any, for criminalizing conduct that is not in itself harmful. His book is a rich resource for arguments about criminalization of many controversial activities in the world today.' Jeremy Horder, King's College London, UK  
About the Author  
Dennis J. Baker (M.Phil., PhD Cantab.) joined the Law School in 2008, leaving the Chinese University of Hong Kong where he had taught Criminal Law and Procedure and Penal Theory on the postgraduate JD programme. He has also taught undergraduate criminal law at the University of Cambridge and Equity and Trusts, Comparative Law and Criminal Law at the University of Western Sydney (Australia).