

Module Title: Comparative Criminal Law

Overview:

This module provides an overview of comparative criminal law, focusing on the study of different legal systems and their approaches to defining and punishing criminal behavior. It explores the similarities and differences between various legal traditions, highlighting the impact of cultural, historical, and political factors on criminal law.

Learning Objectives:

- Understand the concept of comparative criminal law
- Compare and contrast different legal systems and their approaches to criminal law
- Analyze the influence of culture, history, and politics on criminal law
- Evaluate the effectiveness of different legal systems in achieving justice

Module Content:

1. Introduction to Comparative Criminal Law

- Definition and scope of comparative criminal law
- Importance of comparative analysis in understanding criminal justice systems

2. Comparative Legal Systems

- Common law vs. civil law systems
- Islamic law (Sharia) and its approach to criminal justice
- Customary law and traditional legal systems

3. Cultural and Historical Influences on Criminal Law

- Impact of cultural norms and values on criminalization
- Historical development of criminal law in different societies
- Colonial legacies and their effects on modern criminal justice systems

4. Political Factors in Criminal Law

- Role of politics in shaping criminal legislation and enforcement
- Influence of authoritarian regimes on criminal justice practices
- Challenges of democratization and legal reform in post-conflict societies

5. Case Studies in Comparative Criminal Law

- Analysis of specific legal systems or countries
- Comparison of legal reforms and their impact on criminal justice

Assessment:

- Research paper comparing two legal systems in their approach to a specific aspect of criminal law
- Presentation on a case study highlighting the influence of culture, history, or politics on criminal law
- Debate on the effectiveness of different legal systems in addressing contemporary challenges in criminal justice

Conclusion:

This module has provided a comprehensive overview of comparative criminal law, highlighting the importance of understanding different legal traditions in a globalized world. By comparing and analyzing various legal systems, learners can gain insights into the complexities of criminal justice and the diverse approaches to achieving justice in different societies.