



World Plea Bargaining: Consensual Procedures and the Avoidance of the Full Criminal Trial

Stephen C. Thaman

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The full-blown trial with its guarantees of presumption of innocence, due process, and constitutional evidence is no longer affordable. With the rise in crime and the more cost-, and labor-intensive procedures required by modern notions of due process, legislatures and courts around the world are gradually giving priority to the principle of procedural economy and introducing forms of consensual and abbreviated criminal procedure to deal with overloaded dockets. This book, which combines chapters from distinct countries which were originally written for the XVII Congress of the International Academy of Comparative Law in Utrecht, The Netherlands, in July 2006, also includes theoretical contributions by Mirjan Damaska on the role of plea bargaining in the international criminal tribunals and Maximo Langer on the "Americanization" of world criminal procedure and the "translation" of American plea bargaining into the legal language of inquisitorial legal systems. The book concludes with the editor's comprehensive analysis of the typologies of plea bargaining and their historical and doctrinal roots.

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