



Criminal Law- Cases and Comments (University Casebook Series)

Andre A. Moenssens, Ronald J. Bacigal, Gerald G. Ashdown, Virginia E. Hench

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The 2008 eighth edition of Cases and Comments on Criminal Law continues the format of subject-matter structure that was introduced several editions before and has proven successful and eminently workable in the classroom. At the same time, the eighth edition strikes several new themes designed to modernize the book and make it more meaningful in today's justice system as well as more accessible to the students. Some older cases have been removed and new cases added to address conceptual issues in a contemporary setting. For example, the 7th and 8th editions have added thirteen new cases to Chapter 2 (four in the 8th edition) including recent United States Supreme Court decisions that have impressed themselves onto the national legal framework. The Notes and Questions have been updated where desirable to reflect variations on the principal cases in modern factual circumstances. Additionally, problems (with citations to the cases they reflect) have been added to the Notes to permit exploration of conceptual nuances in a context less directive than case analysis. Most importantly, in the 8th edition we have added a new chapter on "Crimes Against Governmental Authority." Although the impetus for this chapter was provided by the government's response to the recent terrorist threat, the chapter covers how the state historically has dealt with both physical and sociopolitical challenges to its authority and the welfare of its citizens. After a brief history of governmental acts to defend itself, beginning with sedition at the end of the 18th Century, the chapter covers how traditional crimes have been used by the state in this capacity, and then takes up statutes that have been enacted explicitly to deal with threats to governmental authority, such as crimes aimed at communism, the USA PATRIOT Act, and at material support of terrorist organizations. We have developed this chapter to provide a contemporary setting for showing how the criminal law is utilized to combat threats in a nontraditional area of the first-year course of criminal law, and we hope it appeals to those who prefer both the contemporary and the nontraditional. As in the past, our book starts with a brief outline of criminal procedure. We believe it essential that a beginning student have an insight into the criminal justice process as a prerequisite to a proper understanding of the cases on substantive criminal law. As in prior editions, the book ends with an Appendix containing pertinent provisions of the United States Constitution and its Amendments. Since these provisions are liberally referred to in many cases, the student has ready access to their precise wording.

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