

Volker Haas

Strafbegriff, Staatsverständnis und Prozessstruktur

Zur Ausübung hoheitlicher Gewalt durch Staatsanwaltschaft und erkennendes Gericht im deutschen Strafverfahren

[The Concept of Punishment, the Understanding of the Term »State« and Trial Structure. The Use of Sovereign Power by the Office of the District Attorney and the Court of Decision in German Criminal Procedure.]

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Unlike Anglo-American law, German criminal procedure is not structured as a procedure based on party prosecution. In the main trial, the principle of ex officio judicial investigation still applies, even if this also requires an accusation. Volker Haas deals with the historical reasons for the inconsistencies in this procedure. He focuses on the influence of the constitutional monarchy and the theory of punishment on the reform of criminal procedure in the 19th century. Since these historical reasons no longer apply today, the author concludes his work with a discussion of the consequences of this change in the law.

Volker Haas Geboren 1963; Studium der Philosophie in Saarbrücken und der Rechtswissenschaften in Tübingen; 2001 Promotion; 2006 Habilitation; wissenschaftlicher Rat an der Universität Tübingen.



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