

論文の要旨

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論文題目	A Comparative Criminal Justice Approach to the Creation of a Peacemaking Parole Model: The case study of Japan and Costa Rica
<p>論文の要旨</p> <p>The present investigation has two main goals. The first goal is to create comparative standards for parole systems that promote social reinsertion through parole. The second goal is to create a parole model based on peacemaking standards through concrete policies that encourage welfare-oriented measures, respect human rights and promote community integration.</p> <p>The present investigation proposes a comparative approach for developing a peacemaking parole model based on the Tokyo Rules and the reintegrative characteristics of the Japanese and Costa Rican parole laws. A functional comparison of both nations' parole legislation aims to reveal support practices and shared trends in community-based treatment that can contribute to fairer criminal justice practices.</p> <p>The present investigation addresses four challenges in comparative law scholarship that can negatively affect the development of fairer parole models. These challenges overlook criminal justice practices in “non-Western” nations, discredit the value of rehabilitation, restrict parole assessment to risk factors, and impair the applicability of international standards.</p> <p>These challenges limit the orientation of parole research and the development of community-based intervention programs worldwide. Until researchers take steps to change the current situation, comparative investigations will face obstacles in comparing parole laws and finding common ground to develop parole models based on the best practices available. As a solution, the present investigation proposes a method that compares parole laws according to support capabilities and develops a parole model that can further criminal justice’s role as a peacemaking institution.</p> <p>The present study aims to overcome the above challenges by promoting the comparative examination of non-traditional systems, applying social reintegration measures, respecting human rights standards, and pursuing peacemaking justice as the foundational pillars of a new parole model. The study contributes to comparative criminal justice and human rights scholarship in three key areas. Firstly, it compares two parole systems that promote offender reform through community-based treatment. Secondly, it evaluates the implementation of the Tokyo Rules in community-based programs across two distinct environments. Thirdly, it creates a new parole model based on the general principles found in the Tokyo Rules, as well as the reintegrative aspects of the Japanese and Costa Rican systems.</p> <p>Choosing the Japanese and Costa Rican parole systems results from evaluating political and technical factors that justify using them as examples for a peacemaking parole model. Among the factors that influenced the decision to compare these countries are the differences in criminal environment, as a determinant factor on the applicability of peacemaking-oriented measures in diverse environments, the political stability and international standing, as a reflection on the relevance of human rights protection, and the specialization of penitentiary norms, as a suggestion of the systems’ orientation toward the technical intervention.</p>	

備考 要旨は、日本語 4,000 字以内又は英語 1,500 ワード以内とする。