

## PERSONAL INFORMATION

## Màximo Langer



📍 Charles E. Young Dr. East, no. 385, 90095 Los Angeles (CA) (United States)

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## POSITION

Professor of Law (University of California School of Law-UCLA)

## WORK EXPERIENCE

Present

**Professor of Law**

University of California School of Law (UCLA), Los Angeles (CA) (United States)

*Lectures in Asia, Europe, Latin America and the United States on criminal law and procedure issues*

Present

**Founding faculty director**

UCLA School of Law Criminal Justice Program (United States)

Present

**Director**

UCLA School of Law Transnational Program on Criminal Justice (United States)

Present

**Vice President of the American Society of Comparative Law**  
(United States)

*Served on various boards and committees of the society*

**Professor of Law**

University Torcuato DiTella School of Law (Argentina)

*Won two teaching awards*

2012

**Professor of Law**

School of Law of Aix-Marseille University (France)

*Visiting Professor of Law (2012)*

2010

**Professor of Law**

Harvard Law School (United States)

*Louis D. Brandeis Visiting Professor of Law (2010)*

2010–2011

**Professor of Law**

NYU School of Law, New York (United States)

*Visiting Professor of Law (2010-2011)*

**Founding Director**

UCLA Center for Southern Cone Studies (United States)

- 1997–1998 **Director of the Non-Conventional Offenses Program**  
Institute for Comparative Studies in Criminal and Social Sciences (Argentina)
- 1995 **Editor**  
University of Buenos Aires Law Review, Buenos Aires (Argentina)
- 2001 **Public Defender Service**  
District of Columbia (United States)

## EDUCATION AND TRAINING

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- 1998 **LL.M. program & S.J.D. program**  
Harvard Law School (United States)  
*Awarded several fellowships, including the Edmond J. Safra Graduate Fellowship in Ethics from the Harvard University Center for Ethics, a Fellowship from the David Rockefeller Center for Latin American Studies, a Fellowship of the Center for Studies and Research in International Law and International Relations from The Hague Academy of International Law, and the Fulbright Fellowship*
- 1998 **Legal advisor**  
Commissions of Justice and Criminal Law (Argentina)  
*Under Argentinean Congressman Jose Cafferata Nores*
- 1995 **LL.B.**  
University of Buenos Aires Law School, Buenos Aires (Argentina)  
*Awarded the Fundación Universitaria del Rio de la Plata Fellowship and graduated in the top 1% of his class*
- 1993–1994 **Legal Clerk**  
Argentinean Federal District Court No. 2 (Argentina)  
*White-collar criminal law litigation in Buenos Aires (1994-1998)*

## ADDITIONAL INFORMATION

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### Publications

#### Books

- *American Juvenile Justice and the Problem of Adversarial Power* (with David S. Tanenhaus). Oxford Univ. Press (forthcoming 2021).
- *Prosecutors and Democracy: A Cross-National Study* (edited by Máximo Langer & David Alan Sklansky). Cambridge University Press (2017).
- *Juvenile Justice in Global Perspective* (edited by Máximo Langer, David S. Tanenhaus, Franklin E. Zimring). New York University Press (2015).
- *Crime, Procedure, and Evidence in a Comparative and International Context* (edited by John Jackson, Máximo Langer and Peter Tillers). Hart Publishing (2008).

#### Articles and Chapters

- Plea Bargaining, Trial-Avoiding Conviction Mechanisms and the Global Administratization of Criminal Convictions, 4 *Annual Review of Criminology* (forthcoming 2021). [Full Text](#)
- The Quiet Expansion of Universal Jurisdiction (with Mackenzie Eason), 30 *European Journal of International Law* 779 (2019).
- Quince Años Después: Traducciones Legales, Globalización del Plea Bargaining y Americanización del Proceso Penal, 21 *Revista Discusiones* 185 (2018). [Full Text](#)

- Prosecutors and Democracy—Themes and Counterthemes (with David Alan Sklansky), in *Prosecutors and Democracy: A Cross-National Study* 300 (edited by Máximo Langer & David Alan Sklansky, Cambridge University Press, 2017). [Full Text](#)
- Introduction (with David Alan Sklansky), in *Prosecutors and Democracy: A Cross-National Study* 1 (edited by Máximo Langer & David Alan Sklansky, Cambridge University Press, 2017).
- In the Beginning Was Fortescue: On the Intellectual Origins of the Adversarial and Inquisitorial Systems, in *Liber Amicorum for Mirjan Damaška* 273 (Duncker & Humblot, 2016). [Full Text](#). En el principio era Fortescue: Acerca de los orígenes intelectuales de los sistemas acusatorio e inquisitivo, y de la contraposición entre derecho anglosajón y derecho continental europeo en el proceso penal comparado, 4 *En Letra Derecho Penal* 191 (2017).
- Strength, Weakness or Both? On the Endurance of the Adversarial and Inquisitorial Systems in Comparative Criminal Procedure, in *Research Handbook on Comparative Criminal Procedure* 519 (edited by Jacqueline Ross & Stephen Thaman, Edward Elgar Publishing, 2016). [Full Text](#)
- Universal Jurisdiction is not Disappearing: The Shift from "Global Enforcer" to "No Safe Haven" Universal Jurisdiction, 13 *Journal Of International Criminal Justice* 245 (2015). [Full Text](#)
- La jurisdicción universal no está desapareciendo: el giro desde una jurisdicción universal como "persecución global" hacia una jurisdicción universal como "ausencia de refugio seguro", *En Letra Derecho Penal* 175 (2015). (Leandro A. Dias trans.) [Full Text](#)
- One Theme or Many? The Search for a Deep Structure in Global Juvenile Justice (with Franklin E. Zimring), in *Juvenile Justice in Global Perspective* 383-411 (edited by Máximo Langer, David S. Tanenhaus, Franklin E. Zimring, New York University Press, 2015). [Full Text](#)
- Myths and Realities of Juvenile Justice in Latin America (with Mary Beloff), in *Juvenile Justice in Global Perspective* 198-248 (edited by Máximo Langer, David S. Tanenhaus, Franklin E. Zimring, New York University Press, 2015). [Full Text](#)
- Introduction (with Franklin E. Zimring & David S. Tanenhaus), in *Juvenile Justice in Global Perspective* 1-5 (edited by Máximo Langer, David S. Tanenhaus, Franklin E. Zimring, New York University Press, 2015).
- The Archipelago and the Hub: The Universal Jurisdiction and the International Criminal Court Regimes, in *The First Global Prosecutor: Promise and Constraints* 204-250 (edited by Martha Minow, Cora True-Frost and Alex Whiting, Univ. of Michigan Press, 2015). [Full Text](#)
- El Nuevo Código Procesal Penal Nacional Acusatorio: Aportes Empíricos para la Discusión en Base a la Experiencia en Provincia de Buenos Aires (with Marcelo Bergman), 2015 *Revista de Derecho Procesal Penal* 51 (2015).
- Reforma a la Justicia Penal Juvenil y Adolescentes Privados de Libertad en Chile: Aportes Empíricos para el Debate (with Ricardo Lillo), 19 *Política Criminal* 713 (2015). [Full Text](#)
- The Long Shadow of the Adversarial and Inquisitorial Categories, in *The Oxford Handbook of Criminal Law* 887 (edited by Markus D. Dubber and Tatjana Höernle, Oxford University Press, 2014). [Full Text](#)
- La portée des catégories accusatoire et inquisitoire, 4 *Revue de Sciences Criminelle et de Droit Penal Compare* 707 (2014). (Amanda Cabrejo de Roux & Sabrina Delattre trans.)
- La Larga Sombra de las Categorías Acusatorio e Inquisitivo, 32 *Revista de Derecho Público de la Universidad de Los Andes* 1 (2014). (Lucas Tassara trans.) [Full Text](#); Republished in 1 *Revista Brasileira de Direito Processual Penal* 11 (2015).
- A Grande Sombra das Categorias Acusatório e Inquisitório, in *Sistemas Processuais Penais* 307 (edited by Ricardo Jacobsen Gloeckner, Empório do direito, 2016).
- Country Report United States, in *Rechtshilfe in Strafsachen (Mutual Assistance In Criminal Matters)* 1328 (edited by Kai Ambos, Stefan König & Peter Rackow, Nomos, 2014).
- Universal Jurisdiction as Janus-Faced: The Dual Nature of the German International Criminal Code, 11 *Journal of International Criminal Justice* 737 (2013). [Full Text](#)
- Das Völkerstrafgesetzbuch und die Prinzipien der Beteiligung und Rechenschaft gegenüber der internationalen Gemeinschaft, in *Zehn Jahre VStGB. Bilanz und Perspektiven eines "deutschen Völkerstrafrechts"* 253-282 (edited by Florian Jessberger and Julia Geneuss; Julia Geneuss trans., Nomos Publishers, 2013).
- Rights in the Criminal Process: A Case Study of Convergence and Disclosure Rights (with Kent Roach), in *Handbook on Constitutional Law* 273 (edited by Mark Tushnet, Thomas Fleiner and Cheryl Saunders, Routledge, 2013). [Full Text](#)
- Direitos no processo penal: um estudo de caso sobre convergência e direitos de "disclosure" (with

- Kent Roach), 239 *Revista brasileira de cincias criminais* 273 (2015). (Rogrio Fernando Taffarello trans.)
- Managerial Judging Goes International but its Promise Remains Unfulfilled: An Empirical Assessment of the ITCY Reforms (with Joseph W. Doherty), 36 *Yale Journal of International Law* 241 (2011). [Full Text](#)
  - The Diplomacy of Universal Jurisdiction: The Political Branches and the Transnational Prosecution of International Crimes, 105 *American Journal of International Law* 1 (2011). Reprinted in *IV International Criminal Law. Critical Concepts in Law* (edited by Antonio Cassese, Florian Jeberger, Robert Cryer & Urmila D, Routledge 2016). [Full Text](#)
  - La Diplomacia de la Jurisdiccin Universal: Los Poderes Polticos y la Persecucin de Crmenes Internacionales, 1 *Revista Latinoamericana de Derecho Internacional (Latin American International Law Journal)* 1 (2014). (Translated by Manuel Ayarra y Francisco Jos Quintana.) [Full Text](#)
  - Trends and Tensions in International Criminal Procedure: A Symposium, 14 *UCLA Journal of International Law and Foreign Affairs* 1 (2009).
  - Revolucin en el Proceso Penal Latinoamericano: Difusin de Ideas Legales desde la Periferia, CEJA (2008). Reprinted in *Revista de Derecho Procesal Penal-Numero Extraordinario. II El Proceso Penal Adversarial* 53 (Buenos Aires, Argentina, 2009); in 4 *Revista Derecho Penal Mnimo* 23 (Federal District, Mexico, 2010); and in *Sociologa de la Justicia Penal* (Ezequiel Kostenwein ed., Ediar, Buenos Aires, Argentina, 2017). [Full Text](#)
  - Introduction (with John Jackson), in *Crime, Procedure, and Evidence in a Comparative and International Context* (edited by John Jackson, Maximo Langer and Peter Tillers, Hart Publishing, 2008).
  - Revolution in Latin American Criminal Procedure: Diffusion of Legal Ideas from the Periphery, 55 *American Journal of Comparative Law* 617 (2007). Translated to Chinese by Zhou Jing and Shi Pengpeng as [美]马克西姆兰格著, 施鹏鹏、周婧译: “拉丁美洲的刑事诉讼程序改革——源自边缘国家法律思想的传播”, 载陈兴良主编, 《刑事法评论》第30卷, 北京: 北京大学出版社, 2012年版, 第255页 (published in China’s 30 *Criminal Law Review* 255 (2012), Peking University Press). [Full Text](#)
  - Plea Bargaining, in *Encyclopedia of Law and Society: American and Global Perspectives* (edited by David S. Clark, Sage Publications, 2007).
  - Rethinking Plea Bargaining: The Practice and Reform of Prosecutorial Adjudication in American Criminal Procedure, 33 *American Journal of Criminal Law* 223 (2006). [Full Text](#)
  - The Rise of Managerial Judging in International Criminal Law, 53 *American Journal of Comparative Law* 835 (2005). Reprinted in *International Criminal Justice* 1 (edited by Ruth Wedgwood, The Hague Academy of International Law, forthcoming). [Full Text](#)
  - El Sistema del Tribunal Gerencial en el Tribunal Penal Internacional para la ex-Yugoslavia (The Managerial Judging System in the International Tribunal for the former Yugoslavia), in *Estudios sobre la Justicia Penal: Homenaje al Prof. Julio B.J. Maier* (edited by David Baigun, et al., Del Puerto, 2005).
  - From Legal Transplants to Legal Translations: The Globalization of Plea Bargaining and the Americanization Thesis in Criminal Procedure, 45 *Harvard International Law Journal* 1-64 (2004). [Full Text](#) | Translated to Chinese by Cheng Lei as 从法律移植到法律翻译: 辩诉交易的全球化和刑事诉讼的美国化 China Procuratorate Press (June 2005). English version reprinted in *World Plea Bargaining: Consensual Procedures and the Avoidance of the Full Criminal Trial* (edited by Stephen Thaman, 2010); and in *Classics in Comparative Law* (edited by Francesco Parisi, Tom Ginsburg & Pier Giuseppe Monateri, 2014). Translated to Portuguese by Ricardo Jacobsen Gloeckner as Dos Transplantes Jurdicos s Tradues Jurdicas: a Globalizao do Plea Bargaining e a Tese da Americanizao do Processo Penal, 2 *Delictae* (2017), available [here](#). Translated to Spanish by Lucas Tassara as De los transplantes legales a las traducciones legal: la globalizacin del plea bargaining y la tesis de la “americanizacin” en el proceso penal, 21 *Discusiones* 25 (2018) (with a special symposium on the article).
  - La Dicotoma Acusatorio Inquisitivo y la Importacin de Mecanismos Procesales de la Tradicin Jurdica Anglo-Sajona [The Adversarial-Inquisitorial Dichotomy and the Importation of Procedural Mechanisms from the Common Law Tradition], (edited by Julio Maier and Alberto Bovino). *Procedimiento Abreviado [Plea Bargaining]* Del Puerto 97-134 (2001). Reprinted in *Las Garantas Penales Y Procesales Penales. Enfoque Histrico-Comparado [Criminal Law And Criminal Procedure Protections. Historical And Comparative Perspectives]* 239 (edited by

Edmundo S. Hendler, 2001). [Article Link](#)

- El Principio In Dubio Pro Reo y su Control en Casación [The Beyond a Reasonable Doubt Standard and its Control by the Court of Appeals], 1998A *Nueva Doctrina Penal* 215 (1998-2001).
- Acusación y Sentencia [Indictment and Sentence] (with Julio Maier), 1996B *Nueva Doctrina Penal* 617 (1996).
- La Requisa Personal en la Jurisprudencia de la Cámara Nacional de Casación Penal [Personal Searches in the Precedents of the Argentine Court of Appeals], 1996A *Nueva Doctrina Penal* 229 (1996).
- Bosquejo para una Historia de la Historia [Sketch for a History of History] (with Hernán Charosky), 8 *No Hay Derecho* 16 (1992).
- Crítica Destructiva. Por un Nihilismo Criminológico (with Hernán Charosky), 7 *No Hay Derecho* 32 (1992).

### Reports

- ¿A quién y cómo se juzga en la Ciudad Autónoma de Buenos Aires? (2017) (Who and How Are Cases Adjudicated in the City of Buenos Aires?) (with Marcelo Bergman and Gustavo Fondevila), available at [http://celiv.untref.edu.ar/descargas/00-Informe\\_CELIV\\_2017\\_web.pdf](http://celiv.untref.edu.ar/descargas/00-Informe_CELIV_2017_web.pdf)
- ¿Cómo se juzga en el Estado de México? Una Radiografía de la operación del sistema de justicia penal acusatorio, (2016). (How Are Cases Adjudicated in the State of Mexico? An X-Ray of the Operation of the Adversarial Criminal Justice System, with Gustavo Fondevila, Marcelo Bergman, Carlos Vilalta y Alberto Mejía). [UCLA School of Law. Transnational Program on Criminal Justice.](#)

### Others

- Profesor de UCLA y procedimientos consensuados, *El Mercurio Legal* (June 23, 2019). Available here: <https://www.elmercurio.com/Legal/Noticias/Noticias-y-reportajes/2019/06/23/Profesor-de-UCLA-y-procedimientos-consensuados-Su-uso-facilita-y-disminuye-el-trabajo-ya-que-es-mucho-mas-facil-resolver-un-caso-que-llevarlo-a-juicio-oral-y-publico.aspx>
- Entrevista a Máximo Langer por Diego Zysman Quirós, 6 *Enfoques Penales* (May 2018). [Available here.](#)
- Forward, in *Victims' Rights in Flux: Criminal Justice Reform in Colombia* by Astrid Liliana Sánchez-Mejía, pp. vii-ix (2017).
- La justicia penal que tenemos: una radiografía (with Marcelo Bergman), *Clarín* (June 19, 2017).
- Entrevista a Máximo Langer: Pasado, Presente y Futuro del Derecho Penal Internacional (Interview of Máximo Langer: Past, Present and Future of International Criminal Law), in 4 *Latin American Journal of International Law* (2016). [Full Text](#)
- Interview of Mirjan Damaška, in *Crime, Procedure, and Evidence in a Comparative and International Context* (edited by John Jackson, Máximo Langer and Peter Tillers, Hart Publishing, 2008).
- Experiencias Comparadas II [Comparative Experiences II], in *Memorias. Foro Nacional "Reforma a las Funciones Judicial de la Fiscalía General de la Nación"*, (May, 2001). Printed version of the lecture given in the Universidad de los Andes, Bogota, Colombia
- Seguridad Ciudadana y Policía [Public Safety and the Police], 10 *No Hay Derecho* 12 (1993).
- Dependencia Política del Poder Judicial. Una Consecuencia de la Constitución [Political Dependence of the Judiciary: A Consequence of the Argentinean Constitution], en *Sentencia # 11* (1993).
- La Oscuridad de un Decreto a la Luz de la Constitución [The Darkness of a Decree under Constitutional Light] (with Carolina Fernández Blanco), 1 *Revista Jurídica Del Centro De Estudiantes De La Facultad De Derecho Y Ciencias Sociales* 16 (1992).
- Todo un ex-ministro. Reportaje a León Arslanián [A True Former Secretary. Interview of León Arslanián] (with Martín Abregú), 8 *No Hay Derecho* 6 (1992).
- ¿Original o Fotocopia? Estudiantes y Política [Original or Copy? Students and Politics] (with Hernán Charosky and Guillermo Jorge), 5 *No Hay Derecho* (1991).

### Honours and awards

- 2007 Hessel Yntema Prize by the American Society of Comparative Law

- 2012 Deák Prize by the American Society of International Law

#### Boards and Committees

- Served at the American Society of International Law
- Served at the UCLA Latin American Institute.
- Member of the American Law Institute
- Delegate, American Council of Learned Societies
- Associate Member, International Academy of Comparative

#### Editorial Boards

- *American Journal of Comparative Law.*
- *Criminal Law Forum*
- *American Society of Comparative Law Studies in Comparative Law of Cambridge University Press*
- Co-director of the Annual Comparative Law Work-in-Progress Workshop (co-sponsored by the American Society of Comparative Law) (2013-2017).