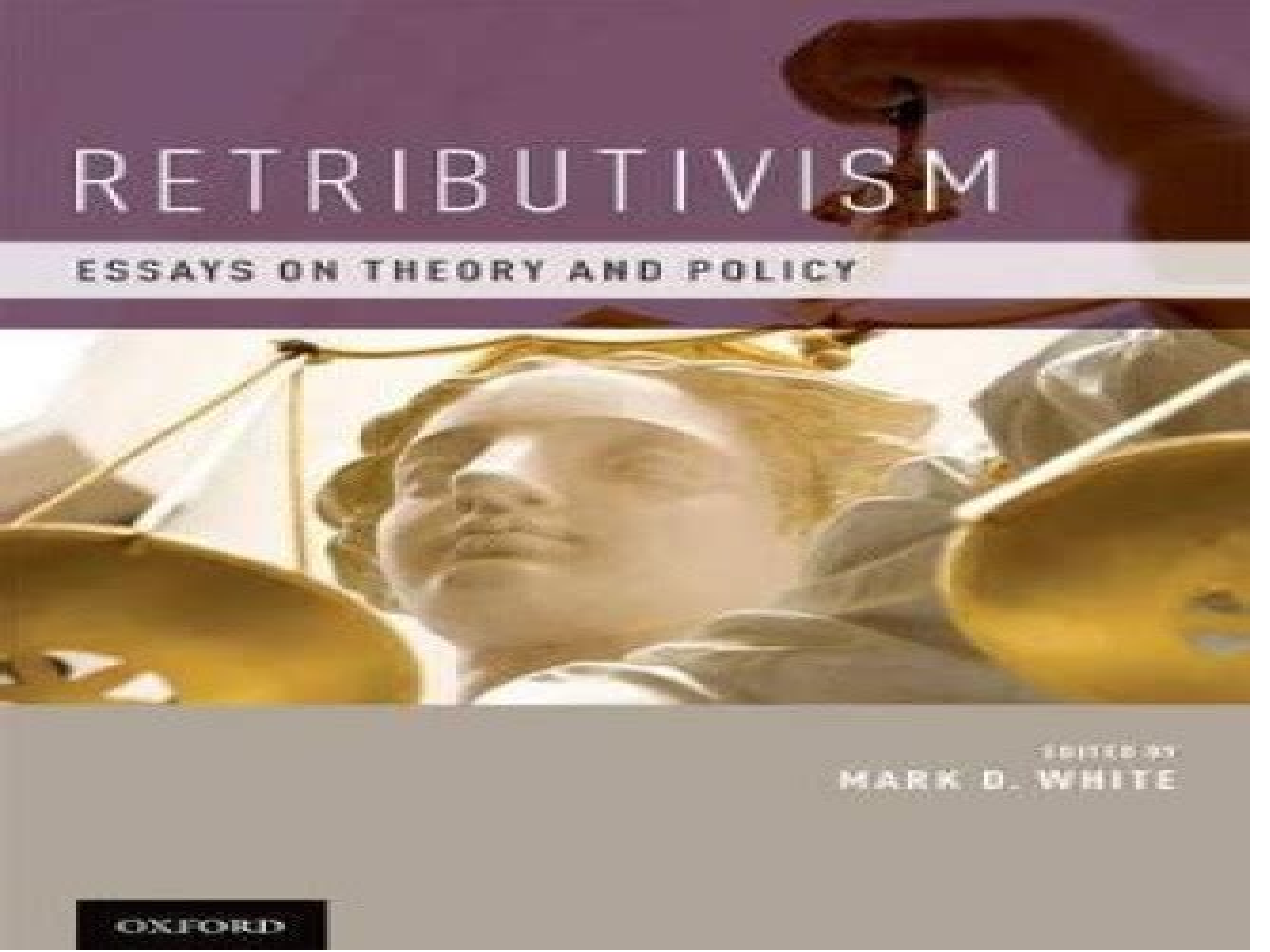


RETRIBUTIVISM



ESSAYS ON THEORY AND POLICY

EDITED BY
MARK D. WHITE

OXFORD

Retributivism Essays On Theory And Policy

**Jesper Ryberg, Julian V. Roberts, Jan
Willem de Keijser**



Retributivism Essays On Theory And Policy:

Retributivism Mark D. White, 2011-04-25 In *Retributivism Essays on Theory and Policy* Professor Mark D White and his contributors offer analysis and explanations of new developments in retributivism the philosophical account of punishment that holds that wrongdoers must be punished as a matter of right duty or justice rather than to serve some general social purpose The contemporary debate over retributivist punishment has become particularly vibrant in recent years focusing increasingly on its political and economic as well as its philosophical aspects and also on its practical ramifications in addition to theoretical implications The twelve chapters in this book written by leading legal scholars and philosophers cover the various justifications and conceptions of retributivism its philosophical foundations often questioning conventional understandings and how retributivism informs actual criminal justice procedures and practices *Legal and Ethical Retributivism* Halil Ceur, 2025-07-31 This book explores a foundational philosophical tension in contemporary retributivism revealing ambiguities in its approach to punishment between two conflicting conceptions of restoration legal justice and ethical love Through an analysis of the three parties involved in a crime the victim the offender and the state it argues that neo retributivism has not sufficiently incorporated the ethical face of punishment into its theoretical framework The pull of legal justice is often so strong that the voice of ethical love is silenced neo retributivism is at an impasse To navigate this the book engages with contemporary critical criminal justice scholarship introducing the ideal of loving justice while highlighting an unresolved tension between penal reformism and abolitionism The book will be of interest to academicians and researchers working in the areas of philosophy of punishment criminal law theory criminal justice restorative justice philosophy of law political philosophy and Hegel scholarship **Woede en vergeving** Martha Nussbaum, 2016-11-03 *Woede en vergeving* van Martha Nussbaum o a hoogleraar recht en ethiek aan de universiteit van Chicago is een pleidooi voor grootmoedigheid rechtvaardigheid en waarheid als alternatief voor woede wraak en verrassend genoeg vergeving Nussbaum betoogt dat de invoering van het rechtssysteem het mogelijk heeft gemaakt om ons door liefde en zorg te laten leiden Want f een voorval is zo misdadig dat we haar aan het recht overlaten of zij is triviaal en waarom zouden we in dat geval boos blijven en op wraak zinnen Ze ontleedt ook het begrip vergeving kritisch het is in de kern ego stisch en weinig behulpzaam De verongelijkte manoeuvreert zich in een moreel superieure positie waarbij hij zichzelf de macht toe eigent om al dan niet gratie te verlenen en zo triomfeert Nussbaum verkent in *Woede en vergeving* met behulp van een scala aan bronnen op doordringende wijze deze thema s in zowel de persoonlijke publieke als politieke sfeer **Sentencing Multiple Crimes** Jesper Ryberg, Julian V. Roberts, Jan Willem de Keijser, 2018 *Sentencing Multiple Crimes* confronts the practical and theoretical challenges for the criminal justice system when punishing multiple crime offenders including the proportionality of the crimes committed the temporal span between the crimes and the relationship between theories about the punitive treatment of recidivists and multiple offenders It provides a comprehensive examination of the dynamics involved with

sentencing multiple offenders from the perspective of several legal theories **The Oxford Handbook of the Philosophy of Punishment** Jesper Ryberg, 2024-11 *Anger and Forgiveness* Martha C. Nussbaum, 2016-04-01 In this wide ranging book Martha C Nussbaum one of our leading public intellectuals argues that anger is conceptually confused and normatively pernicious It assumes that the suffering of the wrongdoer restores the thing that was damaged and it betrays an all too lively interest in relative status and humiliation Studying anger in intimate relationships casual daily interactions the workplace the criminal justice system and movements for social transformation Nussbaum shows that anger's core ideas are both infantile and harmful The Oxford Handbook of Ethics and Economics Mark D. White, 2019-06-06 Economics and ethics are both valuable tools for analyzing the behavior and actions of human beings and institutions Adam Smith the father of modern economics considered them two sides of the same coin but since economics was formalized and mathematicised in the late 1800s and early 1900s the fields have largely followed separate paths The Oxford Handbook of Ethics and Economics provides a timely and thorough survey of the various ways ethics can do and should inform economic theory and practice The first part of the book Foundations explores how the most prominent schools of moral philosophy relate to economics asks how morals relevant to economic behavior may have evolved and explains how various approaches to economics incorporate ethics into their work The second part Applications looks at the ethics of commerce finance and markets uncovers the moral dilemmas involved with making decisions regarding social welfare risk and harm to others and explores how ethics is relevant to major topics within economics such as health care and the environment With esteemed contributors from economics and philosophy The Oxford Handbook of Ethics and Economics is a resource for scholars in both disciplines and those in related fields It highlights the close relationship between ethics and economics in the past while and lays a foundation for further integration going forward *Inferno* Robert A. Ferguson, 2014-03-03 Robert Ferguson diagnoses all parts of a massive out of control punishment regime Turning the spotlight on the plight of prisoners he asks the American people Do we want our prisons to be this way Acknowledging the suffering of prisoners and understanding what punishers do when they punish are the first steps toward a better more just system **Legal, Moral, and Metaphysical Truths** Kimberly Kessler Ferzan, Stephen J. Morse, 2016-04-14 Perhaps more than any other scholar Michael Moore has argued that there are deep and necessary connections between metaphysics morality and law Moore has developed every contour of a theory of criminal law from philosophy of action to a theory of causation Indeed not only is he the central figure in retributive punishment but his moral realist position places him at the center of many jurisprudential debates Comprised of essays by leading scholars this volume discusses and challenges the work of Michael Moore from one or more of the areas where he has made a lasting contribution namely law morality metaphysics psychiatry and neuroscience The volume begins with a riveting contribution by Heidi Hurd wherein she takes an unadorned and unabashed look at the man behind this monumental body of work full of both triumphs and sadness A number of essays focus on Moore's view of the purpose and justification of

the criminal law specifically his endorsement of retributivism and legal moralism The book then addresses Moore s work in the various aspects of the general part of the criminal law including Moore s position on how to understand criminal acts for double jeopardy purposes Moore s claim that accomplice liability is superfluous and Moore s views about the culpability of negligence as well as the relationship between that view and proximate causation Furthermore the subject of defenses in criminal law is addressed including self defense and also the intersection of psychiatry psychology cognitive neuroscience and the criminal law Also discussed are features of morality and Moore s work in general jurisprudence Finally Moore concludes the volume with an essay that defends and delineates the features of his views

Foundational Texts in Modern Criminal Law Markus D Dubber, 2014-08-21 *Foundational Texts in Modern Criminal Law* presents essays in which scholars from various countries and legal systems engage critically with formative texts in criminal legal thought since Hobbes It examines the emergence of a transnational canon of criminal law by documenting its intellectual and disciplinary history and provides a snapshot of contemporary work on criminal law within that historical and comparative context Criminal law discourse has become and will continue to become more international and comparative and in this sense global the long standing parochialism of criminal law scholarship and doctrine is giving way to a broad exploration of the foundations of modern criminal law The present book advances this promising scholarly and doctrinal project by making available key texts including several not previously available in English translation from the common law and civil law traditions accompanied by contributions from leading representatives of both systems

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