
Punishment And Responsibility Essays In The Philos

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The Future of Punishment

Free Will Skepticism in Law and Society

The Socio-economics of Crime and Justice

A Theory of Legal Punishment

Handbook on Prisons

The Insanity Defense
Moral Pluralism and the Complexity of Punishment
The Oxford Handbook of Practical Ethics
Liability and Responsibility
Punishment and Responsibility
Essays in Legal Philosophy
Retribution, Justice, And Therapy
Introduction to Political Theory
Punishment and Freedom
Punishment and Retribution
Encyclopedia of Ethics: P-W
The Oxford Handbook of the Philosophy of Punishment
Popular Punishment
An Essay on Crimes and Punishments

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Offences and Defences Oxford
University Press

First published in 1989, Punishment examines the practice of punishment, not simply as a typical sanction employed by the state but as a pervasive feature of social organisation in both past and contemporary societies. With depth and rigour, they consider penal practice in a

variety of historical and cultural contexts, such as the family, kinship and tribal groupings, small communities, educational institutions, the workplace and the commercial environment, criminal organisations, and the wider international community, as well as that of the state. In this way they widen the scope of the debate about the use of punishment as an instrument of human organisation, presenting different perspectives on the phenomenon of punishment and questioning the boundaries between different disciplines - juridical,

philosophical, sociological, psychological and historical - within which the subject has been considered in the past. This book will be of interest to students and teachers of history, sociology, criminology, law, philosophy and psychology.

Causation and Responsibility Cambridge
University Press

An examination of the responsibility individuals have for their actions and characters.

Punishment and Responsibility Univ of
California Press

Punishment, like all complex human

institutions, tends to change as ways of thinking go in and out of fashion. Normative, political, social, psychological, and legal ideas concerning punishment have changed drastically over time, and especially in recent decades. *Why Punish? How Much?* collects essays from classical philosophers and contemporary theorists to examine these shifts. Michael Tonry has gathered a comprehensive set of readings ranging from Kant, Hegel, and Bentham to recent writings on developments in the behavioral and medical sciences. Together they cover foundations of punishment theory such as consequentialism, retributivism, and functionalism, new approaches like restorative, communitarian, and therapeutic justice, and mixed approaches that attempt to link theory and policy. This volume includes an accessible introduction that chronicles the development of punishment systems and theorizing over the course of the last two centuries. *Why Punish? How Much?* provides a fresh and comprehensive approach to thinking about punishment and sentencing for a broad range of law, sociology, philosophy, and criminology courses.

The Role of Emotions in Criminal Law Defences Cambridge University Press
 This book on crime and justice is motivated primarily by the idea that individual behaviour is influenced both by self-interest and by conscience, or by a sense of community responsibility. Forst has assembled a collection of authors who are writing in four parts: (1) the philosophical foundations and the moral dimension of crime and punishment; (2) the sense of community and the way it influences the problem of crime; (3) on offenders and offences; and (4) on the response of the criminal justice system.
Negotiating Responsibility Springer
 This is a guide to contemporary thought on ethical issues in all areas of human activity - personal, medical, sexual, social, political, judicial, and international, from the natural world to the world of business.
Punishment Taylor & Francis
 For many years, Antony Duff has been one of the world's foremost philosophers of criminal law. This volume collects essays by leading criminal law theorists to explore the principal themes in his work. In a response to the essays, Duff clarifies and develops his position on central

problems in criminal law theory. Some of the essays concentrate on the topic of criminalization. That is, they examine what forms of conduct (including attempts, offensiveness, and negligence) can aptly qualify as criminal offences, and what principled limits, if any, should be placed on the reach of the criminal law. Several of the other essays assess the thesis that punishment is justifiable as a form of communication between offenders and their community. Those essays examine the presuppositions (about the nature and function of community, and about the moral structure of atonement) that must be embraced if communication is to be a primary role for punishment. The remaining essays examine the nature and limits of responsibility in the law, as they engage with philosophical debates over 'moral luck' by investigating the ways in which the law can legitimately hold people responsible for events that were not within their control. These chapters tie the first and third parts of the book together, as they explore the relationship between the principles that determine a person's responsibility and the principles that determine which types of actions can

appropriately be criminalized. Finally, Duff responds with comments that seek to defend and clarify his views while also acknowledging the correctness of some of the critics' objections.

On Guilt, Responsibility, and Punishment
OUP Oxford

A revised, expanded and updated edition with contributions by 325 renowned authorities in the field of ethics. All of the original articles have been newly peer-reviewed and revised, bibliographies have been updated throughout, and the overall design of the work has been enhanced for easier access to cross-references and other reference features.

Crime, Punishment, and Responsibility
Oxford University Press

This collection not only presents some of the most challenging work in legal philosophy, but it also demonstrates the interdisciplinary character of the field of philosophy of law, with contributors taking into account developments in economics, political science and rational choice theory.

Crime, Punishment, and Responsibility Bloomsbury Publishing
USA

This book argues for a mixed theory of legal punishment that treats both crime reduction and retribution as important aims of the state. A central question in the philosophy of law is why the state's punishment of its own citizens is justified. Traditionally, two theories of punishment have dominated the field: consequentialism and retributivism. According to consequentialism, punishment is justified when it maximizes positive outcomes. According to retributivism, criminals should be punished because they deserve it. This book recognizes the strength of both positions. According to the two-tiered model, the institution of punishment and statutory penalties, as set by the legislature, are justified based on their costs and benefits, in terms of deterrence and rehabilitation. The law exists to preserve the public order. Criminal courts, by contrast, determine who is punished and how much based on what offenders deserve. The courts express the community's collective sense of resentment at being wronged. This book supports the two-tiered model by showing that it accords with our moral intuitions,

commonly held (compatibilist) theories of freedom, and assumptions about how the extent of our knowledge affects our obligations. It engages classic and contemporary work in the philosophy of law and explains the theory's advantages over competing approaches from retributivists and other mixed theorists. The book also defends consequentialism against a longstanding objection that the social sciences give us little guidance regarding which policies to adopt. Drawing on recent criminological research, the two-tiered model can help us to address some of our most pressing social issues, including the death penalty, drug policy, and mass incarceration. This book will be of interest to philosophers, legal scholars, policymakers, and social scientists, especially criminologists, economists, and political scientists.

Blame and Punishment Oxford
Handbooks Online

This title is part of UC Press's Voices Revived program, which commemorates University of California Press's mission to seek out and cultivate the brightest minds and give them voice, reach, and impact. Drawing on a backlist dating to 1893,

Voices Revived makes high-quality, peer-reviewed scholarship accessible once again using print-on-demand technology. This title was originally published in 1984. The Palgrave Handbook on the Philosophy of Punishment Routledge

Discussions of punishment typically assume that punishment is criminal punishment carried out by the State. Punishment is, however, a richer phenomenon and it occurs in many contexts. This book contains a general account of punishment which overcomes the difficulties of competing accounts. Recognizing punishment's manifoldness is valuable not merely in contributing to conceptual clarity, but in that this recognition sheds light on the complicated problem of punishment's justification. Insofar as they narrowly presuppose that punishment is criminal punishment, most apparent solutions to the tension between consequentialism and retributivism are rather unenlightening if we attempt to apply them in other contexts. Moreover, this presupposition has given rise to an unwieldy variety of accounts of retributivism which are less helpful in contexts other than criminal punishment.

Treating punishment comprehensibly helps us to better understand how it differs from similar phenomena, and to carry on the discussion of its justification fruitfully.

Why Punish? How Much? Univ of California Press

The series, St Andrews Studies in Philosophy and Public Life originates in the Centre for Ethics, Philosophy and Public Affairs, University of St Andrews and is under the general editorship of John Haldane. The series includes monographs, collections of essays and occasional anthologies of source material representing study in those areas of philosophy most relevant to topics of public importance, with the aim of advancing the contribution of philosophy in the discussion of these topics. In this volume, the author sets aside the usual division between theories of punishment that do or do not focus on retribution. In its place he proposes and explores the distinction between internalist and externalist theories. The final chapter discusses the deterrent value of punishment.

Objectivity in Law and Legal Reasoning

Cambridge University Press

Should public opinion determine--or even influence--sentencing policy and practice? Should the punishment of criminal offenders reflect what the public regards as appropriate? These deceptively simple questions conceal complex theoretical and methodological challenges to the administration of punishment. In the West, politicians have often answered these questions in the affirmative; penal reforms have been justified with direct reference to the attitudes of the public. This is why the contention that politicians should bridge the gap between the public and criminal justice practice has widespread resonance. Criminal law scholars, for their part, have often been more reluctant to accept public input in penal practice, and some have even held that the idea of consulting public opinion constitutes a populist approach to punishment. The purpose of this book is to examine the moral significance of public opinion for penal theory and practice. For the first time in a single volume the editors, Jesper Ryberg and Julian V. Roberts, have assembled a number of respected criminologists, philosophers, and legal theorists to

address the various aspects of why and how public opinion should be reflected in the way the criminal justice system deals with criminals. The chapters address the myriad complexities surrounding this issue by first weighing the justifications for incorporating public views into punishment practices and then considering the various ways this might be achieved through juries, prosecutors, restorative justice programs, and other means.

Punishment And Culture Cambridge University Press

For many years, Antony Duff has been one of the world's foremost philosophers of criminal law. This volume collects essays by leading criminal law theorists to explore the principal themes in his work. In a response to the essays, Duff clarifies and develops his position on central problems in criminal law theory. Some of the essays concentrate on the topic of criminalization. That is, they examine what forms of conduct (including attempts, offensiveness, and negligence) can aptly qualify as criminal offences, and what principled limits, if any, should be placed on the reach of the criminal law. Several of the other essays assess the thesis that

punishment is justifiable as a form of communication between offenders and their community. Those essays examine the presuppositions (about the nature and function of community, and about the moral structure of atonement) that must be embraced if communication is to be a primary role for punishment. The remaining essays examine the nature and limits of responsibility in the law, as they engage with philosophical debates over 'moral luck' by investigating the ways in which the law can legitimately hold people responsible for events that were not within their control. These chapters tie the first and third parts of the book together, as they explore the relationship between the principles that determine a person's responsibility and the principles that determine which types of actions can appropriately be criminalized. Finally, Duff responds with comments that seek to defend and clarify his views while also acknowledging the correctness of some of the critics' objections.

Responsibility, Character, and the Emotions Palgrave Macmillan

A selection of some of the author's best-known and most provocative writings on

criminal law. Although it discusses the legitimacy of criminal punishment, it proceeds on the footing that the criminal law does many important things apart from punishing people.

Punishment Oxford University Press, USA

This classic collection of essays, first published in 1968, has had an enduring impact on academic and public debates about criminal responsibility and criminal punishment. Forty years on, its arguments are as powerful as ever. H.L.A. Hart offers an alternative to retributive thinking about criminal punishment that nevertheless preserves the central distinction between guilt and innocence. He also provides an account of criminal responsibility that links the distinction between guilt and innocence closely to the ideal of the rule of law, and thereby attempts to by-pass unnerving debates about free will and determinism. Always engaged with live issues of law and public policy, Hart makes difficult philosophical puzzles accessible and immediate to a wide range of readers. For this new edition, otherwise a reproduction of the original, John Gardner adds an introduction engaging critically with Hart's arguments, and explaining the

continuing importance of Hart's ideas in spite of the intervening revival of retributive thinking in both academic and policy circles. Unavailable for ten years, the new edition of *Punishment and Responsibility* makes available again the central text in the field for a new generation of academics, students and professionals engaged in criminal justice and penal policy.

Hart on Responsibility Routledge

The law has struggled for many years with the problem of how to accommodate those who commit crimes due to threats or circumstances. The modern ambivalence surrounding the defences of duress and necessity has its origins in the legal past. To date the defences of duress and necessity have been couched in terms such as compulsion, involuntariness and human frailty, resulting in the true nature of the defences being hidden.

Psychologists and legal theorists have begun to re-examine the role of emotions in human action, including their effect upon behaviour and choice. In light of recent breakthroughs, Eimear Spain considers how the emotions experienced by those who act due to threats, both

human and natural in origin, should affect the attribution of criminal responsibility and punishment. The understanding of emotions extrapolated in this book points towards a new rationale for the existing defences of duress and necessity.

The Philosophy of Punishment Univ of California Press

In the aftermath of the financial crisis of 2008, Western societies entered a climate of austerity which has limited the penal expansion experienced in the US, UK and elsewhere over recent decades. These altered conditions have led to introspection and new thinking on punishment even among those on the political right who were previously champions of the punitive turn. This volume brings together a group of international leading scholars with a shared interest in using this opportunity to encourage new avenues of reform in the penal sphere. Justice is a famously contested concept and this book takes a deliberately capacious approach to the question of how justice can be mobilised to inform new reform agendas. Some of the contributors revisit an antique question in penal theory and reconsider

the question of what fair or just punishment should look like today. Others seek to make gender central to understanding of crime and punishment, or actively reflect on the part that related concepts such as human rights, legitimacy and trust can and should play in thinking about the creation of more just crime control arrangements. Faced with the expansive penal developments of recent decades, much research and commentary about crime control has been gloom-laden and dystopian. By contrast, this volume seeks to contribute to a more constructive sensibility in the social analysis of penalty: one that is worldly, hopeful and actively engaged in thinking about how to create more just penal arrangements. *Justice and Penal Reform* is a key resource for academics and as a supplementary text for students undertaking courses on punishment, penology, prisons, criminal justice and public policy. This book approaches penal reform from an international perspective and offers a fresh and diverse approach within an established field.

Happiness, Justice, and Freedom The Lawbook Exchange, Ltd.

A collection of essays discussing Herbert Hart's writings on responsibility. The essays focus upon Hart's work on causation in the law and on the justification of punishment. Specific topics discussed include senses of

'responsibility', voluntariness, Mill's harm principle, mens rea, excuses, the Hart-Wootton debate, and negligence. *Justice and Penal Reform* Routledge Punishment and Freedom offers a fresh look at classical rabbinic texts about criminal law from the perspective of legal

and moral philosophy, arguing that the Rabbis constructed an extreme positivist view of law that is based in divine command and that is related to the rabbinic notion of human freedom and responsibility.