PHILOSOPHY OF PUNISHMENT

How a society decides to punish may vary depending on its culture. Many views of punishment can exist in a culture:

- "Eye for an Eye"—equal retribution for a wrong.
- "Just Desserts"—appropriate punishment to occur sometime in the future. This may include the offender being assaulted or killed while in jail/prison.
- "Lock the door and throw away the key"—a conservative view that sees the need to be "tough on crime."
- "Rehab for everyone"—a liberal view that wants to reform the system to better address the needs of the
 offender and society.
- "The offender is also a victim"—a radical point of view which considers the offender as a victim, product of a bad environment.
- "the officer is the punishment" the US Supreme court has ruled the "separation from society" is the
 punishment, not the officer or the system.

All of these beliefs currently exist in the criminal justice system and are often in conflict with each other.

Philosophy Of Punishment

J.G. Murphy

Philosophy Of Punishment:

Why Punish? Rob Canton, 2017-09-16 Why do we punish Is it because only punishment can achieve justice for victims and right the wrong of a crime Or is it justified because it reduces crime by deterring potential offenders offering rehabilitative treatment to others and incapacitating the most dangerous. The complex answers to this enduring question vary across time and place and are directly linked to people s personal cultural social religious and ethical commitments and even their sense of identity. This unique introduction to the philosophy of punishment provides a systematic analysis of the themes of retribution deterrence rehabilitation incapacitation and restorative justice. Integrating philosophical sociological political and ethical perspectives it provides a thorough and wide ranging discussion of the purposes meanings and justifications of punishment for crime and the extent to which punishment does could or should live up to what it claims to achieve Why Punish challenges criminology and criminal justice students as well as policy makers judges magistrates and criminal justice practitioners to think more critically about the role of punishment and the moral principles that underpin it Bridging abstract theory with the realities of practice Rob Canton asks what better punishment would look like and how it can be achieved

The Philosophy of Punishment Harry Burrows Acton, 1969 The Philosophy of Punishment Anthony Ellis, 2012-05-30 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 **Punishment** Terance D. Miethe, Hong Lu, 2005 This 2005 book examines punishment in different forms including corporal and economic punishment *Against Capital Punishment* Benjamin Schertz Yost, 2019 Against Capital Punishment develops an innovative argument against the death penalty that sidesteps questions about the morality of execution itself Yost argues that the irrevocability of the death penalty calls for its abolition In so doing he explores the extent of legal institutions responsibility to remedy their mistakes and solves the problems that sabotage other versions of procedural abolitionism The Ethics of Proportionate Punishment Jesper Ryberg, 2007-11-10 The philosophical discussion of state punishment is well on in years In contrast with a large number of ethical problems which are concerned with right and wrong in relation to a narrowly specified area of human life and practice and which hav at least since the early 70 s been regarded as a legitimate part of philosophical thinking constituting the area of applied ethics reflections on punishment can be traced much further back in the history of western philosophy This is not surprising That the stately mandated infliction of death suffering or deprivation on citizens should be met with

hesitation from which ethical reflections may depar seems obvious Such a practice certainly calls for some persuasive justification It is therefore natural that reflective minds have for a long time devoted attention to punishment and that the question of how a penal system can be justified has constituted the central question in philosophical discussion Though it would certainly be an exaggeration to claim that the justification question is the only aspect of punishment with which philosophers have been concerned there has in most periods been a clear tendency to regard this as the cardinal issue Comparatively much less attention has been devoted to the more precise questions of how and how much criminals should be Punishment A. John punished for their respective wrong doings This may of course be due to several reasons Simmons, Marshall Cohen, Joshua Cohen, Charles R. Beitz, 2022-02-08 The problem of justifying legal punishment has been at the heart of legal and social philosophy from the very earliest recorded philosophical texts However despite several hundred years of debate philosophers have not reached agreement about how legal punishment can be morally justified That is the central issue addressed by the contributors to this volume All of the essays collected here have been published in the highly respected journal Philosophy Public Affairs Taken together they offer not only significant proposals for improving established theories of punishment and compelling arguments against long held positions but also ori ginal and important answers to the question How is punishment to be justified Part I of this collection Justifications of Punishment examines how any practice of punishment can be morally justified Contributors include Jeffrie G Murphy Alan H Goldman Warren Quinn C S Nino and Jean Hampton The papers in Part II Problems of Punishment address more specific issues arising in established theories The authors are Martha C Nussbaum Michael Davis and A John Simmons In the final section Capital Punishment contributors discuss the justifiability of capital punishment one of the most debated philosophical topics of this century Essayists include David A Conway Jeffrey H Reiman Stephen Nathanson and Ernest van den Haag The Philosophy of Punishment H. B. Acton, 1973 **Justifying Legal Punishment** Igor Primoratz, 1997-11 While the philosophy of punishment is dominated by utilitarian and mixed theories this study written in the analytic tradition but also drawing on the views of Hegel argues for a purely retributive view all the main questions facing a theory of punishment are answered in terms of justice and desert without any concessions to social expediency The Philosophy of Punishment and the History of Political Thought Peter Karl Koritansky, 2011-12-30 Conveniently divided into three sections the book explores pagan and Christian pre modern thought early modern thought culminating in chapters on Kant and classic Utilitarianism and postmodern thought as exemplified in the theories of Nietzsche and Foucault In all the essays probe the work of Plato Saint Augustine Saint Thomas Aquinas Thomas Hobbes Immanuel Kant Cesere Beccaria Jeremy Bentham John Stuart Mill Friedrich Nietzsche and Michel Foucault Philosophical Perspectives on Punishment, Second Edition Gertrude Ezorsky, 2015-11-20 Bringing together classic and contemporary texts this collection considers general philosophical concepts about and justifications for punishment along with particular issues such as the death penalty and possible alternatives to punishment New to the second

edition are sections on prison labor solitary confinement and issues relating to the punishment of people of color women and the poor Drawing from philosophy law literature and activism Gertrude Ezorsky provides a comprehensive and up to date account of the philosophical issues underlying and growing out of punishment *Plato on Punishment Mary Margaret* Mackenzie, 1981-01-01 The Morality of Punishment (Routledge Revivals) Alfred C Ewing, 2013-02-01 First published in 1929 this book explores the crucial ethical question of the objects and the justification of punishment Dr A C Ewing considers both the retributive theory and the deterrent theory on the subject whilst remaining commendably unprejudiced The book examines the views which emphasize the reformation of the offender and the education of the community as objects of punishment It also deals with a theory of reward as a compliment to a theory of punishment Dr Ewing's treatment of the topics is philosophical yet he takes in to account the practical considerations that should determine the nature and the amount of the punishment to be inflicted in different types of cases This book will be of great interest to students of philosophy teachers and those who are interested in the concrete problems of punishment by the state It is an original contribution to the study of a subject of great theoretical and practical importance Retribution, Justice, And Therapy J.G. Murphy,1979-07-31 One might legitimately ask what reasons other than vanity could prompt an author to issue a collection of his previously published essays The best reason I think is the belief that the essays hang together in such a way that as a book they produce a whole which is in a sense greater than the sum of its parts When this happens as I hope it does in the present case it is because the essays pursue related themes in such a way that together they at least form a start toward the development of a systematic theory on the common foundations supporting the particular claims in the particular articles With respect to this collection the essays can all be read as particular ways of pursuing the following general pattern of thought that a commitment to justice and a respect for rights and not social utility must be the foundation of any morally acceptable legal order that a social contractarian model is the best way to illuminate this foundation that a retributive theory of punish ment is the only theory of punishment resting on such a foundation and thus is the only morally acceptable theory of punishment that the twentieth century s faddish movement toward a scientific or therapeutic response to crime runs grave risks of undermining the foundations of justice and rights on which the legal order ought to rest and finally that the legitimate worry about the tendency of the behavioral sciences to undermine the values of Punishment and Responsibility H.L.A. Hart, 2008-03-06 This collection of essays represents H L A Hart's landmark contribution to the philosophy of criminal responsibility and punishment This edition reproduces the original text adding a new critical introduction by John Gardner a leading contemporary criminal law theorist Islamic Philosophy of Punishments Muḥammad Ṭāhirulgādrī,1999 Prisons Joycelyn M. Pollock, 1997 Thoroughly updated and revised Prisons Today and Tomorrow Second Edition offers a balanced and comprehensive examination of prisons and prisoners Through the use of current case studies and research this text examines the many purposes of prisons punishment deterrence rehabilitation and incapacitation as well as controversial issues such as

whether these purposes are actually met Through its engaging approach and realistic style this book highlights the most pressing obstacles found in the modern prison system and thereby probes students to consider the realities of prison life and its effects on individuals Featuring chapters contributed by leading authorities in the field this book is a must read for any student planning to enter the fields of criminal justice and corrections **Punishment and the History of Political Philosophy** Arthur Shuster, 2016-01-01 In Punishment and the History of Political Philosophy Arthur Shuster offers an insightful study of punishment in the works of Plato Hobbes Montesquieu Beccaria Kant and Foucault **Present, and Future of American Criminal Justice** Brendan Maguire, Polly F. Radosh, 1996 Today's criminal justice system is the product of adjustments and reappraisals of policies and practices of the past The Past Present and Future of American Criminal Justice highlights how criminal justice has changed and how it continues to change Punishment and Desert J. Kleinig, 2012-12-06 Superficial acquaintance with the literature on punishment leaves a fairly definite impression There are two approaches to punishment retributive and utilitarian and while some attempts may be made to reconcile them it is the former rather than the latter which requires the reconciliation Taken by itself the retributive approach is primitive and unenlightened falling short of the rational civilized humanitarian values which we have now acquired Certainly this is the dominant impression left by popular discussions of the SUbject And retributive vs utilitarian seems to be the mould in which most philosophical dis cussions are cast The issues are far more complex than this Punishment may be con sidered in a great variety of contexts legal educational parental theological informal etc and in each of these contexts several im portant moral questions arise Approaches which see only a simple choice between retributivism and utilitarianism tend to obscure this variety and plurality But even more seriously the distinction between retributivism and utilitarianism is far from clear That it reflects the traditional distinction between deontological and teleological ap proaches to ethics serves to transfer rather than to resolve the un clarity Usually it is said that retributive approaches seek to justify acts by reference to features which are intrinsic to them whereas utilitarian approaches appeal to the consequences of such acts This however makes assumptions about the individuation of acts which are difficult to justify

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Table of Contents Philosophy Of Punishment

- 1. Understanding the eBook Philosophy Of Punishment
 - The Rise of Digital Reading Philosophy Of Punishment
 - Advantages of eBooks Over Traditional Books
- 2. Identifying Philosophy Of Punishment
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
- 3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Philosophy Of Punishment
 - User-Friendly Interface
- 4. Exploring eBook Recommendations from Philosophy Of Punishment
 - Personalized Recommendations
 - Philosophy Of Punishment User Reviews and Ratings
 - Philosophy Of Punishment and Bestseller Lists
- 5. Accessing Philosophy Of Punishment Free and Paid eBooks
 - Philosophy Of Punishment Public Domain eBooks
 - Philosophy Of Punishment eBook Subscription Services

- Philosophy Of Punishment Budget-Friendly Options
- 6. Navigating Philosophy Of Punishment eBook Formats
 - ∘ ePub, PDF, MOBI, and More
 - Philosophy Of Punishment Compatibility with Devices
 - Philosophy Of Punishment Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Philosophy Of Punishment
 - Highlighting and Note-Taking Philosophy Of Punishment
 - Interactive Elements Philosophy Of Punishment
- 8. Staying Engaged with Philosophy Of Punishment
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Philosophy Of Punishment
- 9. Balancing eBooks and Physical Books Philosophy Of Punishment
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Philosophy Of Punishment
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Philosophy Of Punishment
 - Setting Reading Goals Philosophy Of Punishment
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Philosophy Of Punishment
 - Fact-Checking eBook Content of Philosophy Of Punishment
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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