

# Not Just Deserts: A Republican Theory of Criminal Justice

Braithwaite, John

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# Not Just Deserts A Republican Theory Of Criminal Justice

**Francis T. Cullen, Pamela Wilcox**



## **Not Just Deserts A Republican Theory Of Criminal Justice:**

Not Just Deserts John Braithwaite, Philip Pettit, 1990 Arguing for a radical shift in the research agenda of criminology this monograph offers a comprehensive theory of criminal justice which draws on a philosophical view of the good and the right and which points the way to practical intervention in the real world of incremental reform Not Just Deserts John Braithwaite, 1990 **From Social Justice to Criminal Justice** William C. Heffernan, John Kleinig, 2000-04-20 The economically deprived come into contact with the criminal court system in disproportionate number This collection of original interactive essays written from a variety of ideological perspectives explores some of the more troubling questions and ethical dilemmas inherent in this situation The contributors including well known legal and political philosophers Philip Pettit George Fletcher and Jeremy Waldron examine issues such as heightened vulnerability indigent representation and rotten social background defenses *Legal Republicanism* Samantha Besson, José Luis Martí, 2009-03-26 Interest in republicanism as a political theory has burgeoned in recent years but its implications for the understanding of law have remained largely unexplored Legal Republicanism is the first book to offer a comprehensive critical survey of the potential for creating republican accounts of fundamental issues in law and legal theory Bringing together contributors with backgrounds in political and legal philosophy the essays in the volume assess republicanism's historical traditions conceptual coherence and normative proposals The collection offers a valuable insight into new debates taking place in republican political and legal theory It also analyses potential republican approaches to concrete issues arising in areas of law such as criminal constitutional and international law Finally the book includes comparisons between republican legal traditions and how they react to contemporary challenges The book will be of value to political and democratic theorists to legal philosophers and constitutional theorists and all those interested in the legitimacy of decision making in national and international settings *Philip Pettit: Five Themes from his Work* Simon Derpmann, David P. Schweikard, 2015-12-11 This volume documents the 16th Münster Lectures in Philosophy and examines five themes that are prominent in the work of philosopher and political theorist Philip Pettit These themes are Epistemology and Semantics Philosophy of Mind Consequentialism Group Agency and Republicanism The book provides insight into Pettit's work and demonstrates the central role his work plays in a number of contemporary philosophical debates Pettit's contributions to the philosophy of mind and action rational choice theory the philosophy of the social sciences as well as metaethics normative ethics and political philosophy are main points of reference and have advanced ongoing and initiated new discussions The book shows that a striking feature of Pettit's work has been the depth of his analyses and arguments regarding individual topics ranging from rule following to free will from group agency to social ontology and the methodology of the social sciences from a defense of consequentialism to the revival of the republican tradition in the theory of democracy and to value theory but also their systematic overall coherence The book contains Pettit's lecture Freedom and Other Robustly Demanding Goods nine

critical papers on Pettit's philosophy and a reply article entitled Self Defense on Five Fronts A Reply to My Commentators

**Republicanism and Political Theory** Cecile Laborde, John Maynor, 2009-02-04 Republicanism and Political Theory is the first book to offer a comprehensive and critical survey of republican political theory. Critically assesses its historical credentials, conceptual coherence and normative proposals. Brings together original contributions from leading international scholars in an interactive way. Provides the reader with valuable insight into new debates taking place in republican political theory.

**The Killing State** Austin Sarat, 2001-05-24 Over 7 000 people have been legally executed in the United States this century and over 3 000 men and women now sit on death rows across the country awaiting the same fate. Since the Supreme Court temporarily halted capital punishment in 1972 the death penalty has returned with a vengeance. Today there appears to be a widespread public consensus in favor of capital punishment and considerable political momentum to ensure that those sentenced to death are actually executed. Yet the death penalty remains troubling and controversial for many people. *The Killing State: Capital Punishment in Law, Politics and Culture* explores what it means when the state kills and what it means for citizens to live in a killing state, helping us understand why America clings tenaciously to a punishment that has been abandoned by every other industrialized democracy. Edited by a leading figure in socio-legal studies, this book brings together the work of ten scholars, including recognized experts on the death penalty and noted scholars writing about it for the first time. Focused more on theory than on advocacy, these bracing essays open up new questions for scholars and citizens: What is the relationship of the death penalty to the maintenance of political sovereignty? In what ways does the death penalty resemble and enable other forms of law's violence? How is capital punishment portrayed in popular culture? How does capital punishment express the new politics of crime? organize positions in the culture war and affect the structure of American values. This book is a timely examination of a vitally important topic: the impact of state killing on our law, our politics and our cultural life.

**Protecting Human Rights** Tom Campbell, Jeffrey Denys Goldsworthy, Adrienne Sarah Ackary Stone, 2003 Conceptual boundaries and functions of human rights.

**Criminal Punishment and Restorative Justice** David J. Cornwell, 2006-02-01 In *Criminal Punishment and Restorative Justice* author David J. Cornwell draws on bedrock issues in contemporary criminology and penology in order to contrast punitive and restorative responses to crime. He then looks at the forces that serve to constrain more emphatic adoption of restorative methods and against a backdrop of increasing worldwide reliance on custody, tough solutions and punitive thinking examines the claims of restorative justice to mainstream adoption by governments. The book also provides an international perspective on the needs of victims and offenders alike and assesses how the worldwide trend towards punitive methods can be reversed by challenging offenders to take responsibility for their offences and to make practical reparation for the harm that they have caused. Such developments, the author argues, would serve to make corrections more effective: civilised, humane, pragmatic, non-fanciful and less driven by the often ill-considered politics of the moment.

*The Handbook of the History and Philosophy of Criminology* Ruth Ann

Triplett,2018-01-04 Featuring contributions by distinguished scholars from ten countries The Wiley Handbook of the History and Philosophy of Criminology provides students scholars and criminologists with a truly a global perspective on the theory and practice of criminology throughout the centuries and around the world In addition to chapters devoted to the key ideas thinkers and moments in the intellectual and philosophical history of criminology it features in depth coverage of the organizational structure of criminology as an academic discipline world wide The first section focuses on key ideas that have shaped the field in the past are shaping it in the present and are likely to influence its evolution in the foreseeable future Beginning with early precursors to criminology s emergence as a unique discipline the authors trace the evolution of the field from the pioneering work of 17th century Italian jurist philosopher Cesare Beccaria up through the latest sociological and biosocial trends In the second section authors address the structure of criminology as an academic discipline in countries around the globe including in North America South America Europe East Asia and Australia With contributions by leading thinkers whose work has been instrumental in the development of criminology and emerging voices on the cutting edge The Wiley Handbook of the History and Philosophy of Criminology provides valuable insights in the latest research trends in the field world wide the ideal reference for criminologists as well as those studying in the field and related social science and humanities disciplines

*Sentencing in International Criminal Law* Silvia D'Ascoli,2011-04-01 This book deals with sentencing in international criminal law focusing on the approach of the UN ad hoc Tribunals for the former Yugoslavia ICTY and Rwanda ICTR In contrast to sentencing in domestic jurisdictions and in spite of its growing importance sentencing law is a part of international criminal law that is still under construction and is unregulated in many aspects International sentencing law and practice is not yet defined by exact norms and principles and as yet there is no body of international principles concerning the determination of sentence notwithstanding the huge volume of sentencing research and the extensive modern debate about sentencing principles Moreover international judges receive very little guidance in sentencing matters this contributes to inconsistencies and may increase the risk that similar cases will be sentenced in different ways One purpose of this book is to investigate and evaluate the process of international sentencing especially as interpreted by the ICTY and the ICTR and to suggest a more comprehensive and coherent system of guiding principles which will foster the development of a law of sentencing for international criminal justice The book discusses the law and jurisprudence of the ad hoc Tribunals and also presents an empirical analysis of influential factors and other data from ICTY and ICTR sentencing practice thus offering quantitative support for the doctrinal analysis This publication is one of the first to be entirely devoted to the process of sentencing in international criminal justice The book will thus be of great interest to practitioners academics and students of the subject

#### **The Social and Political Philosophy of Mary Wollstonecraft**

Sandrine Bergès,Alan Coffee,2016-11-10 Interest in the contribution made by women to the history of philosophy is burgeoning Intense research is underway to recover their works which have been lost or overlooked At the forefront of this

revival is Mary Wollstonecraft. While she has long been studied by feminists and later discovered by political scientists, philosophers themselves have only recently begun to recognise the value of her work for their discipline. This volume brings together new essays from leading scholars which explore Wollstonecraft's range as a moral and political philosopher of note, both taking a historical perspective and applying her thinking to current academic debates. Subjects include Wollstonecraft's ideas on love and respect, friendship and marriage, motherhood, property in the person and virtue and the emotions, as well as the application her thought has for current thinking on relational autonomy and animal and children's rights. A major theme within the book places her within the republican tradition of political theory and analyses the contribution she makes to its conceptual resources.

Structural Injustice and the Law Virginia Mantouvalou, Jonathan Wolff, 2024-10-15. In developing her conception of structural injustice, Iris Marion Young made a strict distinction between large-scale collective injustice that results from the normal functions of a society and the more familiar concepts of individual wrong and deliberate state repression. Her ideas have attracted considerable attention in political philosophy, but legal theorists have been slower to consider the relation between structural injustice and legal analysis. While some forms of vulnerability to structural injustice can be the unintended consequences of legal rules, the law also has potential instruments to alleviate some forms of structural injustice. *Structural Injustice and the Law* presents theoretical approaches and concrete examples to show how the concept of structural injustice can aid legal analysis and how legal reform can in practice reduce or even eliminate some forms of structural injustice. A group of outstanding law and political philosophy scholars discuss a comprehensive range of interdisciplinary topics, including the notion of domination, equality and human rights, law, legal status, sweatshop labour, labour law, criminal justice, domestic homicide, reviews, begging, homelessness, regulatory public bodies and the films of Ken Loach. Drawn together, they build an invaluable resource for legal theorists exploring how to make use of the concept of structural injustice and for political philosophers looking for a nuanced account of the law's role both in creating and mitigating structural injustice.

*Rethinking Liberty before Liberalism* Hannah Dawson, Annelien de Dijn, 2022-02-03. Reflects on histories of freedom and republicanism through a major new reappraisal of Quentin Skinner's *Liberty before Liberalism*.

Privacy in the Republic Andrew Roberts, 2022-07-12. This book rethinks the idea of privacy. It argues that a satisfactory account of privacy should not limit itself to identifying why privacy might be valuable. It also needs to attend to the further question of how it can be secured in those circumstances in which it proves to be valuable. Drawing on republican ideas about the relationship between freedom and self-government, the book asserts that privacy is valuable because it enables us to lead non-dominated lives. It prevents others from acquiring power to interfere in our choices, to remove options that would otherwise be available to us and to manipulate our decision-making. It further examines the means through which citizens might exercise effective control over decisions and actions that affect their privacy and proposes a democratic theory of privacy. With the emergence of the surveillance state, this volume will be indispensable for scholars, students and

researchers in political theory political philosophy law and human and civil rights It will be of particular interest to policymakers lawyers and human rights activists

**The Oxford Handbook of the Australian Constitution** Cheryl Saunders, Adrienne Stone, 2018 Providing an interdisciplinary overview of Australian constitutional law and practice this Handbook situates the development of the constitutional system in its proper context It also examines recurrent themes and tensions in Australian constitutional law and points the way for future developments

**Pharmaceuticals, Corporate Crime and Public Health** Graham Dukes, John Braithwaite, J P Moloney, 2014-06-27 The pharmaceutical industry exists to serve the community but over the years it has engaged massively in corporate crime with the public footing the bill This readable study by experts in medicine law criminology and public health documents the pr

**Republicanism** Fabrizio Ricciardelli, Marcello Fantoni, 2020-04-24T16:26:00+02:00 We live in a world in which almost all states purport to be republican Very few adhere to the Ciceronian concept of res publica understood as that which belongs to the popolo respublica respopuli and which has the observance of the law and the commonality of interests as its foundation The concept of republicanism is traditionally connected to the principle that true political freedom consists of not being subject to the arbitrary will of any man or group of men and it requires equality of civil and political rights Republicanism has attracted scholars who aim to develop insights from the classical republican tradition into an attractive political doctrine suitable for modern pluralistic societies The volume examines republicanism from an historical and theoretical perspective after many years of scholarly investigation and debate

**Regulation, Crime and Freedom** John Braithwaite, 2020-09-10 This title was first published in 2000 John Braithwaite is a distinguished criminologist with an international reputation in the study of regulation and globalization This collection contains his most important and influential essays in criminal justice and business regulation It has a substantial introduction explaining the thematization of his work around the design of regulatory systems to maximize freedoms as non domination

[Encyclopedia of Criminological Theory](#) Francis T. Cullen, Pamela Wilcox, 2010-09-23 Consistently excellent The level and coverage of the content make this an invaluable reference for students studying criminology or taking criminal psychology modules at degree level and beyond Adam Tocock Reference Reviews In discussing a criminology topic lecturers and course textbooks often toss out names of theorists or make a sideways reference to a particular theory and move on as if assuming their student audience possesses the necessary background to appreciate and integrate the reference However university reference librarians can tell you this is often far from the case Students often approach them seeking a source to provide a quick overview of a particular theory or theorist with just the basics the who what where how and why if you will And reference librarians often find it difficult to guide these students to a quick one stop source In response SAGE Reference is publishing the two volume Encyclopedia of Criminological Theory available in both print and electronic formats This serves as a reference source for anyone interested in the roots of contemporary criminological theory Drawing together a team of international scholars it examines the global landscape of all

the key theories and the theorists behind them presenting them in the context needed to understand their strengths and weaknesses In addition to interpretations of long established theories it also offers essays on cutting edge research as one might find in a handbook And like an unabridged dictionary it provides concise to the point definitions of key concepts ideas schools and figures Coverage will include contexts and concepts in criminological theory the social construction of crime policy implications of theory diversity and intercultural contexts conflict theory rational choice theories conservative criminology feminist theory



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