

RETRIBUTION

*EVIL FOR EVIL IN
ETHICS, LAW AND LITERATURE*

MARVIN HENBERG



TEMPLE UNIVERSITY PRESS

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Retribution Evil For Evil In Ethics Law And Literature

Conrad van Dijk



Retribution Evil For Evil In Ethics Law And Literature:

Retribution Marvin Henberg, 1990 Despite our moral misgivings retributive canons of justice the return of evil to evildoers remain entrenched in law literature and popular moral precept In this wide ranging examination of retribution Marvin Henberg argues that the persistence and pervasiveness of this concept is best understood from a perspective of evolutionary naturalism After tracing its origins in human biology and psychology he shows how retribution has been treated historically in such diverse cultural expressions as law codes scriptures drama poetry philosophy and novels Henberg considers retributive thought in light of contemporary moral theory and current social and political concerns and advances his own theory of the morality of legal punishment Retribution is no single doctrine or unified set of doctrines but rather a sprawling variety of doctrines many of them at odds with one another observes Henberg He suggests that understanding retributive thought as the quest for solace in the face of suffering helps to explain its variable nature Since there is no single defensible moral criterion for identifying exact retaliation culture is more important than nature in selecting among retributive practices Typically some forms of retribution are culturally approved while others are disapproved In place of the mistaken tendency to think of legal punishment as morally justified Henberg maintains that legal punishment should be thought of as morally permitted Author note Marvin Henberg is Professor and Chair of the Department of Philosophy and Director of the University Honors Program at the University of Idaho

Law and Literature María José Falcón y Tella, 2016-04-26 Mar a Jos Falc n y Tella invites us on a fascinating journey through the world of law and literature travelling through the different eras and exploring eternal and as such current issues such as justice power resistance vengeance rights and duties This is an unending conversation which brings us back to Sophocles and Dickens Cervantes and Kafka Dostoyevsky and Melville among many others There are many ways to approach the concept of Law and Literature In the classical manner the author distinguishes three paths the Law of Literature involving a technical approach to the literary theme Law as Literature a hermeneutical and rhetorical approach to examining legal texts and finally Law in Literature which is undoubtedly the most fertile and documented perspective the fundamental part of the work focusses on this direction This timely volume offers an introduction to this enormous field of study which was born in the United States over a century ago and is currently taking root in the European continent

John Gower and the Limits of the Law Conrad van Dijk, 2013 An examination of the ways in which Gower s poetry engages with contemporary law and legal questions It has long been thought that John Gower was probably a lawyer before turning to poetry and this study reveals his active engagement with contemporary legal debates they include constitutional questions jurisdictional issues private vengeance jurisprudential concepts such as equity and the rigor iuris and aspects of criminal law The author argues that the *Confessio Amantis* in particular demonstrates Gower s uncertainty about how to reconcile the ideal of a just law with alternative modes of justice such as self help royal discretion and divine will The book also examines the parallel development of the exemplum

and casus in medieval literature Exempla frequently create a sense of narrative closure by means of some form of punishment or as Gower would put it vengeance How then do we set Gower s reputation as a sympathetic writer alongside his frequent desire for closure and punishment What are the limits of exemplarity and law These questions are answered by reading Gower in relation to the volatile politics of the Ricardian period and in comparison with the poetic concerns of contemporary writers such as Chaucer and Langland In so doing the book provides a searching introduction to the intersection between literature and law in the late fourteenth century Dr Conrad van Dijk is Assistant Professor of English at Concordia University College of Alberta Edmonton Canada **The Death Penalty in America** Hugo Adam

Bedau,1998-05-28 A J Richards **A Unified Theory of Justice and Crime** Michael J. DeValve,Tammy S.

Garland,Elizabeth Q. Wright,2018-09-15 Despite great effort and some improvements criminal justice today still seems like an oxymoron There are some very good reasons for this feeling catastrophic failures abound and marginal improvements appear revolutionary This book addresses the idea of justice in order to guide society toward a more effective justice system Specifically the authors argue that justice and love are one and the same thing They trace impoverished and accomplished thinking in criminological and justice discourses and show that the historic ills that have plagued humanity tend to evaporate when justice and love are understood to be synonyms Heinous Crime Frederic G. Reamer,2005 This book offers

innovative perspectives on issues concerning a civilized society s response to offenders guilty of heinous crimes It considers specific cases and the chilling accounts of victims and the criminals themselves In providing detailed strategies for prevention and rehabilitation the author examines the psychological and social factors that lead individuals to commit reprehensible crimes arguing that a fuller understanding of different criminal types is crucial to developing successful answers to the problem of heinous crimes **Wishbone** Laura C. Jarmon,2003 Jarmon English U of Tennessee Martin

studies the history and attempts to trace the origins of several prevalent themes in African American folklore using folk tale collections from the US and Africa The themes link subjects with symbolic content such as tar baby with binding and transcription and the skull with presence and propriety An introduction presents Jarmon s methodology her thesis is that these narratives are a type of modal discourse that is symbolized by the motifs of the wishbone and crossroads which she sees as emblematic of the concept of margins and reflective of a mood of indeterminacy Annotation c 2003 Book News Inc Portland OR booknews com Contemporary Moral Issues Lawrence M. Hinman,2016-07-01 Contemporary Moral Issues is

an anthology that provides a selection of readings on contemporary social issues revolving around three general themes Matters of Life and Death Matters of Equality and Diversity and Expanding the Circle which includes duties beyond borders living together with animals and environmental ethics The text contains a number of distinctive high profile readings and powerful narratives including Jonathan Foer s Eating Animals Eva Feder Kittay s On the Ethics of Selective Abortion for Disability and Susan M Wolf s Confronting Assisted Suicide and Euthanasia My Father s Death Each set of readings is

accompanied by an extensive introduction a bibliographical essay pre reading questions and discussion questions **The**
^**Killing State** Austin Sarat,2001-05-24 Collecting work by several notable scholars this book explains why the US still
clings to capital punishment long after other democratic nations have abandoned it It also exhibits a new way of thinking
about state killing that goes beyond abstract moral argument and narrow policy debate to assess its impact on our legal
system its powerful symbolic appeal and its place in today s culture wars **The Global Community Yearbook of**
International Law and Jurisprudence 2023 GLOBAL COMMUNITY: YEARBOOK OF INTERNATIONAL LAW AND
JURISPRUDENCE.,2024-11-05 The Global Community Yearbook of International Law and Jurisprudence features an annual
review of global issues and legal developments from international courts and tribunals The 2023 edition explores threats to
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