

Week 8 - Greek Philosophy of Crime

Wednesday, March 8, 2023

1:41 PM

- Rhetoric is the attempt to persuade you of something
 - Think about the ways persuasion operates in our modern daily life
 - Ex. targeted ads on website after going to that store

Socrates (main character in the dialogue Of Plato's Gorgias)

- He lived from 469-399 BCE in Athens
- He was married to Xanthippe and had two sons
- He fought bravely in the Peloponnesian War (the war between the Spartans and their allies and the Athenians at their allies)
- As epistates of the prytaneis he refused to try the generals of the battle of the Arginusae as a group
- The Athenian assembly needed people to convene in and conduct day to day business.
 - By a multistage process of drawing lots, 50 men would end up being chosen as prytaneis or presidents
 - These 50 men would serve for 1/10 of the year (almost a month in office as being in charge of the assembly) and everyday they would draw lots to choose an epistates or a foreman
 - So we have the assembly, a rotating group of officials who manage the day to day affairs and every single day a different person is selected to be in charge of the of the whole thing by lot and that is the epistates
- purely by chance Socrates was epistates (foreman of the Presidents there) when the assembly was to vote on the issue of the generals at Arginusae
 - The Arginusae were some small islands between the islands of Lesbos and the mainland of Asia Minor
- It becomes important because the case was emotional and controversial
- in 406 BC the Arginusae was a site of a naval battle between 120 Spartan warships and 150 Athenian warships
 - Although the Athenians had the upper hand
 - The Athenians won the battle but a storm prevented the generals from rescuing those survivors who had been thrown off the ships in one way or another
 - The crippled and sinking ships were sinking in the storm, and the generals were unable to save those who were in the water
 - There were massive losses in manpower and a whole lot of anger back in Athens, so the generals when the battle was over and then returned to Athens, they faced accusations of being derelict in their duty to the survivors
 - Public opinion was very much against the generals, and emotion was put before the assembly to try them as a group on a capital charge
 - The outcry was so great that the Athenians were even willing to put aside the normal legal tenet that you had to try individuals only, they couldn't be put together
 - So we have them on a capital charge, which involved the death penalty as a punishment

Philosophy Of Crime

Archie J. Bahm



Philosophy Of Crime:

Philosophy, Crime, and Criminology Bruce A. Arrigo, Christopher R. Williams, 2010-10-01 Philosophy Crime and Criminology represents the first systematic attempt to unpack the philosophical foundations of crime in Western culture Utilizing the insights of ontology epistemology aesthetics and ethics contributors demonstrate how the reality of crime is informed by a number of implicit assumptions about the human condition and unstated values about civil society Charting a provocative and original direction editors Bruce A Arrigo and Christopher R Williams couple theoretically oriented chapters with those centered on application and case study In doing so they develop an insightful sensible and accessible approach for a philosophical criminology in step with the political and economic challenges of the twenty first century Revealing the ways in which philosophical conceits inform prevailing conceptions of crime Philosophy Crime and Criminology is required reading for any serious student or scholar concerned with crime and its impact on society and in our lives The Oxford Handbook of Philosophy of Criminal Law John Deigh, David Dolinko, 2011-09-22 This title contains 17 original essays by leading thinkers in the field and covers the field s major topics including limits to criminalization obscenity and hate speech blackmail the law of rape attempts accomplice liability causation responsibility justification and excuse duress and more *The Philosophy of Crime and Punishment* I. M. Ragimov, 2015 **Philosophy of Criminal Law** Francis Wharton, 1880 *On Criminalization* Jonathan Schonsheck, 1994-01-31 When thinking about justified criminalization whether some action may morally be made a criminal offense philosophers tend to rely upon balancing Arguments favoring and opposing criminalization are weighed on a simple beam balance the weightier reasons prevail Jonathan Schonsheck argues that this methodology is deeply flawed among other infirmities it fosters the neglect of items essential to a defensible decision He urges the adoption of filtering a multi step procedure which directs one to discuss the moral authority of the state to consider measures less coercive than a criminal statute and to investigate the pragmatic consequences of criminalization This procedure he argues imposes a structure on disputes which facilitates philosophical progress Filtering is then applied to an array of public policy issues including laws which require the use of automobile seat belts and motorcycle helmets and laws which prohibit the use of certain psychoactive substances drugs Additionally the book addresses a number of more theoretical issues in the philosophy of the criminal law Throughout it engages the work of leading philosophers Derek Parfit Cass R Sunstein Richard J Arneson and especially Joel Feinberg **The New Philosophy of Criminal Law** Chad Flanders, Zachary Hoskins, 2015-12-16 There is no more vivid example of a state s power over its citizens than the criminal law By criminalizing various behaviours the state sets boundaries on what we can and cannot do And the criminal law is in many ways unique in the harshness of its sanctions But traditional criminal law theory has for too long focussed on the questions what is a crime and what is the justification of punishment The significance of the criminal law extends beyond these questions indeed critical philosophical questions underlie all aspects of the criminal justice system The criminal law engages us not just as offenders or potential

offenders but also as victims suspects judges and jurors prosecutors and defenders and as citizens The authors in this volume go beyond traditional questions to challenge our conventional understandings of the criminal law In doing so they draw from a number of disciplines including philosophy history and social science

The Philosophy of Criminal Law Douglas N. Husak, 2010 This volume collects 17 of Douglas Husak's influential essays in criminal law theory The essays span Husak's original and provocative contributions to the major topics in the field including the grounds of criminal liability the significance of culpability the role of defences and the justification of punishment The volume includes an extended introduction by the author drawing together the themes of his work and exploring the goals of criminal theory Together the essays present a desert based analysis of issues in criminal theory that rejects the consequentialist approach more familiar among legal scholars The foremost concern of these essays is to ensure that the principles and doctrines of the criminal law preserve justice and do not sacrifice individuals for the common welfare Engagingly written the essays are accessible to non specialists and represent an excellent introduction to current issues and debates in the theory of criminal law **A**

Philosophy of Criminal Attempts Bebhinn Donnelly-Lazarov, 2015-04-30 Extends and adapts G E M Anscombe's philosophy to reveal attempting as a subjective species of intentional action Locates criminal attempts therein *Attempts* Gideon Yaffe, 2012-11-29 Gideon Yaffe presents a ground breaking work which demonstrates the importance of philosophy of action for the law Many people are serving sentences not for completing crimes but for trying to So the law governing attempted crimes is of practical as well as theoretical importance Questions arising in the adjudication of attempts intersect with questions in the philosophy of action such as what intention a person must have if any and what a person must do if anything to be trying to act Yaffe offers solutions to the difficult problems courts face in the adjudication of attempted crimes He argues that the problems courts face admit of principled solution through reflection either on what it is to try to do something or on what evidence is required for someone to be shown to have tried to do something or on what sentence for an attempt is fair given the close relation between attempts and completions The book argues that to try to do something is to be committed by one's intention to each of the components of success and to be guided by those commitments Recognizing the implications of this simple and plausible position helps us to identify principled grounds on which the courts ought to distinguish between defendants charged with attempted crimes **Crime, Justice, and Social Order** Alison

Liebling, Joanna Shapland, Richard Sparks, Justice Tankebe, 2022 Clarendon Studies in Criminology aims to provide a forum for outstanding empirical and theoretical work in all aspects of criminology and criminal justice broadly understood The Editors welcome submissions from established scholars as well as excellent PhD work The Series was inaugurated in 1994 with Roger Hood as its first General Editor following discussions between Oxford University Press and three criminology centres It is edited under the auspices of these three criminological centres the Cambridge Institute of Criminology the Mannheim Centre for Criminology at the London School of Economics and the Center for Criminology at the University of

Oxford Each supplies members of the Editorial Board and in turn the Series Editor Book jacket *Philosophical Foundations of Criminal Law* R.A. Duff, Stuart Green, 2011-03-10 Philosophical Foundations of Criminal Law gathers leading theorists to present original work on a range of foundational questions in criminal law theory The volume provides an overview of current philosophical work on the criminal law setting an agenda for further research and debate **Understanding Crime** Susan Guarino-Ghezzi, A. Javier Trevino, 2014-09-25 Explores the interdisciplinary nature and potential of the field of criminology covering the fields of sociology economics psychology biology philosophy and religious studies The conclusion demonstrates various theoretical approaches for policy development and discusses opportunities for incorporating academic contributions into the political process Philosophical Foundations of International Criminal Law Morten Bergsmo, Emiliano J. Buis, 2018-11-30 This first edition of Philosophical Foundations of International Criminal Law Correlating Thinkers contains 20 chapters about renowned thinkers from Plato to Foucault As the first volume in the series Philosophical Foundations of International Criminal Law the book identifies leading philosophers and thinkers in the history of philosophy or ideas whose writings bear on the foundations of the discipline of international criminal law and then correlates their writings with international criminal law **A Philosophy of the Social Construction of Crime** Polizzi, David, 2015-11-19 It is well known that the social definition of individuals and ethnic groups helps legitimize how they are addressed by law enforcement The philosophy of the social construction of crime and criminal behaviour reflects how individuals such as police officers construct meaning from the perspective from which they emerge which in turn influences their law enforcement outlook In the field this is generally viewed through a positivist frame of reference which fails to critically examine assumptions of approach and practice Written by an international specialist in this area this is the first book which attempts to situate the social construction of crime and criminal behaviour within the philosophical context of phenomenology and how these constructions help inform and ultimately justify the policies employed to address them Challenging existing thinking this is essential reading for academics and students interested in social theory and theories of criminology *Papers in Penology*, 1891 Penal Philosophy Gabriel de Tarde, 1912 *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 Offences and Defences John Gardner,2007-11-08 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 **The Criminal** Havelock Ellis,1915 *Ethics: The Science of Oughtness* Archie J. Bahm,2021-09-20 This book makes a forceful case for the scientific aspirations of ethics and for the necessity of ethics to our humanity It is written as a challenge to those who are reluctant to recognize that science can deal decisively with questions in ethical theory It throws new light on group responsibilities apparent oughtness and the responsibility we have for expanding our awareness of responsibilities

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