WHY PUNISH? How Much?

A Reader on Punishment

Michael Tonry

Why Punish How Much A Reader On Punishment

Holly Matto, Jessica Strolin-Goltzman, Michelle Ballan

Why Punish How Much A Reader On Punishment:

Why Punish? How Much? Michael H. Tonry,2011 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

Proportionality of Criminal Penalties in EU Law Lorenzo Grossio, Stefano Montaldo, Valsamis Mitsilegas, 2025-02-06 This book develops a systematic analysis of the principle of proportionality of penalties in EU law Until now the principle has been mainly assessed from a criminological point of view By departing from existing literature the book advances an original EU law perspective on proportionality of penalties which underlies the analysis of its theorisation place and influence on domestic criminal systems Building upon this approach scholarly contributions in the book systematically delve into the various implications of the principle in EU law while paying particular attention to its profound interaction with criminal law The Oxford Handbook of Criminal Process Darryl K. Brown, Jenia Iontcheva Turner, Bettina Weisser, 2019-02-22 concepts The Oxford Handbook of Criminal Process surveys the topics and issues in the field of criminal process including the laws institutions and practices of the criminal justice administration. The process begins with arrests or with crime investigation such as searches for evidence It continues through trial or some alternative form of adjudication such as plea bargaining that may lead to conviction and punishment and it includes post conviction events such as appeals and various procedures for addressing miscarriages of justice Across more than 40 chapters this Handbook provides a descriptive overview of the subject sufficient to serve as a durable reference source and more importantly to offer contemporary critical or analytical perspectives on those subjects by leading scholars in the field Topics covered include history procedure investigation prosecution evidence adjudication and appeal **Punishment in World History** Peter N. Stearns, 2023-10-02 This book focuses on major changes in punishment patterns during the principal phases of world history tracing continuities reforms and regional differences Punishment in World History studies the official penalties enacted by governments throughout time chronicling the limited courses of action in hunting and gathering civilizations the array of punishments in early agricultural societies and the various efforts to reform these patterns since the 17th and 18th centuries There is also discussion on

community sanctions and disciplinary patterns applied to children A secondary emphasis involves analyzing different regional traditions including the impact of the principal religions varying definitions of punishable crime and in the modern period differing levels of reliance on physical punishments and imprisonment The regional analysis also pays close attention to the effects of colonialism imperialism and the slave trade Ending with an assessment of the contemporary period the book considers the efforts to develop and apply global standards to punishment With far reaching coverage of a variety of human civilizations in history this book is a core resource for students and scholars of the history of corrections world history and criminal justice Discourses on Violence and Punishment Krešimir Petkovic, 2017-07-27 This book brings together various discourses concerned with violence and punishment paying special attention to the extreme variations of these phenomena Starting from a narrow definition of violence as an infliction of physical harm paired with a broad discussion of its causes and a wide definition of punishment as an authority claim to retribution or reform the book maps and interprets political theoretical discourses on the death penalty historical explanations of the changes of violence and punishment and comparative differences in punishment It also puts violence and punishment into perspective with political power world religions literature and film and criminological theory. The final chapter changes the perspective taken in the bulk of the book dealing with discourses of theodicy in the face of cases of extreme violence and suffering By juxtaposing many unusual discourses the book attempts to fulfill three primary functions First it skeptically probes numerous discourses explaining and legitimizing violence and punishment in the light of extreme cases The book is a map of violence and punishment Second it invites the reader to confront choose and combine these discourses when thinking about facts and norms of punishment The book provides an analytical toolbox for research of violence and punishment Third the book presents wider sense seeking strategies employed to deal with suffering such as irony redemption or rationalization Rethinking Punishment Karol M Lucken, 2017-02-10 There are visible signs that the get tough era of punishment is finally winding down A get smart agenda has emerged that aims to reduce costs and crime by reducing the incarceration of non violent drug offenders expanding use of community based corrections revising sentencing structures and supporting offender re entry into the community This change in policy affords an opportunity to re examine and challenge certain other conventions in the study and practice of punishment Each chapter of Rethinking Punishment examines a convention and posits arguments that challenge that convention and expand the conversation These arguments are based on the prior literature existing and original data and historical documents These conventions and arguments for rethinking punishment are framed accordingly Justifying Penal Policy Defining the Attributes of Punishment Measuring the Scope and Severity of Punishment Evaluating Effectiveness in Punishment Finally the author provides specific recommendations for research and policy based on these original arguments Drawing on underlying philosophical empirical and political issues and offering a critical discussion of the relationship between research policy and practice this book makes compelling and instructive reading for students taking courses in

criminal justice corrections philosophy of punishment the sociology of punishment and law and justice **Confronting Penal Excess** David Hayes, 2019-11-14 This monograph considers the correlation between the relative success of retributive penal policies in English speaking liberal democracies since the 1970s and the practical evidence of increasingly excessive reliance on the penal State in those jurisdictions It sets out three key arguments First that increasingly excessive conditions in England and Wales over the last three decades represent a failure of retributive theory Second that the penal minimalist cause cannot do without retributive proportionality at least in comparison to the limiting principles espoused by rehabilitation restorative justice and penal abolitionism Third that another retributivism is therefore necessary if we are to confront penal excess The monograph offers a sketch of this new approach late retributivism as both a theory of punishment and of minimalist political action within a democratic society Centrally criminal punishment is approached as both a political act and a policy choice Consequently penal theorists must take account of contemporary political contexts in designing and advocating for their theories Although this inquiry focuses primarily on England and Wales its models of retributivism and of academic contribution to democratic penal policy making are relevant to other jurisdictions too The End of Prisons. Mechthild E. Nagel, Anthony J. Nocella, 2013-05-01 This book brings together a collection of social justice scholars and activists who take Foucault's concept of discipline and punishment to explain how prisons are constructed in society from nursing homes to zoos This book expands the concept of prison to include any institution that dominates oppresses and controls Criminologists and others who have been concerned with reforming or dismantling the criminal justice system have mostly avoided to look at larger carceral structures in society In this book for example scholars and activists question the way patriarchy has incapacitated women and imagine the deinstitutionalization of people with disabilities In a time when popular sentiment critiques the dominant role of the elites the one percenters the state s role in policing dissenting voices school children LGBTQ persons people of color and American Indian Nations needs to be investigated A prison as defined in this book is an institution or system that oppresses and does not allow freedom for a particular group Within this definition we include the imprisonment of nonhuman animals and plants which are too often overlooked **Neuroscience for Social** Work Holly Matto, Jessica Strolin-Goltzman, Michelle Ballan, 2013-07-29 This clear and accessible guide written by social workers for social workers describes the most current developments in neuroscience and their practical applications for social work in education child welfare health mental health and criminal justice settings. The contributions of social work experts in these key areas of practice make this vast and ever expanding body of neuroscientific knowledge easily understandable with specific relevance to understanding the impact of the environment on neural mechanisms and human life course trajectories The text examines how neuroimaging can be used to examine psychosocial treatment efficacy discusses cross system programmatic and policy implications that respond to the way in which toxic environments and early disrupted attachment affect brain and behavior and addresses the importance of bioethics to inform the integration of

neuroscience into social work practice. This is the only text on this topic with chapters organized around five practice settings and embedded with application skills across micro mezzo and macro levels Each chapter includes an overview of the latest scientific research pertaining to the topic and discusses implications for assessment prevention intervention policy research and ethics Real world case studies in each chapter enhance practice applications Key Features Describes the latest applications of neuroscience across social work settings in education child welfare health mental health and criminal justice Examines latest neuroscientific research for each topic and its implications for assessment prevention intervention policy issues research and ethical legal issues Draws clear practical implications in each chapter Written by social workers for social workers Includes the contributions of noted social work researchers faculty and practitioners **Deserved Criminal** Sentences Andreas von Hirsch, 2017-02-09 This book provides an accessible and systematic restatement of the desert model for criminal sentencing by one of its leading academic exponents The desert model emphasises the degree of seriousness of the offender's crime in deciding the severity of his punishment and has become increasingly influential in recent penal practice and scholarly debate It explains why sentences should be based principally on crime seriousness and addresses among other topics how a desert based penalty scheme can be constructed how to gauge punishments seriousness and penalties severity what weight should be given to an offender's previous convictions how non custodial sentences should be scaled and what leeway there might be for taking other factors into account such as an offender s need for treatment The volume will be of interest to all those working in penal theory and practice criminal sentencing and the criminal law more generally

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