

1. Record Nr.	UNINA9910458839103321
Autore	Falcon y Tella Maria Jose
Titolo	Punishment and culture [[electronic resource]] : a right to punish? // Maria Jose Falcon y Tella, Fernando Falcon y Tella ; translation into English by Peter Muckley
Pubbl/distr/stampa	Leiden ; ; Boston, : M. Nijhoff, c2006
ISBN	1-282-60282-9 9786612602825 90-474-1802-6
Descrizione fisica	1 online resource (288 p.)
Collana	Nijhoff eBook titles 2006
Altri autori (Persone)	Falcon y TellaFernando
Disciplina	345.077
Soggetti	Punishment Punishment - Moral and ethical aspects Criminal law Crime prevention Electronic books.
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	English translation of: Fundamento y finalidad del castigo : un derecho a castigar?. Madrid : Marcial Pons.
Nota di bibliografia	Includes bibliographical references (p. [221]-264) and index.
Nota di contenuto	Preliminary Materials / M.J. Falcón Y Tella and Falcón Y Tella -- Chapter I. Scope Of The Work / M.J. Falcón Y Tella and Falcón Y Tella -- Chapter II. Punishment In General / M.J. Falcón Y Tella and Falcón Y Tella -- Chapter III. Punishment In Law As A Reflection Of Its Coercive Character / M.J. Falcón Y Tella and Falcón Y Tella -- Chapter IV. Punishment In Criminal Law. Differences With Deterrents / M.J. Falcón Y Tella and Falcón Y Tella -- Chapter V. Punishment In Other Spheres Distinct From Criminal Law / M.J. Falcón Y Tella and Falcón Y Tella -- Chapter VI. Conclusions / M.J. Falcón Y Tella and Falcón Y Tella -- Bibliography / M.J. Falcón Y Tella and Falcón Y Tella -- Index / M.J. Falcón Y Tella and Falcón Y Tella.
Sommario/riassunto	This volume critically explores the basis and the goal of punishment from the standpoint of the right to punish. Studies and works dedicated to punishment are scarce compared to those dedicated to Crime Theory or some aspect thereof. The book reviews the main doctrines that have

dealt with the theme of punishment from Antiquity to the present, not limiting itself to the legal-philosophical sphere but also analyzing the contributions from other social sciences. It then explores how these are reflected in the sphere of Positive Law. Moving from the most abstract and general to the most concrete and specific, various themes relating to the concept of punishment are distinguished. These themes are not exactly equivalent but are, nevertheless, often confused with one another. They are: Punishment; Punitive Practice; Sentence and Penalty. Of these the third – Sentence, which is almost the least generic concept dealt with, having to do with that area of law which basically constitutes Criminal Law – forms the central part of the work. In this section, via a dual structure, the distinction is made between punishments and deterrents, as the prime types of punitive practice, with a distinct historical tradition, diverse bases and functions, around which different sorts of theories and schools have developed. The book ends with a series of critical conclusions as to what, in the opinion of the authors, should be a correct conception of punishment.

---