1. Record Nr. UNINA9910495878603321 Autore **Tunick Mark** Titolo Punishment: theory and practice / / Mark Tunick [[electronic resource]] Berkeley,: University of California Press, c1992 Pubbl/distr/stampa **ISBN** 0-520-91231-4 0-585-04385-X Edizione [Reprint 2020] Descrizione fisica 1 online resource (ix, 211 p.) Disciplina 345/.077 342.577 Soggetti **Punishment** Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Bibliographic Level Mode of Issuance: Monograph Note generali Nota di bibliografia Includes bibliographical references and index. Nota di contenuto Front matter -- Contents -- Preface -- 1. Introduction -- 2. Radical Criticisms of the Practice of Legal Punishment -- 3. Justifications of the Practice: Utilitarian and Retributive -- 4. Retributive Immanent Criticism of Legal Punishment -- 5. Immanent Criticism of an Essentially Contested Practice -- Appendix -- Bibliography -- Index What actions should be punished? Should plea-bargaining be allowed? Sommario/riassunto How should sentencing be determined? In this original, penetrating study, Mark Tunick explores not only why society punishes wrongdoing, but also how it implements punishment. that the theory and practice of punishment are inherently linked. Tunick draws on a broad range of thinkers, from the radical criticisms of Nietzsche, Foucault, and some Marxist theorists through the sociological theories of Durkheim and Girard to various philosophical traditions and the "law and economics" movement. He defends punishment against its radical critics and offers a version of retribution. distinct from revenge, that holds that we punish not to deter or reform,

but to mete out just deserts, vindicate right, and express society's righteous anger. Demonstrating first how this theory best accounts for how punishment is carried out, he then provides "immanent criticism" of certain features of our practice that don't accord with the retributive

garner attention and spark debate among political theorists,

Thought-provoking and deftly argued, Punishment will

philosophers, legal scholars, sociologists, and criminologists.