

Plato and modern law

Ashgate - Ethics of Argument: Plato's Gorgias and the Modern by James Boyd White



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Though additional detail may generate the same conclusion in the case of a civil verdict, such detail is not required in the case of criminal conviction.

Jeremy Bentham (Stanford Encyclopedia of Philosophy)

Others take a different view. However, Bentham recognised that it was not normally feasible for an individual to engage in such a calculation as a preliminary to undertaking every act. If we should not be abolitionists, criminal law must be capable of realizing some value that gives us sufficient reason to retain it.

Plato and modern law (2007 edition)

The framework of analysis is presented as an objective, neutral exercise, by which the benefits and costs of the death penalty in cases of murder are assessed in comparison with life imprisonment with hard labour. One response to these arguments is that criminal law does not always censure or stigmatize.

Ethics of Argument: Plato's Gorgias and the Modern by James Boyd White

Imagine we are considering whether to make it a crime to possess guns. If it is, those who appeal to impersonal values to justify criminal law can explain why the moot court is not permitted to force us to give up our money.

Plato and the Rule of Law

PI, on the revised view, nonetheless requires proof of the intent: ex hypothesi, it is possession with an intention to commit acts of terror that is taken by law-makers to justify convicting and punishing offenders. And we ought, if possible, to provide them with a quiet ruler? Again; might there not be a judge over these brethren, of whom we were speaking? Education certainly gives victory, although victory sometimes produces forgetfulness of education; for many have grown insolent from victory in war, and this insolence has engendered in them innumerable evils; and many a victory has been and will be suicidal to the victors; but education is never suicidal.

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