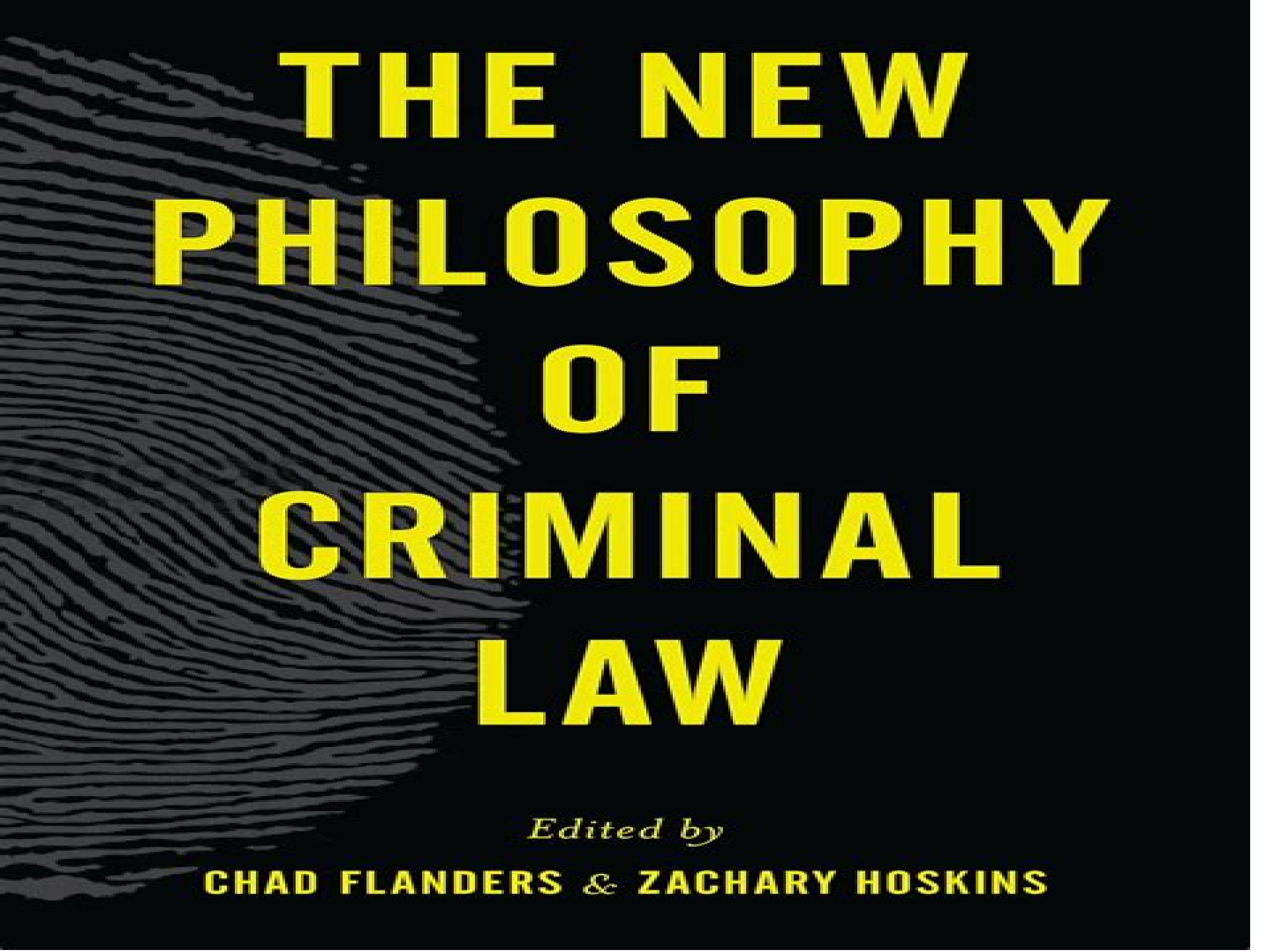




THE NEW PHILOSOPHY OF CRIMINAL LAW

Edited by

CHAD FLANDERS & ZACHARY HOSKINS

New Philosophy Criminal Law Ebook

Matthew Altman



New Philosophy Criminal Law Ebook:

Digital Republic Jamie Susskind, 2023-01-03 Wir haben die Kontrolle über die digitale Welt verloren. Die wichtigste Zeit das zu ändern ist eine der wichtigsten Fragen unserer Zeit. Wie können wir im digitalen Zeitalter unsere Demokratie, unsere Freiheit und unsere Rechte vor den Geschäftsinteressen der Tech-Giganten schützen? Jamie Susskind ist die junge, kluge und überzeugende Stimme, die die Antworten hat. Noch vor kurzem galten Tech-Unternehmen als Heilsbringer und Zukunftshoffnung, ihre Webseiten und Apps als Mittel überall auf der Welt für mehr Demokratie zu sorgen. Das ist vorbei. Inzwischen fürchten wir ihre Macht, sie beeinflussen Wahlen, verbreiten Fake News und zerstören das Leben von Menschen. Der Staat findet keine Mittel gegen sie. Wie kann es sein, dass solche Firmen über dem Gesetz stehen? Warum können wir ihnen nicht Einhalt gebieten? Jamie Susskind zeigt, welchen Einfluss AI, Big Data und Social Media auf Politik und Gesellschaft haben. Sein Buch ist ein fulminanter Aufruf und eine bahnbrechende Blaupause, wie wir die Macht zurücklangen und die Tech-Firmen unter demokratische Kontrolle bringen können. *Understanding Digital Humanities* D. Berry, 2012-02-07 Confronting the digital revolution in academia, this book examines the application of new computational techniques and visualisation technologies in the Arts and Humanities. Uniting differing perspectives, leading and emerging scholars discuss the theoretical and practical challenges that computation raises for these disciplines. **Digital Forensics and Cyber Crime** Marcus K. Rogers, Kathryn C. Seigfried-Spellar, 2013-10-01 This book contains a selection of thoroughly refereed and revised papers from the Fourth International ICST Conference on Digital Forensics and Cyber Crime (ICDF2C 2012) held in October 2012 in Lafayette, Indiana, USA. The 20 papers in this volume are grouped in the following topical sections: cloud investigation, malware, behavioral law, mobile device forensics, and cybercrime investigations. *De Gruyter Handbook of Digital Criminology* Mareile Kaufmann, Heidi Mork Lomell, 2025-03-17 The *De Gruyter Handbook of Digital Criminology* examines how digital devices spread and cut across all fields of crime and control. Providing a glossary of key theoretical, methodological, and criminological concepts, the book defines and further establishes a vibrant and rapidly developing field. At the same time, Digital Criminology is not only presented as a novelty but also as a continuation of the discipline's history. Each chapter can be read as a free-standing contribution, or texts can be combined to gain a more holistic understanding of Digital Criminology or to design a research project. Expert contributions vary from Criminology, Sociology, Law, Science, and Technology Studies to Information Science and Digital Humanities. Together, these supply readers with rich and original perspectives on the digitization of crime and control. *Human Rights Responsibilities in the Digital Age* Jonathan Andrew, Frédéric Bernard, 2021-08-26 This book examines the tangled responsibilities of states, companies, and individuals surrounding human rights in the digital age. Digital technologies have a huge impact, for better and worse, on human lives. While they can clearly enhance some human rights, they also facilitate a wide range of violations. States are expected to implement efficient measures against powerful private companies, but at the same time, they are drawn to technologies that

extend their own control over citizens Tech companies are increasingly asked to prevent violations committed online by their users yet many of their business models depend on the accumulation and exploitation of users personal data While civil society has a crucial part to play in upholding human rights it is also the case that individuals harm other individuals online All three stakeholders need to ensure that technology does not provoke the disintegration of human rights Bringing together experts from a range of disciplines including law international relations and journalism this book provides a detailed analysis of the impact of digital technologies on human rights which will be of interest to academics research students and professionals concerned by this issue

The Morality of the Laws of War Marcela Prieto Rudolphy, 2023 The Morality of the Laws of War examines the modern landscape of the ethics of war Rudolphy assesses the conflicting theories on the legality of just and unjust combatants While doing this she proposes an alternative morality of war proceeding from the inescapable fact that regulating war is always a significant moral compromise

The Oxford Handbook of Digital Ethics Carissa Véliz, 2024 This Handbook offers a lively authoritative up to date exploration of pressing ethical issues in our digital world An international team of philosophers give critical appraisals of research in the this fast growing field exploring novel approaches and arguments that will shape the agenda on digital ethics for years to come

The Digital Republic Jamie Susskind, 2022-07-05 From one of the leading intellectuals of the digital age The Digital Republic is the definitive guide to the great political question of our time how can freedom and democracy survive in a world of powerful digital technologies A Financial Times Book to Read in 2022 Not long ago the tech industry was widely admired and the internet was regarded as a tonic for freedom and democracy Not anymore Every day the headlines blaze with reports of racist algorithms data leaks and social media platforms festering with falsehood and hate In The Digital Republic acclaimed author Jamie Susskind argues that these problems are not the fault of a few bad apples at the top of the industry They are the result of our failure to govern technology properly The Digital Republic charts a new course It offers a plan for the digital age new legal standards new public bodies and institutions new duties on platforms new rights and regulators new codes of conduct for people in the tech industry Inspired by the great political essays of the past and steeped in the traditions of republican thought it offers a vision of a different type of society a digital republic in which human and technological flourishing go hand in hand

Teleologische Theorien des Urheberrechts Lisa Franziska Lueg, 2022-04-12 In der digitalen Informationsgesellschaft und einer globalisierten Welt entfaltet das Urheberrecht eine zunehmende Breitenwirkung Seine Ausgestaltung polarisiert wie selten zuvor Das führt die Wissenschaft auf die Suche nach normativen Grundlagen die es erlauben die widerstreitenden Schutz und Zugangsinteressen von Rechteinhabern und Allgemeinheit rational zu durchdringen und dabei modernen Sensibilitäten Rechnung zu tragen In der angloamerikanischen Urheberrechtstheorie findet dazu eine intensive Rezeption zeitgenössischer politischer Philosophie statt Durch sie werden die philosophischen Fundamente des Urheberrechts aktualisiert Der normative Urheberrechtsdiskurs verschiebt sich weg von einem Rechtfertigungs und hin zu einem

Sozialbindungsdispositiv Lisa Lueg unterzieht die verschiedenen Ansätze einer kritischen Würdigung und ermöglicht so ihre Rezeption im hiesigen Theoriediskurs

A Theory of Legal Punishment Matthew Altman, 2021-05-05 This book argues for a mixed theory of legal punishment that treats both crime reduction and retribution as important aims of the state A central question in the philosophy of law is why the state's punishment of its own citizens is justified Traditionally two theories of punishment have dominated the field consequentialism and retributivism According to consequentialism punishment is justified when it maximizes positive outcomes According to retributivism criminals should be punished because they deserve it This book recognizes the strength of both positions According to the two tiered model the institution of punishment and statutory penalties as set by the legislature are justified based on their costs and benefits in terms of deterrence and rehabilitation The law exists to preserve the public order Criminal courts by contrast determine who is punished and how much based on what offenders deserve The courts express the community's collective sense of resentment at being wronged This book supports the two tiered model by showing that it accords with our moral intuitions commonly held compatibilist theories of freedom and assumptions about how the extent of our knowledge affects our obligations It engages classic and contemporary work in the philosophy of law and explains the theory's advantages over competing approaches from retributivists and other mixed theorists The book also defends consequentialism against a longstanding objection that the social sciences give us little guidance regarding which policies to adopt Drawing on recent criminological research the two tiered model can help us to address some of our most pressing social issues including the death penalty drug policy and mass incarceration This book will be of interest to philosophers legal scholars policymakers and social scientists especially criminologists economists and political scientists

The SAGE Handbook of Digital Society William Housley, Adam Edwards, Roser Beneito-Montagut, Richard Fitzgerald, 2022-11-23 This SAGE Handbook brings together cutting edge social scientific research and theoretical insight into the emerging contours of digital society Chapters explore the relationship between digitisation social organisation and social transformation at both the macro and micro level making this a valuable resource for postgraduate students and academics conducting research across the social sciences The topics covered are impressively far ranging and timely including machine learning social media surveillance misinformation digital labour and beyond This innovative Handbook perfectly captures the state of the art of a field which is rapidly gaining cross disciplinary interest and global importance and establishes a thematic framework for future teaching and research Part 1 Theorising Digital Societies Part 2 Researching Digital Societies Part 3 Sociotechnical Systems and Disruptive Technologies in Action Part 4 Digital Society and New Social Dilemmas Part 5 Governance and Regulation Part 6 Digital Futures

Stigma, State Expressions and the Law Paul Quinn, 2019-05-21 This book demonstrates the difficulties the law is likely to encounter in regulating the expressive activities of the state particularly with regard to the stigmatization of vulnerable groups and minorities Freedom of speech is indispensable to a democratic society enabling it to operate with a healthy level of debate

and discussion Historically legal scholars have underappreciated the power of stigmatization instead focusing on anti discrimination law and the implicit assumption that the state is permitted to communicate freely with little fear of legal consequences Whilst integral to a democratic society the freedom of a state to express itself can however also be corrosive allowing influential figures and organizations the possibility to stigmatize vulnerable groups within society The book takes this idea and uniquely weaving legal analysis with extant psychological and sociological research shows that current legal approaches to stigmatization are limited Starting with a deep insight into what constitutes state expressions and how they can become stigmatizing the book then goes on to look into the capacity the law currently has to limit these expressions and asks even if it could should it This fascinating study of an increasingly topical subject will be of interest to any legal scholar working in the field of freedom of expression and discrimination law

The 2018 Yearbook of the Digital Ethics Lab Carl Öhman, David Watson, 2019-10-10 This book explores a wide range of topics in digital ethics It features 11 chapters that analyze the opportunities and the ethical challenges posed by digital innovation delineate new approaches to solve them and offer concrete guidance to harness the potential for good of digital technologies The contributors are all members of the Digital Ethics Lab the DELab a research environment that draws on a wide range of academic traditions The chapters highlight the inherently multidisciplinary nature of the subject which cannot be separated from the epistemological foundations of the technologies themselves or the political implications of the requisite reforms Coverage illustrates the importance of expert knowledge in the project of designing new reforms and political systems for the digital age The contributions also show how this task requires a deep self understanding of who we are as individuals and as a species The questions raised here have ancient perhaps even timeless roots The phenomena they address may be new But the contributors examine the fundamental concepts that undergird them good and evil justice and truth Indeed every epoch has its great challenges The role of philosophy must be to redefine the meaning of these concepts in light of the particular challenges it faces This is true also for the digital age This book takes an important step towards redefining and re implementing fundamental ethical concepts to this new era

Social Media, Criminal Law and Legality Laura Higson-Bliss, 2024-10-29 Utilising Lon Fuller s conception of legality this book argues that current legal provisions often used to control online abuse aided by social media do not conform to the basic principles of legality in the criminal law in turn threatening freedom of expression How we regulate inappropriate behaviour online often referred to as online abuse particularly online abuse aided by social media is a contemporary concern for governments across the globe Tragedies such as the death of a celebrity following a campaign of online abuse often hit the headlines followed by the same echo there should be a law against this Yet in England and Wales numerous laws exist to control prosecute and convict individuals who use the likes of social media to harass intimidate and abuse others online So why is the law failing to keep pace with modern technology This monograph critically examines this fundamental question from the perspective of legality Applying criminal

law to three growing areas of concern it covers 1 racist speech 2 cyberharassment cyberstalking and 3 the sending of abusive messages online It then turns to examine the latest attempts by UK officials to tackle these issues through the implementation of the Online Safety Act 2023 and France s Germany s and India s attempts to regulate social media The book will be of interest to researchers in the field of criminal law and cyber law as well as online abuse harassment and discrimination

Open Justice in the Digital Age Philippe Jouglex,2024-06-13 This book discusses the principle of open justice with a focus on the mechanism of video streaming of court proceedings The principle of open justice is multidimensional and involves both the human right to a fair trial and freedom of expression The book distinguishes between three components of open justice public hearings media coverage of proceedings and publication of judgments All three have been and or could be substantially affected by the digital revolution public hearings could benefit from video streaming the media coverage from social media and the publication of judgments from online databases The book analyses recent advances and challenges related to the digitalization of open justice Particular attention is paid to the relevant case law of European courts to the impact of the GDPR with an emphasis on the sensitive issue of pseudonymizing judgments and to a comparison of various national practices Although the book s primary focus is on European law it will also be of interest to scholars from other continents either for purposes of comparative research or because the topic itself touches on general theory of law issues

Collisions in the Digital Paradigm David John Harvey,2017-03-23 It has been said that the only asset that a lawyer has is time But the reality is that a lawyer s greatest asset is information The practice and the business of law is all about information exchange The flow of information travels in a number of different directions during the life of a case A client communicates certain facts to a lawyer The lawyer assimilates those facts and seeks out specialised legal information which may be applicable to those facts In the course of a generation there has been a technological revolution which represents a paradigm shift in the flow of information and communication Collisions in the Digital Paradigm is about how the law deals with digital information technologies and some of the problems that arise when the law has to deal with issues arising in a new paradigm

Plain Text Dennis Tenen,2017-06-20 This book challenges the ways we read write store and retrieve information in the digital age Computers from electronic books to smart phones play an active role in our social lives Our technological choices thus entail theoretical and political commitments Dennis Tenen takes up today s strange enmeshing of humans texts and machines to argue that our most ingrained intuitions about texts are profoundly alienated from the physical contexts of their intellectual production Drawing on a range of primary sources from both literary theory and software engineering he makes a case for a more transparent practice of human computer interaction Plain Text is thus a rallying call a frame of mind as much as a file format It reminds us ultimately that our devices also encode specific modes of governance and control that must remain available to interpretation

Bridging the Digital Divide Oscar Pérez de la Fuente,Jędrzej Skrzypczak,2025-08-06 The digital revolution has sparked a new wave of inequality particularly in access to

technology and its benefits Understanding these disparities is vital for grasping their impact on contemporary society One manifestation is through artificial intelligence algorithms and misinformation AI driven systems used in decision making like job applications and loan approvals can exhibit biases due to skewed datasets Algorithms also spread false information on social media platforms with minimal oversight Digital labor and the platform economy exacerbate inequality While platforms like Uber and Airbnb offer income opportunities workers lack basic protections like minimum wage laws Additionally personal data is often exploited without consent Cybersafety and cybercrime further highlight digital inequalities Some have access to robust security measures while others lack basic knowledge leaving them vulnerable to exploitation Economic barriers also hinder participation in gaming and other digital spaces Big data collection practices can deepen existing disparities especially regarding socioeconomic status and demographics Public policies must address these issues to ensure equal access to technology for all This book aims to shed light on these disparities and develop solutions for a more equitable technological landscape

Evil Corporations Penny Crofts, 2024-07-05 This book elaborates and interrogates the idea of evil corporations from a diverse range of disciplines There has long been awareness of systemic harms inflicted by corporations but this awareness has rarely led to any effective legal means to prevent and or respond adequately to them Lawyers and legal theorists appear to be stuck asking the same questions and giving the same ineffective answers Part of the problem this book maintains is the relative lack of theoretical interrogation into the nature of corporations as responsible moral agents To break this stasis this book draws upon philosophies of wickedness in order to ask whether or not corporations are or can be evil With contributions from a range of different disciplines including law cultural theory theology and philosophy it offers a novel account of how and why corporate wrongs are caused whilst exploring the extent to which the legal system itself facilitates such wrongdoing The book targets a broad international audience with research interests in corporate crime This will be of particular interest to those within the legal discipline including corporate law criminal law corporate crime and law and humanities scholars Chapter 9 of this book is freely available as a downloadable Open Access PDF at <http://www.taylorfrancis.com> under a Creative Commons Attribution Non Commercial NoDerivatives CC BY NC ND 4.0 license

Affective Justice Kamari Maxine Clarke, 2019-11-15 Kamari Maxine Clarke explores the African Union's pushback against the International Criminal Court in order to theorize affect's role in shaping forms of justice

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Table of Contents New Philosophy Criminal Law Ebook

1. Understanding the eBook New Philosophy Criminal Law Ebook
 - The Rise of Digital Reading New Philosophy Criminal Law Ebook
 - Advantages of eBooks Over Traditional Books
2. Identifying New Philosophy Criminal Law Ebook
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an New Philosophy Criminal Law Ebook
 - User-Friendly Interface
4. Exploring eBook Recommendations from New Philosophy Criminal Law Ebook
 - Personalized Recommendations
 - New Philosophy Criminal Law Ebook User Reviews and Ratings
 - New Philosophy Criminal Law Ebook and Bestseller Lists
5. Accessing New Philosophy Criminal Law Ebook Free and Paid eBooks

- New Philosophy Criminal Law Ebook Public Domain eBooks
- New Philosophy Criminal Law Ebook eBook Subscription Services
- New Philosophy Criminal Law Ebook Budget-Friendly Options
- 6. Navigating New Philosophy Criminal Law Ebook eBook Formats
 - ePub, PDF, MOBI, and More
 - New Philosophy Criminal Law Ebook Compatibility with Devices
 - New Philosophy Criminal Law Ebook Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of New Philosophy Criminal Law Ebook
 - Highlighting and Note-Taking New Philosophy Criminal Law Ebook
 - Interactive Elements New Philosophy Criminal Law Ebook
- 8. Staying Engaged with New Philosophy Criminal Law Ebook
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers New Philosophy Criminal Law Ebook
- 9. Balancing eBooks and Physical Books New Philosophy Criminal Law Ebook
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection New Philosophy Criminal Law Ebook
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine New Philosophy Criminal Law Ebook
 - Setting Reading Goals New Philosophy Criminal Law Ebook
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of New Philosophy Criminal Law Ebook
 - Fact-Checking eBook Content of New Philosophy Criminal Law Ebook
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development

- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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