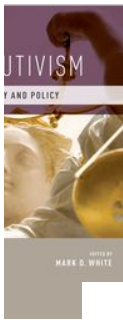


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## Retributivism: Essays on Theory and Policy

Mark D. White

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## Hegel on Punishment: A More Sophisticated Retributivism

Jane Johnson

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This chapter focuses on G.W.F. Hegel's contributions to retributivist thought. Due perhaps to his frequently obscure writing style and idiosyncratic terminology, Hegel's account of punishment has generally not received widespread attention or a favorable reception in English-speaking jurisprudence. This is in stark contrast to the space devoted to, and more ready acceptance of, Hegel's fellow German retributivist Immanuel Kant. However, the chapter argues that if one perseveres with Hegel's position and draws on the resources of his broader philosophy (including aspects of his logic regarding negation, contradiction and judgment, and his theory of recognition), a number of fruitful results will follow. Not only will a coherent and interesting account of punishment emerge which represents a much more sophisticated take on this institution than the one offered by Kant, but a revitalized Hegelian view of punishment can also furnish a solution to the otherwise elusive task of justifying legal punishment.

*Keywords:* retributivism, punishment, justice, G.W.F. Hegel, Immanuel Kant, negation, contradiction, judgment, recognition

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