

# Contents

Author's Note	ix
Introduction	xi
Chapter 1—Background	1
<i>The Justification Problem</i>	
<i>Utilitarian-based Deterrence Theories</i>	
<i>Desert-based Retributivism</i>	
<i>Summary</i>	
Chapter 2—Defending and Preserving Individuals	25
<i>Punishment and Self-Defense</i>	
<i>Thomson on Self-Defense</i>	
<i>Forced Choices</i>	
<i>Forced Choices and the Distribution of Burdens</i>	
<i>Summary</i>	
Chapter 3—Societal-Defense	51
<i>Further Reflections on Justice</i>	
<i>From Individual Defense to Societal-Defense: Defensive Warfare</i>	
<i>Punishment as Societal-Defense</i>	
<i>Societal-Defense and Proportionality</i>	
<i>Justifying Individual Punishments</i>	
<i>A Comparison with Other Justifications of Punishment</i>	
<i>Summary</i>	
Chapter 4—Rethinking Retributivist and Deterrence Theories	79
<i>Mapping the Territory</i>	
<i>Retributivist Appeals to Fairness</i>	
<i>Pluralistic Deterrence Theories</i>	

<i>Deterrent Threats</i>	
<i>The “Republican Theory”</i>	
<i>Summary</i>	
Chapter 5—Punishment as a Societal Right	109
<i>The Nature of Moral Rights</i>	
<i>What Would a Societal Right to Punish be Like?</i>	
<i>The Right to Punish as a No-Infringement View</i>	
<i>The Right to Punish and Permissible Infringements</i>	
<i>Summary</i>	
Chapter 6—Societal-Defense and Capital Punishment	131
<i>Justifying Capital Punishment in Principle and in Practice</i>	
<i>Capital Punishment and Discrimination</i>	
<i>Comparative and Noncomparative Justice</i>	
<i>Individual Justice and Systemic Justice</i>	
<i>Summary</i>	
Notes	159
Index	173
About the Author	177