



Crime and Punishment in Classical and Libertarian Utopias

Vincenzo Ruggiero

Classical utopian thought has never exhausted the strength of its messages, and has frequently been re-elaborated in anarchist literature. This contribution analyses the differences between classical utopias and contemporary libertarian thought, particularly in relation to crime and punishment.

Suspect profiles. Criminal identification and construction of the suspect

Andrea Molteni

The idea that crime can and must be tackled with the weapons of science was born during the 1800s and gave rise to two great 'dreams' of the criminal sciences: that of being able to identify the criminal type from distinctive physical and moral features; and that of being able to foresee the crime (and its perpetrator) and thus take action to prevent it beforehand. Since its origins, the development of the science of criminal identification has overlapped with the advent of a new type of person: the recidivist. At a certain point the problem assumed a different form and required the development of new, or renewed, knowledge which would make its scientific and rational governance possible. The development of these techniques has often been accompanied, to some extent, by the nineteenth-century dream of being able to detect the premonitory signals of crime and to recognize the future criminal in advance.

Human dignity, treatment and abuse

Patrizio Gonnella

The word 'treatment', employed by the Italian penitentiary law with respect to prisoners, recalls clothes before than human beings. It is not, then, a good word. It presumed that an external intervention should be accomplished. It presumed that an interference on the individual is needed, that a prisoner must be changed in order to become better. The word 'treatment' seems to be coherent with expressions strongly characterized from an ideological or religious point of view, such as 'moral reeducation' or 'redemption'. Italian penitentiary rules are entirely grounded on the myth of the treatment aiming at reeducation. This paper identifies in the human dignity a new paradigm capable of working as a boundary that cannot be overstepped by a discretionary management of punishments. Looking at the prison life through the lens of the fundamental rights of the detainees in spite of through the lens of the penitentiary treatment has the result of weakening the possibility of applying special prison regimes, that are one of the preferential arena for modern ill-treatment.

International crimes: punishment, forgiveness?

Elisa Orrù

The International Criminal Court (ICC) and the South African Truth and Reconciliation Commission (TRC) were created at the end of the last century in order to redress the most serious violations of human rights. However, the two organisms are an example of two radically different paradigms of justice: retributive justice on the one hand and restorative justice on the other. This article analyses the theoretical background, the challenging mandates, and the activities and achievements of these two exemplary experiences. It further submits an evaluation of their work, according to which the TRC was better able to fulfil its mandate than the ICC has been so far.

Affects and politics: a difficulty of Spinozism

Pierre-François Moreau

In the Third Part of the *Ethics*, the principle of similarity conceived as a universal functional rule of human nature proves to be a powerful factor in the explanation of inter-human relations. Yet, far from being able to found a spontaneous sociability and harmonious concord among men, the feeling of similarity is rather a source of jealousy and rivalry. Therefore, it is a difficult route from these affective motives to that sociality which Spinoza describes in terms of a pact in the *Theologico-Political Treatise*, and as a balance of interests and passions in the Fourth Part of the *Ethics*.

Nature and society. The Individual in Locke and Spinoza

Roberto Evangelista

This article makes a comparison between Locke and Spinoza on the relationship between the individual and society. The two authors, in fact, have interesting similarities and substantial differences concerning the conception of the state of nature and particularly the explanation and dynamics of the establishment and functioning of political society. This article shows how the relationship between nature and society is not determined by the way of thinking the individual, but through the space in which it is thought the exercise of individual rights. In this way, Locke and Spinoza describe political relations that are ultimately different in quality.

Chemistry of the character and motives by Schopenhauer

Genesis and fortune of a metaphor

Fabio Ciracì

After the apprenticeship in Weimar with Goethe and having worked with him in colors theory, in his *Ethics* Arthur Schopenhauer seems to take the poetic image of Elective Affinities Goethe's, to reinterpret it in a philosophical sense, as a metaphor of necessary and causal relationship, that elapses between the unchanging character of man and the motives acting on it. Later, the metaphor of a 'chemistry of the character and motives' will be taken up by Paul Rée, who criticize it in the light of his ethical skepticism, and Friedrich Nietzsche, who on the contrary, in *Human All Too Human*, will characterize it in genealogical sense, suggesting a his 'chemistry of the ideas and sensations'. The metaphor is Schopenhauer's explanation of an ethical deterministic vision, but not free from exceptions and contradictions, that wants to establish the ethical sense immanent, with the proposal of a 'secular religious', as it called Sossio Giametta.



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