

Punishment as Communication with the Victim of Crime

Matjaž Ambrož, Ph.D., Professor at Faculty of Law, University of Ljubljana, Researcher at Institute of Criminology at the Faculty of Law in Ljubljana, Slovenia. E-mail: matjaz.ambroz@pf.uni-lj.si

The traditional dichotomy of "absolute" and "relative" theories of punishment may currently be considered obsolete. There is increasing discussion on expressive theories as the third pillar of the theories of punishment. These theories do not search for aims of punishment either in retribution or crime prevention, but rather see punishment as a means of communication or symbolic expression. Expressive theories of punishment appear in different variations, and the author critically evaluates some of these variations, whereas he finds the most intriguing those which consider punishment to be a symbolic means of communication with victims of crime. This variation of expressive theories closes an important gap in the discourse on the aims of punishment. At the same time, it opens several controversial questions, including: which expectations of victims of crime are legitimate and to what extent should the criminal justice system try to meet these expectations?

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