

# Conference on Law & Morality

## *William & Mary School of Law*

### Criminal Law

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Professor Kyron Huigens specializes in the areas of criminal law, and the death penalty. Before joining the faculty at Benjamin N. Cardozo School of Law, Professor Huigens practiced in the Seattle-Tacoma area for 12 years, including five as a prosecutor and three as a criminal defense attorney. His primary scholarly interest is the theory of punishment. He has published articles and essays in *Harvard Law Review*, *California Law Review*, and *Georgetown Law Journal*, among others.

### Realism, Coherence, and Particularism in Punishment Theory

This essay considers several preliminary and foundational issues involved in formulating a virtue ethics theory of punishment. It considers that theory from a meta-ethical point of view, examining the implications of adopting a version of moral realism, a coherence approach to justification, and moral particularism in the formulation of a punishment theory. The paper will conclude by tying these issues to a point of general jurisprudence: the compatibility of a virtue ethics theory of punishment with legal positivism.