

SECTION 21.

PHILOSOPHY AND POLITICAL SCIENCE

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HUMANIZING PUNISHMENT AS A KEY ELEMENT OF MODERN ANTHROPOCENTRISM

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More and more often, scientific and popular science publications voice opinions about an anthropocentric turn in modern society and a new wave of interest in humanism as a social value. Today, there are many definitions of humanism. These are classic definitions and definitions formulated in the days "after Auschwitz". However, suppose we try to give a generalized definition of humanism. In that case, the best option seems to be what The framework for this understanding was formalized internationally by the International Humanist and Ethical Union (IHEU) through two key documents: 1) The Amsterdam Declaration (2022), which defines Humanism as a "life stance" that is "ethical" and "rational." It emphasizes support for "democracy and human rights," insisting that "personal liberty must be combined with social responsibility." Humanism is presented as "an alternative to dogmatic religion," valuing "artistic creativity and imagination," and is committed to living lives of "fulfillment" through the powers of "free inquiry", "science", and "creative imagination" [3]; 2) according to the "Minimum Statement on Humanism" humanism is described as "a democratic and ethical life stance. It affirms that individuals have the right and responsibility to give meaning and shape to their lives. Humanism advocates for creating a more humane society grounded in an ethic based on human and natural values and encourages reason and free inquiry. It is not theistic and does not endorse supernatural views of reality" [4].

The main tenets of these definitions highlight that humanism recognizes both the right and duty of each person to define their own life. However, it also emphasizes that "personal freedom must be combined with social responsibility." The inherently social nature of humans requires that individuals live within a community. Those who ignore the importance of social responsibility often find

that society operates as a collective entity, relying on authority to enforce norms and rules. In such cases, the law and the practice of punishment play a crucial role in upholding the state as a cohesive social unit, demonstrating the necessity of maintaining societal norms.

Crime destroys individuals and relationships, giving rise to the responsibility to restore what has been lost. Punishment serves as a method of social control. The latest anthropocentrism emphasizes that the life of a person and the person himself is the highest value and object of attention for society and the state, and three components must be present "if punishment is to act as a reasonable means of checking crime":

- 1) Speedy and Inescapable detection and prosecution must convince the offender that crime does not pay;
- 2) After Punishment, the offender must have "a fair chance of a fresh start";
- 3) "The State which claims the right of punishment must uphold superior values which he (offender) can reasonably be expected to acknowledge" [2].

The purpose of punishment should be to reform the offender through a personalized approach. This principle is rooted in humanism, which recognizes that even when a person commits a crime, they remain a person deserving of dignity. The circumstances that led to the crime may never occur again, and thus, the aim of punishment should be the moral transformation of the offender. This perspective aligns with humanism as a cohesive blend of theory and practice, promoting the principles of humanity in real life and fostering a positive value system for individuals.

The prominence of the humanistic element in social interactions suggests that this framework is guided by principles such as reconciliation, equality between the Self and the Other, and coexistence with the Other while allowing their presence. Advocates of this perspective believe that a compassionate, understanding, and loving approach toward offenders can lead to transformative changes in their characters. Even violent, hardened criminals can potentially be reformed and become helpful individuals through kind words and gentle guidance.

This revival of humanism, once overlooked, is now gaining recognition again. It is influencing societal attitudes toward law-abiding citizens and those who have committed crimes or are merely suspected of illegal activities. While the Western European approach to treating individuals, including criminals, is rooted in human-centered and humanistic values and has a rich history of evolving toward a more humane punishment system, this concept is relatively new for Ukraine, where such a path is just beginning to take shape.



SECTION 21.

PHILOSOPHY AND POLITICAL SCIENCE

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