***Jean Hampton and Jeffrie Murphy***

While two separate witnesses in our tribunal hearing, Hampton and Murphy need to be discussed together as they co-authored *Forgiveness and Mercy* which is the relevant work to these proceedings; it is their book which serves as the strong philosophical underpinning of Stuart Wilson’s (see below) powerful critique of the TRC in his “The Myth of Restorative Justice: Truth, Reconciliation and the Ethics of Amnesty.” Both Hampton and Murphy entertain the idea that retributive thinking can be a “legitimate response to wrongdoing,” although Murphy embraces this idea for more substantially than Hampton who has reservations about some forms of retribution and strongly advocates forgiveness and mercy where possible. While it may be tempting to see Hampton as a better witness for the defense, her willingness to acknowledge the legitimacy of some forms of retribution make her potentially an excellent critic of the TRC to the degree that it devalued all forms of retribution. Murphy seems a much more straightforward critic of restorative justice that lacks a retributive component, though he too considers the value of forgiveness and mercy, which is after all the title of their book. Used in tandem with Wilson’s essay, they should make a formidable block on the side of the plaintiffs. However, given their overall balanced treatment of the issues involved, there should be plenty of play for the defense during cross which, in my mind, makes them excellent witnesses for the educational purposes of this hearing.

**ARTICLES:**

Davis, Michael. "Heavenly Philosophy: What Thomas Hobbes Said to Jean Hampton." *Social Theory and Practice* 32.3 (2006): 341-64. *ProQuest.* Web. 22 Jan. 2016.

Richardson, J. (2007). On not making ourselves the prey of others: Jean hampton's feminist contractarianism. *Feminist Legal Studies, 15*(1), 33-55. doi:http://dx.doi.org/10.1007/s10691-006-9041-y

Kamm, F. M. “The Nobel Warrior: Feminism, Contractarianism, and self in the light of Hampton.” *Philosophical Studies.*89(203): 237 – 258. Web. 20 Jan 2016. http://search.proquest.com/docview/196611664/F97D67872A774DE8PQ/7?accountid=415#

**BOOKS:**

Hampton, Jean. The Retributive Idea. In: *Forgiveness and Mercy*. Google Books. [Cambridge University Press](http://www.cambridge.org/9780521395670), 1988. Print. Pp.111 – (various paging). <https://books.google.com/books?id=SrkxtpsuIZ8C&pg=PA111&source=gbs_toc_r&cad=3#v=onepage&q&f=false>.

Hampton, Jean. “The Moral commitments of Liberalism.” In: the Idea of Democracy. David Copp, ed. Google Books, 1995. Print. Pp. 292 + various pagings. https://books.google.com/books?id=jFM4AAAAIAAJ&printsec=frontcover&dq=Idea+of+Democracy+hampton&hl=en&sa=X&ved=0ahUKEwjHk\_-pv77KAhVU3GMKHeUIBc4Q6AEIHTAA#v=onepage&q=Idea%20of%20Democracy%20hampton&f=false

Hampton, J, *The Moral Education Theory of Punishment.”*  In: *Punishment.* Simmons et al., eds., 1995. Princeton University Press, 1995. Pp. 112 + various pagings. Web. https://books.google.com/books?id=-twJwC8asWgC&pg=PA112&dq=Hampton,+J,+The+Moral+Education+Theory+of+Punishment&hl=en&sa=X&ved=0ahUKEwif1LCAxb7KAhVY-2MKHQTVBKsQ6AEIKzAA#v=onepage&q=Hampton%2C%20J%2C%20The%20Moral%20Education%20Theory%20of%20Punishment&f=false

**VIDEO:**

“Jean Hampton of Desert (philosophy) Top 8 Facts.mp4.” [*Rishi Janaki*](https://www.youtube.com/channel/UCH_RoAhblLoM5uVcdTGbfIQ). YouTube, **Jan 10, 2016. Web. 22 Jan 2016.** <https://www.youtube.com/watch?v=VA3-T6ypNl8>**.**