

Examrace

Western Ethics Theories of Punishment for Competitive Exams

Doorsteptutor material for competitive exams is prepared by world's top subject experts: **get questions, notes, tests, video lectures and more-** for all subjects of your exam.

Complete Video at - [Theories of Punishment and Introduction: Western Ethics \(Philosophy\)](#)

Introduction



©Examrace. Report @violations @<https://tips.fbi.gov/>

Complete notes and preparation module at doorsteptutor.com

- Punishment is the result of breach of laws, rules or regulations.
- Wrongness from the act performed is avenged by punishing the perpetrator.
- The ethical justification of punishment follows the simple logic, that is, if a good act deserves a praise, then a bad act deserves a punishment.
- In other words, punishment is a negative reward given to a person for going against the laws or rules and doing something forbidden.
- It is important to punish a person for it sets a precedent that breach of laws, rules and regulations is not allowed.

- In some cases, punishment is also important for restoring the faith of the citizens in judiciary, or restoring harmony in the society, or for restoring peace and equity.
- Hence, in-order to preserve the sanctity, supremacy of laws and regulation, a criminal must be punished for deliberately going against the system of code and conduct.
- There are three main theories of punishment.
- They are;
 - Deterrent theory
 - Retributive theory
 - Reformatory theory

Deterrent Theory of Punishment

- It is also known as preventative theory. (by some jurists)
- In this theory, it is believed that punishment is given so that potential criminals can learn a lesson and not dare to commit the crime.
- As the name suggests preventative, it also means to take the measures to prevent future crimes by criminals (repeat crime) and people in general (commit a fresh crime) .
- This theory is utilitarian in nature.
- For example, “you are not punished for stealing the horse, but in-order that horse may not be stolen.”
- This theory aims to control the rate of crimes in the society.
- Jeremy Bentham promotes deterrent theory of punishment.

Retributive Theory of Punishment

- This theory believes that the criminal deserves the punishment for committing the crime.
- It is based on the strict principle of justice and equity. Meaning, like the right acts are awarded and appreciated. Similarly, wrong acts are punished (negative rewards) and looked down upon.
- So, everybody is to be treated in a just and a fair manner.
- Aristotle and Hegel are two of the famous advocates of retributive theory of justice.
- According to Hegel, violation of law demands punishment. So, the criminal must be punished.
- It works on the principle of “as you sow, so shall you reap” and “an eye for an eye, a tooth for a tooth.”

- Gandhi opined against this theory of punishment for being brutal and barbaric in nature. He quotes, “an eye for an eye will make the whole world blind.”

Reformative Theory of Punishment

- it is also known as Educative theory of punishment.
- As the name suggests, punishment is given solely for the purpose of reforming the criminal.
- This theory of punishment emphasises on the “improvement of the criminal” .
- The idea behind this punishment is criminals are also human beings and everyone deserves a second chance.
- Under this theory, criminals are trained, educated and transformed into law abiding, moral citizens.
- Plato is believed to have introduced reformative theory of punishment. His views have been summarised in the points below;
- Like a parent is to the child, the state is to the delinquent.
- Punishment is a medicine for the wicked ones.
- However unpalatable punishment may be, it is always for the perpetrator’s better.

Points to Remember

- Expiatory theory of punishment is the one where if the offender realises its mistake, then the offender is forgiven of the crime.
- Preventive theory aims to prevent the crime, rather than avenging it. Some of the examples are death punishment, life time imprisonment, etc.
- Some jurists distinguish between preventive theory and deterrent theory. According to them, the aim of the latter is to deter or to abstain people from doing wrong the crime by severely punishing the offender. Whereas, the former theory of punishment aims at preventing the time, rather than avenging it.

MCQ

1. _____ theory of punishment accepts forgiving the offender of the crime if he/she accepts it

Option:

- A. Retributive theory
- B. Reformative theory
- C. Expiatory theory

D. Both B and C

Answer: C

2. The aim of _____ is to abstain people from doing wrong the crime by severely punishing the offender.

Option:

- A. Deterrent theory of punishment
- B. Preventative theory of punishment
- C. Reformatory theory of punishment
- D. None of these

Answer: A

3. “you are not punished for stealing the horse, but in-order that horse may not be stolen.” is an example of

Option:

- A. Deterrent theory of punishment
- B. Preventative theory of punishment
- C. Reformatory theory of punishment
- D. None of these

Answer: A

4. _____ theory works on the principle of “as you sow, so shall you reap”

Option:

- A. Deterrent theory of punishment
- B. Preventative theory of punishment
- C. Reformatory theory of punishment
- D. Retributive theory of punishment

Answer: D

5. Under _____ theory, criminals are trained, educated and transformed into law abiding, moral citizens.

Option:

- A. Deterrent theory of punishment
- B. Preventative theory of punishment

C. Reformative theory of punishment

D. Retributive theory of punishment

Answer: C

- We learnt about:

#Punishment

#Crime

#Reformative

#Preventative

#Retributive

 Manishika

Developed by: [Mindsprite Solutions](#)