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Attention then turns to the central questions to be answered by theories of crime and punishment: what a crime is, what it means to be responsible for a crime, why it is necessary to respond to crime, who may respond to crime, how to respond to crime. Ideas such as retributivism, lex talionis, utilitarianism, and consequentialism are highlighted. The chapter also looks at some influential ways in which the justification of criminalization and punishment has been addressed in post ...

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To punish a human being simply because he has committed a wrongful act, without any thought of good to follow, is vengeance pure and simple, and more detestable and harmful than any casual isolated crime.

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Theories of Crime and Punishment
Claire Valier Longman
Criminology Series
cover blurb This exciting new book in the Longman Criminology Series provides a critical introduction to the principal theories of crime and punishment from the late eighteenth century to the present day.

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These ideas have been formalized in several different ways. The Utilitarian philosopher Jeremy Bentham is credited with articulating the three elements that must be present if deterrence is to work: The punishment must be administered with celerity, certainty, and appropriate severity. These elements are applied under a type rational choice theory. Rational choice theory

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is the simple idea that people think about committing a crime before they do it.

Section 2.5: Theories of Punishment | Criminal Justice

Deterrence, incapacitation, and rehabilitation are all arguments that look to the consequences of punishment. They are all forward looking theories of punishment. That is, they look to the future in deciding what to do in the present. The shared goal of all three is crime prevention. Retribution

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The retributive theory focuses on the crime itself as the reason for imposing punishment. Where the utilitarian theory looks forward by basing punishment on social benefits, the

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Retributive theory looks backward at the transgression as the basis for punishment.

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Later psychological theories of crime were based on behaviour theory, such as that of the American psychologist B.F. Skinner (1904–90), who viewed

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all human behaviour—criminal and otherwise—as learned and thus manipulable by the use of reinforcement and punishment (see behaviourism).

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According to Durkheim the difference lied in the intensity of punishment. In traditional societies, punishment was more corporal in nature; it focused on the body of the offender. In modern societies, things have become more complex and focus has shifted to institutionalization. This institutionalization has led to a lenient form of punishment.

Theories of Punishment: Durkheim and Marxist

Utilitarian punishment is meant to

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deter future crimes, while at the same time assuring the public that crime is not tolerated, and is swiftly punished. The retributive side of punishment is meant, simply stated, to keep society happy. A happy society is one without crime, or at least low crime, and the threat of punishment is what keeps most people from committing crimes.

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This exciting new book in the Longman Criminology Series provides a critical introduction to the principal theories of crime and punishment from the late eighteenth century to the present day.

Theories of crime and punishment by Valier, Claire
Backward-looking theories identify

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the justification for punishment in some fact about how the to-be punished crime was committed. Most theories seek a punishment “proportional to” or “fitting” the crime. Retributivist theories see punishment as a “paying back” for the crime committed.

Theories of Punishment –
1000-Word Philosophy: An ...
Punishment - Punishment -
Rehabilitation: The most recently formulated theory of punishment is that of rehabilitation—the idea that the purpose of punishment is to apply treatment and training to the offender so that he is made capable of returning to society and functioning as a law-abiding member of the community.

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The retributive theory focuses on the crime itself as the reason for imposing punishment. Where the utilitarian theory looks forward by basing punishment on social benefits, the retributive theory looks backward at the transgression as the basis for punishment.

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Anglo-American theories of punishment have been stuck in a conceptual rut for quite some time, with battle-weary consequentialists (who advocate punishment for the sake of some beneficial consequence, such as crime reduction) and retributivists (who prefer punishment for its own sake, as a matter of “ just

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deserts”) continuously reenacting a conflict that has advanced little since the days of Beccaria and Bentham.⁹

Theories of Crime and Punishment in German Criminal Law

First conceived by Cesare Beccaria, the classical theory states that crime is a result of the risk-reward ratio leaning favorably towards

“reward.” In other words, if the reward outweighs the risk, crime occurs. Of course, this theory also states that crime is a choice and that the choice must be a selfish one.

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theory of criminal behavior can dispense with special theories of anomie, psychological inadequacies, or inheritance of special traits and

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Simply extend the economist's usual
analysis of choice.

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