

The nature of punishment and its justification essay sample



**ASSIGN
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1. Introduction

Who has the right to punish? How much punishment is just? How does society punish those who have violated its rules? These are just some questions that normally arise whenever punishment is discussed.

There are various conflicting theories about the laws, rules, and customs that regulate and keep check of everyday life, especially how to deal with those who have violated and went against acceptable norms and standards.

Punishment can be defined in different ways. Wikipedia defines punishment as “ the practice of imposing something unpleasant or aversive on a person or animal in response to an unwanted, disobedient or morally wrong behavior. [2] ”

Punishment is usually implemented for civil and criminal control, and often involves the person who has violated the law or the lawbreaker, the person, individual or entity that was affected by the actions of the lawbreaker, and the society that decides and implements the type of punishment to be given to the lawbreaker.

1. Statement of the Problem

As punishment can be viewed from different perspectives, the question that arises is whether punishment can be justifiable or not. For research purposes, the statement of the problem for this research is, “ Is punishment something that is truly justifiable?”

III. Purpose of the Study

The purpose of this study is to show and prove that punishment can be justifiable. This research aims to show that the punishment implemented to criminal violators does have a basis and that the punishment they received is just and does not violate their own rights. It also aims to show that the punishment violators received also serves somehow as a retribution for the people or institution that they have done wrong to.

This research will also show how the victims of criminal violence felt after the criminal violator was punished and if they feel that they have reached retribution for the crime that was committed to them.

1. Scope and Delimitation

This research will focus on criminal punishment, the basis for implementing such punishments, to the people these are implemented to, and the punishment criminal violators actually receive.

This research will focus on how the victims of criminal violence felt after their perpetrators were punished, and if they feel that the punishment given to their perpetrator was just and reasonable. It also aims to show if these victims somehow feel that society is truly doing its part in upholding the law, and punishing those who have violated it.

1. Significance of the Study

Since punishment is something that can be viewed subjectively, this research aims to shed light regarding several concerns regarding punishment and its justification. One of the concerns that some people regarding punishment is that it may be abused and misused to some extent,

and this research aims to show that criminal punishment is not only just, but is also fair and is not abused as what some people are concerned about.

1. The Design - Methods and Procedures

In order to gather information, this research will utilize previous court rulings regarding criminal cases. The researcher will then research on the punishment the criminal violator received and how the court came to this ruling.

If possible, this research will also aim to obtain how the victims of criminal violation felt when their perpetrators were given punishment for their crime. To be more specific, whether they felt that the punishment their perpetrators received was just and timely, and if they feel that society has done its part in upholding the law and protecting its citizens against violations in the future.

Another way to gather information is to research on literature regarding punishment and its justification. The written works of other writers will greatly aid this research by supporting the problem raised in this research and may also provide relevant information about the topic it covers.

VII. Questions and Hypotheses

This research also aims to answer the following questions:

1. What is the nature of punishment?
2. How does the court decide on the punishment to be applied to a criminal violator?
3. How is this punishment implemented?

4. How did the victims of criminal violence feel after their perpetrators were punished with the crime that was done to them?
5. Is punishment something that is truly justifiable?
6. Does society really need punishment in order to uphold and maintain the law, rules, and regulations it aims to implement? Could there be an alternative to punishment?

VIII. References

Wikipedia. Punishment. <http://en.wikipedia.org/wiki/Punishment>. January 08, 2008.

Kevin Murtagh. Punishment. <http://www.iep.utm.edu/p/punishme.htm>. 2006.

[1] From Wikipedia. Punishment. <http://en.wikipedia.org/wiki/Punishment>. January 08, 2008.

[2] Murtagh, Kevin. Punishment. <http://www.iep.utm.edu/p/punishme.htm>. 2006.