

# Reward and punishment

Law



In America we all live by laws, codes, and rules that have been put in place before we were even born.

With each law and rule there is also a causal effect if we do not properly follow them. For instance, we know that if you kill someone, there will be negative consequences. Also, if we excel in our career, we will be rewarded appropriately. Justice and fairness are issues that we all strive to achieve. The concept of good and bad in regards to justice and fairness ties into our reward and punishment systems. Let's take a look at how each of these is used in America. First we have reward.

“ Reward is one method of distributing on a fair and just basis the good we are concerned with” (Thiroux, and Krasemann 122). Reward is very desirable in many people eyes. We have the need to be rewarded for our efforts, whether it is at work or at home. There are two major theories that deal with how reward should be distributed which are retributivist and utilitarian. Retributivist, or deserts theory rewards based on what people deserve for what they have done in the past, not for what the consequences for what they have done will be. Rewarding based on one's efforts is the main focus. According to the retributivist theory, if two people are enrolled in the same Ethics class and put in the same effort, they should end up with the same grade.

This would seem to be unfair to many people. The example alone is one of the major issues regarding retributivist theory. There is no incentive for a person to produce a higher quality of work or seek a dangerous occupation. Utilitarian theory is based upon good consequences for everyone affected by

acts or rules (Thiroux, and Krasemann 129). The emphasis is on the future and the rewards should be given only when someone is seeking to bring good consequences to everyone. The idea is to give someone an incentive to do better or work harder (Thiroux, and Krasemann 129). This theory also believes in rewarding people for working in dangerous or unpleasant occupations because it ultimately brings about the greater good for everyone involved.

One problem of this theory is that the rewards are based on production and nothard work. In Americal believethat we tend to use a combination of both retributive and utilitarian. Each theory has aspects to them that sound similar to the way some people are evaluated for rewards. While there are no hard fast rules as to how we should distribute rewards, everyone can agree that it should be done in the fairest method possible. The four basic ways that goods or rewards can be distributed are equally among all without merit, a person's abilities, merit, and needs. The combination of criteria is specific to the situation for which we are basing the reward upon. For example, we distribute goods out based on needs.

Think of a homeless person and what their needs might be; shelter, food, water, just to name a few. There are many local homeless shelters and soup kitchens that help meet these needs. Someone that is not homeless might argue that it isn't fair that they would not be allowed to sleep in the shelter or eat at the soup kitchen, but if we think about the criteria for distributing goods, this person does not have the same need as a homeless person does. If the person disregards the need of others over his based on selfishness, the result could be in the form of punishment. Punishment is defined as “ the <https://assignbuster.com/reward-and-punishment/>

infliction of some kind of pain or loss upon a person for a misdeed (i. e. , the transgression of a law or command).

Punishment may take forms ranging from capital punishment, forced labor, imprisonment and fines (Encyclopedia Britannica). There are three different theories regarding how punishment should be distributed. The retributive theory states that punishment should be given only when it is deserved and the severity should match the extent of the crime. It is only concerned with the past and is given to deter future offensive behavior. Punishment is given to restore order within a society. A view of retributivism can be found in a saying in the Old Testament, “ an eye for an eye and a tooth for a tooth” (Thiroux, and Krasemann 135). Retributive justice attempts to ensure that the punishment fits the crime so if you have committed a murder, you are put into prison for longer than if you have stolen a car.

Another view is that of the utilitarian theory and it is focused on the future rather than the past. Punishment is not given because a crime, but given so that something good could result. An example would be instilling shame in a person if they did something that we feel is wrong. Lastly, we have the restitution theory. Restitution is provided to victims by those that committed the crimes. This could be accomplished easily when dealing with a crime like theft. According to restitution, if we give back the item that was stolen, justice would be achieved.

When thinking about how America approaches punishment, I believe that we again use a combination of theories. The United States, we have been focused on retribution mainly because of the idea of “ an eye for an eye, a

tooth for a tooth...” which has been influential for thousands of years and used in ancient law (Encyclopedia Britannica). This focus on retribution has made the United States demand retaliation against criminals. This can clearly be demonstrated with the terrorist attacks of 9-11. The use of shame is also used a lot and I usually see it in younger children as a tactic to teach the child right from wrong. Restitution is also commonly used when the punishment can be easily resolved with this method. There will always be controversy over the effectiveness of how we reward and punish people in our society.

The best we can hope for is that everyone tries to conduct themselves in the highest morals possible and in the event that punishment must be given it is done so in the fairest way possible. Punishment is necessary because it can also give a sense of closure and helps victims move on with their lives.

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