



# The criminal laws and types of criminal punishments

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## DESCRIPTION

Punishment is the imposition of an unfavorable or painful outcome on a group or individual by an authority in a variety of contexts from child discipline to criminal law as a response and deterrence to a particular conduct or behavior that is regarded unwanted or unacceptable. It is, nevertheless, possible to discern between distinct perspectives on what constitutes punishment (Durkheim E, 2018).

Punishment may be used to teach a child to avoid self-harm, to enforce social conformity (for example, in the contexts of compulsory education or military discipline), to defend norms, to protect against future harms (for example, those caused by violent crime) and to uphold the law and respect for the rule of law that governs the social group. Punishment can be self-inflicted, as in religious self-flagellation and flesh mortification, although it is more typically a form of societal pressure (Roth MT, 1995).

Punishment is when something unfavorable is done to a person (or animal). It's possible they broke a rule. There are a variety of punishments available, ranging from the death sentence for very heinous offences to things that parents can do to discipline their children, such as slapping or taking away their toys. People are frequently sentenced to prison as a result of their actions (Plaut WG, et al., 1981).

## Types of criminal punishment

**Retribution:** One of the first types of punishment was the concept of "an eye for an eye." Those in favor of retribution feel that knowing a criminal received the appropriate level of punishment for the

crime committed offers victims of crime, or society as a whole, a sense of pleasure. Lawmakers must decide on the right levels of punishment, which can range from fines for traffic tickets to mandatory prison sentences for severe crimes (Braman D, et al., 2010).

**Deterrence:** Deterrence focuses on specific and general deterrence and seeks to prevent future crime. Specific deterrence is the process of making someone less likely to perpetrate a crime in the future because they are afraid of receiving a comparable or worse punishment. The term "general deterrence" refers to the effect on members of the public who are less likely to commit a crime after knowing about another person's punishment.

**Rehabilitation:** Rehabilitation aims to change a criminal's conduct in order to prevent future crime. While in jail, this usually entails providing a variety of services, such as educational and vocational programs, treatment center placement and mental health therapy. This technique also usually allows judges to include rehabilitation programs as part of a criminal's sentence. The goal is to reduce recidivism, or the number of people who commit another crime after being released from jail.

**Incapacitation:** This is another old method that is still used today. Incapacitation simply refers to a person's exclusion from society. This can involve confinement in a prison, home arrest and in the worst case scenario or execution. The issue with this method, according to many, is that it ignores rehabilitation and recidivism, both of which tend to be high in communities that practice incapacitation.

**Restitution:** Restitution deters future crime by financially punishing the offender. Restitution is similar to a civil litigation damages award in which the court compels the criminal defendant to reimburse the victim for any injury caused. Physical injuries, loss of property or money and on rare occasions, mental grief can also be covered by restitution. It could also be a monetary fine to cover some of the costs of criminal prosecution and punishment (Bentham J, et al., 1906).

**Specific and general deterrence:** By terrifying the defendant or the general public, deterrence prevents future crime. Specific and universal deterrence are the two types of deterrence. An individual defendant is subject to specific deterrence. When the government punishes a criminal, he or she is less likely to conduct another crime out of fear of

receiving a similar or worse punishment. The concept of general deterrence pertains to the general populace. When the public learns of a specific defendant's sentencing, the public is presumably less inclined to commit a crime because of the defendant's punishment. When the public learns, for example, that a certain defendant was sentenced to life in prison or received the death penalty, it can instill a great fear of criminal prosecution.

Studies on the types of crimes and their punishments are heavily influenced by these notions. Each one was created with the goal of providing suitable punishment for criminals while also preserving society's safety (Posner RA, 2010).

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