



The Meaning And Nature of Punishment

David Shichor

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This concise review of punishment as a major social and cultural institution explores the nature of laws and the cultural influences that shaped them. Shichor delineates the problematic nature of punishment and the philosophical and theoretical opinions that for centuries have stirred debates about the right to punish, how to punish, and how much punishment is just. Shichor probes the recurring dilemmas about justifications, aims, social functions, and societal reaction to violators. His thoughtful presentation and analysis of this complex topic leads to critical thinking about societal values concerning justice, human rights, social equality, and relations between the state and its citizens. The text probes for answers to: 1) What are the justifications and functions of punishment? 2) Is the promise of punishment sufficient to reduce crime? 3) Does punishment restore the balance to victims of crime? 4) Is punishment required to satisfy the urge for retribution? At what cost to society? 5) What should be done to the person who breaks the law? 6) What should be done for the person deprived of his/her liberty? 7) Are prisons, the dominant form of punishment, adequate in terms of physical structures, training of staff, state supervision, and healthcare? 8) Does society have a responsibility to seek remedies other than incarceration? 9) Will conditions such as poverty, unemployment, and lack of education make reintegration in the community impossible and recidivism inevitable? 10) Can we classify offenders and select punishment based on predictions of whether an offender is a good risk or a bad one? and 11) Should efficiency guide decisions about penal policy?

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