

**Q NOS:-**

Compare the punitive and reformative approaches in the treatment of offenders within the criminal justice system.

Additionally, explore the ethical considerations and societal implications of emphasizing punishment versus rehabilitation in the context of offender management.

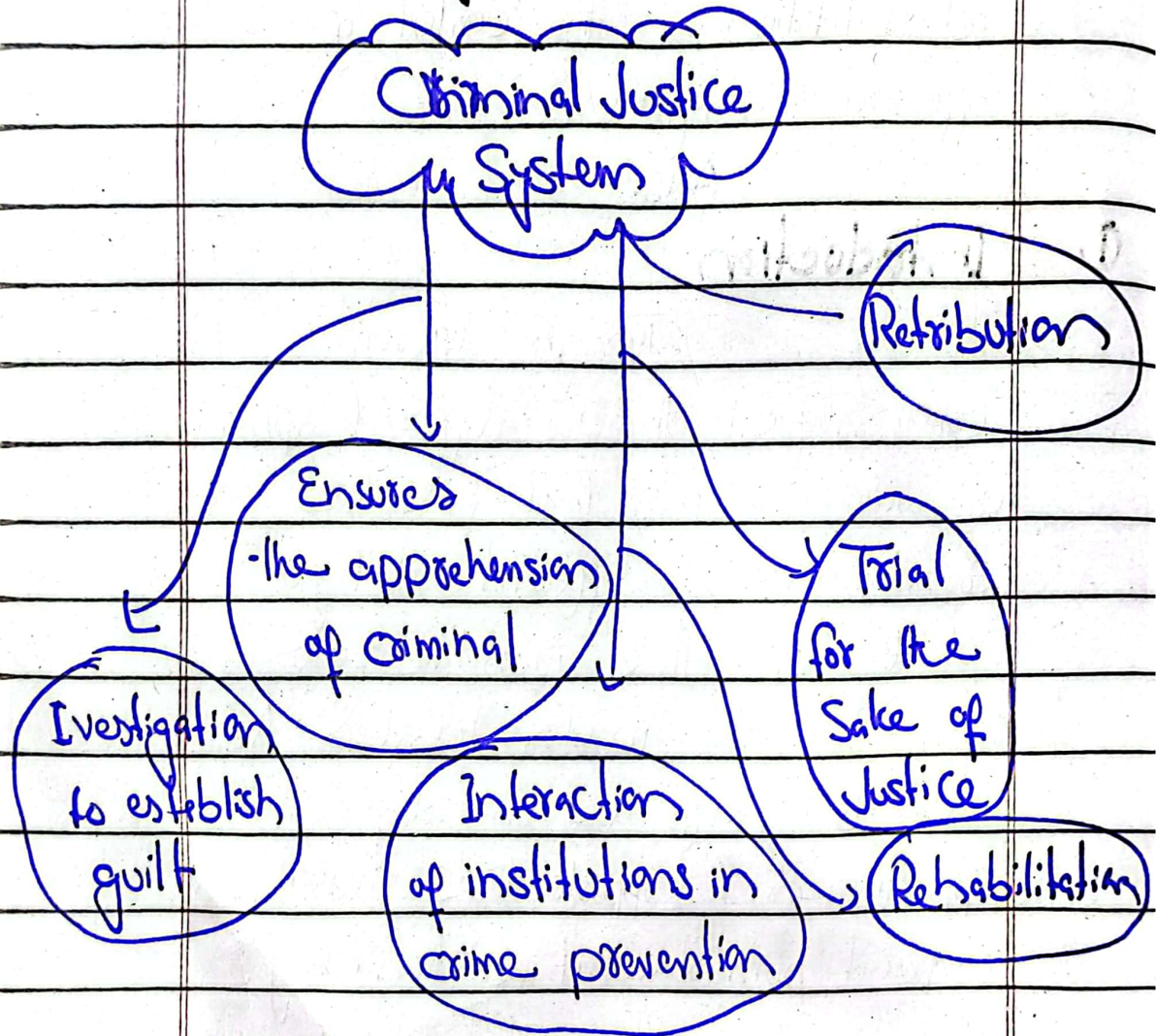
**ANS:-**

**① Introduction**

Through different criminological theories different approaches were developed. That laid the foundations of different ideologies. Out of them the punitive and reformative are much debated. As these both ways are 360° degree opposites, one supports the idea of corporal punishment, contradictory, other condemns the philosophy. In order to delve deep into the debate it is necessary to check them through

criminological theories. Through which, along with other factors, their ethical and societal implications in a society can be ~~formed~~ achieved.

## 2) An overview of the Criminal Justice System



As it is mentioned in the

flow-chart, the criminal justice system checks - the interaction between the institutions, works to serve justice and other important functions.

### ③ Comparing - the punitive and reformative approaches in the treatment of offenders

#### ① Punitive Approaches and its ideology behind it

The ideology behind the punitive is deep rooted in the hedonistic calculus of men. As Jeremy Bentham in his book 'Crime and Punishment' has mentioned. In that perspective, to reduce the sense of pleasure by the criminal acts the concept of punitive punishment is derived.

## ① Criminological Theories in Perspective of Punitive approach

### ①- Pre-Classical School of Thought

As per the pre-classical school of thought, human did criminal acts out of spiritual domination, in order to surrender the demon's power the priests used to perform corporal punishment for the offenders in the dark ages.

### ②- Hedonistic Calculus — Based on the Rational Choice

As stated earlier, the philosophy of hedonistic calculus redefined the ideas the men work under it own will. Therefore to reduce pleasure the punishment is added.

Fixed. By proper counselling  
the illa Ego of criminals  
can be re-built.

## ② Social Control Theory

The social control theory  
suggests that through building  
proper connection of offender  
with society the crimes  
can be controlled.

### ii) Advantages and disadvantages

#### ① Utilizing human power through reformative skills

The best examples is  
Central Jail Karachi and skill  
building of convicts. Through  
their <sup>skills</sup> earning, they are  
earning and contributing to  
the society.

## ③ Burden on State

② - Setting standards for preventing crimes through humanistic way

The correction of criminals through the principle of humanism. The appreciation of humanity

③ - Difficult to predict human psychology

The major disadvantage of that idea is, the complexity of human psychology. As it is difficult to understand the psychology of men.

④ Ethical and societal implications -

There are plethora of ethical and social considerations and some of them are:

© Advantages and Disadvantages of Punitive School of Thought

① - Deterrence — Pre-emptive approach

Though this principle the deterrence is established in a society -

② - Retribution — Serving the Justice

The main purpose of the criminal justice system is to serve the justice, thus it fulfills the motto

③ - Burden on Economy

As per disadvantages, the offender becomes the burden on the economy. As the offender spends its time period by state funds.

## (b) Reformative approach and its ideology behind it

According to the reformative school of thought, the principle of reformation, the criminal behaviour can be changed. There are several ways, such as, correctional centers, rehabilitation programmes and skill development of offenders in ~~in~~ prison that enables it more beneficial.

## (i) Criminological Theories in Perspective of Reformative approach

### (1) Psychodynamic Theory

As per psychodynamic theory, people commit crime because of weak ego, Sigmund



## (i) Ethical implications

### ① Restorative

①- Humanist in nature

②- Works to utilize human energy

③- Giving chance to offender to reintegrate in society

④- Less burden on the society

### ② Punitive

①- Inhuman in nature

②- Chances of social learning

③- Burden on state

## ⑥ Societal Implications

### ① Reformative

①- Collective growth and a second chance

②- Free hand to criminals and criminality

### ② Punitive

①- Deterrence in society

②- Less and hard hand to criminals and criminality

### ④ Conclusion

To cut story short, both ideas have its own perspective, through analysis, it is found that both school of thoughts have positive and negative impact.