Why Punish?

Trace changing responses to theft and the purposes behind them

SS24.S.6b "Trace how society has reacted to deviant behaviors throughout history and explain the theoretical principles of punishment, including retributive, rehabilitative, and deterrent.*"

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Number the three time periods in order, underline one response to theft in each period, and circle words that explain what each response was meant to accomplish.

Theft and the Purpose of Punishment

1 When a person stole cloth from a shop in eighteenth-century England, the response might be public and severe. Some convicted thieves were whipped before a crowd; certain thefts could lead to execution under laws later called the Bloody Code. Officials hoped that spectators would fear committing similar acts. That aim reflects deterrence, or trying to prevent future offenses by making consequences visible. Punishment could also be retributive: a penalty meant to answer a wrong. Yet observers disagreed about whether harsh penalties were just, and poverty could shape both theft and public judgment.

2 During the nineteenth century, many reformers in Britain and the United States criticized public punishment and promoted prisons. They argued that a person removed from old pressures might reflect on an offense and change. Some prisons later added schooling or job training, pointing toward rehabilitation, which seeks to help a person avoid offending again. But isolation and harsh labor also harmed prisoners, and prison did not guarantee change. A prison term could serve more than one purpose: reformers might hope for rehabilitation, while lawmakers could also intend a penalty for the wrong or a warning to others.

3 Today, a court responding to shoplifting may choose among penalties allowed by local law, depending on the case. A fine or a brief jail term can express retribution if it is meant to match the wrong. Community service can also be a penalty, while an education program may aim to build skills and reduce future theft. Repaying a store addresses the loss, but it does not automatically change why the theft occurred. Public views of theft and fair punishment vary across times and communities. When judging a response, ask who is harmed, who benefits, and whether the measure prevents another offense.

2 ANSWER WITH EVIDENCE

Use the passage

1. How could a public whipping in eighteenth-century England serve both deterrence and retribution?

2. How did the response promoted by nineteenth-century reformers differ from public punishment, and what change did they hope it would bring?

3. Why might a nineteenth-century prison term reflect more than one principle of punishment? Include one reason to question whether it achieved rehabilitation.

4. A judge says a shoplifting fine should match the wrong, while an education program should reduce future theft. Which principle guides each choice, and how do their aims differ?

3 YOUR TURN

Your own words

Imagine a town in 1900 and today responding to someone painting words on a public wall without permission. In one paragraph, describe how its response changes, explain at least two punishment principles behind the responses, and identify one possible drawback.

ANSWER KEY

Why Punish?

PART 1 · READ AND MARK

Number the three time periods in order, underline one response to theft in each period, and circle words that explain what each response was meant to accomplish. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How could a public whipping in eighteenth-century England serve both deterrence and retribution?	**It could warn spectators against theft through fear of punishment, while also serving as a penalty meant to answer the convicted person's wrong.**
2	How did the response promoted by nineteenth-century reformers differ from public punishment, and what change did they hope it would bring?	**Reformers promoted prisons instead of public punishment. They hoped that time away from old pressures, sometimes with schooling or training, would help people change and avoid offending again.**
3	Why might a nineteenth-century prison term reflect more than one principle of punishment? Include one reason to question whether it achieved rehabilitation.	**A prison term might aim to help a person change, answer a wrong, or warn others. Isolation and harsh labor harmed prisoners, and prison did not guarantee change.**
4	A judge says a shoplifting fine should match the wrong, while an education program should reduce future theft. Which principle guides each choice, and how do their aims differ?	**The fine is retributive because it is meant to answer the wrong. The program is rehabilitative because it aims to build skills and prevent future theft.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

In my imagined town in 1900, a judge fines the person for painting the wall. Today, the town asks the person to clean the wall and attend a community art program. The fine is retributive because it is a penalty for the damage. The art program aims at rehabilitation by offering another way to make art. Cleaning the wall addresses the harm, but the program might fail if it ignores why the person painted there.

Accept other plausible responses for the imagined town if the student shows a change over time, accurately explains at least two principles, and identifies a relevant drawback. A single response may serve more than one purpose.