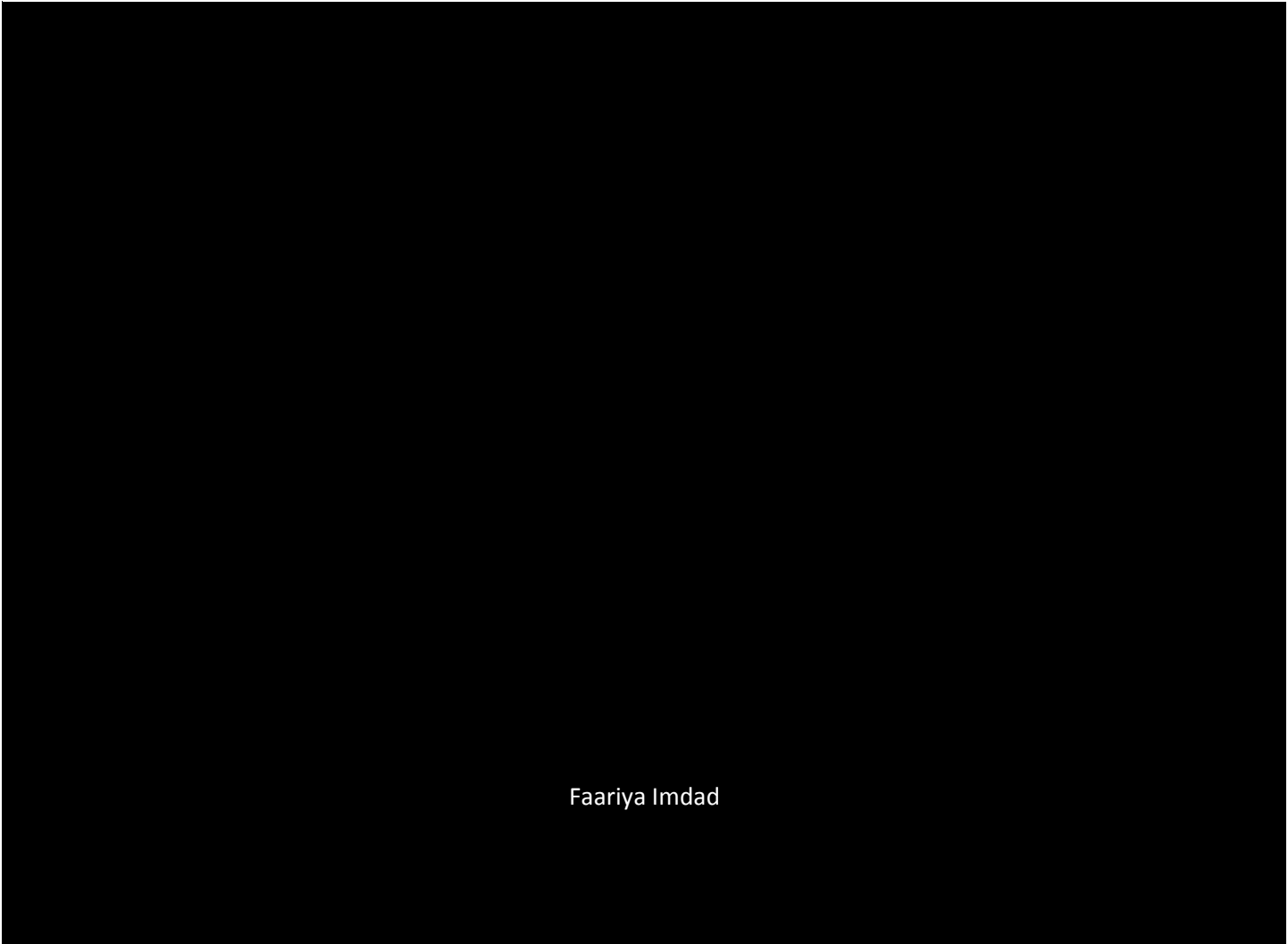




THEORIES OF PUNISHMENT

ANSWER OUTLINE



Faariya Imdad

THEORIES OF PUNISHMENT

1. Preliminary Note
2. Definition of Punishment
3. Object of Punishment
4. Theories of Punishment:
 - I. Deterrent theory
 - II. Preventive theory
 - III. Reformatory theory
 - IV. Retributive theory
 - V. Expiative theory
 - VI. Denunciatory theory
 - VII. Compensatory theory
5. Objects of Theories
6. Deterrent Theory:
 - i. Definition
 - ii. Basic Idea behind it
 - iii. Views;
Salmond
Locke
 - iv. Aims of Punishment in the deterrent theory
 - v. Effect of this theory on society
 - vi. Deterrent theory in England
 - vii. Criticism
 - a. Ineffective
 - b. Lack of reformation
 - c. Ineffective fear
 - d. Ignorance

7. Preventive Theory:

- i. Definition
- ii. Basic idea of theory
- iii. Views of jurists
Justice Holmes
Paton
- iv. Punishments in Preventive theory
Death
exile
imprisonment
forfeiture
- v. Criticism:
 - a. Inapplicable in some moments
 - b. Not effective
 - c. Does not serve the purpose

8. Retributive Theory:

- i. Definition
- ii. Basic idea behind it
- iii. Views of Jurists
Plato
Sir James Stephen
- iv. Retributive theory in ancient times
- v. Retributive theory in modern age
- vi. Retributive theory and Islamic concept
- vii. Effect of theory on society
- viii. Criticism:
 - a. Creates Hate
 - b. Cruelty
 - c. Not applicable in modern societies

9. Reformatory Theory:

- i. Definition
- ii. Basic idea behind

- iii. View of jurist
Salmond
- iv. Reformatory theory and advanced countries
- v. Laws in respect of Reformatory theory
- vi. Criticisms:
 - a. Based on slight punishments
 - b. No fear

10. Expiatory Theory:

- i. Definition
- ii. Theory based on
- iii. Effect of theory
- iv. Criticism

11. Denunciatory Theory:

- i. Definition
- ii. Echo of
- iii. View of Lord Denning
- iv. Criticism

12. Compensatory Theory:

- i. Definition
- ii. Basic idea behind
- iii. Nature of theory
- iv. Criticisms:
 - a. Over-simplifies
 - b. Helpful for rich
 - c. Increasing crime rate

13. Conclusion.