

RESOLVED: RETRIBUTION OUGHT TO BE VALUED ABOVE REHABILITATION IN CRIMINAL JUSTICE SYSTEMS

Hook

As a teacher, my mother noticed a common phenomenon every year. If a student misbehaved and was disciplined, the others behaved as well. But if a student misbehaved and did not receive punishment, the whole class became unruly. Retribution acted as a deterrent to others. Because this principle applies to our society, I stand RESOLVED: **RETRIBUTION OUGHT TO BE VALUED ABOVE REHABILITATION IN CRIMINAL JUSTICE SYSTEMS.**

Definitions

Rehabilitation - to teach (a criminal in prison) to live a normal and productive life -Merriam Webster Learner's Dictionary¹

Retribution – “Punishment for doing something wrong” – Merriam Webster Learner's Dictionary²

Resolutional Analysis

When weighing this resolution, we must view the **effects** either side would have on the **whole** of society. Would society be better off if the criminal justice system upheld rehabilitation above retribution, or vice versa?

Value

My value is **Societal Well-Being**. Dictionary.com says³ it is “the good or satisfactory condition of society.” In other words, it is achieving “the **most good** for the **most people**.” It can't get more valuable than that. If you think about it, we all have the inherent desire to live in a society that's in good condition. That's the whole **reason** the criminal justice system was put in place- to promote societal well-being by dealing with the evil of crimes. Societal well-being is highest in the round also because it **encompasses** my opponent's value. (**OPPONENT'S EXTRINSIC VALUE**) is actually **1** means to achieving societal well-being and is valuable **only** because it contributes to what is **ultimately** valued: good for **all** society.

Criterion

My criterion, or way to achieve societal well-being, is **the deterrent effect on crime**. The deterrent effect on crime is simply the effect retribution has on would-be criminals and society. When criminals receive just punishment, it is a warning beacon to other would-be criminals, because they would know and fear the same sentence would apply should they commit those crimes.

¹Merriam-Webster Learner's Dictionary. “Rehabilitate.” Accessed January 2, 2017. This definition is on page 1, available from <http://learnersdictionary.com/definition/rehabilitation>

²Merriam-Webster Learner's Dictionary. “Retribution.” Accessed January 2, 2017. This definition is on page 1, available from <http://www.learnersdictionary.com/definition/retribution>

³Dictionary.com. “Well-being.” Accessed January 4, 2017. Page 1, available from <http://www.dictionary.com/browse/well-being>.

Violence, murder, theft, etc - is what disrupts society's well-being. So the best way to promote societal well-being is to deter and reduce crime.

Contention 1: According to the deterrent effect, retribution must be higher

A. Retribution deters crime

In 1997, criminals stole stop signs in Florida. Because of this, a **deadly** car accident occurred, prompting the judge to issue a **harsh** sentence. Because **other** potential criminals feared the same sentence, the number of stop signs stolen in Florida, and **in neighboring states**, decreased drastically.⁴ Retribution was a **deterrent** resulting in less crime and increased societal well-being as countless other lives were potentially saved. This principle of deterrence is at work in entire societies! Singapore, famous for retribution policies, has high ratings in societal well-being, and is considered the 2nd **safest country in the world**.⁵ Germany,⁶ The Philippines⁷, and Indonesia⁸ also hold retribution⁹ above rehabilitation and see similar results.

B. Rehabilitation Doesn't Deter Crime

By nature, rehabilitation is concerned only with reforming convicted criminals. According to the NAACP, convicts in the US make up only 3% of the entire society!¹⁰ That's a very small impact for good on society. Moreover, rehabilitation does **nothing** to deter and prevent **new** criminals from continually surfacing. In fact, when rehabilitation is emphasized, people are incentivized to commit crimes because rehabilitation does **not** scare potential criminals or ward them off. And unlike retribution which deters and **prevents** crimes **in the first place**, rehabilitation deals with crimes only **AFTER the fact** when it's too late.

We see this in the 1950's and 60's when the US Criminal Justice System switched to rehabilitation over retribution. According to the NCPA, crime rates rose to **UNPRECEDENTED LEVELS!**¹¹ Why? Because rehabilitation has no effect on deterring crime and thus does not benefit society. Only retribution deters crime, benefiting society as a result.

⁴Vice Crime and American Law "Module 7: Punishment – Retribution, Rehabilitation, and Deterrence." Published by THE UNIVERSITY OF NORTH CAROLINA GREENSBORO, accessed January 2, 2017. This information is from page 4, available from <http://web.uncg.edu/dcl/courses/vicecrime/pdf/m7.pdf>

⁵ASIAONE "Singapore is 2nd safest country in the world." Published by AsiaOne Singapore News, accessed January 7, 2017. This information is from page 1 available from <http://news.asiaone.com/news/singapore/singapore-2nd-safest-country-world>

⁶Vincent N. Schiraldi, "What We Can Learn From German Prisons." Published by The Huffington Post. Vincent N. Schiraldi is a Senior Research Fellow at Harvard Kennedy School's Program in Criminal Justice and former head of NYC Probation and DC Juvenile Justice Agency. This information is from page 2, available from http://www.huffingtonpost.com/vincent-n-schiraldi/what-we-can-learn-from-ge_b_9602676.html

⁷NationMaster "Philippines vs United States Crime Stats Compared" Accessed January 2, 2017. This information is from page 1, available at <http://www.nationmaster.com/country-info/compare/Philippines/United-States/Crime>

⁸NationMaster "Indonesia vs United States Crime Stats Compared" Accessed January 2, 2017. This information is from page 1, available at <http://www.nationmaster.com/country-info/compare/Indonesia/United-States/Crime>

⁹DrugAbuse.com "The 20 Countries with the Harshes Drug Laws in the World." Accessed January 2, 2017. This information is from page 3, available from <http://drugabuse.com/the-20-countries-with-the-harshest-drug-laws-in-the-world/>

¹⁰NAACP "CRIMINAL JUSTICE FACT SHEET." Accessed January 2, 2017. This information is on page 1 available from <http://www.naacp.org/criminal-justice-fact-sheet/>

¹¹Morgan O. Reynolds, "Does Punishment Deter?" Accessed January 2, 2017. This information is on Chapter 6, page 1 available from <http://www.ncpa.org/pub/bg148?pg=6>