**Punishment**

Punishment, in modern criminal law, is a penalty inflicted by the state upon a person for committing a criminal offence.

In early societies punishment for a crime was left to the person wronged or to his or her or tribe. The punishments inflicted were characteristically cruel, and, by modern standards, out of proportion to the offence committed. Torture and capital punishment, prevalent early forms of punishment, evolved largely from old beliefs in vengeance. With the growing complexity of society and the centralization of governments, the right to punish was taken from the offended party and vested in the state.

Only at the end of the 18th century significant call for improved criminal procedure arise. Punishment came to be thought of not only as express vindication but also as a means of protecting the laws from abuse by individual members of the society. Deterrence and separation from society, rather than revenge, became the principal purposes of punishment, with the degree of penalty adjusted to reflect the nature of the crime. Ensuing reforms reduced the number of capital crimes, restricted corporal punishment, and virtually abolished mutilation, replacing most of these harsh measures with imprisonment. Emphasis began to be placed on rehabilitation for the good of society and the individual, rather on punishment for its own sake.

The issue of punishment versus benign corrective treatment has persisted to this day. Arguments against punishment cite its essentially vindictive and peremptorily negative nature; its effects are viewed as ineffective and perhaps even destructive. Proponents of legal punishment, on the other hand, stress its value as a sobering deterrent to those criminally inclined and, in the case of imprisonment for its own sake, as a means for protecting society from chronic or dangerous lawbreakers. Criminal codes of the different countries vary with regard to specific penalties that may be imposed for crimes.

In modern law the most severe form of punishment is capital punishment, legal infliction of the death penalty. The usual alternative to the death penalty is long-term or life imprisonment.

The classic moral arguments in favor of the death penalty have been biblical and retributive. “Whosoever sheds man’s blood, by man shall his blood be shed” (Genesis 9:6) has usually been interpreted as a divine warrant for putting the murderer to death. “Let the punishment fit the crime” is its secular counterpart; both maxims imply that the murderer deserved to die. Proponents of capital punishment have also claimed that society has the right to kill in defence of its members, just as the individual may kill in the self-defence. The analogy to self- defence, however, is somewhat doubtful, as the effectiveness of the death penalty as a deterrent to violent crime has not been proved.

Critics of the death penalty have always pointed to the risk of executing the innocent, although definitely definitely established cases of this sort in recent years are rare. They have also argued that one can accept retributive theory of punishment without necessarily resorting to the death penalty; proportioning the severity of punishment to the gravity of the crime does not require the primitive rule of “a life for a life”.

Nowadays many countries of the world have abolished the death penalty. The most severe form of punishment in Ukraine is life imprisonment.