Restoration  
Affirmative Case by Joel Erickson



“Restoration” meshes deontological ethics with a Richard Weaver-esque “ideas have consequences” eye to the practical repercussions of both sides of the resolution. Without saying the worth of rehabilitation and retribution are determined by results (a sheer consequentialist framework), “Restoration” instead begins with the fundamental moral principle of human dignity, and then demonstrates that the results of rehabilitation and retribution serve respectively to edify or to degrade human worth.

If society orients their criminal justice system around the principle of vengeance, the result is a callous dismissal of dignity and abusive, dehumanizing treatment of prisoners. One cannot simultaneously seek to pursue dignity and thirst for vengeance. On the other hand, rehabilitation is compatible with human dignity, because it fosters an environment where penal officers experience genuine concern for the wellbeing and dignity of inmates—a concern that manifests itself in their committed efforts to restore them to society.

Restoration

It has been said that “the trouble with the rat race is that even if you win, you’re still a rat.”[[1]](#footnote-1) Regardless of success, performance, or results, only the inherent dignity of humanity imbues our lives with true meaning. Unfortunately, people are still treated like rats in many parts of the world. You don’t have to look to the chilling gulags of Stalinist Russia or the barren killing fields of Cambodia[[2]](#footnote-2) to see gross violations of human dignity—you can find utter dehumanization in the American retributive prison system.

Because retribution treats criminals like animals, but rehabilitation restores their dignity, I stand resolved: **Rehabilitation ought to be valued above retribution in criminal justice systems**.

# Value: Human Dignity

“Human dignity is the recognition that human beings possess a special value intrinsic to their humanity and as such are worthy of respect simply because they are human beings.”[[3]](#footnote-3) There are three primary reasons why you ought to use human dignity as the standard by which to compare the pros and cons of rehabilitation and retribution.

## Reason to Prefer 1: Foundational

Because societies consist of our interactions with other people—our families, our friends, our neighbors, our coworkers, and our fellow citizens—the principle that we should treat other people with respect is foundational. In fact, the United Nations explicitly acknowledged the fundamentality of dignity by preceding the Universal Declaration of Human Rights with the words:

“Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.”[[4]](#footnote-4)

## Reason to Prefer 2: Inviolable

Not only does human dignity undergird morality itself, but it is an inviolable principle—a brightline by which we measure the morality of actions. Written in the aftermath of the egregious horrors perpetrated during World War II, the Universal Declaration of Human Rights affirms the inviolability of human dignity, saying,

“Disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.”[[5]](#footnote-5)

## Reason to Prefer 3: Universal

No matter one’s race, ethnicity, social status, cultural background, intelligence level, age, gender, or criminal record, each and every human is created in the *imago dei*, and thus ought to be treated with regard to his or her inherent worth. Dignity is not a culturally conditioned concept, or a luxury granted to select elites, but rather something with which our Creator has endowed all.[[6]](#footnote-6)

# Contention 1: Retribution Treats People Like Animals

According to the Human Rights Watch,

“A federal judge in 1999 concluded that Texas prisons were pervaded by a ‘culture of sadistic and malicious violence.’ In 1995, a federal judge found a stunning pattern of staff assaults, abusive use of electronic stun devices guns, beatings, and brutality at Pelican Bay Prison in California, and concluded the violence ‘appears to be open, acknowledged, tolerated and sometimes expressly approved’ by high ranking corrections officials.”[[7]](#footnote-7)

In other words, when our policies are guided by vengeance, it’s only logical that dignity-crushing abuses occur within a retributive-based system.

# Contention 2: Rehabilitation Restores People to Dignity

Let’s contrast rehabilitation. Look no further than the Louisiana State Penitentiary, otherwise known as Angola Prison. Before Warden Burl Cain assumed administration, the prison was notoriously reputed to be “the bloodiest prison in America.” But now, after instituting rehabilitation programs, Angola, according to Steve Rempe, writing for Charles Colson’s Prison Fellowship Ministries,

“During his nearly two decades at the Louisiana State Penitentiary at Angola, the prison has shed its reputation as the ‘bloodiest prison in America,’ and has become a model for other prisons seeking to reduce violent assaults among prisoners.”[[8]](#footnote-8)

Why? Rempe continues, quoting philosopher and scholar Peter Leithart.

“In an [article for First Things](http://www.firstthings.com/web-exclusives/2014/09/remember-the-prisoners-1), Peter Leithart seeks to find the reason for the prison’s transformation. While he notes several programs that have been implemented that have contributed to the change, Leithart suggests the biggest reason for the turnaround is more a change in attitude toward those behind bars. ‘Respecting inmates as human beings goes beyond treating them with dignity,’ Leithart says. ‘Angola’s programs are set up on the assumption that inmates have talents and hopes that can be cultivated so they can contribute to life within the prison and even to society outside.’ Such an approach is especially important in a maximum security facility like Angola, where the vast majority of residents will never leave the prison. The value of the individual is not based on what they can contribute, but on the inherent image of God that exists in every soul. And it is because of the recognition of this innate value that these men actually can contribute to their in-prison community and beyond.”[[9]](#footnote-9)

Rehabilitation takes the tarnished image of God inherent even within broken criminals and restores it, enabling the criminal to reintegrate into society.

# Conclusion

Vote for rehabilitation, the only option that restores people to dignity. Otherwise, “when you treat people like animals do not be surprised when they then start acting like them.”[[10]](#footnote-10)

Negative Brief: Restoration

As negative, the most convenient thing for you is that human dignity is not weighed strongly toward one side of the resolution or the other. In fact, numerous philosophers such as Immanuel Kant[[11]](#footnote-11) have contended that retribution upholds dignity because it affirms an individual’s moral responsibility. By punishing, we administer the consequences to a criminal’s actions, treating them as a rational, sentient being who recognized the immorality of his actions. Others such as C.S. Lewis have extended the argument, writing that rehabilitation, instead of restoring someone to dignity, objectifies him because it ignores the moral imbalance created by crime. We try to rehabilitate animals by retraining them, Lewis reasons, because we discern that they are not capable of understanding punishment, only stimulus response. In contrast, we punish people, and if we rehabilitate them we treat them as no better than animals.

If your negative case is predicated on the notion that grave offenses warrant punishment, then you might approach the case from a metadebate perspective. In addition to engaging the affirmative’s arguments, argue that violators of human dignity (such as Stalinist Russia or Pol Pot as mentioned in the introduction) deserve retribution, and that because we have elevated human dignity to be the highest standard in the round, we need to ensure that those to denigrate dignity receive their just deserts.

1. “Lily Tomlin Quotes,” BrainyQuote, 2017. <https://www.brainyquote.com/quotes/quotes/l/lilytomlin100013.html> [↑](#footnote-ref-1)
2. Taylor, Adam. “Why the world should not forget the Khmer Rouge and the killing fields of Cambodia.” *The Washington Post,* 7 Aug. 2014. <https://www.washingtonpost.com/news/worldviews/wp/2014/08/07/why-the-world-should-not-forget-khmer-rouge-and-the-killing-fields-of-cambodia/?utm_term=.c9688740c10a> [↑](#footnote-ref-2)
3. “Human Dignity,” The Center for Bioethics and Human Dignity. <https://cbhd.org/category/issues/human-dignity> [↑](#footnote-ref-3)
4. *Universal Declaration of Human Rights,* United Nations, 1948. <http://www.un.org/en/universal-declaration-human-rights/> [↑](#footnote-ref-4)
5. *Universal Declaration of Human Rights,* United Nations, 1948. <http://www.un.org/en/universal-declaration-human-rights/> [↑](#footnote-ref-5)
6. Declaration of Independence, 1776. <http://www.ushistory.org/declaration/document/> [↑](#footnote-ref-6)
7. “Prisoner Abuse: How Different Are US Prisons?” *Human Rights Watch,* 2004. <https://www.hrw.org/news/2004/05/13/prisoner-abuse-how-different-are-us-prisons> [↑](#footnote-ref-7)
8. Rempe, Steve, “Dignity and the Moral Rehabilitation of Prisoners,” *Prison Fellowship,* 16 Sept 2014. <https://www.prisonfellowship.org/2014/09/dignity-and-the-moral-rehabitation-of-prisoners/> [↑](#footnote-ref-8)
9. Rempe, Steve, “Dignity and the Moral Rehabilitation of Prisoners,” *Prison Fellowship,* 16 Sept 2014. <https://www.prisonfellowship.org/2014/09/dignity-and-the-moral-rehabitation-of-prisoners/> [↑](#footnote-ref-9)
10. Vidal, Ava. “Prisons' book ban: If you treat people like animals, then don't be surprised when they start acting like them,” *The Telegraph*, 27 March 2014. <http://www.telegraph.co.uk/women/womens-life/10724910/Prisons-book-ban-If-you-treat-people-like-animals-then-dont-be-surprised-when-they-start-acting-like-them.html> [↑](#footnote-ref-10)
11. Peter Koritansky, “Two Theories of Retributive Punishment: Immanuel Kant and Thomas Aquinas.” History of Philosophy Quarterly, Vol. 22, No. 4 (Oct., 2005), University of Illinois Press on behalf of North American Philosophical Publications, pp. 319-338, <http://www.jstor.org/stable/27745035> [↑](#footnote-ref-11)