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## Abstract

A primary component of the American Criminal Justice System is the approach to punishment, which includes intention, justification, and methodology. This paper establishes a timeline that follows the development of punishment, beginning in the present and working back to Ancient Greece to the trial of Socrates, commonly referred to as the father of Western philosophy. Around the same time in history, the father of Eastern philosophy, Confucius, taught in the East. Socrates and Confucius had very different approaches to most aspects of life, especially punishment. Where Socrates saw punishment as a cure for the soul, Confucius thought punishment should be light and moderate, focusing on rehabilitation. This paper explores their conceptions of punishment and then proceeds to partake in a thought experiment where Confucius replaces Socrates in ancient Greece. The exact timeline from the first part of the paper is utilized to observe the significant deviations that would occur in the evolution of punishment theory with Confucius's collectivist influence. By the end of the timeline, the present day, the American conception of punishment shifts to foundationally classify rehabilitation as the primary function of punishment to assist in the self-cultivation of offenders so that they may have a better chance of reentering of productive members of society.

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