

The Psychological Impact of Imprisonment and The Limits of Rehabilitation: A Judicial-Psychological Perspective on The Proportionality of Criminal Sanctions

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Abstract

This study investigates the psychological effects of custodial sentences and the challenges they pose to the ideal of offender rehabilitation, through the lens of the proportionality principle in criminal punishment. As contemporary criminal justice systems strive to balance the need for social protection with the imperative of individual reformation, this paper adopts an interdisciplinary approach—merging legal doctrine with psychological theory—to critically assess whether imprisonment, as traditionally applied, fulfills the rehabilitative goals embedded in modern sentencing frameworks. The primary objective of this research is to evaluate the extent to which incarceration produces adverse psychological effects that may undermine the very aims of proportional punishment. The study is guided by four main research questions: (1) What are the dominant psychological consequences of imprisonment on individual identity, autonomy, and social reintegration prospects? (2) How does the principle of proportionality accommodate—or fail to accommodate—these psychological dimensions in sentencing decisions? (3) Are there identifiable thresholds beyond which a custodial sentence becomes disproportionate due to its harmful psychological impact? (4) How do domestic courts and European human rights bodies (notably the ECtHR and CJEU) address the balance between punitive severity and mental integrity?

By exploring the intersection between psychological harm and legal proportionality, this paper contributes to rethinking penal rationales in light of empirical evidence, judicial standards, and the human dignity of the offender. It calls for a recalibration of sentencing practices to ensure that the pursuit of justice does not come at the expense of long-term psychological destruction and social exclusion.

Keywords: imprisonment, psychological impact, rehabilitation, proportionality, sentencing, criminal law, human dignity