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Criminology (LPI 304)

1. One popular justification for punishment is the just deserts, A person deserves punishment proportionate to the moral wrong committed. There are many situations in which people wish to punish another, when a person is unjustly harmed through assault or robbery, people typically experience a strong desire to punish the offender. There are two broad justifications for the use of punishment. One perspective holds that when an individual harms society by violating its rules in some normatively unallowable way, the scales of justice are out of balance, and sanction against the individual restores the balance. Under this perspective, the perpetrator deserves to be punished in proportion to the past harm he or she committed. The punishment is an end in itself and needs no further justification.

An opposing perspective holds that social harmony is best served by the prevention of future harm and that the justification for punishment lies in its ability to minimize the likelihood of future transgressions.

The central precept of just desert principle is that the punishment be proportionate to the harm, the just desert principle assesses the magnitude of the harm and also devises a punishment that is proportionate in severity, if not in kind. There are several core components of an offense that determine moral outrage and the magnitude of punishment according to just desert principle. It is these factors, the, that should trigger the motive to punish if people adhere to a just desert principle of punishment

2. Capital punishment, also known as the death penalty, is a government-sanctioned practice whereby a person is put to death by the state as a punishment for a crime. The sentence ordering that someone be punished in such a manner is referred to as a death sentence, whereas the act of carrying out such a sentence is known as an execution. Crimes that are punishable by death are known as capital crimes, capital offences or capital felonies, and vary depending on the jurisdiction, but commonly include serious offences such as murder, mass murder, aggravated cases of rape, child rape, child sexual abuse, terrorism, treason, espionage, sedition, offences against the State, such as attempting to overthrow government, piracy, aircraft hijacking, drug trafficking, drug dealing, and drug possession, war crimes, crimes against humanity and genocide, and

in some cases, the most serious acts of recidivism, aggravated robbery, and kidnapping.

Capital punishment is a matter of active controversy in several countries and states, and positions can vary within a single political ideology or cultural region. The United Nations General Assembly has adopted, in 2007, 2008, 2010, 2012 and 2014, non-binding resolutions calling for a global moratorium on executions, with a view to eventual abolition. Although most nations have abolished capital punishment, over 60% of the world's population live in countries where the death penalty is retained, such as China, India, the United States, Indonesia, Pakistan, Bangladesh, Nigeria, Ethiopia, Egypt, Saudi Arabia, Iran, and among almost all Islamic countries, as well as being maintained in Japan, South Korea, Taiwan, and Sri Lanka. China is believed to execute more people than all other countries combined. Execution of criminals and dissidents has been used by nearly all societies since the beginning of civilizations on Earth. Until the nineteenth century, without developed prison systems, there was frequently no workable alternative to ensure deterrence and incapacitation of criminals. In pre- modern times the executions themselves often involved torture with cruel and painful methods. The use of formal execution extends to the beginning of recorded history. Most historical records and various primitive tribal practices indicate that the death penalty was a part of their justice system. Communal punishments for wrongdoing generally included blood money. During the Nigerian military juntas of 1966–79 and 1983–98, the government used capital punishment against political opponents, most notoriously when General Sani Abacha ordered the execution of the Ogoni Nine by hanging in 1995. Since the transition to democracy, executions have become rare no executions took place between 2006 and 2013, when four prisoners on death row were hanged. About a thousand prisoners were awaiting execution at the time. After that, there were no more executions until 2016, when three men were hanged for murder and armed robbery. These executions were the last to date in Nigeria. On 17 December 2014, after being found guilty of conspiracy to commit mutiny, 54 Nigerian soldiers were sentenced to death by firing squad. The trial was held secretly by a military tribunal. The use of the death penalty in Nigeria has generated varied opinions among people in society.

In October 2014, former Governor of Delta State Emmanuel Uduaghan pardoned three inmates who were on death row following the

recommendations by the State Advisory Council on Prerogative of Mercy. In 2017, the Nigerian government has rejected the call by Amnesty International to halt the planned execution of some inmates on death row in Lagos State, and pointed that the death penalty was expressly authorized by **section 33** of the Constitution of Nigeria.

The effective way I think capital offenders should be treated is by death penalty and my reason is simple: crime differs, there are very serious crimes and also simple crimes and a lot of people are aware of this so if people can cause the death of their fellow man, or have committed other crimes that are rather serious then they should be wiped out by the death penalty or life imprisonment.

B. No, my answer would not be the same if the accused was charged for a simple offence. Because, There are also lighter punishments for simple offences.