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The philosophy that is the behind the JUST DESSERT PRINCIPLE is “let the punishment fit the crime”. It represents the idea of a fair and appropriate punishment related to the severity of the crime that was committed to the victim.

Just desert as a philosophy of punishment , argues that criminal sanctions should be commensurate with the seriousness of the offense it is not rare for a public outcry to follow some controversial judgment handed down to an individual convicted of a heinous crime. Indeed, it has become much too common, such that it merits a review of the judicial and philosophical concept of the punishment fitting the crime. Just desert is the modernized version would be that which is justly deserved.. In that respect, the good an ill but, from the perspective of criminal justice discipline, it is most often applied with regard to negative behavior.

Just desert is a philosophy of justice whereby a criminal offence is viewed as lowering the victim or community’s status or power relative to the offender, which requires a degradation of the offender to redress the moral balance. It ensures that a punishment is both appropriate to a crime and that it is consistence.. it considers the term to mean that criminals should get exactly what they deserve, no more, no less . Punishment involves the imposition of something that is intended to be both burdensome and reprobate, on a supposed crime by a person or body who claims the authority to do so.

Punishment involves material impositions or exaction that are in themselves typically unwelcome, in most societies today there are rules that have been codified and set as laws whole main purpose is the maintenance of order among human beings consequently the violation of these laws calls for societal reaction. Punishment is therefore one of the treatment for treating offenders in the society and to restore harmony or repair the damage done by the violation of the law. Just desert sometimes is referred to as the retribution type of sentencing

Retribution: this holds that punishment is justified by the moral requirement that the guilty make amends for the harm they have caused to society. This maintained that the severity of a punishment should be proportionate to the gravity of the offence. Some of this punishment should never be imposed to achieve a social objective, while others allow social objectives to pursue secondary goals. This a theory founded on the belief that those who commit crimes should be punished and that the severity of the punishment should be proportional to the crime committed.

This is the most ancient method of dealing with offenders. It is revengeful in nature it rest on the idea that a person whose conduct appears to have cause social harm should be held responsible. They usually consist of banishment, whipping, flogging, branding and various form of torture or death. When an individual commits a crime it must be given the exact punishment prescribed by law, which means there is no act of plea of bargaining in retributions.

What motivates this system are the notion of merit and desert. We think that people should receive what they deserve. This means punishment removes the undeserved benefits from convicted offender by imposing penalty that in some sense balances the harm inflicted by the offence. It is suffered as a debt that the wrongdoer owes their fellow citizens.

This JUST DESERT PRINCIPLE aims to restore both victim and offender to their appropriate positions relative to each other. This matter of giving those who violates human rights law and commit crimes against humanity their JUST DESERT. This punishment is thought to reinforce the rules of international law and to deny those who have violated those rules any unfair advantages, together with restorative justice , retribution is concerned with restoring victims and offenders to their rightful position.

“According to the JUST DESERT PRINCIPLE, the seriousness of the crime alone should determine the punishment deserved meaning it depends on the harm done and the culpability of the offender. “Under this theory is the concept of JUST DESERT, also known as proportionality principle. This principle address the issue of how much punishments should be inflicted and in answers that the measure of punishment should be given must be in proportion to the seriousness of the crime and is should be no more no less.

QUESTION 2:

Capital offense is any criminal charge which may be very severe that a person may be put to death, the vary from state to state. If a defendant is facing a capital charge, they may decide to plead guilty in exchange for a life sentence. A capital offender is a prisoner who has been sentenced to death and is awaiting execution.

As criminology student, my effective way to punish and treat capital offenders would be death penalty and life imprisonment. And my reason would be.

Firstly, death penalty, crimes that are punishable by death are known as capital crimes, capital felonies, or offence which are murder, mass murder aggravated cases of rape, child rape, child sexual abuse and so on. So as to permanently eliminate killers from the society and make the world a safe place. This punishment can be carried out either by firing squad or hanging and so on.

Secondly, life imprisonment this sentence cover a diverse range of practices, from the severe form of life imprisonment without parole, in which a person in explicitly sentenced to die in prison. The purpose of this punishment is to prevent crimes from re-occurring and to also prevent future crimes.

Finally, purpose for the punishment to respect the rights of the victim in a way to bring some closure of justification for the damage they suffered. For example we have the BOKO HARAM people those terrorists are to be punish by death for the amount of lives they have taken so as to avoid the repeat of such crimes and also to protect the public interest and safety.

Listed reasons for this punishments are;

1. )to prevent re- occurring of crimes
2. To prevent future crimes
3. To ensure justification of just desert
4. To permanently eliminate the crime

**QUESTION 3:**

NO, my answer won’t be the same because simple offences are like minor offence .death penalty and life imprisonment won’t be and appropriate punishment. Rather there are other punishments under article 8.2 of Tokyo’s rule such as:

1. Fines
2. Probation
3. Community service
4. Alternative sentences.