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**The Project outlines**

1. The Abstract: The abstract gives a brief comprehensive summary of the content of the paper.

2. Introduction: The introduction informs the reader of what and what not to expect in the subsequent paragraphs.

1. Definition of crime and punishment: Crime and punishment is the essay topic; therefore, it is critical to define the term.
2. Objectives of punishment: In this section, the author lists the five primary objectives of punishment.
3. Ancient and contemporary governmental response to crime: A discussion on the approach of ancient and contemporary government response to crime is critical. This section of the essay determines the magnitude of the shift in punishment between ancient and contemporary criminal justice systems.
4. A brief history of the American Criminal Justice System: This section of the essay is essential to give the reader an understanding of the background of the origin of crime and punishment.
5. Ancient and contemporary crime patterns: A comparison of the type of crime committed and the sanction is essential to measure the appropriateness and proportion of the punishment to the crime committed
6. The effectiveness of current crime prevention strategies: In this new era, different crime-fighting strategies implemented by government policymakers. This section aims to demonstrate the effectiveness of the relevant crime strategies implemented in the current American Criminal Justice System.
7. The impact of ancient crime and punishment on the current American Criminal Justice System: This part of the essay reflects how ancient crime and punishment influence the current American Criminal Justice System. There will be a brief discussion on the social, economic, and political influences on the criminal justice system.
8. The commonalities and differences between ancient and contemporary responses to crime: The commonalities and differences illustrate the common trait of crime patterns and different punishments administered.
9. Conclusion: All the primary points in the essay summarize in the conclusion.

**Abstract**

This essay is a review of crime and punishment; Ancient and Contemporary times. It explores the action taken against criminals in ancient and modern times. The author will analyze and evaluate crime and punishment administered during ancient times and historical attempts made to rectify harsh sanctions imposed on criminals. In ancient times, the typical response to crime was revenge. The avenge was sought by the victim or the victim's family to have the culprit killed. Sometimes the death penalty was not proportionate and measurable to the crime committed; hence, the original criminal will perceive himself as the victim and retaliate in a blood feud. As a result, the first laws and codes developed, which defined crime and corresponding punishment. The codes intended to quell crime and put an end to the blood feud. As time progressed, the Roman Republic developed a comprehensive code of law, including the criminal code, to deal with crime and punishment. The Romans viewed criminal acts as an affront to society rather than God or the gods. Rome took the role of determining and delivering punishment as a governmental function to maintain an ordered society. The action taken by Rome still influences the modern criminal justice system. Christianity introduced the merit of forgiveness and compassion; therefore, views towards crime and punishment began to evolve. Society began to understand that crime hurts victims and criminals. While criminals were deserving of punishment, they also deserve pity. These concepts continued to prevail in modern views of crime and punishment.

**Crime and Punishment**

**Introduction**

Since the beginning of time, revenge is a valid form of punishment for a crime committed. The punishment is mainly handed down by the victim or a family member of the victim (Johnstone, 2011). The punishment administered by the victim or a family member often did not match the crime and is considered too severe; hence, the offender becomes the victim. (The History of Crime and Punishment, n.d.).

As times progress, people realized that having families always in dispute and seeking revenge on each other was not a productive way to live. (The History of Crime and Punishment, n.d.). Subsequently, the people came together and formulated laws and rules to deal with crime and punishment in their community—one of the laws formulated in the Code of Hammurabi.

The code of Hammurabi was designed for punishment to match the crime committed. In most circumstances, the punishment is still inflicted by the victim or a family member as a form of revenge. (The History of Crime and Punishment, n.d.). Hammurabi's code was a set of legal precedents for different crimes and disputes, ranging from family law to contracts and serious crimes. (The History of Crime and Punishment, n.d.). The code is one of the earliest laws that recognized that a person charged with a crime is innocent until proven guilty.

Under Hammurabi's code, punishment is administered based on the criminal's age, social class, and gender. (The History of Crime and Punishment, n.d.). For example, if a rich man was convicted of theft, he would have to pay a fine higher than if a slave was convicted of the same offense. Alternatively, killing a rich person was more severe than killing a slave. (The History of Crime and Punishment, n.d.). The punishment under Hammurabi's code relied heavily on retribution; hence, gruesome and cruel.

The Romans were the first nation to look at crime and punishment as a purely human traits instead of the belief that punishing a criminal was doing God's work. They viewed crime as an insult to society as a whole; thus, the law was established to bring order to society. (The History of Crime and Punishment, n.d.).

**Definitions**

Crime is an act committed in violation of a law prohibiting it or omitted in violation of a law ordering it; crimes are variously punishable by death, imprisonment, or the imposition of certain fines or restrictions. (Webster's New Universal Unabridged Dictionary, 1972). There is also a moral or religious version of the definition of crime. Religious beliefs influence human culture and affect how men and women understand their relationship with their gods. (Johnstone, 2011). Punishment is the infliction of pain or loss upon a person for a misdeed (Edge, n.d.). Punishment for a crime committed can range from a simple fine to the death penalty.

**The objective of punishment**

The primary objectives of the response to crime by the ancient and contemporary forms of government system were to punish the offenders and control crime. Criminologists identified five significant categories of justification for punishing convicted offenders. The categories of punishment are retribution, deterrence, incapacitation, rehabilitation, and divine will. (Johnstone, 2011).

**Ancient Governmental Approach to Crime**

In this section of the paper, the author will review the ancient approach to crime and punishment by the Israelites, Romans, and Athenian government. During ancient times, when considering the type of acts to be prohibited, lawmakers will take into consideration societal values. According to Jones & Johnstone (2011), it is necessary to examine society's approach to what is acceptable to determine why an act is considered a crime and a similar act are not considered a crime. To make this determination, a person's life, family welfare, personal security, the security of his or her property, and other basic needs are critical. (Johnstone, 2011).

In Biblical Israel, the criminal justice system derived from the fact that Abraham's descendants occupied the unique position of being the chosen people of the great God, Yahweh. (Johnstone, 2011). The rules of behavior, the structure of criminal law, and punishment reflected this profound religious influence. Therefore, wrongdoings were offensive upon two grounds: (1) They destroyed the bonds of society, causing dissension among the people of Israel; and (2) the wrongdoing of any member of God's chosen people could quickly bring divine wrath down upon the entire nation, hence, are punishable by death or banishment. (Johnstone, 2011).

The foundation of Israelite law is based on the Ten Commandments. Wrongdoings were offensive and acted against religious practices; hence, punishable by death or banishment. (Johnstone, 2011). The Ten Commandments prohibit murder and theft, which were punishable by death. (Johnstone, 2011). However, by 620BC, the punishment for theft by the Israelites became less severe, and the offender was fined multiple times for the value of the property stolen.

Concerning the Athenians, they lived by a different code. However, some of their criminal laws originated from the earlier historical period and sought to prevent divine displeasure. (Johnstone, 2011). The ancient Greek view of their gods was that their gods were temperamental and suffered many of the same character flaws as humans and were easily offended. (Johnstone, 2011)

The Athenians' punishment for theft also demands much compensation from the owner. The compensation varies as to when and where the crime was committed. (Johnstone, 2011). For example, there were stiffer penalties for thieves caught in the night, which could have rendered them killed by the property owner.

Roman republicans, on the other hand, shared the Greek antipathy to Kingly rulers; however, their government was about the citizens' concept as the critical soldiers to Roman dominance in the world. (Johnstone, 2011). The Roman criminal justice system served to protect the citizens from unjust prosecution and to provide each citizen with a clear understanding of his rights and responsibilities to the state. (Johnstone, 2011).

The Roman statutes-imposed compensation as a punishment for ordinary theft. (Johnstone, 2011). Also, the victim can kill the culprit caught stealing in the night similarly, if he could be killed by the victim in possession of a weapon while stealing during the day. (Johnstone, 2011). Unarmed thieves caught during the daylight were scourged and enslaved to the victim if the victim was a free person. (Johnstone, 2011). Slaves caught committing theft in the day, whether armed or not, were sentenced to be scourged and then executed by being thrown from the Tarpeian Rock. (Johnstone, 2011).

**Contemporary Response to Crime and Punishment**

The contemporary government took a different approach than the ancient government in response to crime. In the American criminal justice system, the local government is responsible for crime control in their respective state, except where the federal government is restricted. (Lumbard, 1968). The contemporary government implemented several crime control strategies such as; training for local police to deal with crimes, networking with other states, applying technologies and forensic science to solve a crime, rehabilitation programs for repeat offenders, community policing, and public education programs. (Wagner, 2020).

In the Caribbean, the Eastern Caribbean Supreme Court of Justice issues sentencing guidelines to promote consistency when sentencing to a custodial term for the offense of murder. (Pereira, 2019). The sentencing guidelines 2019 state that a conviction for the offense of murder may result in one of the following sentences; a sentence of death, a whole life sentence, a determinate sentence, a detention by the court where an offender found to be insane or suffering related mental illness, or detention at the court’s pleasure. Therefore, in the Caribbean, punishment by death for murder is no longer only punishable by death. The sentencing judge has to examine all the mitigating and aggravating factors in the case when administering punishment.

Chief Justice of the Eastern Caribbean Supreme Court, Dame Janice M. Pereira, DBE, also issued six sentencing guidelines when sentencing for offenses of dishonesty. The Chief Justice indicated that the courts must apply the relevant guidelines and only permissible to depart from the guidelines in circumstances where the such departure is justifiable. (Pereria M, 2019). The Chief Justice also issued sentencing guidelines for drug offenses, firearms, and sexual offenses.

**A brief history of the American Criminal Justice System**

Before the American Revolution, there was no unique legal system in the United States. The criminal codes, punishments, and courts varied from state to state. (The early years of American Law. Crime and Punishment in America., n.d.). A reform movement began in the middle of the 1700s, tending towards creating a unified American legal system. The reform process was sped up by the revolution, and after the American victory over Britain, independence brought a new justice system. (The early years of American Law. Crime and Punishment in America., n.d.). The new justice system provided protection and rights for its citizens.

In the realm of criminal justice, the U.S. adopted a zero-tolerance policy on crime. The zero-tolerance policy became famous in New York City. (Andrews. W, 2001). Due to the increased threat level of terrorism and drug trafficking, the U.S. government also implemented the technique of waged war on drugs and terrorism policy to control the situation. As crimes increased, American criminal justice techniques become more aggressive in their enforcement of class and race boundaries. (Angelina, 2005)

During the late twentieth century, the U.S. underwent a fundamental restructuring of punishment and crime control. More long sentences are imposed on first-time offenders just the same as repeat offenders. (Angelina, 2005). The restructuring also brought about the increase in the death penalty, the imposition of deliberately austere conditions, the suspension of educational and other opportunities within the prison, and the return of expressive punishment such as public shaming. (Angelina, 2005).

The restructuring of punishment in the U.S. increased the prison population. The vast increase in the nation's prison population was considered unprecedented in the history of the western world. (Currie. E, 1998). The effect of the restructuring of punishment brought with it a disproportional of the inmate population. The inmate population mostly comprises African Americans and a few white natives. (Angelina, 2005).

**Current Data for Crime and Punishment**

The imprisonment of criminals in the United States is a severe form of punishment, measured by the number of persons in prison on a given day over the population. (Wilson, 2011). The concept of severity of punishment implies a certain level of punishment or coercion for a level of provocation. (Wilson, 2011). A nation that inflicts a higher level of pain for the same provocation unit is more punitive, such as the United States. (Wilson, 2011).

Globally, murder represented the most serious and of the spectrum of violent crime. Research has shown that homicide is the most widely collected and reported crime in law enforcement and criminal justice statistics. (Harrendorf.S. & Malby.S, 2010). The number of homicide cases reported can attribute to the seriousness of the offense; hence, persons are inclined to report it more frequently.

According to Harrendorf. S. et al. (2010), in 2014, the overall global homicide rate was estimated at 7.6 per 100,000 populations, corresponding with 490,000 violent deaths. The highest homicide rates were recorded in Southern Africa, Central America, and the Caribbean region. The lowest global homicide rate is found in Western, Southern, and Northern Europe, Oceania, and Eastern Asia. (Harrendorf.S. & Malby.S, 2010).

The report indicated that traditional violent and property crimes took a different direction from 2001-2006 compared to 1996-2001. The comparison revealed that assaults, rapes, and robberies increased, and property crimes such as burglaries and motor vehicle theft decreased. (Harrendorf.S. & Malby.S, 2010).

It is vital to note that crimes recorded by the police create some challenges to measuring criminality in a country. The problematic measures for criminality resulted from persons' failure to report violent crimes such as rapes due to fear of their attacker. (Harrendorf.S. & &Malby.S, 2010). On the other hand, most crimes against property are reported to the police; hence, they are better represented in the police statistical data.

**The trend of Crime and Punishment**

Before the civil war, there were three categories of crime and punishment. Crimes committed against a person such as rape, kidnapping, homicide, and assault. (Roth, 2011). Crimes committed against property include burglary, robbery, and theft. (Taylor, 2017). Moral offenses where no one file a complaint. (Taylor, 2017). The penalties administered to criminals include incarceration and death. (Roth, 2011).

The punishment for crimes committed was the death penalty. The punishment of a slave who committed a crime depended on citizenship rights and increased the risk of blacks being affected. (Raza, 2011). The black communities were exposed to a more unusual punishment for crimes that involved physical violence for their equality, and freedom, and to avoid their masters. (Raza, 2011).

In the Caribbean, the kind of violent trend that still exists is crimes committed against the person. For example, in Jamaica, crime and violence are significant threats to citizens' safety due to the upsurge in rape, homicide, and serious assaults. In 2018, Jamaica ranked 10th among twenty of the most dangerous places in the world. (Jamaica Crime and Safety Report, 2019). As a result of the rampant violence and murders, the government of Jamaica declared a state of emergency in individual parishes. (Jamaica Crime and Safety Report, 2019). Jamaica is in the group of developed countries in the Caribbean.

Studies have shown that many developed countries are more heavily affected by crimes. In countries like Asia, crime is less common than in countries like America and Africa. (Harrendorf.S. & Malby.S, 2010). In America, homicide, drug trafficking, human trafficking, and acts of terrorism are more prevalent than in other developed countries. In developed countries, property crimes are more common. More vehicles and commercial businesses in developed countries can attract crimes such as robberies, burglaries, and theft. (Harrendorf.S. &Malby.S, 2010).

Currently, the United States has the highest incarceration rate in the world. (Wright., 2010). The American criminal justice system holds almost 2.3 million persons in jail. (Wagner, 2020). Homicide and drug-related offenses drive the incarceration rates in the United States. In the U.S., 94 percent of persons convicted of homicide are incarcerated and 67 percent are convicted for drug offenses. (Wilson, 2011). The sentencing for homicide usually is prolonged due to the punitive sentencing policy. The incarceration rate for drugs is due to the aggressive policy taken towards using and selling illicit drugs. (Wilson, 2011).

**The effectiveness of ancient and contemporary prevention strategies**

The ancient approach to crime that was in place was not practical. The non-effectiveness can be attributed to the lack of well-thought strategies to mitigate crime. In Rome, the law was unambiguous and public for every citizen to know. At an early stage, teachers taught the law in schools. (Unit one: Development study. Crime & Punishment through times., n.d.). Further, the Roman laws have five fundamental principles: the lawmakers were happy that they were fair, and if followed, the order would be maintained. (Unit one: Development study. Crime & Punishment through times., n.d.). There was no organized police force in Rome to enforce the laws; hence, it was challenging to prevent crime. As a result, the leaders had to increase harsher punishment as a deterrent and used soldiers and volunteers to prevent crime from occurring. (Unit one: Development study. Crime & Punishment through times., n.d.).

Notwithstanding the implementation of harsher laws, different people in Rome had different statuses, which negatively impacted what punishment a person would receive. Besides, the laws remained that all citizens must be protected and abide by the law. (Unit one: Development study. Crime & Punishment through times., n.d.). From this illustration, it is clear that the ancient governmental response to crime was ineffective due to the lack of a trained police force to enforce the laws. As time began to get more modernized, the laws in various states began to change to suit society's needs. International laws influenced some of these changes in legislation in different states or countries.

For many decades in Europe, racism, xenophobia, and hate crimes were constantly destroying society. (Junuzovic, 2019). As a result, the government in European Countries began to adopt policies to combat hate crimes; hence, the awareness of what constitutes hate crimes began to improve. (Junuzovic, 2019).

In 2008, the European Union adopted a framework decision to incorporate specific forms and expressions of racism, xenophobia, and hate crimes into criminal law. (Junuzovic, 2019). The European Union gave Member states two years to accept these decisions at the national level. (Junuzovic, 2019). Therefore, member states of the European Union continue to adopt new commitments to address crime issues. Subsequently, the European Union Fundamental Rights Agency issued a specific opinion on racism and xenophobia, focusing on victims' rights in each member state. (Junuzovic, 2019).

During the crest for the implementation of laws to protect citizens from racism and other hate crimes, researchers issued research papers and opinions to the European Institutions and member states about the implementation of Fundamental Rights. (Junuzovic, 2019). The United Kingdom was a member state of the European Union and adopted the Fundamental Rights of every human being.

**The impact of ancient crime and punishment on the current American Criminal Justice System**

During the revolutionary period, crime and punishment still have a social and political impact on the current U.S. criminal justice system. As it relates to social influences, the Bill of Rights, which came out in December 1791, gave protection to the citizens of the U.S. (The early years of American Law. Crime and Punishment in America., n.d.). This protection includes safeguarding individual liberties, a fair trial, legal representation in a trial, protection from arbitrary searches and seizure of property, and unlawful arrest. (The early years of American Law. Crime and Punishment in America., n.d.). These basic fundamental rights, among others, are still enjoyed by all American citizens today.

Concerning political influence, as time progresses during the revolutionary period, the new criminal justice system began to make changes to the constitution. The constitution gave each state the responsibility for crime and punishment within their jurisdiction and called for a U.S supreme court and gave Congress the authority to create other federal courts. (The early years of American Law. Crime and Punishment in America., n.d.). As a result, Philadelphia passed the Judiciary Act in 1789. The Act establishes the supreme court and various levels of federal courts in different states. (The early years of American Law. Crime and Punishment in America., n.d.). The Act also created the U.S. attorney, attorney general, and Marshal offices.

Social and political changes greatly influenced the growth of the American criminal justice system through the nineteenth century. (The early years of American Law. Crime and Punishment in America., n.d.). There was a significant shift from farming to an industrial economy. The production and sales of goods were free from governmental interference. (The early years of American Law. Crime and Punishment in America., n.d.).

**The commonalities and differences in ancient and contemporary government approach to crime and punishment.**

Both ancient and contemporary government approaches to crime and punishment have some common factors between then. The common factors are classified as follows;

1. Both systems made theft a criminal offense punishable by law.
2. Both systems recognized theft as morally wrong based on the Ten Commandments.
3. Both systems apply some form of the court system to determine the probabilities of guilt or innocence.
4. Both systems practice common law.
5. Bearing false witness or perjury is prohibited by both systems.

The differences are as follows;

1. In the ancient government system, the accused appeared before the elders who had no legal training. In contemporary government, the court is presided over by legally trained personnel.
2. In the ancient government system, the sentence for theft included the death penalty. In the contemporary government, the death penalty for theft is not an option.
3. In the ancient government system, sentencing was on culture. In contemporary government, sentencing is on guiding principles of domestic laws.
4. In the ancient government system, there were no statutory laws. In the contemporary government system, there are statutory laws.
5. There was no constitution in the ancient government system; hence, there were no considerations for human rights. In the contemporary government system, there is a constitution; hence, human rights are paramount.

**Conclusion**

In conclusion, a crime is an act or omission which is punishable by law. There is also a moral or religious version of the definition of crime that influences religious beliefs or culture. The primary objectives of punishment are retribution, deterrence, incapacitation, rehabilitation, and divine will.

The revolutionary war (1718-1797) brought about significant changes to the American criminal justice system. Before the war, there was no distinct criminal justice system in the U.S. The criminal codes, punishment, and courts varied from state to state. During the mid-1700s, reform movements began to create a unified American Legal System sped up by the revolutionary war. The unified American Legal System gave rise to the American Criminal Justice System.

As times progressed, the American Criminal Justice System began to shift in a more modern fashion. Each state got the authority to deal with crime and punishment in its jurisdiction. Laws were implemented to protect the civil liberties and rights of each individual. Social and political factors mainly influenced these changes. Today, American citizens still enjoy the benefits brought about during the revolutionary war (1718-1797). Some of these changes are still reflected in the current criminal justice system of the United States of America.

Before the civil war, there were three categories of crime and punishment. The categories were crimes committed against the person, property, and moral offenses. The penalties for a crime committed before the civil war was determined by wealth and ranged from incarceration to the death sentence. The trends of crime and violence committed before the civil war currently exist in the region. For example, in 2018, Jamaica ranked 10th among the twenty most dangerous places in the world. The ranking resulted from the upsurge in the number of murders committed.

The ancient approach to crime that was in place was not practical. The non-effectiveness can be attributed to the lack of well-thought strategies to mitigate crime. In Rome, the law was unambiguous and public for every citizen to know. There was no organized police force in Rome to enforce the laws; hence, it was challenging to prevent crime. As a result, the leaders had to increase harsher punishment as a deterrent and used soldiers and volunteers to prevent crime from occurring.

The contemporary government took a different approach than the ancient government in response to crime. In the American criminal justice system, the local government is responsible for crime control in their respective states, except where the federal government restricted it. The contemporary government implemented several crime control strategies such as; training for local police to deal with crimes, networking with other states, applying technologies and forensic science to solve a crime, rehabilitation programs for repeat offenders, community policing, and public education programs. In the Caribbean, the Chief Justice of the Eastern Caribbean Supreme court set sentencing guidelines to guide the punishment administer for offenses such as murder, dishonesty, firearms, sexual offenses, and drugs.

The ancient and contemporary government approach to crime and punishment have some commonalities and differences. The most common factor between the two government approaches is that the primary objective is to punish wrongdoers. The apparent difference is that, in the ancient government system, the accused appeared before the elders who had no legal training. In contemporary government, the court is presided over by legally trained personnel.

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