

# Contemporary Human Rights

## CAPITAL PUNISHMENT

Evaluate the effectiveness of the legal and non-legal responses in concerns with the contemporary human rights issue of capital punishment.

Human rights are the basic universally recognised liberties and entitlements accorded to all people that are inalienable but unfortunately these rights in the use of capital punishment are abused. Capital Punishment also referred to as the death penalty, or execution is a legal process whereby a person is put to death by the state as a punishment for a crime such as murder, aggravated sexual assault, apostasy, treason and in more recent times the trafficking of humans and drugs. Over 60% of the world's population live in countries where a person's right to "humane treatment" and to a life of "liberty and freedom" is violated because of the use of capital punishment. Both legal and non-legal methods have undertaken various measures to address the issue of capital punishment.

Legal methods such as United Nations Resolutions and Protocols and international and domestic legislation have been put in place in order to achieve "A Global Moratorium on Capital Punishment".

The United Nation as a Global Entity encourages its nation states to move for a "Global Moratorium on Capital Punishment" through its binding resolutions and protocols. The United Nations Convention on the Right of the Child in article 37 prohibits the subjection of a juvenile to torture, capital punishment and deprivation of liberty and the Second Optional Protocol to the International Covenant on Civil and Political Rights in its 11 articles stresses the necessity of a universal ban on capital punishment. Although the United Nations is a very influential power without the initial signing and ratification of its binding resolutions and protocols a nation state is not liable when breaching any of the articles within the resolution/ protocol due to a its right to state sovereignty "a countries ability to enforce its own laws".

Global legislation concerning the abolishment of capital punishment is dependent on the initial signing and ratification of United Nations resolutions and protocols.

The Australian Federal Government passed into Legislation the abolishment of capital punishment with the Death Penalty Abolition Act 1973 (Cth) which ratifies the Second Optional Protocol to the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights. This legislation forbids the use of capital punishment and makes R v Ronald Ryan (VIC ) 1966 the last person executed on Australia soil.

But without the initial signing and ratification of United Nations resolution and protocols nations are allowed to use capital punishment in the sentencing of an offender. An example of this is the case of *Singapore v Van Tuong Nguyen (2005)* ("Terrified Walk to a Long-Drop Execution." *The Daily Telegraph*, December 1, 2005), were Van Nguyen (an Australian citizen) was hung in Changi prison on the 2<sup>nd</sup> of December 2005 under Singapore's "Mandatory

# Papers On Capital Punishment

**Herbert H. Haines**



## **Papers On Capital Punishment:**

**Three papers on capital punishment. By Edward Webster ... A. H. Dymond ... Henry Mayhew ... read at the General Meeting of the Society, July 7, 1856, etc** Society for Promoting the Amendment of the Law (LONDON),1856

**The International Library of Essays on Capital Punishment, Volume 3** Peter Hodgkinson,2016-12-05 This volume provides analyses of a range of subjects and issues in the death penalty debate from medicine to the media The essays address in particular the personal complexities of those involved a fundamental part of the subject usually overridden by the theoretical and legal aspects of the debate The unique personal vantage offered by this volume makes it essential reading for anyone interested in going beyond the removed theoretical understanding of the death penalty to better comprehending its fundamental humanity Additionally the international range of the analysis enabling disaggregation of country specific motivations ensures the complexities of the death penalty are also considered from a global perspective *The International*

*Library of Essays on Capital Punishment, Volume 2* Peter Hodgkinson,2016-12-05 The essays selected for this volume develop conventional abolition discourse and explore the conceptual framework through which abolition is understood and posited Of particular interest is the attention given to an integral but often forgotten element of the abolition debate alternatives to capital punishment The volume also provides an account of strategies employed by the abolition community which challenges tired methodologies and offers a level of transparency previously unseen This collection tackles complex but fundamental components of the capital punishment debate using empirical data and expert observations and is essential reading for those wishing to comprehend the fundamental issues which underpin capital punishment discourse *The International Library of Essays on Capital Punishment, Volume 1* Peter Hodgkinson,2016-12-05 This volume provides up to date and nuanced analysis across a wide spectrum of capital punishment issues The essays move beyond the conventional legal approach and propose fresh perspectives including a unique critique of the abolition sector Written by a range of leading experts with diverse geographical methodological and conceptual approaches the essays in this volume challenge received wisdom and embrace a holistic understanding of capital punishment based on practical experience and empirical data This collection is indispensable reading for anyone seeking a comprehensive and detailed understanding of the complexity of the death penalty discourse **Selected Articles on Capital Punishment** ,1917 *The International*

*Library of Essays on Capital Punishment, Volume 1* Peter Hodgkinson,2018-09-10 This volume provides up to date and nuanced analysis across a wide spectrum of capital punishment issues The essays move beyond the conventional legal approach and propose fresh perspectives including a unique critique of the abolition sector Written by a range of leading experts with diverse geographical methodological and conceptual approaches the essays in this volume challenge received wisdom and embrace a holistic understanding of capital punishment based on practical experience and empirical data This collection is indispensable reading for anyone seeking a comprehensive and detailed understanding of the complexity of the

death penalty discourse      **Society for the Abolition of Capital Punishment** ,1867      *Report of the Society for the Abolition of Capital Punishment* Society for the abolition of capital punishment,1867      Capital punishment unlawful and inexpedient, an essay John Rippon (writer on capital punishment.),1852      **Select List of References on Capital Punishment** Library of Congress. Division of Bibliography,1912      Against Capital Punishment Herbert H. Haines,1999-08-19 While most western democracies have renounced the death penalty capital punishment enjoys vast and growing support in the United States A significant and vocal minority however continues to oppose it Against Capital Punishment is the first full account of anti death penalty activism in America during the years since the ten year moratorium on executions ended Building on in depth interviews with movement leaders and the records of key abolitionist organizations this work traces the struggle against the pro death penalty backlash that has steadily gained momentum since the 1970s It reviews the conservative turn in the courts which over the last two decades has forced death penalty opponents to rely less on the litigation strategies that once served them well It describes their efforts to mount a broad based educational and political assault on what they see as the most cruel racist ineffective and expensive manifestation of a criminal justice system gone wrong Despite the efforts of death penalty opponents executions in the United States are on the increase Against Capital Punishment diagnoses the reasons for the failure to mobilize widespread opposition to executions and assesses the prospects for opposition to capital punishment in the future of the United States      **Routledge Handbook on Capital Punishment** Robert M. Bohm,Gavin Lee,2017-12-15 Capital punishment is one of the more controversial subjects in the social sciences especially in criminal justice and criminology Over the last decade or so the United States has experienced a significant decline in the number of death sentences and executions Since 2007 eight states have abolished capital punishment bringing the total number of states without the death penalty to 19 plus the District of Columbia and more are likely to follow suit in the near future Nebraska reinstated its death penalty in 2016 Worldwide 70 percent of countries have abolished capital punishment in law or in practice The current trend suggests the eventual demise of capital punishment in all but a few recalcitrant states and countries Within this context a fresh look at capital punishment in the United States and worldwide is warranted The Routledge Handbook on Capital Punishment comprehensively examines the topic of capital punishment from a wide variety of perspectives A thoughtful introductory chapter from experts Bohm and Lee presents a contextual framework for the subject matter and chapters present state of the art analyses of a range of aspects of capital punishment grouped into five sections 1 Capital Punishment History Opinion and Culture 2 Capital Punishment Rationales and Religious Views 3 Capital Punishment and Constitutional Issues 4 The Death Penalty s Administration and 5 The Death Penalty s Consequences This is a key collection for students taking courses in prisons penology criminal justice criminology and related subjects and is also an essential reference for academics and practitioners working in prison service or in related agencies      A History of Capital Punishment in the Australian Colonies, 1788 to 1900 Steven Anderson,2020-09-02 This

book provides a comprehensive overview of capital punishment in the Australian colonies for the very first time The author illuminates all aspects of the penalty from shortcomings in execution technique to the behaviour of the dying criminal and the antics of the scaffold crowd Mercy rates execution numbers and capital crimes are explored alongside the transition from public to private executions and the push to abolish the death penalty completely Notions of culture and communication freely pollinate within a conceptual framework of penal change that explains the many transformations the death penalty underwent A vast array of sources are assembled into one compelling argument that shows how the lesson of the gallows was to be safeguarded refined and improved at all costs This concise and engaging work will be a lasting resource for students scholars and general readers who want an in depth understanding of a long feared punishment Dr Steven Anderson is a Visiting Research Fellow in the History Department at The University of Adelaide Australia His academic research explores the role of capital punishment in the Australian colonies by situating developments in these jurisdictions within global contexts and conceptual debates [An Essay on the Abolition of Capital Punishment, Etc](#) Walter Arthur Copinger, 1876

**Capital Punishment** C. Cliff, 2003 The issue of capital punishment is a continually debated issue because it calls into question the values and direction of society How is a civilisation supposed to handle lawbreakers Are some crimes so heinous and some people so dangerous that the death penalty is the only appropriate response The United States Constitution prohibits cruel and unusual punishment but opinions on whether that includes capital punishment are vehement on both sides Many states have some form of death penalty and public opinion seems to indicate support of it in principle However many firestorms have erupted recently over the application of the penalty including the topics of its use on minors and those with mental disabilities There are also questions raised about how much of a factor race plays in a capital sentence Internationally several countries have foresworn the death penalty with certain countries in Europe and the Americas refusing to extradite criminal suspects including suspected terrorists to the US if capital punishment is a possible sentence With such politically flammable and ethically challenging issues hanging over it capital punishment is a vitally important issue to understand To help facilitate that study this book assembles a carefully selected and substantial listing of literature focussing on the death penalty Anyone researching this area of criminal justice will find this book an important tool as it offers easy access to the most relevant works about capital punishment Following the bibliography further access is provided with author title and subject indexes **Capital Punishment and British Politics** James B. Christoph, 2023-03-08 First published in 1962 Capital Punishment and British Politics illuminates the process of political decision making in Britain by analysing the complex activities that led to the passage of a major piece of social legislation the Homicide Act of 1957 His case study based on dozens of interviews reveals in detail the workings of British politics and assesses the impact of the clash of ideas and interests on governmental policy After surveying the legal and historical antecedents of the controversy surrounding the Act the author traces the development from the abortive attempt to abolish the death penalty under the

Labour Government through the spectacular murder cases of the early fifties to the compromise legislation successfully launched by a Conservative Government Throughout the book analysis is coupled with description and the concluding chapter demonstrates how this single case contained in microcosm many of the basic elements and dilemmas of the British political process This fascinating study will be of great interest to students of politics and social legislation everywhere

*The Ethics of Capital Punishment* Matthew H. Kramer, 2011-12-15 Taking a fresh look at a central controversy in criminal law theory The Ethics of Capital Punishment presents a rationale for the death penalty grounded in a theory of the nature of evil and the nature of defilement Original unsettling and deeply controversial it will be an essential reference point for future debates on the subject

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