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ADVANTAGES AND DISADVANTAGES OF USING A DEATH SENTENCE

Stud. Koval T., gr. BP - 16

Kyiv National University of technologies and Design (Kyiv)

Language and scientific supervisor - Denysenko V.M.

Objective. Analysis of historical and legal information on the death penalty, formation of own opinion on this issue.

The following tasks have been set:

1. To identify the advantages and disadvantages of using a deadly force;
2. To find out the role of punishment in society.

Object. The deadly force as a form of punishment in the criminal law.

Research methods. Literature reviews, quantitative techniques have been used to generate a dataset which was analyzed to give definitive conclusions. Theoretical analysis has been used: selection and discussion of theoretical material and descriptive material, in context, and detailed comparison of theories in terms of their applicability.

Scientific novelty and practical significance of the results. Death penalty - highest punishment; execution of a perpetrator convicted of death for committing particularly serious crimes or actions that contradict the state policy of the country. It appeared from the moment when the state assumed the role of punishment for the crimes committed. Almost all societies during the existence of all mankind at a certain stage of their development used the death penalty to criminal and political criminals. Let's turn to history.

"Ruska Pravda" and "barbaric truths" did not foresee the death penalty, but there were attempts to introduce it in Kievan Rus. The highest degree of punishment at that time was expulsion. But since the exiles did not protect the law, he could easily perish, in the end he could simply kill those against whom the crime was committed. On the territory of Ukraine, the death penalty was used in the Lithuanian period.

She was legally enshrined in the "Sudebnik" of Kazimierz IV Jagelonchik in 1468 and "Statutes of Lithuania" in 1529. Such a measure of punishment has been extended in accordance with the "rights that the Little Russian people are judged" in 1734. During the Cossack period it was imposed for the most serious crimes. By the military articles of Peter I, the death penalty was set for 123 crimes. In Russia Queen Elizabeth Petrovna suspended the execution of this type of punishment, but did not permanently revoke.

In most modern states, the death penalty was abolished, including in Ukraine. It is considered inadmissible on the territory of the Council of Europe.

Some countries abolished the death penalty, except for special circumstances such as, for example, treason during hostilities. Other states, such as China, the United States, have kept it at the highest level of punishment. In countries that practice the death penalty, the methods of execution are determined by law. Modern forms of death penalty are gas chambers and stone stones.

The attitude to the death penalty is not the same - where it is practiced, its cancellation is discussed; in countries where it has been canceled there are supporters for its restoration.

The countries where the death penalty was abolished came from the humanization of society. Not in one country in Europe, where the death penalty was abolished, no referendum was conducted, it was not abolished through popular expression of will. But in all these countries, at the time of cancellation, polls were conducted that showed a great deal the number of people who supported the maintenance of this type of punishment.

So what are the pros and cons of such punishment?



Arguments in support of the death penalty:

1. Saving on the maintenance of thieves.
2. It is a defense of society from dangerous criminals.
3. Restraining factor from committing a crime.
4. Fair punishment for cruelty and violence.
5. Death penalty is more humane than life imprisonment.

Now let's look at the arguments against the death penalty:

1. Generation of brutality in society.
2. Possibility of a judge's mistake.
3. It does not lead to a fix...
4. Contrary to the human right to life.
5. Not always can be a deterrent.
6. It is better to spend money on feelings of safety and humanism than on cartridges for pistols.

Research results. Sociologists from Research & BrandingGroup conducted a survey according to which:

- 48% of Ukrainians support the return of the death penalty;
- 7% of respondents consider execution to be a way of improving society and strengthening morals;
- 23% - death penalty may frighten those who intend to commit a crime;
- 18% are convinced that this is the way to restore justice.

Conclusions. So, we looked at the two sides of the existence of the hardest punishment - death penalty. The choice is very difficult to choose.

No one can give 100% unequivocal answer to support or against punishment. This question also lies in the religious faith, in political and legal beliefs, in the geopolitical plane and in moral and ethical aspects.

Death penalty is a complex concept that is ambiguous. The debate around it lasts for decades, so decide whether or not to impose this punishment is the right of every citizen of Ukraine.

Key words: deadly force, criminals, punishment, the right to life, the Criminal Codex.

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