

The code of hammurabi philosophy essay



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Since ancient Mesopotamia in 2350 BC the first legal codes appeared which were possessed by the strong tone of entitlement. The Code of Ur-Nammu (or Ur-Namma) is the oldest code of laws which remains until today with the most popular series of laws called the Code of Hammurabi which rules and penalties apply for various issues such as entitlement of women, slaves and children.

Over the centuries various attempts were made in order to apply human rights but most of them were inefficient. The big step was made with Universal Declaration of Human rights on 10 December of 1948 by the General Assembly of the United Nations. Some of the basic principles of the declaration are the freedom of speech, access to free education for anyone and also the free religious beliefs.

Since its adoption in 1948, the Declaration has been and continues to be a source of inspiration for national and international efforts to promote and protect human rights and fundamental freedoms.

The use of the death penalty was widely known by many peoples of the prehistoric period. In the Homeric age, relatives were able to kill the murderer. The

Murder is considered honorable act for the victim's relatives. Even the code Babylonian king Hammurabi (2250p. Ch.) contains several provisions that impose

the death penalty even for “ light” offenses.

The death penalty was also to Jews. The execution was the usually made by fire (in cases of incest, etc.), stoning (disrespect and damn the divine, unnatural sexual abuse, etc.) or by the sword .

In the Middle Ages in the West the crimes that were punished with death, were many such as murder, robbery, arson, theft, forgery, witchcraft, rape,

adultery, bigamy, and many others. At that time the execution of the sentence was evolved to art. The methods of killing were hanging , heading, live burial of the offender, burning at the stake, stoning and staking. The Pope punished with death men who entered a nunnery without special permission, and

and many other “ moral” crimes. Francis the First punished the thefts with death penalty.

The question of death penalty as a law is a phenomenon of modern ages and observed

mainly in the 18 ° century under the influence of the Enlightenment movement

A reverse trend to reintroduce the death penalty made in Europe of the late 19th

century onwards, mainly due to the turbulent political life within countries and internationally (social demands, totalitarian regimes, wars, etc.). However, the trend after the painful experiences of the Second World War and the consequent strengthening of humanitarian ideals gradually gives back the position of a broader move to reduce or abolish the death penalty. In particular the move to zoning, restriction or elimination of

death penalty occurred after the war with a series of declarations and conventions

international or transnational organizations. Indicates selectively No. 1574/21. 4. 1971.

Decision of the Economic and Social Council of the UN, which guides the States to gradually reduce the number of crimes threatened in law with the death penalty.

In almost all countries of Western Europe the death penalty is currently repealed de jure or de facto, at least in peacetime. In some countries complete abolition of the death penalty occurred fairly recently (in Holland in 1982 in Switzerland in 1992 in Belgium in 1996). Apart from the western area of the death penalty continues today

to dominate the world. In the U. S. the death penalty implemented in 1998 in 38 of the 52 federated states. Generally in the world Only 68 countries have completely abolished, other 14 countries for crimes so-called political crimes, and about 23 countries have simply ceased to exist in the last 10 years.

Therefore, countries that do not

made the death penalty, is only 105 out of 200 countries in the world

Around the topic-death penalty, there are two schools of thought. From one side who are without a second thought to the death penalty and supporting arguments in a clear religious, politically, socially and morally view that life is an inalienable right for every man.

The issue of euthanasia is inextricably linked to broadly philosophical questions of the right to choose death and, by extension, to suicide. The second is for the defenders of liberty morally acceptable, while euthanasia is cessation of life in a dignified manner.

The problem of euthanasia employs thinkers since the beginning of philosophy. The very etymology of the word means “ good death.” The ancient Greeks were generally in favor of the practice, although Hippocrates himself opposed to it clearly and unequivocally the oath, emphasizing the value of preserving life and the good of the patient, regardless of the particular interests of the physician.

Plato also condemned the suicide, though that his teacher, Socrates chose to die by drinking hemlock rather than banished.

The idealist philosopher accepted later in the “ Laws” of suicide when a Suicide has been a big disaster and considers life unbearable and also affect the pride of the suicidal.

Euthanasia is perhaps the most urgent, multidimensional and challenging subject of medical ethics. Because when we examine its aspects there are many issues to take into consideration which are not expected by the scientist. The thinker who addresses the moral problem has to be ready to move into a deep cloud of ethical questions where the ethics science is trying to give answers. The basic questions that occur and demand an answer are : Is the performance of euthanasia morally acceptable practice? And if so how this should be done?

The performance of euthanasia is occurring in many countries around the world where it is illegal there they make it secretly . The statistic data from around the world prove that.

The supporters of the death penalty are using several arguments to support their insistence on maintaining . First of all they claim that no other penalty can have a deterrent effect as high and prevent him from crime. Moreover, advocates of maintaining the death penalty do not overlook the possible miscarriage of justice. They believe that fear of judicial error must undoubtedly lead paragraph of the legislature. But instead of thinking of the legislature to directed to the abolition of the death penalty for fear of error, more accurate and more realistic is to find techniques to avoid the risk of judicial killings. Moreover, according to supporters of the death penalty, no human institution is not infallible, and never the risk of error halted the efforts of people for new achievements. “ Tarde says in this way of thinking, we should ban surgeries too because many times by mistake (error) the surgeon’s death occurs.”

Proponents of the death penalty fully recognize that respect life is axiomatic and that killing is the ultimate humiliation. But they make a separation. They believe that the respect only deserves to people who respect the law and comply with the rules of social symbiosis. According to them, can not claim respect for the person who puts himself above the universal will, the law and constitutes an immediate danger to the community. They claim that respecting the lewd and abnormal person, leads to the disrespect of the law and the human.

This argument is more emotional. The victim's family asks, quite logically, the punishment of the criminal. If someone took the lives of their relatives, then he has to be punished. At the same time, the family is likely to ask for revenge. Then they take the law into their hands as long as the punishment that the state arranges is not enough for them.

In other words, the rule prevents people from becoming murderers themselves in response to a murder that has directly affected them. The take of law into one's hand is common. The death penalty deters a bloody cycle of revenge.

The death penalty costs less than life imprisonment. Of course this is entirely valid only if the execution happens immediately.

Several sociologists / criminologists and other scholars say that imprisonment and other penalties imposed by the criminal justice system operate to discourage future offenders. In other words, if not punished so severely by the removal of human life, most people will not hesitate to

engage in such practice. Therefore, the death penalty has a better deterrent effect.

With the death penalty the state shows the value of human life and the highest goods (for example, when applied to cases of treason)

Beside the positives of the death penalty there are not a few negatives.

First of all the removal of human life is prohibited by the Declaration of Human Rights.

It is barbaric and forbidden for both individual citizens and the state.

It has been not shown statistically that the death penalty prevents crime.

Indeed, although some argue the opposite, it has been shown that even in times of many executions, the level of crime is not limited.

The crime detection techniques have actually improved. Nevertheless, even the slightest possibility of error must be an incentive for the abolition of the penalty. Errors are human, but there is anyone who can play with a human life. We can not bring back to society and to life a person who punished unfairly. How its family can find justice? The victim's family continues to ignore the murderer.

It has been shown that despite efforts, the penalty is still under unequal conditions.

The rich have the best possible defense, and thus may escape the death penalty. The black people face racist attitudes. The great people of society are rarely punished by the death penalty.

The state is becoming a legalized murderer with our consent. This is a modern conflict. If we give power to the state to kill people, then we give the possibility to violate other rights.

The death penalty it is an obstacle against the human civilization. The perceptions of people have progressed too far to accept such anachronistic attitudes. While we support and legalize murder, we can not go further and change the way we think. The death penalty reinforces the brutal side of human beings. Not to mention public executions that are still occurring in many undeveloped countries around the world.

The most important thing is this: The death penalty does not bring back to life the victim.

The family feels justice but the man that was executed can not return back to life. Still, who can decide what would the victim want about the his own murderer? Decide on behalf of someone else then? The hatred, revenge, anger does not fill the gap brought about the loss of a man. The only way to overcome the pain is the forgiveness and the passage of time. This can not be recycled when the topic is revenge.

We see that this side has more arguments. Certainly few of these are not based on logic, and many more base on emotion and moral nature.

Nevertheless, man above all is a creature with feelings. If we leave that part of us to vanish, then we cease to be humans.

Another big and controversial issue is about euthanasia. There are different thoughts opinions and practices. With the term euthanasia we mean the right of a patient who has an incurable disease and has only left a small part of time can relief himself from all this pain and die proudly instead of loosing his pride under the pain of his disease and the fear of the upcoming and unknown death.

The strongest argument for the patients is what they call the dignity of life. Fear that is, a non-dignified death and the right choice of euthanasia (and hence the choice of mode and place of death) if there is no medical hope of reversing the inevitable, and biological death. Another reason has to do with the unbearable pain caused to patients in the last stage of their illnesses, and they want to escape. Finally, if a patient is for years in coma and brain dead, the psychic pain is overwhelming for the family to see to dying without actually hope of salvation.

Another argument is to help other people through organ donation in cases where the patient has zero possibilities of escaping death.

Also avoiding the tragic situation of relatives to see their man to spend the last days of his life ‘drenched’ in pain and despair, and while he wants more than everything to end his life, he does not have this right of selection.

There is also a big part of people who believe that euthanasia should never be legalized because:

According to most religions euthanasia is equal to suicide. Furthermore medically should not be accepted as there is always the possibility that the patient to regain health,. Also the prospect may be used for fraudulent purposes without the consent of the patient, affecting the free will because of continuing pain. The request for an incurable man for killing could be seen that take place under distress and thus in essence a weak, corrupt and will not sound man who decides to end his life in any way certainly does not think logically so should not be allowed such an option.

We can see from the above that is always current the burning question of the death penalty. There are two opposing views, which expressed by one of the abolitionists, and on the other the Devotees of maintaining a global level, as in many countries is as

penalty even for ordinary crimes. On the one hand, supporters believe that conservation is met and an example of general deterrence to would-be perpetrators, resulting in

reduce crime, to satisfy the public sense of justice and is an act of vindication for the relatives of victims. In addition, consider avoiding repeating crimes and thus protect the community from release, escape, because these criminals and that it makes no sense to tax Citizens for keeping, feeding, housing diehards perpetrators.

In conclusion, in general I think the death penalty should not be required. But when Justice addresses instances criminals that

pose a serious threat to the citizens of a society, but also to the structure of the

society (rapists, drug traffickers), then the death penalty could be a solution. Only then will pay the penalty and justice will restore the balance to the soul of those who suffered from crime. Also, the death penalty should be restored in both categories in order to protect supreme goods, such as human life and dignity.

We all are humans and we should not have the power to decide who will live and who dies. It's something unnatural and it's beyond our capabilities as humans. Adopting this philosophy we make a part of our self to look like god which in some cases brings great power and with great power comes great responsibility. There are cases where our intervention will relieve and make good to people but are we actually offering something or we offer an illusion of relief to relatives telling them that their beloved person is not going to be in pain anymore. Is anyone certain what happens after death or if the patient really wanted to die and did not take his decision under uncertain circumstances of fear and pain. As long as we consider humans thoughtful creatures and civilized we should find a way to pass death as something not to fear of but something natural which has to happen for the natural evolution.