

The meaning of discretion

[Law](#), [Criminal Justice](#)



The Meaning of Discretion By definition, discretion means freedom to act or judge on ones own. With this privilege, evolves both pros and cons. A major problem which may occur are inconsistencies with the law. The same type of crimes may be given different punishments by judges. This would create controversy and accusations of prejudice and bias would certainly evolve. If the law were emphasized on discretion, the power would be mainly in judges and government official's hands. It would be their responsibility that our nation continues to follow the principles of democracy and equality. If this did not occur, discretion could end up marking the downfall of our great nation. However I believe the pros overrun the cons in when looking closely at our legal system, in regards to discretion. In too many cases in our nations recent history, has discretion helped in making the right decisions. Every crime has different scenarios and plotlines, making it impossible for the same punishment to fit all the same kinds of crimes. This is why that in our legal system now, murder has evolved into manslaughter and other types of crimes. I believe that the best legal system looks at every case as a separate entity, and is run by judges that have no bias and do not look at any other factors besides, what is true justice. Our country will continue to evolve if we continue to use the component of discretion in our legal system. The cons of equality also extend to class structure in our society. In other nations around the world many times people in the upper class, tend to get leniency and bias in the court system. This leads to resentment by the other social classes and therefore weakens the cohesiveness of the society. The concept of total equality eliminates this aspect, and thereby focuses on each individual fairly. This means that it doesn't matter who you are or what your job is; it only

matters what crime you committed and what were the circumstances of it. This marks the true symbol of a democracy. . It is that every citizen has the same power and rights, no matter where they live or who they are. In my opinion, the concept of true " equality" is the main reason why our nation has become the only true World power, and an example for the entire world to follow.