Miranda Rights

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ABSTRACT

This research paper highlights the investigates the individual rights in the criminal justice system of united states. The understanding of the criminal justice system which was transformed from the past several decades to ensure individual rights. The history shows different changes in the criminal justice system like Bill of rights or Miranda rights. The system also faced a specific crisis at different stages in history. The paper examines all the major events in the history which caused changes in the criminal justice system and how state ensured the protection of individual rights on the principles of fairness and equity.

Miranda Rights

**Introduction**

In united states, the rights given to people upon arrest are known as Miranda rights. These rights stem from the supreme court case of 1966. The case started in the year 1963 when a resident of Pheonix Arizona named Ernesto Miranda was arrested on the charges of kidnappingroddery and rape. Miranda was suffering from mental instability and finished 9th grade at that time. He was not informed of his rights before the police interrogation. Police recorded his confessions which were solely used against him in two hours investigations. The case resulted in 20 to 30 years of sentence in prison. The case was reviewed in the year 1966 upon his appeal to supreme court. After that, the justice ruled, and all the statements he made were not be used against him in the court of law because he was unaware of his constitutional rights. This case also changed the justice by protecting fifth and sixth amendment and also established new rights to the citizens of the United States. State recognized and guaranteed new federal legislation. Every state's responsibility is to protect the personal freedom of its citizens and protect their right in criminal jurisdiction.

**Discussion**

There are different agencies in the criminal justice system, and it wields a lot of power in the United States (Schmalleger, 2019). They have the authority to convict, arrest and imprison individual charged with criminal acts. In some severe cases, they have control over the lives of the individual. This system works when there is public cooperation and support. For effective functioning of the justice system it requires public cooperation and acceptance because when people question its legitimacy and lose faith in the justice system, then it becomes difficult for them to work.

If one looks at two cases of black people from Missouri and Newyork who were being killed by police officers for minor offenses, those two cases further on raised slogans of No justice, No peace and caused protests for several days. In the year 2016, some protestors killed five police officers in an anti-police movement. The protestors represented a small proportion of the population, and the situation was normalized later on. Whatever the cause was but If the public wants to accept a justice system it would be significantly based on the equitable and fair treatment of law enforcement agencies. There should be a process of procedural fairness injustice system in which all the decisions are made with fair treatment. A poll was conducted in the year 2016 to analyze the people's respect for the American justice system. In that poll, they interviewed people and 76 percent people in that interview confessed that they have a great deal of respect for the justice system and this poll from 1967 have jumped to the highest level.

There have been a long history of criminal activities and a lot of government leaders, and politician across the world have a primary concern to control these activities (Schmalleger, 2019). The civil rights movement started when the people of ethnic-racial minorities wanted equality of opportunities and respect regardless of color, creed, race, and gender. In the year 1980, these movements affected the U.S state constitution, and new laws were made which had a huge impact on the social life of all people. The United States government passed new laws known as Bill or rights. The new state and federal legislation were guaranteed and recognized. But on the other hand, there was a dramatic increase in criminal activities during these movements. The crimes of rape, assault, and murders increased in the year 1970 and 1980. Some researcher explained the theories behind these movements and the sudden increase in criminal activities. According to those researchers, those economically and socially deprived workforces have wanted to cause social disorganization, and these were the causes behind these criminal activities. In the mid of 1980, there was also an increase in drug gangs and drug crimes which affected the quality of life of people in the United States.

In united states justice is the most powerful word and speaks for all the citizens in the country. But it is an elusive term in reality. Sometimes it is not clear how to achieve justice in the criminal justice system, and every person has a different perspective when it comes to justice. One can say that individuals interests and social needs change with the passage of time and both societies or overall states perspectives are different (Törnblom, & Vermunt, 2016). Decisions injustice system should be based on moral conformity or moral which is known as social justice. All the cultural beliefs of right and wrong and aspects of civilized life are present in the term of social justice. Each member of the society has the same level of treatment belonging from any race, gender or social status. Civil justice is also a component of social justice in which relationship is based on fairness between government agencies, citizens and business organizations in every matter and they receive an equal level of treatment as a whole. Criminal justice is also the aspect of social justice in which the violators have fair treatment from law enforcement agencies. Administrative justice system considers the importance of the rights of every individual when they deal any cases.

According to the constitution of united states in criminal justice system cases must be processed on the principle of equity and fairness, and it is referred to the requirement of Due Process (Törnblom, & Vermunt, 2016). This requirement is procedural fairness in which the federal government or state recognize every right of individuals and consider these rights when the person is facing prosecution. The Due process is based on the ten amendments of the constitution. These amendments are known as Bill of Rights which clarifies that no person should be deprived of property, life or liberty and states should respect the rights of every citizen in the due process. The supreme court of united states guarantees the Bill of rights. The due process was set as a standard during the time between 1953 and 1969. The bill of rights was institutionalized due to individual decisions of the supreme court which affected the criminal procedure. Due process is now the standard of the American criminal justice system.

The good societies are made when the state fulfills the demands of goodness and also it provides the quality of a decent life. In the constitutional rights of liberal states, the state ensures that preconditions of a good society are fulfilled (West, 2017). These rights are not related to the matters of courts only but also guarantees that every citizen of the state have access to the resources in equal terms and not a single individual is deprived. In the condition of rights, minimum material goods are provided to all the members of the states to maximize the welfare of the country. In a liberal state not just the rights of individuals are protected, but also it protects the capabilities of individuals. The state intervention is required when it comes to equal distribution of resources and protection of rights. Abandoning individual rights would cause a disturbance in the functioning of the state. Every state responsibility is to protect their citizens from violence and give equal access to every opportunity.

In the past decades, they have been a significant emphasis on the needs of offenders in a juvenile justice system (Underwood, & Washington, 2016). According to the author of a study on juvenile justice system who analyzed that there should be a separate program for the treatment of juvenile offenders. The system requires a model for intervention and treatment of these individuals. There has been specific advancement in the treatment of these offenders to ensure that there is a balanced system. The system provides programs for rehabilitation and treatment of these individuals and emphasized over there rights. These programs would help youth to have better treatment of these individuals and would prevent these young offenders in becoming severe criminals. According to the date, there is 50 to 75 percent of offenders in juvenile justice system having mental disorders and around 40 to 80 percent of these juveniles have at least one mental disorder which is diagnosable. These disorders often increase their aggressive behaviors. The age of offender in a juvenile justice system is 18 years in the United States. There are some states which have set the standard to 16 and 17 years of age. According to the report of OJJDP in 2015, the U.S courts mostly handle one million cases of delinquency. There is original jurisdiction in juvenile courts over all offenses and issue arrest warrants when a young citizen commits of rape, homicide or other serious crimes.

Law applies to our daily lives and individuals have to follow it at every point because it governs many aspects of their lives. The economic, political and social stability of society depends upon institutionalization and development of laws injustice system. The democratic system of western societies applies the rule of law injustice system (Chiao, 2018). The beliefs in the rule of law s centered on establishing codes and principles that are applied fairly and uniformly to all the member of the society. The criminal justice system condemns wrong doings with a distinctive approach. The system works with public cooperation, and the concept of social equality is applied in the justice system. The rights of individuals are protected in the criminal justice system and if all the evidence prove that the individual has committed the crimes in the court of law then court order punishment to those individuals. If the citizen is not financially stable, the government has to provide an attorney. The citizen's rights are protected in the justice system to ensure smooth functioning and prevent criminal activities.

**Conclusions**

The United States has experienced certain criminal activities over the past half-century which have transformed the criminal justice system. American life was affected by certain crimes related to drugs and terrorism. Miranda right was a significant transformation in the criminal justice system. The juvenile justice system with the passage of time created certain programs for the treatment of juveniles with a different mental disorder and their involvement in criminal activities. The changes in the system were based on the notion of freedom and equality for all the members of the state. The system considers all the cultural and personal beliefs of equity and fairness. The American justice system has faced fundamental challenges to achieve cost-effective and efficient enforcement of the laws. Despite all these challenges it also requires public cooperation for the effective functioning of the system.

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