Assignment

Your Name (First M. Last)

School or Institution Name (University at Place or Town, State)

**Assignment**

**Justice:**

**Formal definition:** The maintenance and administration of correct or right acts especially through unbiased regulation of contradictory claims or punishment. In other words, administration of law, righteousness, and quality of being truthful.

**Personal definition**: Justice is the decision any of any act and to differentiate that act from right and wrong.

* The decision served in the case was in accordance with the formal definition of justice. However, the personal definition of justice may negate the decision based on personal sentiments instead of stipulated rules and regulation.

**Charges**

* The prosecutor charged Dale with the first-degree murder as per the provisions of the criminal justice system. Since he aimed at killing his brother and actually killed him, justice was right preserved in the case. The commitment made by the brother and the sentimental part is up for debate but can never be justified in the criminal justice system (Curtis, 1910).
* In addition, Dale was sentenced to the minimum sentence a person can receive in the specific case. First, it surely was an unlawful killing under the paradigm of the criminal justice system. If he had killed the brother while protecting himself from the deadly harm caused by the brother, the killing might not have deemed unlawful. Since he followed the commitment made with the brother, the sentimental aspect makes him a potential subject for the punishment. Besides, the component of malice aforethought was not present in the murder committed by Dale. He essentially fulfilled the commitment made with the brother, but unfortunately, things turned the other way around. Likewise, Dale had to commit the murder of the brother to fulfill the commitment. The brother was killed which falls under the paradigm of killing a human in the law and criminal justice system.
* In the case, the prosecutor rightfully prosecuted dale. He was sentenced for five years in a maximum security prison which seems the least and is minimum received by the murderer. Moreover, the murder committed by Dale was also a contentious matter and cannot be justified as the moral or immoral act. If the moral aspects are examined in true letter and spirits, the decision of the prosecutor was wrong. As per the criminal justice system, the decision of the prosecutor was justified.

**Sentencing**

* After committing the murder of the brother, Dale became confused. He could have attempted to run away from the scene and hide from the police. He stayed and faced the criminal justice system. The sentence he received is primarily based on the definition of the formal justice and its pertinent principles(“Hostile Takeover: How Law and Justice Captured Poland’s Courts | Freedom House,” n.d.). The prosecutor approached the case lawfully by fully understanding the complex nature. After Dale submitted Plea, the sentence was living in full-security prison for five years. Thus, Dale was rightfully sentenced in line with the fundamental principles of the criminal justice system.
* If I were the judge in the case of Dale, I would have faced severe challenges to reach a conclusion. The side of the story presented by Dale is not fabricated in true letter and spirits. Similarly, the act committed by Dale also accounts for a severe murder under various implications and principles of the criminal justice system. Essentially, I would have adhered to the provisions of law and justice after a critical and thorough examination of the case. The sentence received by Dale was minimum he could have received. If a critical assessment of the case is made, he could have faced severe circumstances.

References

Curtis, H. J. (1910). Malice Aforethought, in Definition of Murder. *The Yale Law Journal*, *19*(8), 639–646. https://doi.org/10.2307/784540

Hostile Takeover: How Law and Justice Captured Poland’s Courts | Freedom House. (n.d.). Retrieved February 7, 2019, from https://freedomhouse.org/report/special-reports/hostile-takeover-how-law-and-justice-captured-poland-s-courts