

# Death Penalty & Genocide

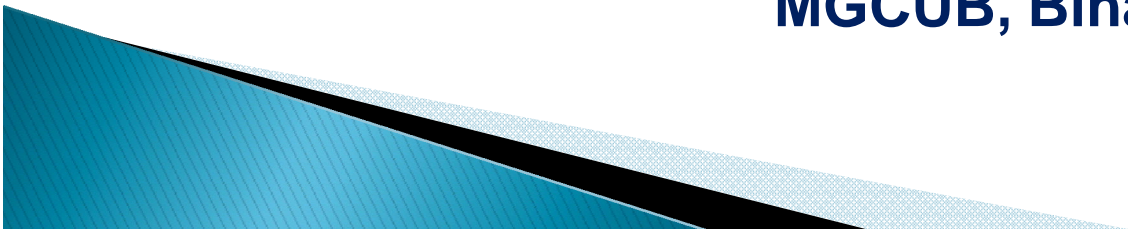
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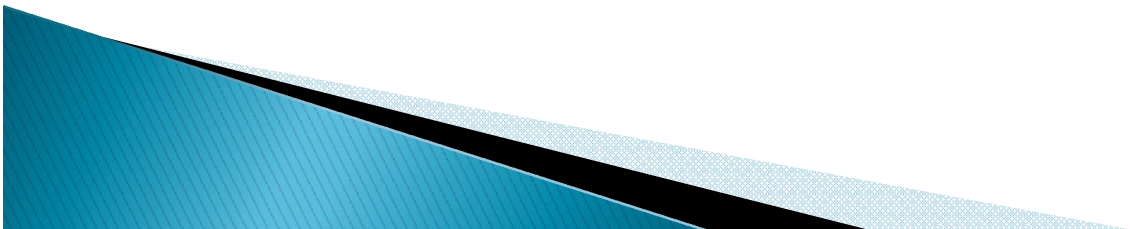
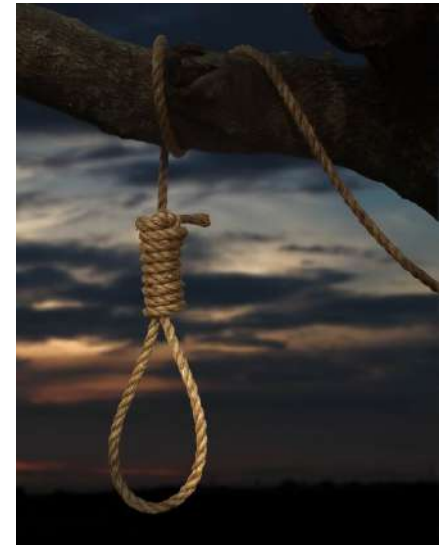
**Dept. of Social Work**

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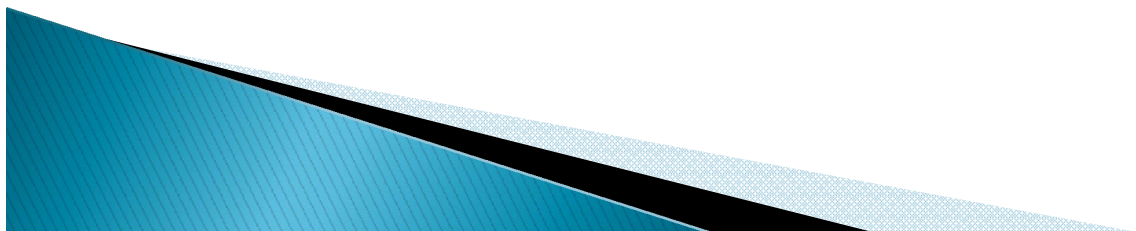


# DEATH PENALTY

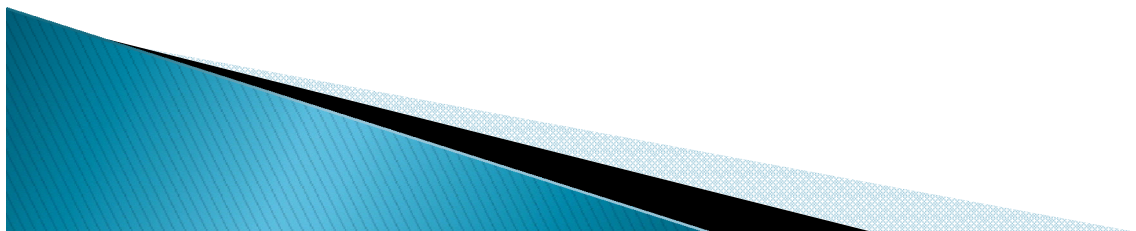
## Capital punishment



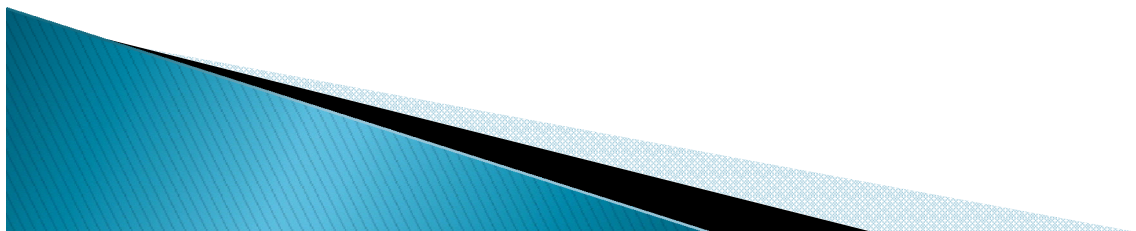
- ▶ **Death Penalty**, also known as the **Capital Punishment**, is a government sanctioned practice **whereby a person** is **put to death** by the state as a punishment for a crime.
- ▶ **Death penalty** or Capital Punishment is a legal process wherein a person is put to death by a state in accordance to a crime committed.



- ▶ Crimes that are **punishable** by **Death** are known as **capital crimes** or **capital offences**, and commonly include offences such as Murder, Treason, War crimes, Crimes against humanity and Genocide.
- ▶ Capital punishment has been used over the years by almost every society in order to punish the guilty for some particular crimes such as punishment for premeditated murder, espionage (Secret) , treason etc.



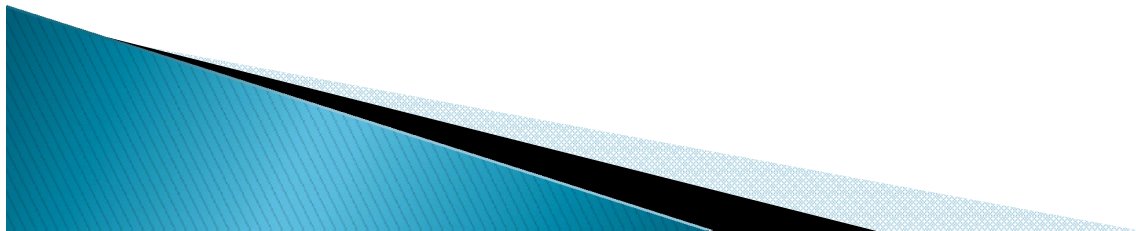
- ▶ In some countries **sexual crimes** such as Rape, or related activities carry the death penalty, so does Religious Crimes such as **Apostasy** (the formal renunciation of the State religion).
- ▶ Worldwide only 58 nations (Iran, United States, Egypt, Nigeria including India) are **actively practicing capital punishment**, whereas 95 countries (France, South Korea, Alaska, Ghana, Ireland) have abolished the use of capital punishment



## Types of Death Penalty:

In Ancient History- Crushing by Elephant,  
Blood Eagle, Boiling to Death,  
Stoning, Garrote.

- Crucifixion
- Lethal injection (2001)
- Hanging to till Death
- Electric chair(1926)
- Gas
- Firing squad



## ▶ **Cases & Statement:**

- ✓ In the Judgment of '**Bachan Singh v/s State of Punjab** (1980)2SCJ475', 1980, the Supreme Court ruled that death penalty should only be used in the '**Rarest of Rare**' cases, but does not give a definition as to what 'Rarest of Rare' means.
- ✓ **Ajmal Kasab** a terrorist from Pakistan who was one of the accused in the Mumbai attack, 2008 (also known as 26/11), who was captured alive by the police and after due legal process and production of proper evidence he was found guilty for the terrorist attack and was charged for possession of dangerous weapons, was sentenced to death by the Supreme Court of India on 29th August 2012




## Legal Measures:

- Capital punishment:

ICCPR:

Article 6(2) of the ICCPR provides the following:

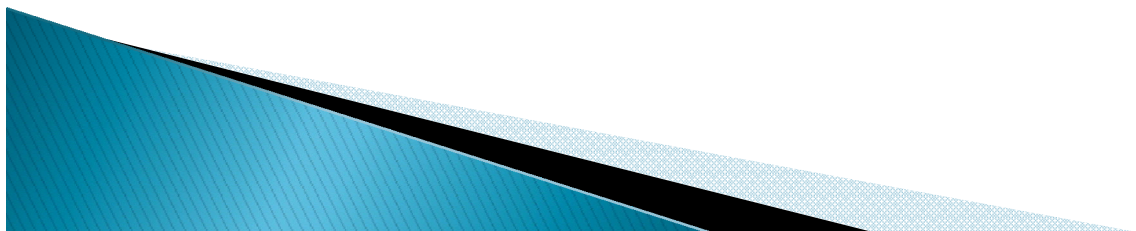
*In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the offence and not contrary/opposing to the present Covenant. . . . This **penalty/ fine** can only be carried out pursuant to a final judgment rendered by a competent court.*



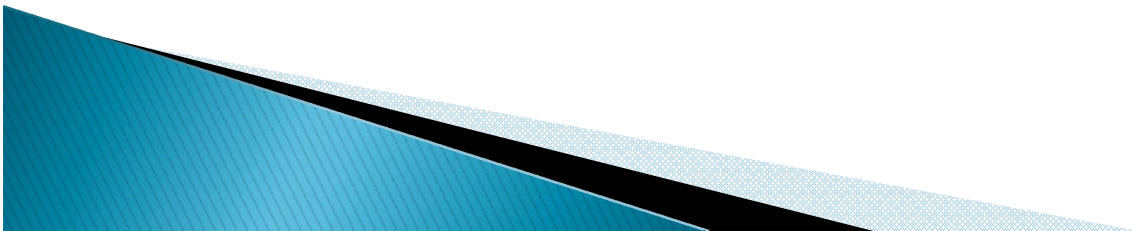


## Conclusion:-

- ▶ Capital Punishment is the Judiciary matter of the Country.
- ▶ Rarest of Rare Crime or offence can be result of Death Penalty under the legal provisions.
- ▶ The crime which hurt the soul of Nation.
- ▶ If heinous crime commit by Juvenile will be count under Capital Crimes but it will decide after proper investigation & judgments by different council/ panel of adjudicators/ Jury.

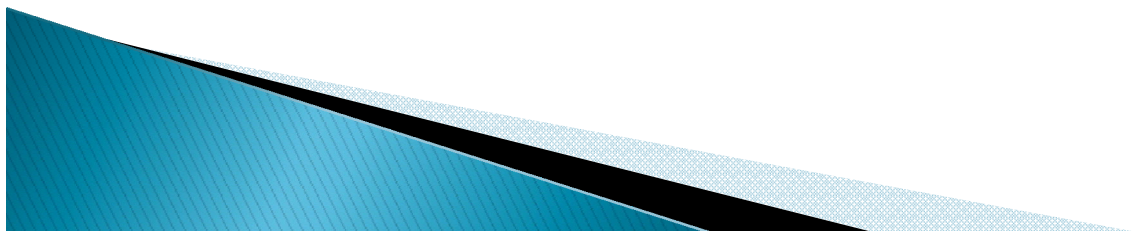


# Genocide

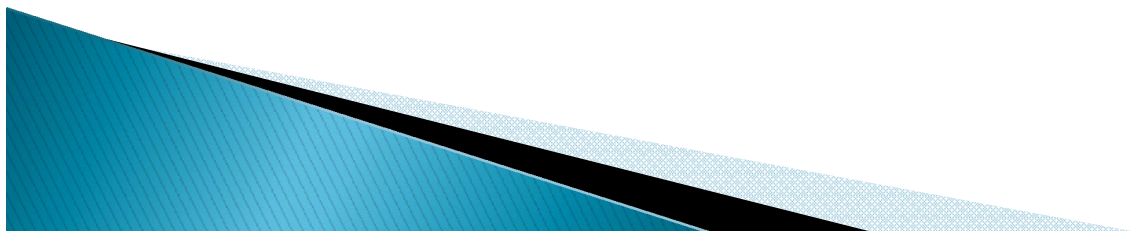


## Genocide :-

- ▶ A massacre (Blood Bath) is the deliberate slaughter (Killing) of members of one group by one or more members of another more powerful group.
- ▶ Genocide is the deliberate and systematic destruction, in whole or in part, of an ethnic, racial, religious or national group.



- ▶ The term was coined in **1944 by Raphael Lemkin.**
- ▶ It is defined in Article 2 of the *“Convention on Prevention and Punishment of the Crime of Genocide( CPPGC) 1948”* : Killing the members of a group on specific bases by some other group.



# What is Genocide??

"Any of the following acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such:

1. Killing members of the group.
2. Causing serious bodily or mental harm.
3. Deliberately inflicting conditions of life for physical destruction in whole or in part.
4. Imposing measures intended to prevent births within the group
5. Forcibly transferring children of the group to another group."



# Where does the Word Genocide Come From?

## Geno-cide

**Geno-** from the Greek word Genos, which means birth, race of a similar kind, tribe, family

**Cide-** From the Latin word Cida, which means to kill.

# The 8 Stages of Genocide:

- ▶ Understanding the genocidal process is one of the most important steps in preventing future genocides.
- ▶ The first six stages are Early Warnings:
  - Classification
  - Symbolization
  - Dehumanization
  - Organization
  - Polarization
  - Preparation



## **Genocide Incidences in India:-**

**1984 Anti Sikh Riots:** In October 1984 – the Indian Prime Minister Indira Gandhi was assassinated and Sikhs were then openly killed, raped and attacked, they were made to be refugees throughout India in strongholds of the Indian Congress Party.

**1990 Kashmiri Pandit Genocide:** Total 40,000 to 1,92,000 Hindus were forced to abandon their ancestral land.

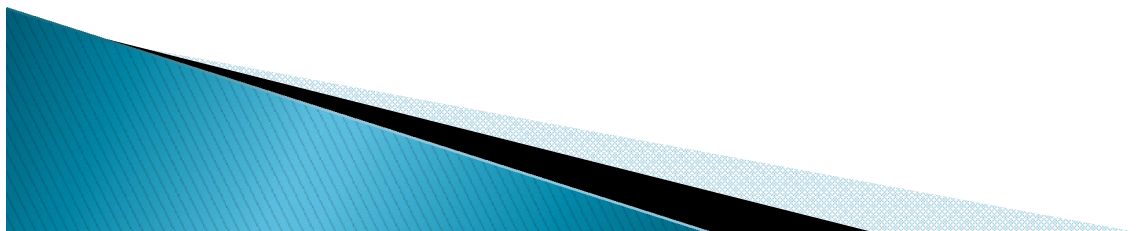
**In 1993 Bombay Riots:** December 1992 – January 1993

575 Muslims, 275 Hindus, 45 unknown and 5 others, Hindu-Muslim communal riot as an effect of Demolition of Babari Masjid.



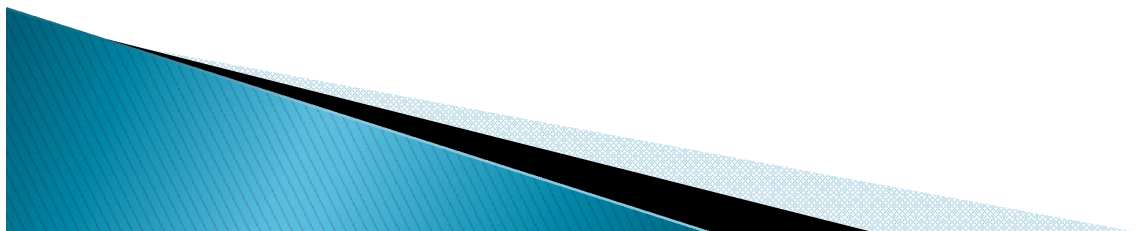


- ▶ 2013 Muzaffarnagar Riots: Due to Communal Violence, the 42 Muslims and 20 Hindus killed and 93 injured.
- ▶ 2014 Saharanpur Riots: 3 killed and 33 injured in Saharanpur, Uttar Pradesh. It was a communal violence between Hindus & Muslims



# References:

- ▶ O'Byrne, Darren (2011 3<sup>rd</sup> reprint) Human Rights: An Introduction, New Delhi, Pearson Education Ltd.
- ▶ Reichert, E. (2003) Social Work and Human Rights, Jaipur, Rawat (Originally Published from Columbia University Press) .



**Thank You**

