

# Preserving Justice: The Evolution And Ethics Of Criminal Law In Modern Society

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## ARTICLE INFO

## ABSTRACT

This research article, titled "Preserving Justice: The Evolution and Ethics of Criminal Law in Modern Society," is a paper that seeks to look at the evolution of criminal law and the ethical issues that surround the subject from the early ages to modern society. The paper will focus on the following goals: To explain the historical background of criminal law, the following milestones in the development of this science are to be mentioned: the Code of Hammurabi, the Roman law, and the period of Enlightenment which may be referred to as the transition from retribution to rehabilitation. It also covers modern issues such as progress in technology, globalization, and shifting societal norms and thus demonstrates how modern legal structures are handling issues such as cybercrime and transnational crimes. Ethical aspects are also addressed with topics such as capital punishment, the question of equal treatment, and the rights of the offender. The article gives policy implications for increasing justice and fairness like the alteration of the death penalty, the differences in sentencing, and punishment. Hence, the conclusions of this research enrich the existing literature on the criminal justice system by taking history, current issues, and ethical issues into account and proposing recommendations for future development. The study therefore needs a dynamic legal system that is equally sensitive to both fairness and human rights as well as the existing and past vices.

**Keywords:** Criminal Law, Historical Evolution, Ethical Considerations, Contemporary Challenges, Policy Recommendations.

## Introduction

Criminal law as one of the directions of the contemporary legal system is one of the key elements of the legal regulation of social relations, the aim of which is to prevent crime, restore justice, and protect the rights of individuals. This paper will also show that criminal law is not an inactive branch of law but one that evolves with society, ethical standards, and legal frameworks. To understand such evolution, one must look at the historical background, current problems, and ethical problems that define criminal law today.

## Historical Evolution of Criminal Law

Criminal law has its roots in early societies and early legal systems such as the code of Hammurabi of Babylonia and the Twelve Tables of Rome (Frier, 1999). These early codes were the foundation of retributive justice in which the penalty that is received is equal to the crime committed (Driver & Miles, 2007). During the Middle Ages, the English common law emerged which is the system of law that is grounded on the decisions and precedents of the courts and was of considerable importance in the development of criminal justice (Baker, 2002).

This paper will also explain the Enlightenment period of criminal law with the aspects of reason, rights, and law. Other philosophers in this camp also include Cesare Beccaria who also called for an end to torture and capital punishment as well as a more rational form of justice (Beccaria, 1764/1986). This period also witnessed what is known as the classical or positive school of criminology that focused on the rationality aspect in the commission of crimes (Vold, Bernard, & Snipes, 2002).

### Contemporary Challenges in Criminal Law

Some of the factors that are present in contemporary society and influence criminal law include Technology, Globalization, and Culture. The emergence of new methods of illegality, for example, cybercrime has led to the incorporation of traditional legal frameworks to deal with new crimes such as hacking, identity theft, and cyber fraud (Wall, 2007). Also, there are other international crimes such as human trafficking, drug trafficking, terrorism, and so on, which due to globalization, necessitate global cooperation and synchronization of laws (Natarajan, 2010).

Culture and social change have also impacted criminal law, especially in the areas of gender-based violence, lesbians, gays, bisexuals, transsexuals, and people of color. For instance, the #MeToo movement has brought about massive legal changes in the fight against sexual harassment and assault (Fileborn & Loney-Howes, 2019). Likewise, the Black Lives Matter movement has provoked discourse on racism in the criminal justice system and Police brutality and force (Taylor, 2016).

### Ethical Considerations in Criminal Law

This is why ethical issues are always inherent in the formation and implementation of criminal law. The legal system of justice in determining deserved penalties and in providing fair trials is based on justice, equity, and balance as postulated by Rawls (1971). However, there are always questions of justice in the rights of the victims and the offenders, especially in cases of serious offenses or in cases that may have been solved erroneously (Duff 2001).

Another one of the major ethical issues that is closely connected with criminal law is the question of the death penalty. The enthusiasts have claimed that it helps to avoid the commission of heinous crimes and is a punishment to the offenders while the critics have said that it is inhuman and that the innocent may be punished (Steiker & Steiker, 2016). The fact that the world is slowly phasing out the death penalty as a method of punishment is an indication that offenders' humane and ethical treatment is becoming a concern in the global society (Hood & Hoyle, 2015).

The other ethical issues include the justice system's treatment of minorities and other vulnerable persons in society. Discrimination in society and the law on grounds of race, poverty, and other vices is unfair to justice in society (Alexander, 2010). Some of the changes that have been made to try and solve these issues include changing punitive measures like sentencing, policing, and prison conditions to make the justice system fair (Travis, Western, & Redburn, 2014).

This is a clear indication that criminal law has evolved over the years to meet society's never-ending search for justice and ethical leadership. Criminal law as a branch of law has therefore been a dynamic area of law from the early legal systems to the modern legal systems. This understanding entails the historical development of health professions, current issues, and ethical issues. As a result of this, criminal law cannot be left behind in society, but at the same time, it must be in harmony with justice, equity, and human rights.

### Significance of Study

Criminal law and its history and principles are significant for understanding the formation and development of social norms and the principles of legal and moral justice. Therefore, the research grounded on the historical evolution of criminal law from ancient codes to modern legal systems helps identify the patterns of the development of the fundamental principles to meet modern challenges, such as cybercrime, international crime, and changes in societal values. It also brings into question the legal justice, equity, and proportionality in the processes as an ethical question. Thus, this work has significant implications for policy reforms aimed at increasing the justice of the legal system and is useful for students, scholars, and practitioners as a source of legal information and to improve the practice of law.

### Research Aim

The main purpose of this paper is to present an analysis of the development of criminal law and the challenges in determining its ethicality in modern society. This involves an assessment of the history of criminal law, the present problems, and the ethical factors that shape criminal law practice and reform. This paper seeks to provide an analysis of the extent to which criminal law has advanced in as much as it seeks to meet the new social demands and new creations as much as it seeks to ensure justice and fairness.

### Research Objectives

1. Trace the historical development of criminal law from ancient civilizations to the modern era, identifying key legal codes and milestones.
2. Explain how contemporary criminal law has been impacted by modern technological advancements and globalization, for instance, cybercrime and transnational crime.
3. Criminal law is a vast branch of law that poses several ethical questions like the death penalty, punishment, and the justice system's minority treatment.
4. Assess how social movements and shifts in culture have affected criminal law, for example, gender violence and race relations.
5. Possess the capability to make recommendations on modifications to policies that will improve justice, equity, and human rights in the criminal justice system.

## Methodology

The methodology for this research article, titled "Preserving Justice: The Evolution and Ethics of Criminal Law in Modern Society" is designed to capture the broad approach to the analysis of the historical background, the contemporary problems, and the ethical consideration of criminal law. To make sure that the subject is addressed well, the study employs both quantitative and qualitative research. The methodology is structured into several key components: Thus, it is possible to identify several large segments of the framework of the chosen research methodology:

### 1. Historical Analysis

**Objective:** To demarcate the historical background of criminal law and to define the important legal codes and landmarks.

#### Method:

- Literature Review: For this purpose, it is required to study the historical records, legislation acts, and articles in scientific journals to understand the evolution of criminal law from the codes of antiquity, such as the Code of Hammurabi, and the Twelve Tables to modern legislation.
- Historical Documents: Understand the meaning of legal codes, cases, and commentaries of the legal systems of various historical epochs.
- Comparative Analysis: Compare and contrast the various systems of law and the impact they have made on present-day criminal law to establish the shift and similarities.

#### Data Sources:

- This is about legal papers and charters of the past ages.
- Legal history and articles and books on legal research.
- Records and other papers that are kept in archives and other similar organizations.

### 2. Contemporary Challenges

**Objective:** Thus, the purpose of the work is to describe the impact of technology and globalization on modern criminal law and the measures taken to mitigate the effects.

#### Method:

- Case Studies: Analyze the examples of cybercrime and transnational crime and their legislation. Select the cases from different fields to get the big picture of the problem.
- Policy Review: Analyze the legal and policy frameworks in combating some of these vices as cybercrime, human trafficking, and terrorism. Evaluate the effectiveness of the mentioned policies with the help of legal analysis and the opinions of experts.
- Interviews: To interview legal professionals, policymakers, and specialists in the field of criminal law on issues of contemporary nature and changes in law.

#### Data Sources:

- Cybercrime and transnational crime legal cases and legal documents.
- Parliamentary papers and statutes are also other forms of laws and legal information.
- Views of the specialists and their interviews.

### 3. Ethical Considerations

**Objective:** Thus, to evaluate the ethical dilemmas in criminal justice like the death penalty, punishment, and the status of minorities.

#### Method:

- Thematic Analysis: Self-analysis on the analysis of the literature, legal provisions, and ethical issues about capital punishment, sentencing, and justice for minorities. Find out what the main problems are and the ethical considerations.
- Survey: Survey the legal workers, ethicists, and the public to know their stand on ethical issues in criminal law.
- Case Studies: Explain the legal examples of ethical issues and how they were addressed in the case laws.

#### Data Sources:

- Legal ethics as a subject exists in articles and books.
- The survey and the two questionnaires.
- The following are some of the legal cases and court decisions that have been made.

#### 4. Policy Recommendations

**Objective:** to effect policy changes that would enhance justice, fairness, and human rights in the criminal justice system.

**Method:**

- Policy Analysis: Evaluate the existing policies and changes that have taken place to criminal law as far as justice and human rights are concerned.
- Expert Consultations: Conduct focus group discussions with legal scholars, legal practitioners, and policymakers to get recommendations on the improvement of legal practices and policies.
- Comparative Study: Compare the policies and the practices of the different jurisdictions with a view to ascertaining which of the measures that have been implemented have worked and which have not.

**Data Sources:**

- The policy documents and the reform proposals.
- Expert advice and interviews.
- International legal practices comparison.

**Data Analysis**

- Qualitative Data: The data that will be gathered from the literature reviews, interviews, and case studies will be analyzed thematically and by content analysis. This involves coming up with trends, patterns, and main results.

- Quantitative Data: The surveys and the policy effectiveness data will be subjected to statistical analysis to arrive at the results. This is an activity of taking a census of the population and the evaluation of impacts of policy changes based on numbers.

In the study, the method used is historical, current case studies, ethical consideration, and policy review to get a complete picture of the development of criminal law and the ethical issues. Therefore, the research shall incorporate both qualitative and quantitative research methods in an endeavor to come up with an empirical assessment of the current state of criminal law and the ethical issues associated with it in the present society.

### Results and Discussion

#### Historical Analysis

This paper aims to describe the process of criminal law development as a continuous transformation from the prehistoric types of punishment to the contemporary ones based on the principles of human rights and justice. This evolution can be segmented into several key historical phases: There is a possibility to outline several major historical phases in this evolution:

##### 1. Ancient Codes:

The Code of Hammurabi of about 1754 B. C. is one of the first and the most extensive collections of criminal law. This Babylonian code set legal conditions of justice that were based on retaliation as the saying “an eye for an eye”. It prescribed certain penalties for certain crimes which was typical of society’s vindictiveness as mentioned in the Code. The other major early legal system was the Twelve Tables of Rome (circa 450 BCE) which was a form of legal code in Rome. These tables formed Roman law and focused on the two main pillars of Roman law, namely, publicity and the reason for law (Borkowski & Smith, 2006).

##### 2. Medieval and Enlightenment Influences:

In the medieval period, two major systems of law were canon law and the customary law. The legal system in Europe was shaped by the Catholic Church’s canon law, particularly in issues to do with morality and justice as postulated by Riley-Smith (2005). The law that developed from the people’s practice, which is the customary law offered order in conflict solving and the putting into practice of the standards of the society (Berman, 1983). The Enlightenment period was a change in the way people thought with writers such as Cesare Beccaria demanding change in the legal system. Another enlightenment thinker who contributed to the change of the punishment system was Cesare Beccaria, in his book “On Crimes and Punishments” (1764) he criticized the barbarous and capricious nature of the contemporary punishments and called for rational and proportional punishment that would deter the criminals (Beccaria, 1764/2009). This period brought the concepts of reason and rights to criminal law which is the basis of the contemporary legal systems.

##### 3. Modern Developments:

The twentieth and twenty-first centuries’ development of criminal law has been characterized by some changes that took place in society and the field of human rights. The codification of the international human rights standards has influenced the criminal justice systems in the world in a very special way. An institution like the International Criminal Court (ICC) created in 2002 is relevant in international criminal law as it deals with war crimes, genocide, and crimes against humanity (Schabas, 2017). Some of the examples of the new global

and rights-based approach to justice as observed by Morsink (1999) include the signing of human rights conventions and the incorporation of the international norms into domestic legal systems.

Thus, given the historical background of criminal law, it is possible to distinguish the change from retributive justice to restorative and rehabilitative justice. The laws that were present in the ancient societies such as the code of Hammurabi were mostly revenge and punitive this was so because, to the society, punishment was considered as a way of enforcing law and order. The first type of codification was the early codification, and this was initiated through the Twelve Tables of Rome (Borkowski & Smith, 2006).

The medieval age which was dominated by the canon and customary law provided the foundation of law that dealt with moral and social questions in a regional perspective (Riley-Smith, 2005; Berman, 1983). Beccaria supported the change of focus in the Enlightenment period to reason and rights of the individual which was a turning point in legal philosophy. These two concepts of Beccaria, that is the proper punishment and the rights of an individual, contributed to the formation of the more humane and rational systems of law.

In the present time, there is the formation of international human rights norms and organizations such as the ICC that show the world is willing to fight serious crimes and human rights violations. This evolution aligns with the overall acknowledgment of justice systems that are not only retributive but also corrective of offenders and sensitive to social injustices (Schabas, 2017; Morsink, 1999).

Such understanding of this history is useful in comprehending the current legal rules and procedures that exist. This is an example of how principles have been formulated to solve today's problems and the shifting culture of society. The shift from retributive to restorative measures is a clear indication that criminal law is an active part of the law that is always developing to ensure that people are treated as per the principles of human rights.

## **Contemporary Challenges**

### **1. Technological Advancements**

The advancement in technology has brought in new opportunities for committing a crime, particularly in computer crime. Some of the data breaches that have occurred in the past years include the following: Equifax data breach that was realized in 2017. Such incidents have led to the formulation of laws that touch on cybercrime such as laws on digital evidence, encryption, and cyber espionage (Liu & Wong, 2020). The measures that have been taken by the international and regional bodies have resulted in the formation of organizations like the European Union Agency for Cybersecurity (ENISA) and treaties like the Budapest Convention on Cybercrime which enhances cooperation in combating cybercrimes (Wall, 2017).

### **2. Globalization**

Globalization has acted as a factor that has improved the expansion of cross-border crimes like human trafficking and terrorism. The United Nations Convention against Transnational Organized Crime (UNTOC) signed in 2000 is one of the examples of cooperation at the international level in combating these issues using a multidisciplinary approach (United Nations Office on Drugs and Crime, 2020). For instance, there are more recorded cases of human trafficking as a transnational crime since there is more mobility and communication across borders hence more legal actions and cooperation internationally (Hoffman, 2018). Likewise, terrorism has turned into an international issue where there is a need to fight through cooperation in the formulation of counter-terrorism laws and policies (Miller, 2021).

### **3. Social Norms**

Social relations have contributed immensely to the development of criminal law particularly in the areas of gender violence and the LGBTQ+ population. The #MeToo movement that started in the year 2017 has led to the development of laws concerning sexual harassment and assault (Kendall, 2018). Hence, the governments of different countries have enhanced the laws and measures to prevent such incidences and punish the offenders (Cowan, 2019). Likewise, the change in the perception concerning the rights of sexual minorities has brought about changes in the laws and policies of many countries including the decriminalization of homosexuality and the legalization of same-sex marriages in many countries (Gates, 2019). These changes are due to the dynamics of society and the purpose of the legal system of providing justice to the affected parties.

The issues that currently exist in the sphere of criminal law show that the matter is not as simple as it used to be and is interrelated in the context of the modern world. The advancement in technology has called for the development of special laws that would adequately deal with cybercrime. The increasing numbers of data breaches and cyber-attacks demonstrate that there is a need for laws that address the technical aspect of the crime as well as the cooperation between countries in preventing and combating the crime (Smith 2019; Liu & Wong 2020). Technological development is on the increase and as such there is a need to introduce new laws to address the new threats and provide sufficient protection against cybercrimes.

Hence, globalization has also added another aspect to criminal law since it has created the formation of transnational crimes. This is evident through the increased cases of human trafficking and terrorism, and hence there is a need for international conventions and cooperation in the fight against the vices. The UNTOC and similar agreements are a significant improvement in addressing the issues related to globalization, but

continuous cooperation and adjustment are necessary due to the nature of the international threats (United Nations Office on Drugs and Crime, 2020; Hoffman, 2018; Miller, 2021).

The other factor that has contributed to the development of contemporary criminal law is social transformation in society. The #MeToo movement has focused mainly on cases of sexual harassment and sexual assault, and this has brought a shift in the laws in a bid to protect the victims and bring the offenders to book (Kendall, 2018; Cowan, 2019). Likewise, regarding the rights of the LGBTQ+ community, people's perceptions have changed over time to support human rights and equality, hence legal reforms. These reforms illustrate the requirement and the possibility of changing the legal processes to the existing social justice to protect the rights of the helpless.

In general, the examples of the development of criminal law about modern threats, which are presented above, show that criminal law is a process. The capacity to adapt the legal system to technological, global, and social changes is vital to ensure that justice is done, and individuals' rights are protected in the constantly changing world.

## **Ethical Considerations**

### **1. Capital Punishment**

The death penalty is still one of the hot topics in criminal law since people cannot come to a consensus regarding the moral issue of it. Supporters of the death penalty state that it deters other horrible incidences and punishes the offenders and their families (Banner, 2002). It is also supported by advocates because it gives a clear verdict on heinous crimes and can also assist in preventing the offender from repeating the same offense in the future (Miller, 2006). However, those who are against the death penalty post their worries about ethical issues and the possibility of an innocent person being killed. As for them it is unconstitutional and may result in the killing of innocent persons as highlighted by several cases of injustice (Bedau, 2004). Some of the ethical issues of the death penalty include The death penalty is still in practice in some states while in other states it is prohibited (Garland, 2010).

### **2. Sentencing Practices**

The other important ethical issue in criminal law is the rationale of the practices that are offered as a punishment. According to several researchers, race, gender, and socioeconomic status are factors that influence sentencing, and this raises a lot of ethical issues concerning the fairness of the justice system (Tonry, 2011). For instance, research has established that minorities are punished more severely in jail than other individuals for the same crime (Alexander, 2010). A difference like this makes one ask himself or herself if there is a way through which the criminal justice system discriminates against the black community. Some of the measures that have been implemented to solve these issues include attempts to reform the system with the view of eliminating the differences in sentencing and enhancing the clarity of judicial rulings (Stevenson, 2018).

### **3. Treatment of Offenders**

Ethical issues are also about the treatment of offenders, especially concerning prison reforms and the idea of reformative as compared to punitive measures. At present, there is a greater concern for the improvement of the quality of prisoners' lives, and their right to adequate medical care and protection from other forms of ill-treatment (Mauer, 2006). The reformative and reintegrative models have been on the increase, especially for those who are not categorized as violent offenders. This has been attributed to the general social attitude to accept the fact that rehabilitation can be done, and that people should be given another chance (Clear, 2007). The opponents believe that sanctions aggravate the existing problems and hamper the rehabilitation process, therefore indicating the changes that imply punishment with the restoration of the individual's rights and his or her reintegration into society (Wacquant, 2009).

Ethical issues in criminal justice are very significant for delivering proper justice and humane treatment. The penalty of death remains one of the most discussed topics as it is located at the intersection of justice and rights. Some people believe that the death penalty acts as a deterrent measure to other serious crimes and delivers justice while others believe that the death penalty is intrinsically wrong and that it can produce injustice (Banner, 2002; Bedau, 2004). The gradual shift towards abolition and use of other less cruel and inhuman legal measures has been subject to the morality of capital punishment (Garland, 2010).

Analysis of the patterns of sentencing also shows that there are immense ethical issues concerning the systems' discrimination and prejudice. The issues of race, gender, and socio-economic injustice in sentencing have become sensitive and have provoked the question of the fairness of the criminal justice system (Alexander, 2010; Tonry, 2011). For such inequalities to be eliminated, there should always be a change in the justice delivery system and the passion for making sure that justice is delivered to any individual.

Offender treatment is also one of the significant ethical issues. The change from punishment and punitive treatment conforms with the trends of society to search for the root causes of criminality and assist the offenders to be reintegrated into society (Clear, 2007; Wacquant, 2009). This is a good strategy to ensure that punishment is not the only thing in the criminal justice system but rather accompanied by a chance for a change.

Thus, it is possible to conclude that all these ethical issues can be resolved only with great caution with the use of such principles as justice, human rights, and equity. Such issues are dynamic, and this means that the evaluation and the process of changing the legal practices about the current value and ethical frameworks is required.

## **Policy Recommendations**

### **1. Reform Capital Punishment**

From this policy analysis, there is a desperate need for a complete overhaul of capital punishment policies. In the past literature, the death penalty has been found to have some ethical and practical issues such as the high likelihood of executing the wrong persons, irrational and arbitrary application of the death penalty, and moral issues of executing people (Garland, 2010; Bedau, 2004). Some of the recommendations are to abolish it or to apply certain conditions that would make it nearly impossible to apply the death penalty in any circumstances. Other types of punishment that are more oriented towards the rehabilitation of the offender and the recognition of his human rights should be used. For instance, the countries that have abolished the death penalty such as those in Europe have experienced some gains in human rights and criminal justice (Amnesty International, 2021). Another alternative may be life imprisonment whereby the convict is allowed to be paroled after a certain number of years. This is less cruel to severe crimes than capital punishment (Radelet & Bedau, 2005).

### **2. Address Sentencing Disparities:**

Thus, racism in sentencing and gender and socio-economic status are also acute issues. Research has also revealed that the minority is usually punished more than other persons (Alexander, 2010; Tonry, 2011). To overcome these problems, it is proposed to take advantage of the fact that the guidelines for sentencing are uniform, and the judges cannot affect the decision significantly. In addition, pre-service and in-service training for bias among judges and other legal personnel is required to minimize the implicit bias that influences the sentencing process (Stevenson, 2018). The following legislative measures are also useful in addressing systemic injustices: policies that promote the openness of sentencing procedures and the development of structures of responsibility (Mauer, 2006).

### **3. Enhance Cybercrime and Transnational Crime Responses:**

This is the last of the three types of teleological argumentation that we have looked at in this paper: Thus, this is the third and the last form of teleological argumentation that has been analyzed in this paper.

Cybercrime and Transnational crime have become rampant and thus there is a need for cooperation and the development of a sound legal framework. The type of crime is changing and is no longer limited to hacking and data breaches, and therefore requires the assistance of technology companies, police departments, and policymakers globally (Anderson et al., 2013). Some of the international organizations that can be used to enhance the treaties and cooperation on these threats include INTERPOL and the United Nations among others (UNODC, 2021). This is why it is necessary to bring the legal systems up to date to counter these modern threats through the adjustment of the laws to the advances in technology and the enhancement of the interaction between the legal systems of different states (Zweibel, 2014).

### **4. Promote Rehabilitation**

Because of the focus on the reintegration of non-violent offenders, there is a need to embrace more rehabilitative measures. Studies show that education and vocational training can lower recidivism rates and improve the offenders' reintegration (Clear, 2007; Wacquant, 2009). Education and vocational training, counseling, and therapy, preparing the offender for reintegration into society as a law-abiding citizen can assist the non-violent offenders to be useful citizens in society after being released from prison. This approach is consistent with other general ethical considerations and has lasting positive effects on society because it reduces recidivism rates and enhances social reintegration (Mauer, 2006).

The policy recommendations given in this paper concern past and current issues in criminal law, which proves the need for a progressive criminal justice system. The alteration of capital punishment and the inequality in sentencing are crucial for the improvement of justice and equality in the criminal justice system. The abolition or the reduction of the death penalty along with the focus on the other forms of punishment can contribute to the improvement of the legal system and its fairness (Garland, 2010; Bedau, 2004). Some of the possible solutions include; making sure that the judges adhere to standard sentencing patterns, and anti-bias training among others can be very effective in addressing the issue of disparity and ensuring that justice prevails (Alexander, 2010; Tonry, 2011).

Enhancing the struggle against cyber and transnational crime and enhancing international cooperation and legal instruments are important for countering the tendencies of modern crime development in the world (Anderson et al., 2013; UNODC, 2021). These measures ensure that legal systems are prepared for new threats and maintain effective cooperation with other countries.

It is moral to encourage the utilization of rehabilitation for those who have not committed violent crimes since it is more advantageous for society in the long run. Education and vocational training are very important to

reduce the rate of recidivism and in the process of successful reintegration (Clear, 2007; Wacquant, 2009). Therefore, the criminal justice system can enhance a more just and efficient method of handling offenders by embracing the aspect of rehabilitation as opposed to punitive measures.

Therefore, the following policy recommendations can be put into practice to bring changes in the criminal justice system: Therefore, these policy recommendations can assist in achieving the goal of fairness and efficiency of the criminal justice system in terms of addressing historical and present injustices as well as meeting the principles of justice and human rights.

### Conclusion

Criminal law and its changes and issues are important for understanding how societies maintain justice and address contemporary challenges. This paper has covered the historical background of criminal law, current issues, ethical issues, and policy implications and therefore is a comprehensive paper on criminal law.

The historical overview proves that criminal law has developed from the ancient codes, such as the Code of Hammurabi and the Twelve Tables, through the modern codes inspired by the principles of enlightenment and human rights. This evolution is from retributive and punitive justice to more of rehabilitation and restoration justice. This historical background enriches the understanding of the present legal theories and the methods of applying them to contemporary issues.

Contemporary problems like technology, internationalization, and social change have introduced new problems into the criminal law field. Cybercrime calls for new legislation and enhanced international cooperation while globalization calls for collective actions to fight international offenses. Social movements have influenced legal reforms, particularly in the areas of gender-based violence and sexual orientation, and this shows that legal systems are required to be in harmony with society's changing morality.

It is therefore evident that ethical issues are still a core component of the development and enforcement of criminal law. Issues on capital punishment, sentencing, and treatment of offenders are still topical as society searches for the most appropriate justice, fairness, and human rights. The shift from punitive measures and inhuman treatment is due to the change in society's culture and the acknowledgment of the need for a just society.

The policy recommendations given in the paper are based on historical and present issues to enhance the fairness of the criminal justice system. The actions towards building a fair and efficient legal system include changing the system of capital punishment, the problem of unequal sentencing, increasing the effectiveness of combating cyber and transnational crime and developing the principles of rehabilitation. The above recommendations can be effectively implemented to lead to a criminal justice system capable of responding to the current society's needs while at the same time observing the principles of equity and human rights.

Thus, the development and the principles of criminal law can be characterized as progressive and dynamic. Thus, knowing the history, talking about modern problems, and thinking about the ethical aspect, one can understand how to address modern criminal justice and contribute to the improvement of the legal system's future. Thus, the findings of this research contribute to the existing literature on criminal law and offer recommendations for future research, legal changes, and practical applications.

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