

Death Penalty

By

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The most severe of sentences is that of death, which is also known as capital punishment. Death penalty is the most severe method of corporal punishment it requires law enforcers to kill an offender. Many countries have banned it, but in America, a move that had eliminated death penalty was reversed. Today more and more states in America are using death penalty to punish serious offences. Today, there is a big debate on death penalty, whether it is effective or not. Use of the death penalty has declined significantly in the Western World from the 19th century when it was very rampant. In 1972, a movement in America went to court to have the death penalty declared unconstitutional and while during the case of *Furman v. Georgia*, it was declared that the death penalty was very cruel and an unusual punishment. This did not go for long and in 1975 the Supreme Court made a decision in the case of *Gregg v. Georgia*, in which the court ruled that death penalty did not violate the eighth Amendment, from then on executions returned.

There are 4 major debate issues on the death penalty, the first is deterrence. The purpose of death penalty is to deter future criminal activities. The deterrence theory believes one who is rational person will not engage in criminal activities if the severity of the punishment for the crime outweighs the benefits of the criminal conduct. People believe that fear of death will deter criminals from committing crimes. Most criminals would think twice before committing murder if they knew their own lives was at stake (Gerber Johnson, 62). Studies on the deterrence effect of the death penalty have been done for many years, and all with varying results. Most of the studies have not produced any evidence to prove that the death penalty deters criminal behavior. One of the reasons found for this was that few people are executed and so it cannot be an effective

deterrent. If death penalty was to be carried out more it would deter crime, as during the publicized death penalty cases murder cases go down, but rise after the case.

Retribution is the second issue of debate; this is the need for the society to condemn inhuman acts. Those who support the death penalty argue that, a proper response to heinous crimes such as murder should be the most severe form of punishment available (Asimow and Mader, 1973). Those who oppose the death penalty disagree that the society should express its outrage on a heinous crime by inflicting death penalty. They claim that what the society is doing is showing outrage by killing another person.

Arbitrariness is also an issue; arbitrariness can be determined arises from impulse or whim and not reason or judgment. The rules of fairness dictate that people who break the same law should be dealt equally and face the same consequences. It has however been proven that the system of justice has not been consistent as Statistics show, a black man who murders a white person has 11 times likely to be convicted of death penalty than a white man who murders a black person (White, 1957). A black who murders a black has a far less likely hood of getting the death sentence.

Another issue of debate is Wrongful Conviction, this is in case there is a mistake and an innocent person is convicted of death penalty. There have been incidences in the past where people were wrongfully executed and yet they were innocent and after the execution the actual murderer confesses to the crime in order to alleviate his or her guilty conscience. Former Judge T. Marshall said that, "No matter how careful courts are, the possibility of perjured testimony, mistaken honest testimony, and human error

remain all too real. We have no way of judging how many innocent persons have been executed, but we can be certain there were some." (Fridell, 121)

People may think it is immoral and wrong to kill another person no matter what crime they have committed. In my opinion, the best way to serve justice to the criminals is to have them pay for their evil deeds with their life. A lot of people believe that death penalty has been passed by time and it is not civilized. I personally believe we need it because the society we live in is not civilized, if the society was civilized there would be no crime. Today killings happen each and every day, a lot of the criminal get away with it and those who are caught at one time are released from prison. The streets are full of murderers who make people to live in constant fear. They should be executed as no executed killer has ever killed again.

Works cited

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