

Example of nameprofessortitledat e research paper

Law, Death Penalty



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Death penalty in decline

Introduction

Man is a social animal. Man is distinct from the other animals on the basis of his ability to make a distinction between good and evil. He has been committing mistakes and sins which we refer as crimes in many cases. Of all the crimes known to us today, the first crime was done by Cain when he killed his brother Abel. As the societies kept evolving, they figured out ways for their progress as well as frameworks of law to keep the people content and to ensure that no one exploits or hurts other by doing crimes.

Death penalty

Of all the crimes, murder was and is considered the most serious one. The penalty for murder is death in many countries for centuries. Laurence has written an account in of different ways by which the kings used to make their prisoners die. (Laurence 1963.)

About some decades ago, the death penalty was the only punishment for a culprit who committed a murder. However, since last few decades, the human rights activists have started raising points on the death penalty from a viewpoint of ethics and humanity. Since then, many countries have

abolished the death penalty and introduced life imprisonment as an alternative of the death penalty, as a result of this death penalty has been declining constantly across the world.

The reason behind this decline in the death penalty is the argument put forward by many people that life imprisonment is a better option than the death penalty. Ehrlich has expressed same thoughts in his book. The people who say so argue that the purpose of punishment to the culprit is to teach him a lesson and to give him a chance for betterment, not to deprive him of his own life. They say that giving death penalty sounds somewhat evil itself and that giving death penalty to a culprit means to nullify the chances of improvement of the culprit. He is being deprived of his peaceful and happy return to a normal life. (Ehrlich 1973)

People who are in favor of a ban on the death penalty argue that not giving a death penalty to a murder or a child rapist, etc. may cause a sense of anger and a sense insecurity in a society with injustice, among the people. As a result the people may stop believing in the supremacy of law and start taking the legal affairs in their hands and this may lead the society to chaos on a macro-level. But this isn't a very valid or strong argument because it is not possible to satisfy each and every fraction of the society and the people will not be content with the punishments in cases of serious and severe crimes, either. As a matter of fact, (Berns, says in a manner of sarcasm that the only way to calm the anger of people in such cases is to hang the culprit in a busy square (which isn't possible, obviously). (Berns, 1979)

Another issue associated with the death penalty is that concerning the social and ethnic issues. Although there existed societies where the judicial system

is fair enough in its proceedings, yet the bitter truth is that such societies are very rare. In the most of the cases, there exist ethnic, social and other kinds of biases in societies on all levels. So if someone presents a case in some court where the accused is ethnically a minor and the plaintiff is from an ethnic majority, the chances of a fair judgment will be quite low as the ethnic biases are likely to affect the judgment. Hence in such a case the death penalty may mean a judicial murder of an innocent who didn't deserve the death penalty but a lesser severe punishment.

Similarly, there's another legal issue associated with death penalties. The courts in any countries have a definite period for hearing a case and to announce the judgment. Sometimes, it happens so that the legal team or the lawyer of the defendant can't find sufficient evidences in that short span of time, to acquit their client from the accusations and the investigating elements are unable to find the sufficient evidence as well. The court convicts the accused of the death penalty, since it has to go by the book. However, some time later, the evidence of the innocence of the accused is found accidentally but by then it's too late. The above mentioned situation is not a presumed situation. It has happened in United States of America and other countries of the world, many a times. Now, consider the situation where the accused had to undergo a life imprisonment. In that case, the accused had still a chance of appealing to reopen the case and to reconsider the case in the light of the newer evidences, even after getting convicted. Having addressed a few reasons for why the death penalty is unsuitable as compared to life imprisonment or other sentences, it must now be clear that why death penalty is on the decline and why this decline is a good sign from

different perspectives.

In 1977, there were only 16 countries which had abolished the death penalty whereas the number of the countries which had abolished the death penalty was just 35 by 1985. As of May 2013, there were 140 countries which had abolished the death penalty and adopted other alternatives (Death Penalty Trends, n. d)

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