

# Death penalty is not just and fair argumentative essay examples

[Law](#), [Capital Punishment](#)



\n[[toc title="Table of Contents"](#)]\n

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1. [Introduction](#) \n \t
2. [Arguments against capital punishment:](#) \n \t
3. [Pros of Capital punishment:](#) \n \t
4. [Counter Arguments:](#) \n \t
5. [Conclusion](#) \n \t
6. [References](#) \n

\n[/toc]\n \n

## **Introduction**

Death penalty, as the name suggest is a punishment sentenced to the criminals who are involved and have been proven guilty in assassination of one or more individuals or other giant crime. This is a legal manner that is taken into courts and after the hearings of all the witnesses and considering all the proofs; he is than considered guilty if the proofs are against him and then the court decides to announce the death penalty. The rules and regulations regarding the capital punishment are different from one country to another. Many countries have identified the kinds of punishment for several crimes. But, this capital punishment is considered as cruel and harsh punishment by several people. Many consider it to be against the values and ethics of human being. On the contrary, some other individuals claim that this punishment is important for restricting the murder in future by somebody else. Despite of all the dis-likings and resentment, few countries across the globe is still practicing its procedure. Punishment is considered to

be a teaching for all the individuals especially criminals to avoid such mistakes in future but when that criminal has been sentenced to death than he doesn't stay in this world any more to have a lesson from his act. That is a reason why capital punishment is considered unjust and unfair.

### **Arguments against capital punishment:**

Human life is considered to be the most precious conception of the Almighty and no individual or group has a right to take the precious life of any individual may it be a punishment or a lesson. And if the main focus is to teach him a lesson for the mistake he has done than he would no further live to understand the consequences of his deeds and feels sorry about it.

Therefore, no one would be able to turn a criminal into a gem if he is dead.

Furthermore, there could be a possibility that an innocent is wrong executed and all the proofs are fabricated just to take revenge from him by his enemies or to save somebody else who is more powerful than him in terms of resources. Death penalty is irreversible and irreplaceable, unlike prison sentence. Therefore, any justice system no matter how developed it is; it will always remain susceptible to human flaws and failure. There is another argument that death penalty has not decreased the number of crime and murder rate. As a matter of fact, many countries that do not practice death penalty or capital punishment have lower murder case than those countries where death penalized is being practiced .

The death penalty process is nothing but a trauma for the families and loved ones of the victims. The wounds of these victims who are directly or indirectly associated with the on-going case in the court gets fresh every

time they hear a proceedings in that court which doesn't let their pain healed. By taking, one's life out of revenge cannot bring the innocent back and therefore that individual cannot be replaced by any one. Then why to go against the human rights? Human rights calls for saving individual's right to live and it protects the basic principle of every religion that is to have humanity for all the brothers living in the society. Death penalty is against this basic principle of human rights and many religions. It also violates the basic human right of not torturing any human, being cruel or harsh towards him and having inhumane and degrading treatment. Last but not the least; capital punishment undermines human dignity which is inherent to every individual since the time he is born till death .

### **Pros of Capital punishment:**

In today's modern world, many of the developed and even under-developed countries recommend death penalty. There are many advantages attached to capital punishment which are discussed as under:

- It becomes the responsibility of the government to look after the criminal who is being sentenced for life time imprisonment or even for a longer time period for instance, for 10 or more years. Government has to bear all the cost of his maintenance, health, food and clothing and even shelter which turns out to be really expensive. On the contrary, when a criminal is hanged to death then there is no expense incurred on him after wards which becomes cheaper for the jail management and government. The crime is the same in case of both the individuals but the living expense has a huge difference. Therefore, death penalty is considered to be the cost effective

method while dealing with the criminals and offenders .

- Many law and constitution experts, law practitioners, general public, autocrats and bureaucrat have different opinions regarding the intensity of punishment with the severity of crime that a criminal has convicted. In simple words it means that bigger the conviction is; severe the punishment will be. Therefore, it has the direct relation of crime and punishment. Here, death penalty is the severe sort of punishment among all other forms which is sentenced to the serious and giant crimes such as murders. Penalties are dependent on the nature of crime and it is determined under the court of justice after several hearings and discussion being held on the bases of proofs and witnesses .

- The major argument based on the pros of capital punishment is that it is a frightening and dreadful lessor for all the potential criminals who have the criminal minds and who have the potential to commit crime. Therefore, it stops the criminals to act like other murderers when they see their ending being so dreadful and horrible. They fear their ending to be like the one who has been hanged to death and thus change their mind of taking revenge from the innocent or even culprit .

- Many criminals that are being penalized to death are brutal. They are a threat to all the other prisoners who have not done a giant crime like them. Therefore, death penalty is a way to secure these prisoners whose punishment is for a shorter period and they have a life ahead. They also get a lesson and thus limit themselves from the criminal activities in future.

- Crime activities that include murder, rape, kidnapping, perjury and torture turn on the rules that escapes truth and facts hidden behind and needs

evidence for the trial and punishment. But it would generate a great chaos in the society if it doesn't consider moral assumptions based on the facts that whether sun rises from the west or east and where it sets. Many people would oppose the death penalty being immoral or inhumane against the government and the court system, regardless of provocation of the nature.

- Moreover, one advantage of death penalty among others; is that it protects the occurrence of criminal activities by the giant criminals again in future once they are released on parole which can become a serious threat to the society and civilians. There are much of the facts and statistics available in black and white that criminals who are released on parole either tries to damage the witnesses or their families or even tries to escape from the country so as to carry on their activities in some other country. They takes benefit of the provisional release that they get for the limited time period and tries to make the most out of it which is obviously harmful to the society and the government .

### **Counter Arguments:**

There are numerous counter arguments against the above stated pros for the penalty of death which are discussed as under:

- Execution that is held in higher courts costs much more than in city or session courts where major cases are related to murder offense. Therefore, where it is argued that death penalty is cost effective and saves money, is not true in real sense. Additional procedures and addition to appeals thus incur more cost and diminish the cost effectiveness of capital punishment. In one way or other, the cost is increasing and decreasing at the same time

therefore cost effective method is of no importance as such. In short, criminal courts and chief justice fee is much more than the magistrate .

- Many individuals and experts say that death penalty is harsh, inhumane, barbaric and cruel way of dealing with the criminal no matter how serious is the conviction and its intensity. This capital punishment is against the basic right of human and also offends his dignity .

- The capital punishment is considered a barefaced violation of human right by the opinion makers and the propagators. Human has all the right of living his life to the fullest, but on the other hand; it is the responsibility of the state to let the human live with dignity, pride and honor .

- Eventually, there is a question that rises every time in American citizen's mind against capital punishment that, should the people who have been accused of murder deserves punishment of death penalized or the government running the state should dissolve the real reason behind this conviction. The murder convicted by criminal may be the result of his poor condition of living or he is taking revenge from even the worst criminal than him who has destroyed his life dreadfully or is blaming or blackmailing him in a certain manner which pressurized him to take such drastic step. In United States of America, there is inheritance of ethnic discrimination, racial biasness and racial apartheid which is unavoidable in the direction of death penalty . There is still an unjust system in even United States of America which saves the wealthy and mighty persons whether he is a giant criminal and treats the poor and meager person harshly who cannot invest his capital in order to get released from the crime and punishment. This is a reason why death penalty is being rejected by many individuals considering the morality,

inequality and injustice by the state and its administration.

- There is no such evidence as yet that death penalty has deteriorated the crime in the society and is keeping away the criminals from the crimes.

Therefore, saying that capital punishment is a lesson for all the potential criminals and murderers is just an argument and not an established fact.

## **Conclusion**

It is a fact that capital punishment cost is 2% to 5% greater as compared to imprisoning the criminals for several years. Trial procedure takes dozens of days and even months which takes several petitions and hearings because it need an extensive thorough debate on the proofs provided by witnesses and accused. There is a vast history which claims that there are certain cases which took almost two decades for a decision to be made and for death sentenced to be taken against a criminal. This is a time consuming process which takes a lot funds and time.

Death penalty thus is cruel and barbaric which violates human right and dignity. Life is a gift of God and only God has the right to take the life of individual. There are several methods for death penalty which is an emotional trauma for the family of the prisoner. On the contrary, there are certain advantages too of the death penalty which requires a careful consideration before its implementation. One of the major advantages associated to it is that it controls and even minimizes the crime that a society is facing and thus is a frightening warning and lesson for the one who are potential criminals.



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