

# Good example of term paper on capital punishment

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



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## **Introduction**

Capital punishment is one of the longest raging debates regarding punishment of criminals in the criminal justice system. Capital punishment, commonly referred to as the death penalty, is a method of retribution against capital crimes by killing the perpetrator (Mandery, 2011). The death penalty has received severe criticism in recent years from civil rights groups, activists and pro-life campaigners. The main aim of this paper is to consider a variety of methods used to execute criminals, their history, their effectiveness and peripheral matters regarding this issue.

The death penalty is one of the oldest recognizable forms of punishment for capital crimes such as murder, homicide and robbery with violence resulting to the death of the victim. The aspect of retribution by taking the life of the convicted criminal is derived from the Mosaic Law of ‘ an eye for an eye’.

History provides us with numerous examples of the adoption of capital punishment in earlier civilizations such as Roman Empire with crucifixion, France’s reign of terror under King Louis XVI, Belgium, Austria and nearly all

early societies (Wilson, 2013).

Several methods have been formulated to ease the pain and discomfort experienced by convicts who have been sentenced with a death penalty. Currently, there are five methods which have been used in the United States. All methods, however, face severe limitations thus creating the need to find a swift, painless and cost-effective method of execution.

## **Methods of capital punishment**

1. Hanging: This is one of the oldest and most commonly used methods of capital punishment. Public hanging of criminals was popularly used in early civilizations with a view to create a deterrent effect on like-minded individuals. King Louis XVI of France was a proud advocate of public capital punishment which enforced his rule by instilling fear among citizens. While this method has been abolished in most states, for its perceived painful and inhumane nature, Delaware, New Hampshire and Washington still allow execution by hanging. Problems with hanging as a mode of execution emanate from the design of the gallows. If the drop is too short, the victim will suffer a slow and agonizing death through strangulation(Wilson, 2013). This is deemed to violate the eighth amendment provision on cruelty and torture of convicted individuals. If the gallows are too long, the individual's head may be decapitated.

2. Firing squad: Commonly practiced in militant states and countries under military rule, death by firing squad is still practiced in Idaho, Oklahoma and Utah. However, only three convicts have been sentenced to death by firing squad since 1976. Under this method, a target is pinned to the chest of the

convict and team of five marksmen fire at the hooded convict.

3. Electrocution: This was the most commonly used method in the twentieth century, practiced in all regions of the United States. Electrocution as a method of capital punishment is still used in eleven states. The condemned prisoner is held in a death chamber and strapped to an electrocution seat. The convict is firmly strapped to the seat and electrodes attached to the body. A high voltage current is then applied to the sentenced prisoner, effectively frying their body parts and stopping all brain function. However, this method has been criticized for lack of precision in adjusting the current, torturing convicted prisoners and length through which the convict may remain conscious, thus experiencing their own death.

4. Gas chamber: This method was introduced in 1933 as an improved alternative to electrocution. This involves sealing the condemned prisoner to an airtight gas chamber and then releasing nerve gas. The prisoner will die of asphyxiation or shut down of brain functions. The gas chamber was abolished in 1996 by a panel of judges in the ninth circuit court of appeal on the grounds that it is a cruel and unusual form of punishment (Richardson, 2006).

5. Lethal injection: This is the latest method in the development of capital punishment. Lethal injection has been applied in over thirty states as the sole method of capital punishment. Some states such as Florida, Kentucky, Maryland, New Hampshire, Tennessee, and Oklahoma allow condemned prisoners to choose their own method of death (Mandery, 2011). The development of lethal injections as the universal method of capital punishment is jeopardized by a court of appeal observation regarding its

substantial and uncontroverted evidence that may pose risk of cruel and protracted death. Maladjustments in the ration of dosage may pose serious problems with the condemned prisoner left paralyzed but conscious while dying, thus being a silent sentient of their own death.

### **An effective method of capital punishment**

The guillotine, as a method of capital punishment would be more swift, painless, and cost effective than any of the methods in current use. The use of decapitation devices can be traced to early Roman civilizations as far back as 1066AD. The guillotine is a painless method of execution that uses a heavy and sharp blade to sever the head from the neck of a sentenced convict. The eighth amendment to the constitution does not brazenly prohibit discomfort and pain during an execution. Rather, the amendment forbids the deliberate infliction of pain and super adding terror, disgrace and shame to the convict through torture and similar methods (Richardson, 2006).

The guillotine is a swift method to extinguish life, maybe second only to the firing squad. Opponents argue that the separation of the head from the neck may not result in instantaneous death. These assertions are backed by claims of rolling eyes, twitching muscles, facial expressions and other movements. However, such movements are commonly experienced in other modes of capital punishment (Mandery, 2011).

The effectiveness of the guillotine in causing death cannot be questioned since science proves it impossible for human beings to live without heads. Decapitation of the head is a sure way to extinguish life (Wilson, 2013).

History abounds with stories of condemned prisoners who survived hanging, electrocution, lethal injections, and firing squads. The effectiveness with which a method of capital punishment achieves its intended result is a key determining factor. If a method fails to effectively conduct its purpose, it may result in untold suffering and anguish to the convicted prisoner, thus undermining the provisions of the constitution. In addition, the guillotine could provide a chance to salvage body organs such as kidneys, hearts, and lungs, which may benefit other members of society. This is not possible when administering capital punishment through gas chambers, lethal injections, and electrocution.

Mandery (2011) asserts that the cost of building a guillotine is probably less than a thousand dollars. The instrument can be used repeatedly without incurring additional costs. Setting up the instrument, maintenance and supervision can be easily conducted. This makes the guillotine much more cost effective as compared to other methods such as gas chambers, electrocution and lethal injections, whose costs could run up to millions of dollars per unit.

## **Conclusion**

There are numerous justifications to abolish the death penalty, and clean up the image of the criminal justice system. Capital punishment is a cruel and unusual relic of barbarism that was practiced in barbaric societies. The method denies due operation of the law by limiting the chance for reversal of convictions. The death penalty is also seen by many as propagation of a civil rights injustice. In this case, the constitution contradicts its provision to

protect the right to life of all individuals.

Capital punishment results in massive wastage of resources and taxpayer's money. Estimates show that the entire cost of one capital punishment trial and execution is nearly two million dollars. This is three times more than it costs to put a prisoner in jail for forty years. Thus, a life sentence is much cheaper than capital punishment, yet they achieve the same purpose; to keep the convict out of society for the rest of their lives. The high cost of capital punishment can also be used to improve the police system. The two million dollars used for a single capital punishment trial can be used to employ police officers, purchase equipment, and reduce the chance of criminal activity.

Swift, painless, effective in achieving its intended purpose, cost effective and humane; the guillotine may be the most beneficial method of capital punishment ever devised. This method can be implemented in jurisdictions that allow the death sentence.

## **References**

- Mandery, E. (2011). *Capital Punishment in America: A Balanced Examination*. New York City: Jones & Bartlett Publishers
- Richardson, S. (2006). *Capital Punishment*. California: Greenhaven Press
- Wilson, R. (2013). *Capital Punishment*. Houghton Mifflin Harcourt