

Example of essay on the death penalty an indefensible punishment

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



In this editorial the opinion writer argues that the death penalty as reconstituted in various states in 1976 is currently indefensible as it is sending several innocent people to death while several more who have been on Death Row for several years have been exonerated on DNA evidence.

The opinion focuses on the recent execution of the black inmate Troy Davis in Georgia who had a stay of execution refused although there was still no conclusive evidence to prove that he was guilty beyond any reasonable doubt. It argues that in its current state, the death penalty is grossly immoral and should be repealed forthwith.

The article also refers to efforts to reform the circumstances surrounding the death penalty adding that these have unfortunately failed and with several states showing excessive zeal in executions (Texas is a case in point with over a hundred executions per year), this issue has become a fallacy. Race, discrimination and other bias in trials, especially in Southern states mean that the overwhelming number of victims who meet their end are from a minority and this shows that the whole system is inherently flawed with an intrinsic bias towards executing those who are poor and who do not have the legal means to defend themselves.

In fact the article argues that jurors are driven by 'race, bias and politics' in all their decisions meaning that these decisions will also affect their verdicts in the courtroom. Unfortunately, more often than not this results in a guilty verdict which is not always the proper one and sends an innocent person to his/her death.

The audience for the opinion is definitely the American public but it is also intended to influence politicians, legislators and other decision makers to take a stance on the cruelty and gross moral injustice of the death penalty. It sets considerable store on the fact that when the Supreme Court re-introduced the death penalty in 1976, it did so provisionally and thus it was only as a sort of test after it had struck it down in all states in 1972. Still, some states have shown no interest in abolishing the penalty and the editorial argues that all those executions which have taken place on the basis of incomplete or incorrect evidence are indeed a travesty of justice.

The article continues to analyze the importance of taking an informed decision on whether the death penalty is to be continued or whether this should be scrapped altogether. It insists that the American public should be conscious that several people have been sent to their deaths on the basis of rather scanty evidence. It also mentions the huge disparity between certain states on the use of the death penalty but focuses especially on states such as Pennsylvania, Georgia and Texas. It also takes the US to task as the death penalty has practically been abolished in all but a few developed nations so it is truly high time that the US did the same.

Occasionally, the article attempts to focus on certain aspects of race relations which are deteriorating substantially in view of arbitrary decision on the death penalty and which pose a danger that American society is inherently flawed in this respect. This is an intriguing angle and viewpoint which deserves close scrutiny and analysis and which is a very realistic take on the situation.

Finally, the opinion makes a truly impassioned plea to the United States to follow the law of the civilised world and to abolish the death penalty once and for all. It continues to argue that this is unconstitutional in the light of the various events which have occurred of late and with the current suspension of executions in various states, it argues that there can never be a justifiable reason to send a person to his/her death even if the evidence is completely watertight.

The argument on the incompetence of defence lawyers is also compelling as it cites a senatorial review which found that several were totally unfit for defending their clients who had complex legal briefs and differing situations and which made their case all the more difficult to defend. This worrying situation further demonstrates the uncertainty and lack of proper tools to argue a case where the death penalty is the ultimate punishment.

Works cited:

The New York Times (2011); An Indefensible Punishment; http://www.nytimes.com/2011/09/26/opinion/an-indefensible-punishment.html?_r=1&hp