

Good example of death by fire essay

[Law](#), [Death Penalty](#)



Death by fire is a movie that is based on an American case of arson. This is after one Cameron Todd Willingham was convicted for charges of causing arson deaths to his three children. Early on during the investigations, the initial fire investigation claimed to have found several indicators that led to conclusions that it was an arson act. Due to this, the prosecutor found Willingham guilty. However, watching the video clip till the end, scientists later re-evaluated the evidence that the prosecution had relied to make the conviction. After their re-examination, the scientists were of the opinion that there were no signs of arson to the matter. As such, the courts made an execution depending on shallow evidence and therefore, they executed an innocent man.

The facts of the case were as follows. The accused was charged of arson for murdering three of his children in their family in Corsicana, Texas. According to the investigations that the police made, the fire was not accidental; it was started by a person using liquid accelerant. The police made this conclusion basing their arguments on the several factors they had considered, including the char patterns that were in the floor, taking the shape of puddles and a finding by the police that there were several starting points of the fire in question. The prosecutors insisted that the accused used an accelerant near the front porch deliberately. As they argued, this was aimed towards thwarting any rescue attempts for the victims. The explanation that the accused, Willingham, gave as to the presence of an accelerant in the house was rebutted by the prosecution and the judges. As such, Willingham was charged with murder. In the proceedings, the court offered Willingham a life term. However, this was in exchange for a plea of guilty, to which he refused.

At the trial, Vasquez, the chief investigator to the matter testified to the effect that the fire was intentionally set by human hands. As such, the Texas Department of Criminal justice convicted Willingham on the death penalty. Although he tried severally to appeal his innocence, the justice systems denied him the opportunity. However, as later investigations by fire investigators revealed, the court erred in fact and the law, relying on unsubstantial evidence to convict Willingham. The later investigators claimed that the evidence that was produced by the prosecutor was wrong, since it was based on hearsay and myths. As such, this evidence lacked a scientific justification and therefore, Willingham was wrongly convicted. Proponents of the death penalty have given several reasons why they think death penalty should be an option in making convictions. The first argument for the death penalty is that of deterrence. This means that the death penalty works to prevent other future murders in the society. By using this strict punishment, the society discourages the potential murderers and criminals from participating in the criminal activities. As they argue, the society is responsible for preventing murder. Due to this, the society should therefore use any form of punishment to deter murder activities. Among the strongest punishments available, as they argue, is that of the death penalty. Therefore, the death penalty should be practiced to prevent or deter future murder cases.

The proponents of the death sentence also argue that the sentence should be practiced in order to enhance retribution. To be just in the society means that there should be a death penalty served to an individual for taking another person's life. Taking a life means that justice in the society is

disturbed. The rule of violence then becomes the norm unless balance is restored. As the proponents of the death sentence argue, the only means to restoring the balance in the society is through taking the lives of the murderers. Through this, the society will be in a position to show that murder is a heinous crime which should be punished in similar kind. This argument, however, can be traced back to the religious values and historically, an ‘eye for an eye’ approach was used. Therefore, a life for life punishment is necessary for the murderers.

The capital sentence serves as a warning to other potential criminals. This is despite the fact that the penalty does not provide the convicted any lesson or give them a chance to change and become better people in the society. Undoubtedly, the would-be criminals get to know that the effects of their acts would lead them to being convicted. As such, they get to reconsider their take on solving issues in the society and use alternative means to ensure justice is done. Through this, the death penalty becomes the ultimate warning against all the crimes.

The proponents of this penalty have argued that it provides closure to the victims. By applying this sentence, the perpetrators get to be convicted and as a result, they die. Although the victims to the murder no longer survive to take part in the legal process, their family members get to benefit by the courts sentencing the perpetrators to death. This is because it then becomes easy for the family members to forget about the ordeal, which could end up tormenting them in life in the presence of the perpetrators. As such, the death penalty is the best answer available to the crimes of murder and the authorities should therefore promote it.

The above argued reasons as to why murderers should be sentenced to death have been widely employed in the legal systems worldwide. In the film, the assumption for the conviction was that Willingham committed the arson to his children. As such, the courts were right to take the above argued measures in order to make a conviction. Through sentencing Willingham to a death sentence, potential murderers will be in a good position to consider their intentional acts since they would like to avoid such fates. It would also mean that this sentence would deter future murders from killing people since they would be in a better position to understand what they would likely be sentenced to.

However, as much as we have argued for the reasons why the murder sentence should be practiced in dealing with the murder perpetrators, the opponents of this sentence also give strong reasons why this sentence should be done away with and alternative punishments be embraced. For instance, as the opponents of this sentence claim, the punishment teaches the condemned nothing. The purpose of punishment should be to help the perpetrators to learn from their mistakes. This is similar to the role that our parents play to our growth towards becoming respectable members in the society. Whenever a child messes, the parents first give them a stern warning. If they repeat the same mistake, then the parents may take a further step to spank them. Through this, the children will always be in a position to change from their wrong behavior. However, when capital sentence is imposed on an individual, they would have to be killed. Killing them means that they would be deprived off the freedom to intermingle with other members of the society. It would also mean that they will never again

have the chance and opportunity to learn and improve from the mistakes they commit. As such, the opponents of the capital sentence argue that an alternative means of punishment should be practiced and the death sentence be done away with entirely.

The opponents have also made arguments that the death sentence does not dissuade. As they argue, the reasons for punishments are to dissuade the criminals from committing crimes. As such, the proponents always raise questions as to the reasons why people still commit crimes if they had the foreknowledge of the punishments that the courts would subject them to. The death sentence, as they argue, does not do its job. This is because it does not necessarily change the minds of the criminals on killing innocent people. As such, its failure to dissuade means that it performs no purpose and the courts should therefore do away with this form of sentencing.

Essentially, as the opponents to this form of punishment note, the punishment is cruel to the subjects. Intentionally taking away the life of an individual as a reason for punishing is always a cruel method. Although the authorities have devised methods of ensuring that the perpetrators do not feel any pain while they are being subjected to this form of punishment, the perpetrators always undergo a lot of traumatization on the knowledge that the authorities have subjected them to this form of punishment. This is inhuman and as such, the courts have to find alternatives to this punishment.

Lastly, the opponents to this sentence argue that prison itself is like hell on earth. This is because of the several problems that the prisoners undergo. While in the prisons, they get a chance to re-evaluate their actions and

become better people in the society. The death penalty, according to them, should be entirely done away with and better alternatives be embraced. All the reasons above that the opponents have given seem, to some extent, to be in support against the death sentence that the courts subjected Willingham to. For instance, there are high chances that Willingham was innocent and by subjecting him to death, the courts would be taking an innocent life. However, even if he was to be found guilty, the courts were to consider giving him another chance to redeem his life and change his behavior.

Not all the convictions that the courts make are right. There are several reasons as to why the courts may make wrongful convictions. The major cause of the wrongful convictions is on the errors that the witnesses make. These errors could be as a result of faulty memory or from confusion. When the courts rely on these evidences from the witnesses, they are also bound to err in giving judgment, because they would have made an error in both fact and law. In the modern days where technology in the courts has been embraced, an investigative error would automatically mean that the courts would rely on false evidence. This seems to be the position that the case of Willingham took. The investigators made a big mistake in concluding that the presence of a char pattern was conclusive to say that the fire was started intentionally by a human being. As the later research showed, the court erred and as such, there are high chances that the court convicted Willingham wrongly.