

# Free capital punishment: good or bad public policy essay example

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



(School/University)

## **Capital Punishment as Public Policy: Bane or Boon?**

In the philosophy of those that advocate for the implementation of capital punishment as a form of public policy in crime deterrence and punitive criminal agenda, the crime should befit the punishment. If a life has been taken, then the life of the one who took that life must be the “ payment” for the crime. In the United States, the implementation of capital punishment as a crime deterrence policy is still much in force; of the 50 states in the Union, only 14 have abrogated the use of the death penalty in their criminal laws. However, with the prevailing economic conditions, states facing enormous budget shortfalls, particularly Colorado, Kansas, New Mexico and New Hampshire, have proposed to eliminate the death penalty as a way to cut down on their costs (The Economist, 2009, p. 1).

The controversy over the implementation over the death penalty, such as the one generated by the case of Jodi Arias, is not on the issue of whether the issue can be resolved within philosophical, religious or even from emotional basis. The issue is whether society has a right to take the life of anyone. One possible answer is that society can take the life of anyone that threatens its security and peace order.

One of the long held legal principles is that a person, if faced with a clear and present danger to his or her life, can take actions to defend him/herself, even to the point of killing the antagonist. The person, if he/she will kill the person threatening their lives, will be free from any liability from a legal standpoint.

In this light, it can be taken that the implementation of the death penalty can be a form of society exercising self defense. The objective of punitive

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sanctions short of capital punishment is for the reform of the criminal; defending oneself is focused on the neutralization of the danger to it, and not with the reform of the offender. In this light, society must determine if the offender will continue to pose a threat to it. However, society must also face the possibility that if it chooses to abrogate the option of permanently removing the threat, it must also accept the responsibility of tolerating the opportunity that the threat can once again wreak havoc (Sheets, 2013, p. 1).

Nevertheless, there are opponents to the implementation of the death penalty, calling the execution of the criminal as “too soft”. In essence, by executing the criminal, then the ordeal of the offender will be terminated, leaving the family of the victim as the only ones riddled with the anguish over the act. On the other hand, if the person is sentenced to a life sentence without the possibility of parole or pardon, the mere assertion that the person, once sent to jail, will “never see the outside of a prison again” and this will effectively displace capital punishment. Life without parole can also be termed as a “civil death”; the operation of the sentence raises many of the objections against the death penalty. One, the sentence totally abrogates any endeavor in reforming the offender, and two, keeping a convict in jail until he/she dies is also expensive.

However, there are still those that oppose life without parole, calling the punishment as “cruel”. The United States Supreme Court ruled that the “life without parole” sentence for juveniles facing non homicide cases. In the opinion of Michael O’Hear of the Federal Sentencing Reporter, if juveniles must be given hope and given opportunities to reform, adult offenders

placed in a similar situation must also be given hope (GOOD, 2014, p. 1).

In concluding, whether society is inclined to execute those that threaten its security and well-being, or give them another chance or “lock them up” until these die in prison, it must accept the responsibility as well as the consequences of that choice. Capital punishment as public policy must be weighed not only in terms of costs, but on the possible impacts of its actions on seeking to protect itself from threats.

## References

Economist, The. (2009). “Saving lives and money: states plagued by fiscal woes rethink their stance on the death penalty”. Retrieved 19 March 2014 from

Gazette, The. (2013). “Death penalty is form of self defense for society”. Retrieved 19 March 2014 from

GOOD (2014). “Weighing the death penalty vs. life without parole”. Retrieved 19 March 2014 from