

Pros and cons of the death penalty



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Pros and Cons of the Death Penalty Death penalty has become one of the most controversial and debated issues in the United States and as a result the pros and cons of death penalty have long been discussed. While supporters of death penalty argue that capital punishments would deter dreaded criminals from indulging in serious crimes there are many who hold that death penalty is against one's human rights. The growing rates of homicides and serious offences have prompted many to support. On the other hand, the major argument against death penalty is that it violates human rights, ethics, and morality. This paper seeks to explore the major pros and cons of imposing death penalty as a criminal judicial sentencing. Many researchers, human rights activist and the Catholic Church argue that death penalty is against human rights, morality and ethical considerations. There are also a large number of people who oppose death penalty because of the cruel inhuman way it is administered. In this respect, James Coleman observes that the application of the death penalty today in the American judicial system is quite arbitrary and inconsistent (The Death Penalty: Arbitrariness and the Death Penalty). Similarly, Coleman, citing the famous *Lockett v. Ohio* in 1978, goes on to argue that the ultimate decision of the jury to impose the death penalty is usually followed by the defendant's opportunity to plead for mercy. It is also a fact that there are many deserving defendants who are eligible for the death penalty but escape the capital punishment and vice versa which pose a number of questions on the amount of fairness in administering death penalty. Even when the advocates of death penalty hold that it should be imposed 'fairly and with reasonable consistency' despite the legal formulas and procedural rules "the death penalty remains fraught with arbitrariness, discrimination... and mistake" (The Death Penalty: Pro and <https://assignbuster.com/pros-and-cons-of-the-death-penalty-essay-samples/>

Con). In fact, the ideal death penalty system in the United States does not exist in its application. This is very well suggested by Greenberg when he observes that even though the goals of administering death penalty are “detering crime, punishing the guilty, acquitting the innocent, avoiding needless cruelty, treating citizens equally, and prohibiting oppression by the state - America simply does not have the kind of capital punishment system contemplated by death penalty partisans” (Greenberg). Life time imprisonment without any parole would be a better alternative than death penalty. It can thus be seen that the current judicial system of applying death penalty has a lot of flaws and it is high time that the nation re-examine the system. On the other hand, one can never undermine the positive impacts of death penalty. Death penalty, undoubtedly, is a great tool of deterrence in putting an end to serious and cruel criminal activities. The criminals are most likely to indulge in more of serious crimes when the judicial system poses no threats to their own lives. The proponents of death penalty believe that death penalty is better deterrent than other alternative punishments such as life imprisonment. It is a fact that abolitionists who stress on the value of the life of a convicted murderer or, at least, his non-execution fail to “value the lives of the innocent victims who might be spared by deterring prospective murderers” (Haag). In the same way, it is the duty of the judicial system to ensure that retributive social justice is maintained, the interests of the common public are protected and that their lives are being secured and guarded against unwanted tragedies. The criminal justice statistics on death penalty makes it clear that majority of the public opinion are in favor of death penalty. For instance, the criminal justice survey in 2002 revealed that almost 68% of women were in favor of death

penalty whereas only 29% of them opposed the system (Attitudes toward the death penalty for murder for selected groups, United States, 2002). Similarly, another remarkable statistical survey conducted in the United States in selected years from 1953 to 2010 also reveal that public opinion is quite in favor of death penalty (Attitudes toward the death penalty for persons convicted of murder, United States, selected years 1953-2010). All these surveys reveal that the American public still believes that the death penalty has a positive impact in the American society. Works Cited Attitudes toward the death penalty for murder for selected groups, United States, 2002. Web. 23 June 2011. < <http://www.albany.edu/sourcebook/pdf/t253.pdf>>.

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