

Favoring capital punishment

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Argumentative essay favoring capital punishment The issue of capital punishment continues to generate significant social, political and judicial debate. 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. Similarly, there are many social scientists, theologians and legal experts who hold that capital punishment is morally wrong and therefore it should either be abolished or replaced with more humane criminal penalties. However, the growing rates of homicides and serious offences prompt one to think in favor of death penalty. Capital punishments ensure retributive justice to the victims and their family members. Undoubtedly, capital punishments act as the strongest deterrents that stand as warning boards to dreaded criminals and as such death penalty is the need of the time as homicides and serious offenses are at an increasing rate worldwide. The growing rate of serious criminal activities and homicides has prompted many to think in favor of capital punishments. It is a fact that where there are no provisions for death penalty in the judicial system there are no forces that can deter dreaded criminals who pose threats to the lives of common man. It is the duty of the judicial system to safeguard the lives of innocent victims as well. While the abolitionists lament over the extreme pain during execution they do not think of the atrocities and damages the convict has caused. Kronenwetter, in this respect, believes that people who are against capital punishment undermine ' the deterrent aspect of legal punishment;' for the author, " pain and discomfort are an inherent and necessary aspect of legal punishment for crime" and there is nothing unconstitutional when vicious criminals undergo some sort of pain and suffering for their atrocities (Kronenwetter 65). It can <https://assignbuster.com/favoring-capital-punishment/>

thus be concluded that capital punishments can never be regarded as unconstitutional or unusual. Capital punishment system considers death penalty as the strongest form of deterrence and preserver of judicial retribution. 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 a 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. Ernest van den Haag, Professor of Jurisprudence at Fordham University, purports that it would be a failure of the judicial system of the nation if dreaded criminals are not punished adequately for their crimes. According to him, capital punishment acts as a powerful deterrent for the criminal minded people to abstain from crimes as he believes in the common sense evidence that fear of the death penalty is likely to deter many would-be criminals from committing murder (Haag). Besides, he holds that sparing criminals from death penalty would pose further threat to many more innocent lives. A similar view point is expressed by Louis P. Pojman when he states that it is the failure of the judicial system of the nation if dreaded criminals are not punished as retribution of their crimes. Besides, he holds that sparing criminals from death penalty would

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pose further threat to many more innocent lives. Thus Pojman concludes that the judicial system has to go ahead with death penalty as sparing the lives of convicted murderers will lead to the risk of innocent people becoming future murder victims (Pojman). However, the judicial system needs to offer sufficient opportunity to the accused to prove their innocence. No hasty decisions are to be taken during trials and only the deserving convicts are to be sentenced for death penalty. Conclusions In conclusion, it is worthwhile to analyze the Supreme Court's legislative rulings over capital punishments. In the Gregg v. Georgia case the Supreme Court makes clear that death penalty is "not considered cruel and unusual punishment, nor grossly disproportionate to the crime, provided the court's review procedure affords procedural safeguards to prevent arbitrary or discriminatory sentencing" (PMBR & Palmer 59). One of the most recent and compelling arguments for abolishing capital punishment is the acknowledgment that innocent people have been convicted of capital crimes and are on the death row. Therefore, it is imperative that special care should be taken by the jury to display no arbitrary or discriminatory sentencing and it should ensure that capital punishments are given to the most deserving criminals. It can thus be concluded that judicially administered capital punishments are necessary for deterring dreaded criminals. Works Cited Haag, Ernest van den. The Ultimate Punishment: A Defense. FRONTLINE: WGBH educational foundation. Web. 04 December 2013. . Kronenwetter, Michael. Capital punishment: a reference handbook. 2nd Illustrated ed: ABC-CLIO, 2011. Print. Pojman, Louis. A defense of the death penalty. 2004. Web. 04 December 2013. <<http://rintintin.colorado.edu/~vancecd/phil1200/Pojman.pdf>>. PMBR,

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