

# Capital punishment should be abolished

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Capital punishment should be abolished There are almost 1, 000 people sentenced to death because of committing heinous crime globally each year(Rogers, 2012, para. 10). However, some countries still insist on implementing the death penalty or capital punishment in order to reduce crime. In the twentieth century it is contended that value of life should be pursued, and everyone deserves the right to survive. For this reason, it can be argued that capital punishment should be abolished and whole life imprisonment should be implemented instead. Firstly, to define ‘ heinous crime’ and ‘ capital punishment’ is important. The definition of heinous crime differs depending on the country. Generally, it relates to crimes of ‘ moral turpitude’, which are extremely violent acts including murder, rape, manslaughter and terrorism(Tooby, 2012, para. 1). In contrast, the definition of ‘ capital punishment’ is more concrete. It is defined by the Oxford Dictionary(2012) as the legally authorized killing of someone as punishment for a crime. This includes lethal injection, lethal gas, hanging, executed by firing sqard, stoning, beheading and electrocution. This essay will argue that capital punishment is against basic human rights, secondly will prove that criminals have been found to be innocent after they have been executed, thirdly it will verify the existence of unfair judgments. Finally, this essay will debunk counterarguments that support the death penalty, using cases from Saudi Arabia, China and America as its exemplar to argue that capital punishment is cruel and unnecessary. To begin with, according to The Universal Human Rights Declaration(2012, para. 3) “ Everyone has the right to life, liberty and security of person", therefore, based on this premise implementing capital punishment is against basic human rights. Everyone

has the right to survive, no one can deprive people of this right, not even the government. Since the right of individuals is protected by law, which cannot deprive anyone arbitrarily of life (Human Right Association, 2003, para. 2). Capital punishment, nonetheless, is a practice that disregards human rights. Moreover, the justice system is set up to prevent crime and maintain a peaceful society (UNICEF, 2003, para. 7). The death penalty, however, inflicts harm upon another, which can potentially create terror inside society (Jayashree, 2010, para. 7). Therefore, capital punishment seems to oppose the established justice system. Worse still, some governments execute criminals in a inhuman way. For example, in Saudi Arabia, criminals are executed by beheading by sword or stoning whereby the criminals are attacked by throwing stones until they die (Moni, 2010, para. 6). Therefore, capital punishment is a heinous and inhuman act of violence that must be abolished in order to maintain a humane society with zero tolerance. Another reason of opposing capital punishment is that some criminals have been found to be innocent after they had been sentenced and executed, but they could never return. By using whole life imprisonment, the problem brought by misjudgment can be avoided. One example is Jiang Guoqing in Taiwan, China. He was executed in 1997 for the rape and murder of a 5-year-old girl. The body of the girl was found in toilet of welfare station staff of the Air Force Combat Command. The bureau of investigation conducted polygraph testing on all soldiers, however, only Jiang did not pass. Worse still, a toilet tissue was found in the toilet which contained combination of Jiang's body fluid and blood of girl because Jiang used toilet before. Due to discovery of this evidence, Jiang was convicted of rape and murder. He was finally

executed in 1997, but his father fought for appeal continuously due to insufficient investigation in this case. Finally, the authorities reexamined evidence left in the case in 2001, and they found that Jiang was innocent and the killer was Huang. Eventually, the actual killer was sentenced (Tian, 2011). After Jiang was executed, the reputation of his whole family was destroyed. Can a government compensate for this? The case of Jiang is just the tip of the iceberg of miscarriage of justice that occurs around the world, there were countless cases where criminals were found innocent after execution. Unfortunately, the lives of these executed innocents cannot be returned, it is definitely a crime committed by the authorities. It is commonly believed that 'Everyone is equal and fair in front of law', nevertheless, unfair judgment still exists in the legal system due to discrimination against different races and sexes in some countries. Nagin and pepper(2009) argued that " The Justice system in South America is administered by same elite power structure. But justice for Blacks is vindictive and emotional, while for the whites is secular and rational. " The statistics also show that number of blacks being executed are far more than whites providing that almost same number of black and white criminals commit the crime in regards of inequality." The capital punishment record indicates that 706 persons received the death sentence since 1910, while 362, or slightly more than half, were actually executed. " For the people being executed, there were 282 black males, seventy-three white males, five Indian males and two black females where the statistics was from the states that having majority of whites. (Laurence, 2012, p. 119)This evidence proves that Blacks have a higher chance of receiving the death penalty comparing to Whites. Also

Jayashree(2010, para. 6)states the poor may not have money to hire a lawyer to defend them. Thus, they have a relatively higher rate of imprisonment or even be executed. In addition, in Saudi Arabia, women face the death penalty by stoning for adultery. While it is normal for men to marry a few women, they do not suffer any legal consequence for affairs (Moni, 2010, para. 1). This reveals that unfair judgment exists for different sexes, different socio-economic status and different races. Many people think that implementing capital punishment can reduce the number of heinous crime in society due to fear of serious punishment. While, the effect of the death penalty in controlling crime is still doubtful. As support by Jayashree(2010, para. 7) “ The rate of crime is forty-three percent in the state that having dead penalty while only twenty-three percent in state that without death penalty in America. " This shows that the effect of capital punishment may not be effective in reducing crime rates. Also, there are many people casting doubt that money spent in supporting the lives of criminals is much more than cost of capital punishment. In fact, the cost of implementing the death penalty is not low at all, authorities need money to prepare documents such as DNA tests and a license of death for the criminal. Whole lives imprisonment is the most suitable way to punish the criminals that committing heinous crime. Jayashree, 2010, para6 claim that “ In jail, decades and decades of living in a cage, in an environment of rape and violence and being treated like animals is worse than the death sentence. With the death sentence, the suffering is over quickly. " It can also comfort the victim family as the criminals suffer in jail for long period of time. Also, there is a good opportunity in jail to let them to revise themselves and give

them a second chance to correct themselves. On the other hand, implementing capital punishment is implanting the concept of 'an eye for an eye' and 'an ear for an ear' into society. Thus, abolishing capital punishment is a only way not to let this evil concept pass to our next generation. More importantly, whole lives imprisonment do not let criminals suffer from miscarriages of justice. To conclude, since there are many disadvantages in carrying out capital punishment such as this is against human right, existence of unfair judgment and the effect of death penalty is still doubtful. To restate, capital punishment should be abolished and government should provide second chance for criminals to rectify themselves.