

Example of race and capital punishment research paper

[Law](#), [Capital Punishment](#)



Abstract

Capital punishment or death penalty is one of the most controversial and notorious form of correction. It has been practiced throughout history but currently, only 38 states practice it. In most of the places where it is being practiced, a lot of precaution is used. Research has shown that there is a relation between race and capital punishment. This practice has been ostensibly stated as a remnant of the past. Apparently, the minority communities have a higher chance of being slapped with a death sentence.

Introduction

This is one of the most extensively discussed and researched topics. A death penalty also known as capital punishment is a judicial sentence where a criminal is put to death after being found guilty of a heinous crime (Drimmer 12). Usually murder could lead to such a sentence. During the ancient times, the death penalty was allowed and practiced by most countries. It was legal in statutes and even in constitutions. Its existence can be traced back to the eighteenth century in the code of King Hammurabi who strongly believed in capital punishment.

The common method of instituting this sentence included hanging or mutilation of the head. These methods were later voted as too inhumane. They were torturous and ineffective in sending messages to other like minded people (Fraser 9). Consequently these methods were improvised to include electrocution and the use of lethal injections. This was also exacerbated by industrialisation.

A prison is one among many types of correctional facilities. An offender is

expected to have reformed after serving their sentence. The successes of prisons are quite many owing to the number of reformed individuals functioning as any normal citizen. Ethical issues arising from capital punishment are based on whether any correction has been undertaken. Furthermore, this severe punishment seems to be a leeway for the rich to oppress the poor (Baldus et al 359). Black people, Arabs and sometimes Asians living in America seem to be the target communities in this case. Capital punishment was abolished in some states in America citing that it is against human rights. However, a few states still practice it. Research has shown that racial discrimination is present in the death penalty. This problem has not slackened with time and it is infectious throughout America. The potential cause for this is that the judicial system is composed of a large percentage of white people.

Thesis

There is a relation between race and death penalty. This problem is getting intense with time. This crisis is fuelled by the fact that those given the responsibility of making the death penalty decisions are almost entirely composed of members from the white Americans. As such this insensitive practice should be stopped.

A myriad of research has been conducted on the issue of death penalty. Proponents for the continuation of this type of punishment adhere to the fact that it relieves the world of inhuman and bad people. Such people are capable of spreading their bad morals and the only way to avoid this is to get rid of them by killing them. On the other hand, those against this insist that it

is unfair in practice, intense and capricious. It has been used as a way of oppressing the minority groups in America. The purpose of this study is to find out if racial discrimination is used as a basis for the death penalty sentence, its causes and its effects. Furthermore, reasons are given on why the practice should be stopped.

Who Gets the Death Sentence and Why?

A study conducted by Baldus and his colleagues revealed that black people have a higher chance of receiving a death penalty (Baldus et al 360). He delved further into the issue and revealed a standing odd of 3. 9. Fraser argues that this issue has not been properly tackled because it is underscored by most courts. Despite the availability of overwhelming evidence on racial discrimination on death penalties, the courts deny relief. This has become a sore that continues to suppurate even in other sectors such as housing and education. This leads one to make an effortless presumption that people of colour will always be treated unfairly by any institution in the United States of America.

Race and the Death Penalty

People from various races can be found among the inmates on the death penalty row. The black people constitute only six percent of the total population living in the United States of America (McAdams 154). However the black population make up forty two percent of the population of inmates on death row. Since nineteen seventy six, about thirty five percent of the people executed are from the black community (Editor 1). Of this, eighty two percent were convicted of murdering a white person. A smaller percentage

was convicted of murdering a black person. Out of all of them, there was no white person who had been convicted of killing a black person. Such offenders were busy serving their sentence of several years or even months (Dieter 1).

Race and the Jurors

This practice is like a contagious infection. The research done by Baldus and his colleagues revealed that even jurors and lawyers are subjected to the same treatment (Baldus 361). Apparently, slurs are hurled at lawyers of colour and jurors from the same community are rarely allowed to participate in court activities. In fact, Baldus states that “ black jurors being systematically barred from service and in the devoting of more resources to white victims of homicide at the expense of black victims” (Baldus 361). This then implies that a fairer and impartial sentence is given to a white offender. On the other hand, a black offender is rarely accorded a sentence on similar grounds. The latter evidence is an enormous symbol of unfair and unconstitutional practices in the justice system.

Race and Crime

Apart from the above illustrations, several blatant examples of racism are evident. One eye catching event happened when during an election in Philadelphia in 1991, several female adjudicators were locked out of a position for the meagre reason that they were black (Dieter 1). This was as a result of a directive from one of the candidates vying for a district attorney’s office. Also, there is evidence of injustices where people from the black community are deemed as guilty of an offence even before a trial. A typical

example happened in 1980 when an innocent man was accused of murdering a high school girl from the white community (Dieter 1). A Texas police officer was heard telling the black man that he was guilty because he was a nigger.

Race and the Prosecutor

The prosecutor holds the discretion on the kind of sentence to be imposed on a criminal. The carrying out of the sentence is then authorised by law. In studies conducted by Fraser, he found out that ninety six percent of all prosecutors are from the white community (14). Ninety five percent of offenders on death row were sentenced by a white prosecutor (Ibid). It was also quite rare to find a prosecutor from the black community handling a case with an offender from a white community. Prosecutors from minority communities also had a lower chance of prosecuting a case (Fraser 13). The cases were arranged in such a way that the white prosecutors got to sentence most of the cases. as such, colour is a major determinant in the justice system.

Laws have been built in other sectors to stop racial discrimination. For instance; desegregation of public schools has been effective since the disbandment of placing schools as per race. Despite the evidence of the impact being clear, the judicial system is still plagued by this pervasive practice. Not only does race determine the kind of sentence, it also determines the jurors, lawyers and judges too. Every state that practices capital punishment in the United States of America has the same problem.

Effects of Racial Discrimination in the Death Penalty

Allowing racial discrimination to permeate the justice system sets the tone for prejudice. Consequently, a lot of questions arise on the role of the justice system and whether it was meant to serve fairly (Drimmer 24). People especially those from minority communities tend to lose confidence in the justice system. Criminals from the white community will take this advantageous position as ammunition to commit crimes against the minorities like the blacks. This kind of oppression is a step backwards from deterring crime.

There has been an increase in unwarranted public reaction in the spectacle created by the menace of racial discrimination on the justice system. This is especially after the revelation of overwhelming evidence on the same through the print and social media. This has gone to the extent of warranting critical reaction from international human and civil rights groups. This has had a negative impact in the image of the United States of America. The whole institution especially the justice system is looked at as being arbitrary, unjust and not in consonance with some articles of the race convention (Baldus et al 360; Drimmer 13).

Currently, there is a war within the country because various groups are stepping away from these injustices. The most recent one is when catholic bishop in Texas called on ending of capital punishment (Baldus 13). They stated that they would not support the justice system unless it does away with the death penalty. The reason behind this upheaval was because of the ever eminent racial discrimination in this system and morality. Other denominations joined in line. Even though this might seem as a small and

seasonal misconception, most sociologists and experts look at it as a crack in the whole institution (Fraser 13). This crack will finally develop into a crevice and thus the system will crumble.

Evidence suggests that racial discrimination in the judicial system keeps multiplying as the years proceed. The effects of this practice are also bound to increase with time. As such, the judicial system will collapse and the result can be devastating. Instituting capital punishment on one race more than the other is unfair and does not play any role in ensuring that this correctional facility meets its goal. Moreover, the crime rates will continue increasing leading to an almost irreversible rot in morality and justice. This rot will be passed onto future generations.

Why We Need To Stop Capital Punishment

Preceding evidence suggests that the cost of capital punishment is currently incalculable. The practice is so rampant that it is like a chronic sore (McAdams 157). For the severe racists, capital punishment seems to be a leeway in completely finishing the black race and other minorities in the United States of America. This is not only a fuelling factor for hatred between races but it is also an immoral lesson to the young generation. Probably, wiping this form of punishment from the constitution is an effective way of preventing this from happening.

The main goal of the judicial system is to punish wrong doers and to ensure that this is done with equity. In case the wrong doers are found guilty and incarcerated, the court ensures that the offender enters a correctional facility like a prison. The end result is aimed at a reformed individual.

Consequently, the nation increases in terms of labour productivity and general development is attained. An important question arises where capital punishment is instituted and solely to a specific community. Whether or not the correctional system meets its goal is quite obvious. Capital punishment does not offer an individual a chance to correct their mistakes. Instead when it is based on racial discrimination, it leaves one family poorer and the victim's family haunted by their actions. Productive minds have been lost in capital punishment robbing the country of its ability to develop.

The process of undertaking the death penalty poses a heavy cost to the state. When the death penalty is in the offing, a lot of time is taken in the appellate, appeals and hearings (Dieter 1). The process is likely to drag on for ages. Most of the cost is usually on the state. In fact, it is estimated that about thirty billion American dollars are used every year for purposes of catering to those in the death penalty row alone (Drimmer 39). If these resources could be invested in correcting these individuals, then the cost benefit analysis would not be a one sided ledger like before. The resources can be used for correction and training of some of these offenders. This would lower the crime rate and also improve the socio economic status of most families in the minority communities.

With the enormous evidence of racial injustices in the United States of America, most countries and organisations are looking down upon this great state. In fact, most international investors and students from these minority communities shun from coming to America. The effect of this loss will be felt in the long run. It is time to regain the original glory where all American systems were deemed as perfect. This will go a long way in improving the

social standing of America and thus the rate of economic development will increase.

In continents like Africa and some parts of Asia, discrimination along tribal and religious lines has been the starting point of most brutal wars. These wars have left the countries with permanent scars and in an irrecoverable position probably the reason behind these countries are still being classified as third world. Back home, the situation is not different. In fact, this time the discrimination can be described as the utmost level of inhumanity. Most of the people from the minority communities are losing their lives because of being who they are. Sometimes, innocence is not used a basis for judging them. Their demise hurts fellow family members. For most researchers, this is a time bomb waiting to blow. In fact, it can be likened to a similar situation in Nigeria where discrimination was based on religion. To avoid this, a better form of punishment should replace capital punishment.

Conclusion

The justice system is one of the important factions of any functioning government. It acts to hold the state together by ensuring security and stability in the country. However, it is quite evident that the American justice system has been permeated by the vice of racial discrimination. This can be seen from the way sentences are passed to the large number of employees coming from a certain race. Apparently, several variables distinguish the kind of sentence to be passed on an offender. First, there is the colour of the defendant and plaintiff, colours of the judge, prosecutor and juror. Bias is made with preference to the white community. The minority communities

like the black people are left to suffer under the hands of racists. It is implausible that the system is fair in any way. Considering the above factors, it gets scarier when a death sentence is in the offing. Even history shows disparities in how this severe sentence has been passed. The effects of this appalling practice can be clearly seen from the revulsion expressed by the civil and human rights movements. There is thus need to stop this practice as a way of saving this great nation from imminent and looming controversy whose result may be too expensive to behold. This would also go a long way in promoting desegregation and racial acceptance. As a point of departure it is necessary to get rid of capital punishment.

Works Cited

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