

# Death penalty debate



**ASSIGN  
BUSTER**

1) Discuss your position on the death penalty and explain your reasoning in detail. An eye for an eye is the old way of justice. We may argue that times and circumstances have changed since this form of justice was practiced. We may say that it is no longer considered civilized to take a life. However, the fact is that human nature has remained the same over the years. We are still ruled by a system of reward and punishment in all walks of life and the same should apply in this case. The plain truth is that if a criminal does not fear death, the ultimate punishment, he/she will commit many other and more heinous crimes.

The main argument in favor of death penalty is the possibility of an innocent person being mistakenly executed. Given the long and rigorous justice process that precedes the conviction of a person beyond a shadow of doubt, the risk of such an incidence is extremely low. There are also arguments that a criminal can still reform and atone. Opponents of death penalty argue that society should not give up on wrongdoers altogether. In my opinion, it is the victim's near and dear ones who can give a fitting answer to this question. I am sure that the parents whose daughter has been raped and killed in cold blood will not forgive the criminal. It is the society's responsibility that they should get justice. Capital punishment is a reflection of the public belief that some crimes so grievously offend humanity as to merit a death punishment (Sharp, 2000). Perhaps this is why it still finds support in many of the world's nations (Wikipedia, 2007 ).

It has been proved that convicted criminals freed on parole or probation commit thousands of violent crimes every year, thus endangering the lives and property of many innocents (Sharp, 1997). Therefore, the death penalty saves lives in the long run. It should definitely be given for extreme crimes in

order to deliver justice to the victimized as well as to deter future offenders.

2) Compare and contrast four traditional purposes of criminal punishment and explain two advantages and disadvantages that may be found in each.

The four traditional purposes of criminal punishment and their respective advantages/ disadvantages are as follows (Banks, 2004):

i) Deterrence - The main advantages of this punishment in this philosophy is that many future crimes either by the same person (individual deterrence) or by others (general deterrence) can be prevented. The disadvantages are that it is hard to determine the severity of the penalty that would act as a suitable deterrent and whether it has been successful.

ii) Retribution - This works on the premise that punishment should be given because it is deserved. The advantage is that the perpetrator is held responsible for his conduct, which conveys a message to him. Secondly, the unfair advantage gained by the criminal is abolished and fairness is restored. The disadvantages are that it is not practicable except for the death penalty and ignores factors like social background and poverty.

iii) Incapacitation - The main advantage of this is that the public is protected by restricting the freedom of the offender for a long period of time. It primarily prevents repeat offences. The disadvantage is that it is difficult to predict such dangerousness or the time required to abolish it. Also, it may not be ethical to punish a person for a crime committed in the past.

iv) Rehabilitation - The advantage of this is the reformatory effect on the offenders, making them restrain from repeating the crime in future due to a change in values rather than just a fear of getting caught. The strength of this philosophy is that it takes the individual's social and economic background into consideration and tailors the penal system to meet their

needs. However, the main disadvantage is that it does not hold the offender responsible for the crime and that there may actually be no treatment program that can prevent repeat offences.

#### Sources

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- 4) Banks, C. (2004). The Purpose of criminal punishment. in Criminal Justice Ethics: Theory and Practice (chap. 5, pp. 103-126) Retrieved September 21, 2007 from [http://www.sagepub.com/upm-data/5144\\_Banks\\_II\\_Proof\\_Chapter\\_5.pdf](http://www.sagepub.com/upm-data/5144_Banks_II_Proof_Chapter_5.pdf)