Term Paper

Your Name (First M. Last)

School or Institution Name (University at Place or Town, State)

**Introduction**

Perfection is almost next to impossible to achieve in this world and there could be found many issues and flaws even in things and systems that are being made for providing justice to people. Criminal justice is also a field in which despite making all the possible efforts, certain loopholes have been seen in various systems and ways of treating people. Capital punishment has become a hot button issue for the general public and authorities. This fact cannot be denied that for every system, authorities try their best for providing justice to all but mostly they violate ethical rules while providing justice to people and same is the case with Capital punishment. Capital punishment means authorities have the legal right to punish someone or in other words it could be said that they have the right to take others’ lives for committing a crime. (Ye,et,al,2018). Capital punishment is also known as the Death penalty that has been in practice in America for centuries. Capital punishment is the lawful infliction of death as punishment given to someone who commits a crime. There are different methods of punishing someone who spoils other's life. They are treated differently as it could be seen that a death sentence may be carried out depending upon the system of each state and these methods of punishing perpetrators include gas chamber, firing squad, lethal injection, electrocution, and hanging, etc.

The main issue with punishing the criminals cruelly is that numbers of questions have been raised against the way of treating offenders. This fact cannot be denied that ethics and religion are closely linked with each other and it has been witnessed that the Catholic Church has also spoken out passionately and repeatedly for protecting human life at every stage of existence. By taking a look at the aim of Capital punishment it has been claimed by many experts and researchers that Capital punishment should be abolished. Ethics asks the question that should we do the same as the criminal did with the victim. If yes then what would be the difference between us and the criminal. There are various issues that are attached to this topic of Criminal Justice and the very first issue is that none of the justice systems could be accurate 100% as authorities can convict some innocents as well.

**Problem**

The main issue with Capital punishment is that it is unethical to end the lives of people for teaching them a lesson. It's quite insane to even imagine of punishing someone by taking his life with the intention of teaching him a lesson for life and for providing mental satisfaction to the victim's family. In a nutshell, it could be viewed that arguments are given for and against the Capital punishment or Death penalty also points that there is a need to make some changes in Capital punishment as there have been raised many questions especially questions that are linked with ethics and morality. Most of the researchers found that elements of morality are being missed in this form of treating the criminals.

Maurice Chammah, in his article, "**What to know about the Death Penalty in 2018**" spots a light on the issue that there is no universal treatment against those who commit any crime and it has been witnessed that different governments have different perceptions about the death penalty. It is the final call of the local elected district attorneys to decide whether they are going to ask jury about their suggestions for the death penalty.

**Literature Review**

It has been seen that Capital punishment has become a favorite topic of researchers since long. It is one of the most popular subjects among the public as there are two different perceptions about it. For some Capital punishment is a good way for providing justice to the innocents who are being harmed by someone. On the other hand, there is another class of people who believes that it is insane to provide social justice to one doing unjust to others. By taking a look at history, it has been analyzed that Capital punishment was promoted for reducing the numbers of crimes, but this conception got a modification in today’s world. According to the article, "**The Death Penalty in 2018**: **A Punishment on the Decline**" Anna Arceneaux quotes the survey that has been conducted by **the Death Penalty Information Center**. In this article, she says that stats that are being disclosed by this center show that a significant decline has been observed in the use of Capital punishment during 2018. She claimed that in the modern time, Capital punishment is being considered as a drastic way of taking revenge from those who commit crimes (Pillaud,et,al,2018). She added that it is the time when the barbaric practice of killing is being questioned by the nations. According to the report of Death Penalty Information Center, there were seen 98 executions in the United States in 1999 as compared 38 executions that were observed in 2018.

There is another appealing article “**Should we abolish the Death Penalty**” by Jeremy Engle that reports, United States is the only nation out of 56 nations in this world that still practices this unethical way of treating criminals. According to him, the United States should also think whether there is a need of such a system that is taking the right to live from the criminals. According to Richard C. Dieter, who is the head of the Death Penalty Information Center, majority of the countries have abandoned the use of the death penalty and still, there has been found no consensus against its use. He reported that as per the stats, China is at the top of the list of countries that executes thousands of people annually. United States is almost among the few countries that still practice Capital punishment. Pressure for abandoning this practice is increasing as a greater number of countries have raised concerns against this way of punishing the criminals.

Most of the researchers take into account emotional satisfaction and for that, they want to end the traumatic event of Capital punishment. Research of Dr. Robert become popular among people as he brought into light the emotional stress and pain from which the friends and families of victim suffers. University of Minnesota did research, according to which 20.1% co-victims believe that Capital punishment is not an option for healing victims and their families. Keeping in consideration all the above-mentioned researches, it could be seen that the main problem arises when nations stuck between deciding whether Capital punishment should be made legal or abolished. In the United States, it has become an issue and there is a conflict between two ideas that whether this way of treating criminal is ethically right or wrong. Another thing that has been taken into account is, most of the nations have taken strict action against unethical ways of making the offenders realized that they have done wrong. The main problem that has become a hot topic for everyone in the United States is that it is difficult to accept this unfair way of treating those who commit a crime and are already being separated from their families. Is it ethically right to take revenge and end offender’s lives for providing justice to the victims?

Los Angeles Times, in 2015 reported that California bears expense around $57.5 million for those who are being sentenced death penalty. Analysis of the literature regarding death penalty claims that there are many issues worldwide that remained unaddressed and arguments for and against could be found having almost the same value. One of the main concerns of authorities is the family members of victims. It has been that there are a great number of offenders who are being sentenced Capital punishment annually and their number is also being recorded, but unfortunately, there are no systems or centers that address the impact of Capital punishment on victim’s family members. From researchers, it could be seen that there are various hazardous effects of Capital punishment on the psychology of family members and they had to face a long row of problems.

**Solution**

For finding the solution to an issue, it is important to know why a problem exists. Studies and researches show that Capital punishment is promoted because it is being considered as one of the best ways to deterrent the crime rate. Findings show Capital punishment is an unethical way of treating criminal, most of the researchers argue that Capital punishment has never deterrent the crime rate. By taking a look at the case of Michigan and Illinois, it could be seen that the death penalty does not affect the rate of crime one way or the other way. So it is important to provide a different solution for coping with the present issue so that the best of the solution would be opted by the states (Binder,et,al,2018). For giving a solution of this problem and in order to make some useful reforms against Capital punishment, offenders or the criminals should be divided into two categories, first-time offenders and habitual offenders who are not influenced by any minor punishment.

One of the best solutions for these offenders would be categorization. Those offenders who commit any crime for the first time should not be sentenced to death rather they must be given minor punishments and should be realized of their mistake. Rehabilitation approach would be good for the first offenders. They can be trained and could be made a productive part of the society where they would play a constructive part. Giving the first time offenders, minor punishments and training by letting them know about the ethical requirements. These offenders should not be executed as it could be seen that according to Dr. Daisy Kouzel, death penalty violates the sanctity of human existence and human life. If one is against abortion, then he/she should be against Capital punishment as well. By providing protection to a human baby when he/she leave the maternal womb one forces him to born. Having life is much more than being born so it could be seen that the right to life is more important than the right of being born.

Another major thing that must be focused is that life is being given by God and none of the man and authorities have the right to end the life of people. If the first time offenders are treated leniently, their behavior could be reformed and this would also help for lowering the crime rate.

Another category of the criminals is that in which those criminals should be placed for whom crimes become a habit. Generally, it has been seen that mostly innocent offenders got punished because of those criminals who are involved in organized crimes. It is wrong to punish those who are guilty of what they have done. It has been witnessed that in most of the cases, innocent people were executed. Brad J. Bushman in his article “**It’s time to kill the Death Penalty**” says that Capital punishment would be the hardest type of punishment not only for the criminals but also for all his loved ones. Brad in this article claims that the death penalty was used to reduce the numbers of killers. It is delivering a message and teaching us that it is acceptable to kill someone and these killings are justified as far as its being done by the government. So as a whole, it could be said that there should be made two categories of criminals and offenders who would be treated as per the severity of the crime that commit. If a criminal robes someone or kills someone accidentally does not deserve the same punishment as compared to the criminal who intentionally kills someone for fulfilling any of their purposes.

Categorization would prove the best way of minimizing the effects of Capital punishment as people are not really happy with this way of treating criminals under certain conditions. One of the main advantages of this categorization would be that no innocent would be executed that is the main purpose of protesting against capital punishment. Human life is the most precious things. Though this fact cannot be denied that if a criminal kills someone and take his/her life it is also morally unjustified, killing one is not justified as well. Another major thing is that first-time criminals would be saved from such a harsh punishment. At the same time, those criminals who make crime their habit for fulfilling their needs must be punished so that the rest of the people could be saved from them. Serial killer and other various type of offenders must be executed. Death penalty should be given to those criminals who after being given one or two chances does not change their attitude and becomes a danger for the rest of the world. People who do not know the value of human life must be executed so that before being executed they would come to know what the value of human life and human suffering that other families and victim have suffered because of them. This could be the best way as it would be satisfying both groups one that claims that Capital punishment should be abolished and other asserts capital punishment.

**Discussion**

United States laws are quite strict when it comes to death penalty as it was viewed that it is important to set examples for those who are threatening others and are taking the lives of other innocent people. Capital punishment is a controversial topic for the world and especially for the United States where criminals are being treated as someone who are much less than humans. According to William O. Hockkammer retentionists believe that the death penalty could be promoted as it is important for deterrence of crimes. When people know that they would be executed if they commit a crime, they would keep them away from such things. William in this research called it self-preservation. Abolitionists have a different perspective about death punishment and they believe that it increased the rate of serious crimes because criminals who committed capital punishment won't hesitate as they believe they have nothing to lose. Another major aspect that has been overlooked in most of the researches is that the death penalty is applied discriminatorily. It is a general observation that mostly poor, ignorant and people of minority groups are given Capital punishment. So by keeping into consideration all the facts it is right to say that the death penalty should be reformed but if it cannot be reformed then it must be abolished as it is not applied uniformly.

Protection of society could be viewed as another major thing upon which arguments of both retentionists and abolitionists are found. According to retentionists, they believe that the death penalty ensures the protection of society by giving the best possible punishments. Life sentence for criminals is a kind of other chances for destroying the lives of other innocent people. Abolitionists believe that people who committed capital crimes are more likely to commit other crimes than those who feel guilty for their lesser crimes. Mostly it is being said that it is easier to execute criminal than to confine them from crimes. But this fact must be taken into consideration that even in religions there could be found a chance of repentance. Criminals must be given a chance so that they could reform their behavior. Despite ending their life they should be made to realize about their mistakes. Counseling could be another major thing that helps in changing the attitude of criminals. At first, they should be given a chance that they could make them a productive part where they live but if they despite being given a chance does not change their criminal behavior then Capital punishment should be given to them so that they could not harm more lives.

**Conclusion**

It has been observed that there are many issues that are overlooked by the government but capital punishment has become a hot button issue in the present age. Most of the countries have abolished Capital punishment as they were of the view that execution of the criminals would be an example for those who would be off the plan to commit the same crime. Capital punishment was promoted for casting threatening effects on other criminals, but when deterrence of crime proved as a myth for number of nations, death penalty increased. Another major threatening and influential fact was mostly overlooked by most of the authorities and researchers and that was the drastic effects of the execution of a loved one on the family and friends. It's a common observation to see abolition as a principle. Humans have the right to life and this right of life must not be subjected to degrading inhumane and cruel punishments. Support for the death penalty is getting decreased with as people are becoming more conscious about humans rights and according to the studies the United States is not abiding by the rules and principles of international human rights.

There are obvious pieces of evidence that the United States could not obey the international rules that are being set for protecting the human rights and the clash between international human rights and American practices of treating criminals are having a clear clash against which the Americans started raising their voice and want to change this system of the death penalty. Capital punishment is not at all good for the society as it would cast various negative impacts such as the risk of innocent. Execution holding of prisoners who are being sentenced to death in a row and meeting their expenses while they go through lengthy appeal processes. So as a whole it could be concluded that at the present time, very few nations are left who are still supporting and practicing Capital punishment. The number of opponents who are opposing the idea of the death penalty is increasing than ever before. It won’t be wrong to say that almost all studies that are made available for the reviews are directly concerned with deterrent effects of Death penalty especially for high degree crimes (murder, rape, etc) rates in the United States.

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