Why Death Penalty Should Not Be Abolished

**Introduction**

The current state of sentencing was triggered by the changes in the law where the primary goal was to apply justice but in a manner tempered by mercy. As a result, the Federal Courts suspended all executions, and decades later, in 1976, most states had changed their statutes, conforming with the Supreme Court guidelines (McFarland, 2016). For nearly five decades, the reforms that ended the death penalty have made very little change in the level of crime. It has become very challenging to impose the death penalty despite the tremendous costs associated with capital trials and appeals. At the moment, there are thirty-two states in the country alongside the U.S military that still retain the right, and rightly so, to sentence people to death (McFarland, 2016). The death penalty is a just form of retribution for capital offenses, a deterrent, and means of preserving moral order in society, and therefore should not be abolished.

**Arguments in Favor of the Death Penalty**

Death penalties can help deter crime. In essence, the death penalty is a deterrent to capital crime, whereby a harsh punishment is required to discourage people from committing similar crimes. When the death penalty is applied, it serves three primary functions: general deterrence, specific deterrence, and retribution. General deterrence is a much broader message or threat sent to the people contemplating taking part in atrocious crimes (Andre and Velasquez, 2022). It cautions them against committing similar atrocities because they fear being subjected to such a harsh punishment. On the other hand, a specific deterrence speaks directly to a defendant and means that the individual will not be allowed to live to kill other people. Lastly, the penological argument of retribution is based on the principle that society's ideals must be upheld by doing the right thing, which means punishing the person who commits a crime. The death penalty should be made available for the worst of offenders.

The death penalty is a just retribution for capital offenses. Retribution, in a broad sense, is a punishment imposed because it is deserved. It is founded on the principle that all guilty people should be punished, only the guilty deserve punishment, and the guilty should be punished based on the severity of the crime committed. As such, murderers and others committing heinous crimes are given the death penalty because they have earned it based on the severity of the offense. Andre and Velasquez (2022) argue that it is only suitable for people to be punished based on the severity of their crimes. Many states appreciate the vital role that capital punishment in the form of the death penalty can have in creating a just society. It is unsurprising that they still allow the practice within their borders. Some extreme crimes punishable by death include first-degree murder, felony murder, murder during a rape, terrorism, and hijacking an aircraft, among other heinous crimes (Venturi, 2016). The federal laws allow for the death penalty to be applied in similar offenses, like civil rights offenses that result in the death of people, murder of foreign and domestic officials, and treason, among others. Allowing the death penalty to be applied in such extreme crimes means that the punishment fits the crime, and such retribution serves justice for the murder victims and their loved ones.

**Arguments in Favor of Abolishing the Death Penalty**

On the contrary, opponents of the death penalty have argued that killing persons accused of crimes is inhumane and cruel. Moreover, they state that the death penalty fails to consider the complex social and economic factors that drive crime rates (Ilyin, 2019). Another argument is that some crimes are committed spontaneously and individuals do not plan on getting caught or think through the consequences of their actions. It has also been argued that the death sentence denies people the opportunity to reform. However, such arguments fail to factor in the cost incurred by correctional centers, the appeal process, and numerous other judicial and reformative processes (McFarland, 2016). Appeal cases in a study carried out in the State of Oklahoma that relied on 15 state studies showed that capital appeal was five or six times more than non-capital appeals (Oklahoma Death Penalty Review Commission, 2017).

**Conclusions**

The basic argument behind just laws and sentences is that natural justice is applied when people get punished for their wrongdoing. Also, it means they suffer in a way befitting their crimes. Indeed, each defendant should get what their crime deserves, and in the case of capital offenses such as murder, such crime deserve the death penalty. Also, by taking such extreme steps, the law enforcement and judicial arms could send a message that such crimes are abhorred and punishable by death and deter individuals, thus creating a safer society. Better attention must be paid to punishing offenses than putting a lot of resources into reforming individuals and using a long and expensive process to achieve the latter goal. It is only right to punish offenses and do so in proportion to the crimes.

**References**

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