

LITERATURE REVIEW

History of capital punishment

Capital punishment is a scenario where by a human being is lawfully inflicted with death to punish his or her wrong doings. Historically, even in the bible, death penalty is prescribed for those individual who commit very serious crimes such as killing others, witchcraft as well as kidnapping. It is worth noting that in the wake of 15th century, England allowed capital punishment for certain kind of very serious offenses such as assassination, rape, sedition, aggravated burglary, and arson.

'Waltham Black Acts' of 1723 that was endorsed by parliament saw to it that there was a tremendous increase in those individuals that were lawfully executed. Between 1740 and 1839 almost 9,000 persons were killed in England and Wales. Similarly, a country like Portugal had a record of almost 250 people being executed annually through capital punishment. Generally speaking, huge number of human population lost their lives thanks to this monster called capital punishment.

Capital punishment has been used by many countries in the entire globe. By 2008 58 countries retained this kind of punishment. Statistics show that china is leading in number of person executed; in 2008 1,718 people were murdered. Other includes Iran, Saudi Arabia and Pakistan executing 346, 112, 105 and 37 individuals in that order in 2008.

Efforts to reform the issue of capital punishment began in 1750. The arguments against it were that it was a cruel way of dealing with crime and the only suitable and viable alternative is life imprisonment. A hundred years

down the line, the fruits of the efforts. Among the first country to do away with capital punishment are Venezuela and Portugal. The state of Michigan was the first to abolish it in U.S.A in 1847. Most of the western European countries have done a way with capital punishment. England did the same in 1965. Most of these country abolished capital punishment either by statute or by amending the constitution.

It is worth noting that a number of countries especially in Africa, Middle East, Japan, U.S.A and China do practice capital punishment but in different degree and frequencies. A study carried out in 1970 by Erskine seeks public opinion on capital punishment. The survey revealed that people perception about capital punishment has changed drastically. Between the years 1936 and 1966, the support for the punishment declined from 62% to 42%. In 1969, the support went up to 51%, this attributed to the call for law and order.

Objectives of capital punishment

According to O'Toole 7 the infliction of death as a way to punish offenders so to speak was brought forth having in mind that it will do the following; to severely punish those individuals that commit crimes such as murder, arson and many more that are categorized as being very serious offenses, to make others not think of committing such kinds of crimes; in this regard, it was assumed that when potential offenders could see their colleagues being executed, they will not lay their hands on any sort of crime that warrants death punishment. Finally, the last objective of capital punishment was that it will help do away with those deemed to be criminal thus creating a society that is secured and safe.

Ethics of capital punishment

There are mixed reaction about the whole issue. Religion has at the same time supported and opposed this kind of punishment. On the other hand, various cultural backgrounds in contrast with religion have strongly argued against capital punishment. It has been brought forth that media has played a major role in trying to manipulate the sentiments of the general public.

Cost of capital punishment

Although capital punishment has been deemed to carry with it some advantages, on the other hand, it carry with it very serious consequences. Among the pros of capital punishment are; it helps protect the innocent and recurrent of the offense, it helps the nation also save money, it is also deemed that it will help discourage other potential criminal to commit such crimes as murder, additionally it can provide some bit of closure to the family of the offenders victims and lastly it is supported by various theological arguments.

Nonetheless, the serious and adverse cost or price tag associated with it needs to be brought to light so that any decision to either abolish or continue with it should be made from facts. In fact the cost of capital punishment is what has guided the campaigns against it.

In America, this sort of punishment was no longer popular because it was viewed as a means to discriminate against those ho are poor and less popular in the society. Additionally, it was also seen as a brutal manner claiming that it helps deter crime. Similarly, the nature with which it was being carried out, in the eyes of the public was thought to have very serious negative implications. For instance, when individuals could see people being executed, they are compelled to acquire some sort of violence in the act.

It has been observed by various scholars as well as anti-capital punishment that lawful execution of offenders has resulted to secure conviction very challenging and difficult resulting to release of obvious culpable offenders.

Another problem associated with capital punishment is the psychological trauma the family of the person convicted undergoes. It is just hell on earth for innocent friends and relatives of the offender undergoes during the entire process from of conviction to execution. It is usually unimaginable how the relative will 'accept' that one of their own has committed such a serious crime and more so traumatizing to loss a loved one through such a brutal manner no matter how governments try to convince us that they use humane methods.

Although it is argued that capital punishment is less costly in terms of dollars than life imprisonment, indeed the reverse is true. For instance in countries such as U.S.A where the appeal process is long, it will in fact cost the government hundreds of dollars for a single offender, such monies could be used elsewhere.

It is worth noting that capital punishment do not give the offenders a second chance to redeem themselves especially if the offense was not that serious. It is worth noting that change is inevitable and even murderers can have a new leaf of their lives if given a chance. On the same note O'Toole holds that violence cannot produce reform to offenders. It is noted that it does not change character nor elevate once moral, on the contrary, it aggravates antagonism.

Additionally, it has been brought forth that capital punishment has not proved to have achieved its initial objective; that of deterring serious offenses such as murder, rape, arson among others. If indeed the fear of death could be yielding positive results in cutting down the cases of murder and other

serious related crime, then the same crimes could have ceased long time ago. Since this has not been the case, there is thus needed to come up with other means of addressing the issue.

Conclusion

From the review of the costs of capital punishment, we are left with a choice either to adopt these costs and incorporate them in decision making or leave it and continue with capital punishment that will ensure that human race will continue to live in misery of the same. Similarly it is upon us to decide to do away with capital punishment and continue to experience the raising rates of serious crime. In my opinion, I believe incorporating the issues raised here in are paramount in coming up with sound and rational decision about capital punishment.

