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Academic Skills - BMPS4003

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Evaluate the reasons for and against the return of the death penalty

Background of the death penalty:

The death penalty is a form of capital punishment that the UK abolished in 1965, as stated by Homans (2008) p.48. She mentions that the last known individuals to be hung (as a result of the death penalty) were Peter Allen and Gwynne Evans, on 13th August 1964. Homans goes on to state that the penalty was abolished in 1965. "However, the abolition of capital punishment did not reflect any sea change in public opinion, which remained firmly opposed to abolition." Homans clearly illustrates an overwhelming majority of support for the death penalty - however, are these views representative of the public today?

"Between the late 17th and early 19th century, Britain's 'Bloody Code' made more than 200 crimes - many of them trivial - punishable by death. From as early as the Anglo-Saxon era, right up to 1965 when the death penalty was abolished, the main form of capital punishment in Britain was hanging". - (*A brief history of capital punishment in Britain*, Pearson) As the article goes on to detail, this punishment initially involved hanging the accused from a tree, causing them to inevitably die from asphyxiation. The death penalty evolved in the 13th century to a process known as 'drawing, hanging and quartering'. After criminals were forcibly dragged to the area of execution ('drawing'), they were hung. Individuals would then maim the corpse by removing their limbs and disembowelling the body.

"After the end of the Second World War in 1945, capital punishment became an increasingly prominent political and social issue." For this reason, the post-war period brought a lot of attention to the death penalty. Eventually, the sentence was scrapped completely.

Effectiveness of the death penalty:

In order to distinguish whether or not the death penalty should return, it's important to acknowledge the effectiveness of said capital punishment in the states. Amnesty International implicates that the death penalty isn't effective because "scientists agree, by an overwhelming majority, that the death penalty has no deterrent effect." The article goes on to mention that murder rates are actually lower in states that don't sentence criminals to capital punishment.

The article by Amnesty International was published based on a Sociology professor's study. The study is published in an issue of *The Journal of Law and Criminology*. Out of the experts that were surveyed, 88.2% of them disagree that murder is deterred by the death penalty. As the individuals surveyed are knowledgeable in the fields of law, sociology and criminology, it is reasonable to believe that the American justice system needs reforming based on their views.

Arguments in favour of the death penalty returning (UK):

The basic argument behind retribution and punishment is, according to the BBC, is as follows:

- "All guilty people deserve to be punished.
- Only guilty people deserve to be punished.
- Guilty people deserve to be punished in proportion to the severity of their crime."

Some may argue that the death penalty is a suitable punishment because they believe in vigilante justice. "An eye for an eye" is an expression used by some individuals. By issuing the death penalty, the justice system is definitely fulfilling one of the basic arguments for retribution (making sure guilty people are punished). Individuals who commit murder are also punished in proportion to their severity of their crime if they're sentenced to death row.

Arguments opposing the return of the death penalty (UK):

One of the main aims of capital punishment is to prohibit criminals from reoffending by deterring them from committing future crimes. In the incidence of the Bulger killers, for example, Robert Thompson and Jon Venables were found guilty of murdering two year old James Bulger when they were just ten years old. After they were found guilty of murder, both were sent to a juvenile detention centre and transferred to prison after turning 18 in 2001. Despite the fact that Venables has been guilty of child molestation offences since he was given a new identity, Robert Thompson has managed to live a normal life as a functional member of society. Rehabilitation is an important part of the justice system; in the case of Thompson, it has worked. Wouldn't society find it more valuable to turn criminals into functional citizens, rather than sentence them to death?
(Butterworth, 2009)

Reference List

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- 3) Pearson (Publication date unknown), *A brief history of capital punishment in Britain*. Available at <https://www.historyextra.com/period/modern/a-brief-history-of-capital-punishment-in-britain/> [Accessed 03/01/2020]
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