UNIV 1212: Critical Thinking and Problem Solving

      Section: 103

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      Assignment 2: Compare and Contrast Two Argument Essays

Capital punishment

**Introduction**

Long-standing controversies surround the death penalty's morality and how it affects criminal conduct. There are three main categories of modern reasoning for and against the death penalty: moral, utilitarian, and practical. The main argument against the penalty is the near certainty that legitimately innocent individuals would be put to death and that there is no way to make up for this injustice on their behalf. Ensuring impartiality in the imposition of the death penalty is the most important thing to look at in the debate.

**Argument for capital punishment**

The first reason is that people will ultimately die regardless of whether they are guilty or innocent. The assumption behind this argument is that capital punishment needs to be legalized since the criminal will eventually die in one way or another. The argument uses an example type of argument. It notes that since patients suffering from terminal diseases like cancer could have their lives terminated, it is also ok for criminals to terminate their lives, considering patients are not guilty.

The second argument focuses on the incapacitation of the criminal. The assumption is that by killing the criminal, society will be a better place considering the individual is eliminated, considering the dead cannot act. The reasoning applies the authority moral rationale since getting rid of criminals is the right thing to do.

The third reason is cost. The reasoning is based on the fallacy that money is exhaustible. Consequently, the federal, state and local governments should use the money to better the lives of law-abiding citizens instead of spending it on convicts. The argument utilizes an example from Britain to strengthen its reasoning. Comparing the death row period to that of Britain, it is clear that capital punishment needs to be effected to save on costs.

Fourth, retribution. The assumption behind retribution is that death is the appropriate solution rather than rehabilitation in detention centers. The reasoning employs authoritative moral reasoning where 'actions have consequences; therefore, capital offenders must face capital punishment. Since many studies point towards retribution, the argument insists that capital punishment is the way to go.

The other reason for capital punishment is based on deterrence. The argument relies on the assumption that swift and sure punishments are the best ways to deter crime and the perpetrators. This reasoning draws an example from Singapore, where the death penalty has been approved. In this country, capital crimes have gone down as a result.

Lastly, anti-capital punishment reasoning regarding death not being a deterrent is flawed and misleading. The argument uses statistics and examples to prove the point of a deterrent, making the death penalty a viable solution. It shows the more executions and the less crime is committed in American society.

**Argument against capital punishment**

The first reason is that some individuals could be executed, and therefore there is no way to compensate in such circumstances. The argument is based on the assumption that specific rulings are not certain and innocent people could be punished. This argument uses authority morals where the courts and lawyers must be extremely sure before imposing the death penalty.

Secondly, the consequences the innocent families of the victims go through before and after the death of their loved ones. The argument type used is an analogy in that the suffering of the defendant's family is the same as that of the plaintiff. Therefore two wrongs cannot make it right; hence no need for executions.

Thirdly, people must understand that justice can be administered without executing a criminal. This is based on the assumption that the American justice system is better than its counterparts in other nations. Therefore, faith needs to be placed in the justice system to offer impartial rulings.

The four reasons are based on humanity. The assumption is that criminals are human beings and must be treated like any other person in society. The analogy reasoning behind this is that all people must be treated with dignity and humanity before the court.

Additionally, the argument posits many humane options to deal with such capital offenders. The argument employs the assumption that all options cause suffering to the offender, but executions are terrifying and gruesome. The example has been used to strengthen the argument that there are mental effects when an individual knows the time they will die.

Lastly, the argument claims that there could be a brutalizing impact on society upon executions. The example of the 17th and 18th centuries have been used to show the effects executions can have on people.

**Comparison between the two arguments**

The two arguments have used similar reasoning in terms of their rationale and assumptions. The two have also employed examples from other countries and eras to justify their reasoning. For instance, the first argument claims that if sick people's lives can be terminated, why not that of criminals? On the other hand, the second argument gives an example of a scenario where an individual knows the day and time of their death. These examples are central to their arguments. It is evident from the two arguments that justice is their ultimate goal as they try to argue for and against capital punishment. Justice and impartiality are among the core pillars of the judiciary of the United States of America (Stichter, 2014). The two arguments believe that doing the right thing for the greater good is the way. Society must be governed and ruled right, and so is justice.

**The contrast between the two arguments**

Several differences exist between the two arguments. First, the first argument has used data and statistics to strengthen it, while the second has employed a review. In this case, it is essential to understand how an argument is supported to make it either strong or weak. Argument one, including examples and data, makes it more viable compared to argument to argument two. Secondly, the first argument's reasoning is that suicide is ok, unlike the second. Capital punishment is similar to suicide. If a criminal decides to commit a capital crime, they have chosen to surrender their life, especially when caught. It is also essential to note that suicide in the country is illegal (The American Civil Liberties Union, 2012). The reasoning contradicts the second argument based on preserving life at all costs.

**Conclusion**

Capital punishment continues to be a subject of debate in modern society in America and abroad. Proponents believe it is essential to deter crime from social critics believe that there are many options that the government can adopt to help deal with capital crimes. The courts must ensure that the justice offered is perfect, especially in capital crime scenarios. Capital crimes deserve capital punishment only if procedural justice is administered.

**References**

The American Civil Liberties Union. (2012). *The case against the death penalty*. American Civil Liberties Union. Retrieved December 10, 2022, from https://www.aclu.org/other/case-against-death-penalty

Stichter, M. (2014). The structure of death penalty arguments. *Res Publica*, *20*(2), 129–143. https://doi.org/10.1007/s11158-014-9242-1