

The Death Penalty

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"If we execute murderers and there is in fact no deterrent effect, we have killed a bunch of murderers. If we fail to execute murderers, and doing so would in fact have deterred other murders, we have allowed the killing of a bunch of innocent victims. I would much rather risk the former. This, to me, is not a tough call."

-John McAdams - Marquette University/Department of Political Science,
on deterrence

Capital Punishment is, by nature, the ultimate punishment. Once done, it is irreversible. Perhaps, however, some people deserve this fate. Most of the people who are executed are vicious, brutal murderers who society would be happy to rid themselves of. However, innocents have been taken as well. This debate is accentuated by the fact that most industrial nations have long since abolished capital punishment and are encouraging the United States to do the same. Many in the United States feel that the penalty has become racist and class-discriminating, while others look on this sentence as a necessary form of retribution against the worst members of society. Does the death penalty serve a purpose in the American criminal justice system? Is it fair? Does it deter other criminals? Most importantly we must ask, "Is it *right*?"

Those who oppose the death penalty and wish to see it abolished are represented by Eric Freedman and Michael Echevarria. In their respective articles, these men bring up some serious accusations against capital punishment as it is currently carried out. Among the accusations are that the death penalty does not deter violent crime, but in fact can make society more unsafe, and cite statistics to back this up. The anti-death penalty advocates also look on it as a discriminatory punishment, as to them there seems to be a great discrepancy between blacks and whites who are executed, as well as between rich and poor, as the rich are more able to afford high-priced lawyers and the poor are stuck with overworked and underpaid public defense. They say that death penalty cases cost far more than life imprisonment cases. Finally, this punishment is by nature a final punishment, as when one is dead there is no chance for rehabilitation or redemption for

that matter, and that innocents invariably go to the chair sometimes despite the best intentions.

Those who support capital punishment are represented by essayis Robert Lee and attorney James Anders. First of all, they admit that the punishment as it is now is not much of a deterrent, but they counter with the argument that first of all the executed murderer is deterred from doing it again and secondly that it would be more of a deterrent if it were used more reliably and not seen as a bluff. Capital punishment advocates blame this on the constant and repeated appeals that convicted murderers are allowed, which also is a drain on the monetary resources of the state. They see life imprisonment not only as a far less harsh punishment, but also as a lifetime of opportunities to escape from prison and kill again. Their chief argument, however, is that the death penalty is a just sentence for those who are menaces to society and who have committed the ultimate crime. Murder can only be punished fittingly if the perpetrator must give up that which he took from his victim.

Both sides bring up statistics and stuff, but the arguments are mainly emotional. I confess that I am an advocate of an “eye for an eye” approach to the punishment of many criminals. Today’s technologies have developed a great deal so as to ensure that fewer and fewer innocents are punished and that the guilty are given justice. Those who oppose capital punishment give good reasons for reform of the process, but not for abolishing it. If the majority of murderers happen to be black, then that is not necessarily a race issue but an unfortunate coincidence and consequence of many factors. However, when one consciously makes the decision to maliciously take the life of another they should be punished no matter their background. There should be equal application of the penalty, yes. There also should not be a favoring of the affluent over the poor in sentencing. Finally, life imprisonment is not much of a deterrent either, apparently, and I for one am in favor of Bill O’Reilly’s idea of making criminals serve life in hard labor and virtual seclusion in Alaska. This might make me less apprehensive of the abolition of the death penalty, but this is a reform that is far from seeing the light of day anytime soon. The *Constitution* itself does authorize the death penalty: Amendments V and XIV state that the government shall not “deprive any person of life, liberty, or property, without due

process of law”, thereby seemingly saying that with due process one may be deprived of their life.