

# Inquiring Minds topic – 29 September 2017

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## Capital Punishment

### Pros & Cons of the Death Penalty

 [www.thoughtco.com/pros-and-cons-death-penalty-3325230](http://www.thoughtco.com/pros-and-cons-death-penalty-3325230) by Deborah White

Capital punishment, also dubbed the "death penalty," is the pre-meditated and planned taking of a human life by a government in response to a crime committed by that legally convicted person.

**Passions in the US are sharply divided**, and equally strong among both supporters and protesters of the death penalty.

Arguing against capital punishment, [Amnesty International](#) believes that "The death penalty is the ultimate denial of human rights.

It is the premeditated and cold-blooded killing of a human being by the state in the name of justice. It violates the right to life...It is the ultimate cruel, inhuman and degrading punishment. There can never be any justification for torture or for cruel treatment."

Arguing for capital punishment, the Clark County, Indiana Prosecuting Attorney writes that "...there are some defendants who have earned the ultimate punishment our society has to offer by committing murder with [aggravating circumstances](#) present. I believe life is sacred. It cheapens the life of an innocent murder victim to say that society has no right to keep the murderer from ever killing again. In my view, society has not only the right, but the duty to act in self defense to protect the innocent."

And Catholic Cardinal McCarrick, Archbishop of Washington, writes "...the death penalty diminishes all of us, increases disrespect for human life, and offers the tragic illusion that we can teach that killing is wrong by killing."

### Death Penalty in the U.S.

The death penalty has not always been practiced in the U.S. although [ReligiousTolerance.org states](#) that in the U.S., "about 13,000 people have been legally executed since colonial times."

The Depression era 1930s, which saw a historic peak in executions, was followed by a dramatic decrease in the 1950s and 1960s. No executions occurred in the US between 1967 to 1976.

In 1972, the Supreme Court effectively nullified the death penalty, and converted the death sentences of hundreds of death row inmates to life in prison.

In 1976, another Supreme Court ruling found [capital punishment](#) to be Constitutional. From 1976 through June 3, 2009, 1,167 people have been executed in the U.S.

### Latest Developments

The vast majority of democratic countries in Europe and Latin America have abolished capital punishment over the last fifty years, but United States, most democracies in Asia, and almost all [totalitarian governments](#) retain it.

Crimes that carry the death penalty vary greatly worldwide from treason and murder to theft. In militaries around the world, courts-martial have sentenced capital punishments also for cowardice, desertion, insubordination and mutiny.

Per [Amnesty International's 2008 death penalty](#) annual report, "at least 2,390 people were known to have been executed in 25 countries and at least 8,864 people were sentenced to death in 52 countries around the world:"

- **Executions in 2008, by Country** - Source - [Amnesty International](#)
- China - 1,718
- Iran - 346
- [Saudi Arabia](#) - 102
- [United States](#) - 37
- Pakistan - 36
- Iraq - 34
- Vietnam - 19
- Afghanistan - 17
- [North Korea](#) - 15
- All others - 66

As of October 2009, capital punishment in the US is officially sanctioned by 34 states, as well as [by the federal government](#). Each state with legalized capital punishment has different laws regarding its methods, age limits and crimes which qualify. From 1976 through October 2009, 1,177 felons were executed in the U.S., distributed among the states as follows:

**Executions from 1976 - Oct 2009, by State** - Source: [Wikipedia](#)

- Texas - 442 (38%)
- Virginia - 103
- Oklahoma - 91
- Florida - 68
- Missouri - 67
- Georgia - 46
- Alabama - 44
- [North Carolina](#) - 43
- [South Carolina](#) - 42
- Ohio - 32
- Louisiana - 27
- Arkansas - 27
- All others - 149

States and U.S. territories with no current death penalty statute are Alaska, Hawaii, Iowa, Maine, Massachusetts, Michigan, Minnesota, [New Jersey](#), New Mexico, New York, [North Dakota](#), [Rhode Island](#), Vermont, West Virginia, Wisconsin, District of Columbia, [American Samoa](#), Guam, Northern Mariana Islands, [Puerto Rico](#), and U.S. Virgin Islands. New Jersey repealed the death penalty in 2007, and New Mexico in 2009.

## **Background**

The [case of Stanley "Tookie" Williams](#) illustrates the moral complexities of the [death penalty](#). Mr. Williams, an author and Nobel Peace and Literature Prizes nominee who was put to death on December 13, 2005 by lethal injection by the state of California, brought capital punishment back into prominent public debate.

Mr. Williams was convicted of four murders committed in 1979, and sentenced to death. Williams professed innocence of these crimes. He was also co-founder of the Crips, a deadly and powerful Los Angeles-based street gang responsible for hundreds of murders.

About five years after incarceration, Mr. Williams underwent a religious conversion and, as a result, authored many books and programs to promote peace and to fight gangs and gang violence. He was nominated five times for the Nobel Peace Prize and four times for the [Nobel Literature Prize](#).

Mr. Williams' was a self-admitted life of crime and violence, followed by genuine redemption and a life of uniquely and unusually good works.

The [circumstantial evidence](#) against Williams left little doubt that he committed the four murders, despite last-minute claims by supporters. There also existed no doubt that Mr. Williams posed no further threat to society, and would contribute considerable good.

he [case of Stanley "Tookie" Williams](#) forced public reflection on the purpose of the death penalty:

- Is the purpose of the death penalty to remove from society someone who would cause more harm?
- Is the purpose to remove from society someone who is incapable of rehabilitation?
- Is the purpose of the death penalty to deter others from committing murder?
- Is the purpose of the death penalty to punish the criminal?
- Is the purpose of the death penalty to take retribution on behalf of the victim?

### **Arguments For**

Arguments commonly made for supporting the death penalty are:

- To serve as example to other would-be criminals, to deter them from committing murder or terrorist acts.
- To punish the criminal for his/her act.
- To obtain retribution on behalf of the victims.

**Countries that Retain the Death Penalty:** As of 2008 per Amnesty International, 58 countries, representing about one-third of all countries worldwide, retain the death penalty for ordinary capital crimes, including the United States, plus:

Afghanistan, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Botswana, Chad, China, Comoros, [Democratic Republic of Congo](#), Cuba, Dominica, Egypt, [Equatorial Guinea](#), Ethiopia, Guatemala, Guinea, Guyana, India, Indonesia, Iran, Iraq, Jamaica, Japan, Jordan, Kuwait, Lebanon, Lesotho, Libya, Malaysia, Mongolia, Nigeria, North Korea, Oman, Pakistan, [Palestinian Authority](#), Qatar, Saint Kitts and Nevis, [Saint Lucia](#), [Saint Vincent](#) and the Grenadines, Saudi Arabia, [Sierra Leone](#), Singapore, Somalia, Sudan, Syria, Taiwan, Thailand, [Trinidad And Tobago](#), Uganda, [United Arab Emirates](#), United States Of America, Viet Nam, Yemen, Zimbabwe.

The United States is the only westernized democracy, and one of the few democracies worldwide, to not have abolished the death penalty.

### **Arguments Against**

Arguments commonly made to abolish the death penalty are:

Death constitutes "cruel and unusual punishment," which is prohibited [by the 8th amendment](#) to the [US Constitution](#). Also, the various means used by the state to kill a criminal are cruel.

The death penalty is used disproportionately against the poor, who cannot afford expensive legal counsel, as well as against racial, ethnic and religious minorities.

The death penalty is applied arbitrarily and inconsistently.

Wrongly convicted, innocent people have received death penalty sentences, and tragically, were killed by the state.

A rehabilitated criminal can make a morally valuable contribution to society.

Killing human life is morally wrong under all circumstances. Some faith groups, such as the [Roman Catholic Church](#), oppose the death penalty as not being "pro-life."

### **Countries that Abolished the Death Penalty**

As of 2008 per Amnesty International, 139 countries, representing two-thirds of all countries worldwide, have

abolished the [death penalty on moral grounds](#) including:

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bhutan, Bosnia-Herzegovina, Bulgaria, Burundi, Cambodia, Canada, [Cape Verde](#), Colombia, Cook Islands, [Costa Rica](#), Cote D'Ivoire, Croatia, Cyprus, [Czech Republic](#), Denmark, Djibouti, [Dominican Republic](#), Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Guinea-Bissau, Haiti, Holy See, Honduras, Hungary, Iceland, Ireland, Italy, Kiribati, Liechtenstein, Lithuania, Luxembourg, Macedonia, Malta, [Marshall Islands](#), Mauritius, Mexico, Micronesia, Moldova, Monaco, Montenegro, Mozambique, Namibia, Nepal, Netherlands, [New Zealand](#), Nicaragua, Niue, Norway, Palau, Panama, Paraguay, Philippines, Poland, Portugal, Romania, Rwanda, Samoa, [San Marino](#), [Sao Tome](#) And Principe, Senegal, Serbia (including Kosovo), Seychelles, Slovakia, Slovenia, [Solomon Islands](#), [South Africa](#), Spain, Sweden, Switzerland, Timor-Leste, Togo, Turkey, Turkmenistan, Tuvalu, Ukraine, [United Kingdom](#), Uruguay, Uzbekistan, Vanuatu, Venezuela.

### **Where It Stands**

In 2009, a growing chorus of leading voices spoke out about the immorality of the death penalty. The [New York Times](#) [opined](#) on June 1, 2009:

"There is no abuse of government power more egregious than executing an innocent man. But that is exactly what may happen if the [United States Supreme Court](#) fails to intervene on behalf of Troy Davis."

Troy Davis was an African-American sports coach who was convicted of the 1991 killing of a Georgia police officer. Several years later, seven of nine eyewitnesses who had linked Davis to the crime changed or entirely recanted their original testimony, claiming police coercion.

Mr. Davis filed innumerable appeals for new evidence of innocence to be examined in Court, to little avail. His appeals were vociferously supported with more than 4,000 letters from the likes of [Nobel Peace Prize](#) recipients former President Jimmy Carter and Archbishop Desmond Tutu, and the Vatican.

On August 17, 2009, the U.S. Supreme Court ordered new hearings for [Troy Davis](#). The first hearing is set for November 2009. Mr. Davis remains on Georgia's [death row](#).

### **Exorbitant Cost on States of Capital Punishment**

The [New York Times](#) also penned in its [September 28, 2009 op-ed High Cost of Death Row](#):

"To the many excellent reasons to abolish the death penalty — it's immoral, does not deter murder and affects minorities disproportionately — we can add one more. It's an economic drain on governments with already badly depleted budgets.

"It is far from a national trend, but some legislators have begun to have second thoughts about the high cost of death row."

For instance, the [Los Angeles Times](#) [reported](#) in March 2009:

"In California, legislators are wrestling with the cost of maintaining the nation's largest death row even though the state has executed only 13 inmates since 1976. Officials are also debating construction of a new \$395-million death row prison that many lawmakers say the state cannot afford."

The [New York Times](#) [reported](#) in September 2009 about California:

"Perhaps the most extreme example is California, whose death row costs taxpayers \$114 million a year beyond the cost of imprisoning convicts for life.

The state has executed 13 people since 1976 for a total of about \$250 million per execution."

Death-penalty ban bills based on costs were introduced in 2009, but failed to pass, in New Hampshire, Maryland, Montana, Maryland, Kansas, Nebraska, and Colorado. [New Mexico](#) passed death penalty ban legislation on March 18, 2009.