An Eye For An Eye?

When concerning the death penalty in America, do we have the right to play God, or are we missing out on an opportunity to reach out to our fellow man?

For almost three hundred years, America’s undertaking of the execution of prisoners has spurred heated debates. Does the threat of execution truly discourage future crimes from being committed? Do all inmates sentenced to death truly deserve to die? Is judicial murder even necessary? What are its effects upon society as a whole? This article not only answers these questions, but ultimately demonstrates how the death penalty is the inhumane manifestation of man’s underlying desire for revenge, to “get even” with those who have wronged us. As Marie Deans, who works for the Office for Prisoner and Community Justice in California once commented, “The ultimate result of every execution is nothing less than a total disregard for life” (Bursell, 1986).

Among the many arguments made against the death penalty, the most commonly know is that of deterrence. Many supporters of capital punishment claim that it is human nature to fear death above all other things, making execution the ultimate discouragement of “hard” criminal behavior, specifically murder (Clay, 1990). However, there has been no known study to successfully prove this. Social scientists have examined the general deterrent effect of capital punishment since the early 1990s, comparing the homicide rates in states both with and without the death penalty, as well as the homicide rates before and after the abolishment or reinstatement of the law in various states. The results show that there is little significance in the occurrence of murders in neighboring states with and without the death penalty (Schonebaum, 1998). Murders are often products of emotionally unstable individuals under great strain of provocation; further, most homicides that occur within the United States are not premeditated, and most murderers do not see themselves being caught and punished.

This being true, criminals with the intent to kill are not likely to stop and think about the consequences of their actions, rendering the death penalty a defective deterrent. What is more unsettling is the appeal of execution to some—in short, capital punishment breeds murder. Louis West, a psychiatrist and chairman on the Board of Psychiatry in California, who has treated several inmates on death row, states, “[Execution] becomes a promise, a contract, a covenant between society and certain warped mentalities who are moved to kill as part of a self-destructive urge” (Bursell, 1986).

One concern that comes with the use of the death penalty is its overall effectiveness. Condemning someone who has committed a violent crime is counterproductive; aside from the fact that the felon may not even decide to break the law again if released, there is no lesson learned from execution, and moreover, it doesn’t undo what the criminal did. Common sense suggests that capital punishment exists to ensure general safety from future criminal acts, but death isn’t the only way to guarantee protection. A sentence of life without parole can be just as effective in the prevention of a repeat offense. Furthermore, judicial murder is expensive. “It currently costs three times as much—more than $2 million per inmate—to carry out the death sentence than to keep an inmate in prison for 40 years,” reports Texas’ former Attorney General Jim Mattox. “If $2 million is spent on the death penalty, then that same money is not available for more police officers, or for bullet-proof vests, or for speedier trials, or neighborhood watch programs” (Schonebaum, 1998). Additionally, the costs of a capital trial—an additional hearing held for prisoners facing the possibility of execution— possibility
of execution—are incurred despite the verdict. Since 30 percent of all death sentences are overturned—sometimes on multiple occasions—the eventual expense is much higher and unsuccessfully spent than that of a lifetime sentence (Winters, 1997).

Another concern with the death penalty is the issue of fairness and consistency of sentences. 227 prisoners were executed in the United States between 1976 and 1994, and a surprising 84 percent of the inmates’ victims were white, suggesting that a person is more likely to be sentenced to death if there victim was Caucasian. In addition, 33 percent of prisoners on death row in 1994 were black, despite the fact that African-Americans make up only slightly more than 12 percent of the nation’s population (Winters, 1997). The injustice isn’t just restricted to issues of race, either; unfortunately, financial wellness takes part in the outcome of a trail more often than not. While a rich defendant would be capable of making bail, hiring a self-chosen attorney and investigators to gather evidence to strengthen their case, a poor or less well-off defendant charged with the same crime would not be able to make bail, prohibiting them from leaving jail until their trial, for which they would most likely be appointed a likely inexperienced court-attorney if unable to hire one of their own. As an added fear, the repercussions of executing an innocent person are too great to put into perspective; the possibility of needlessly ending a life is terrifying in and of itself.

Does execution dehumanize us as a society? In truth, the irony in using execution to condemn killing is that it is killing. It is a permanent, irreversible course of rehabilitation. Methods of judicial murder in the past have been beheading, shooting and hanging; today, the most common means are electrocution, gassing and lethal injection (Amnesty International, 1989). Lethal injections, which are now legal in twenty-seven states, while considered the utmost humane methods of execution, have not reached the level of humanity suitable for prisoners. One out of every four injections are botched, either by the inability to locate a vein to insert the catheter used to deliver the lethal fluids, or an improper dosage administration leading to the prisoner regaining consciousness during suffocation (Winters, 1997). Nevertheless, the most inhumane part of the death sentence may even be the act itself; imagine being consciously aware that on a specific date, at a specific time, you were scheduled to die. In the end, no matter how seemingly cutting-edge the aesthetics, execution is still a “legal” homicide.

“It is difficult to argue that the death penalty has a place in modern society if we wish to remain humane and just (and thankfully, executions have been decreasing in recent years, as evidenced by the graph below). The issue of revenge, of “any eye for an eye, a tooth for a tooth” is too barbaric and counterproductive to see us into the future of our judicial system, and until we seek alternative solutions, this cruel punishment will remain “just and legal.”

Sources consulted for this article include When The State Kills: The Death Penalty vs. Human Rights (Amnesty Intl.), The Death Penalty: Opposing Viewpoints, Vol. 1 (Bursell), To Kill or Not To Kill: Thoughts on Capital Punishment (Clay), Does Capital Punishment Deter Crime? (Schonbaum), and The Death Penalty, Vol. 2 (Winters).