

The Abolition of the Death Penalty

(Global Politics)

Practised for much - if not all - of human history, the death penalty, or capital punishment, is defined as the "execution of an offender sentenced to death after conviction by a court of law of a criminal offence¹." However, the existence of such a barbaric method of justice must be called in to question. With a modern, forward-thinking society in a rapidly developing technological age, it seems archaic to uphold the backwards tradition of slaughtering those who befall the judgement of others. And yet there remain 55 countries worldwide which still reserve the death penalty as a legal sentence, in open defiance of the 135 which have abolished it. This begs the question: can we permit the loss of human life where one government sees fit, or is there a need to reach an international agreement and prohibition over the discretionary use of this deterrent? In other words, should there be a global abolition of the death penalty?

Proponents of the death penalty's legality have suggested that it is the only moral and just punishment for the worst crimes. Theoretically, if someone murders someone else or enacts a similar crime, they have given up their human rights, including the right to life. According to them, the penalty should 'fit the crime', essentially meaning that if you have killed someone, you deserve death as well.

Furthermore, those who propagate that the death penalty is a moral punishment cite the biblical imperative of *lex talionis*: 'an eye for an eye'. This notion of retribution stems from the Latin *re + tribuo*, or 'I pay back'. In order for those who commit the worst crimes to pay their debts to society, the death penalty must be employed as punishment, otherwise the debt has not been paid.

However, it is crucial to not that retribution is not simply revenge. Revenge may be limitless and misdirected at the undeserving, as with collective punishment. Retribution, on the other hand, can help restore a moral balance. This demands that punishment must be limited and proportional, and strongly repudiates excessive punishment. The nature of the crime, and the depth of its depravity, must warrant an adequate method of justice.

Conversely, it can be argued that the death penalty is immoral and amounts to torture. More than 70% of the world's countries believe that the death penalty should not be legal², owing to the barbaric and cruel nature of the punishment. It defies every person's most basic human right of life; it is simply wrong to kill people, and this applies to the state as well as individuals. The punishment of a life sentence of imprisonment also gives criminals time to think and perhaps even begin redeeming themselves, which is significantly more productive than removing them from

¹ (Britannica, 2024)

² (Death Penalty Information Centre, 2024)

existence entirely. As for the ill-considered notions of retribution, Mahatma Gandhi's words; "an eye for an eye makes the whole world blind", dismantles the need to repay criminals for their actions.

Debates about the death penalty often centre around its morality: does death constitute a moral and just punishment? Its opponents contend that killing of anybody, even criminals, is never right, and on this basis call its worldwide abolition. According to Benjamin Zober, Rabbi and former Public Defender: "Murder is calculated, unjustified and intentional taking of life. When we, under the supposed jurisdiction of law, deliberate, decide, and plan the purposeful extinguishing of human life, we commit murder".

To add to this, there is always the possibility of innocent people being killed for crimes they did not commit, as the death penalty is steeped in poor legal assistance and judgement. The Equal Justice Initiative explains that "the death penalty system treats you better if you're rich and guilty than if you're poor and innocent", frequently resulting in the punishment being "mostly imposed on poor people who cannot afford to hire an effective lawyer." The consequence is a particularly shocking statistic: for every eight people on death row, one has later been found innocent³. Racial bias is also prevalent, evinced by the well-documented fact that people of colour are more likely to be prosecuted for capital murder, sentenced to death, and executed; especially if the victim in the case is white⁴. Additionally, erroneous eyewitness identifications, misconduct by police, prosecutors or other officials frequently taint the validity of death row cases.

However, it is believed that the death penalty is an extremely effective deterrent, and can successfully prevent additional crime. On a basic level, even if it doesn't affect would-be murderers, at the very least, when carried out the death penalty prevents convicted murderers from repeating their crimes. This is perhaps the most straightforward argument for the death penalty: it saves innocent lives by preventing murderous people from killing again.

The temporary moratorium on death penalties from 1972 to 1976 precisely demonstrates this principle. This refers to the US Supreme Court invalidating the death penalty nationwide, leading to a reduced sentence for a man named Kenneth Allen McDuff, who had been convicted and sentenced to death in 1966 for the murders and rape of three teenagers. He was subsequently released on parole in 1989, but merely an estimated three days later, he initiated a crime spree: torturing, raping, and murdering at least six women in Texas before being arrested and sentenced to death a second time. Had McDuff been executed as justice arguably demanded for the first three murders, at least six additional murders would have been prevented.

However, there is absolutely no credible evidence that the death penalty deters crime more effectively than long terms of imprisonment. Additionally, it has never been proven statistically that killing criminals stops other people from committing similar

³ (Britannica, 2024)

⁴ (Britannica, 2024)

crimes or has ever successfully worked to prevent crime in the past at all. The data actually seems to prove the opposite, as US States which have death penalty laws do not have lower crime rates or murder rates than states without such laws. Indeed, states that have abolished capital punishment show no significant changes in either crime or murder rates.

Furthermore, the death penalty is significantly more expensive than life-without-parole, the frequently overlooked alternative penalty. The death penalty system costs California \$137 million per year while a system with lifelong imprisonment as the maximum penalty would cost \$11.5 million, an almost 92% decrease in expense⁵. The figures are less drastic but still comparable across other states and countries. This money often comes at the expense of taxpayers. In Texas, executions are funded by raising property tax rates and reducing public safety expenditure, which has led to increased rates of property crime. This affirms that the death penalty can have extremely adverse side effects that extend beyond the initial implications of the punishment itself.

In contrast, it is widely thought that the death penalty is vitally needed to bring about closure and justice to victims' families. The finality of the death penalty is extremely beneficial for families to move on with their lives, without fear of the criminal getting out of prison. Many relatives of murder victims firmly believe the death penalty to be just and necessary, and while some insist that there is no 'closure' to be had via the death penalty, victims' families often think differently. It is worth considering that the family of each murder victim suffers unspeakable pain when their loved one is murdered, and often they have to endure detailed accounts in the press and social media of a gory murder while the murderer sits out a life sentence or endlessly appeals their conviction. A just execution puts an end to that cycle.

Although this may be a popular view, whether the death penalty can actually bring about any form of closure is less obvious, and whether such forms of 'justice' purely cause more damage than good. Despite what is commonly thought, the death penalty has a miniscule impact on the welfare of recovering families, at times even succeeding in inhibiting it. On average, most victim's families are acutely aware that the execution of a murderer cannot bring their loved one back, and rather than seeking a sense of 'closure' or 'peace, they reduce the punishment to nothing more than vengeance. This renders the concept of the death penalty completely inexplicable without its greater purpose, and it therefore follows that if the murder of another human being will not bring a victim back, and nor will it help society heal, then why should it happen at all?

In summary, the death penalty creates discord in communities, results in frequent injustice, and is wholly immoral. If you strive to achieve a safer, more caring and honourable society, I leave it to you to decide whether it should be abolished or not.

⁵ (Britannica, 2024)

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