

The death penalty: to be or not to be...

[Law](#), [Capital Punishment](#)



The Death Penalty: To Be or Not to Be... For the past several months Americans have regularly listed crime and violence as the number - one problem facing the nation, far surpassing worries over the economy or health care. Despite the many government and community initiatives launched during recent years to reduce crime, most Americans see no improvement. In a 1993 survey asking respondents if they felt crime was increasing or decreasing in their areas, only 5 % felt that it was decreasing, a full 93 % felt that crime was either increasing or staying the same. And it is not just statistics: I consider myself along with those 93 %. Because while Guiliani administration is talking about crime rates in the New York City going down, all I see and hear in the media are reports about horrible crimes committed by New Yorkers. As George Pettinico states in his article " Crime and punishment: America changes it's mind ": The media's extensive coverage of crime, especially the most brutal and horrific cases have heightened the public's fear and anger over this issue to a near frenzy. When asked in January of this year, " How often do you see reports of violent crime on television ? " 68 % replied " almost every day ". Although the media have played an important role in raising the public's awareness of lawlessness, crime in America is far from a media - created phenomenon. Government statistics support the image of a nation which has overwhelmingly lost the war against crime. For instance, in 1960 there were 161 reported violent crimes per 100, 000 people By 1992, the figure had jumped to 758 per 100, 000 -- a rise of over 350 %. More and more people today are starting to think that something is terribly wrong when a modern, civilized nation must confront statistics like these. The American public is demanding an end to

this violence, and surveys show that they believe swift and harsh punishment is the most appropriate and effective means to these ends. The death penalty, or as it is sometimes being called " capital punishment " is the hardest punishment that could be received when a person is convicted of a capital offense. Until recently it did not exist in New York State but after new governor, George Pataki was elected he managed to bring it back. Since September 1, 1994 the death penalty law was in effect. And even though, as far as I know, there is no strong statistical evidence that the death penalty lowers the murder rate, many people were very happy with that decision. What they probably thought was " some people would not commit a murder, rape or another violent crime if they would know that they could get on a death row for that ". However, my personal opinion is that death penalty has to be justified on its own goodness, rather than by some pragmatic result it brings about. The governor and legislature of New York State evidently agree with this contention, for they enacted a death penalty law in the face of falling rates for murder and other serious crimes. Currently there are two opinions about the death penalty law. First opinion is that the existence of such a law helps keeping the crime rates down. The opposite one is about a fact that killing people should not be done by anybody, including state and federal law enforcement system. Let us take a closer look on both of those opinions. Bringing the death penalty law back to life was a part of Gov. George Pataki's election program. As we have seen learned from the media and from the results of numerous surveys, a quite large number of people who supported George Pataki, were doing that mainly because of this part of his program. But does having a death penalty law actually help keeping the

crime rates down? The answer is in the statistics: it turns out that the violent crime rates in New York State did not go down for the past year since the death penalty law was in effect. Another thing that would surprise those who support death penalty is its price. The fact is: each death penalty case costs about 2.3 million dollars. That is three times more than a price for keeping a person in a prison for the rest of his life. Here is what Mr. C. Hoppe states in his article "Executions Cost Texas Millions ": For the states which employ the death penalty, this luxury comes at a high price. In Texas, a death penalty case costs taxpayers an average of \$ 2.3 million, about three times the cost of imprisoning someone in a single cell at the highest security level for 40 years." A lot of articles were published in the newspapers and magazines concerning the question of a death penalty law. One of those articles lists many arguments against the death penalty. Here is what David Dunlap writes about the death penalty: " Opposition to the death penalty does not arise from misplaced sympathy for convicted murderers. On the contrary, murder demonstrates a lack of respect for human life. For this very reason, murder is abhorrent, and any policy of state - authorized killings is immoral. Capital punishment denies due process of law. Its imposition is arbitrary and irrevocable. It forever deprives an individual of benefits of new evidence or new law that might warrant the reversal of a conviction or the setting aside of a death sentence. The death penalty violates the constitutional guarantee of the equal protection of the laws. It is applied randomly at best and discriminatorily at worst. It is imposed disproportionately up on those whose victims are white, on offenders who are people of color, and on those who are themselves poor and uneducated. The defects in death - penalty laws,

conceded by the Supreme Court in the early 1970s, have not been appreciably altered by the shift from unfettered discretion to "guided discretion." These changes in death sentencing have proved to be largely cosmetic. They merely mask the impermissible arbitrariness of a process that results in an execution. Executions give society the unmistakable message that human life no longer deserves respect when it is useful to take it and that homicide is legitimate when deemed justified by pragmatic concerns. Reliance on the death penalty obscures the true causes of crime and distracts attention from the social measures that effectively contribute to its control. Politicians who preach the desirability of executions as a weapon of crime control deceive the public and mask their own failure to support anti-crime measures that will really work. Capital punishment wastes resources. It squanders the time and energy of courts, prosecuting attorneys, defense counsel, juries, and courtroom and correctional personnel. It unduly burdens the system of criminal justice, and it is therefore counterproductive as an instrument for society's control of violent crime. It epitomizes the tragic inefficacy and brutality of the resort to violence rather than reason for the solution of difficult social problems." As we can see, from these points of view, death penalty in its every aspect is a thing that American society must get rid of. But, as in every issue that involves the life of the human being, there are different kinds of opinions regarding the death-penalty law. Some people actually believe in effectiveness and usefulness of a death penalty. Even though those opinions are not backed up by any facts or statistics, there still is a very large number of people of all races, ages and genders who support the death-penalty law.

Lawrence Altman is a part of the group of people who support the capital punishment. Here is what he thinks are the main arguments for having a death penalty : " Is it described in a Holy Bible that a death penalty is required for a wide variety of crimes, such as murder, rape, etc. Another reason why the death penalty should be in effect is that many people feel that killing convicted murderers will satisfy their need for justice and / or vengeance. Deterrence is another fact that speaks for the capital punishment: many people feel that the death penalty will deter criminals from killing. However, there are no known reliable statistics that support this belief. Also capital punishment reduces the costs that are required for imprisonment: once a convicted murder is executed and buried, there are no further costs. " My personal opinion regarding this article is that listed above arguments for the death penalty are very wrongful and could be easily turned down by the results of numerous surveys and different statistics. Even the fact about the Holy Bible is wrong because, The Holy Bible speaks positively against any killing of a human being whatsoever. But that is exactly what capital punishment is - a killing of a human being that is authorized by law. The statement about criminals being deterred by the presence of a death penalty is wrong also. According to statistics, the violent crime rate in New York State did not go down since the death - penalty law became effective. Another fact from statistics is that numbers of committed violent crimes in the states that do have a death penalty law and numbers of committed violent crimes in the states that do not have that law are approximately the same. Another false opinion about the death penalty is that it killing the convicted murderer actually reduces the costs. As we learn

from the Mr. Hoppe's article, " Executions cost Texas millions ", the cost of executing a convicted prisoner costs three times more than keeping him in the cell for 40 years. As we can see, the above opinion does not have any sense. The only true fact about the usefulness of a death penalty is the fact that many people feel that killing convicted murderers will satisfy their need for justice and / or vengeance. The only bad thing about it is : executing a criminal does not bring his victim back to life. Even though some people fell relieved when the murderer is executed, there is no way to reverse the crime(s) that he has committed. Even though almost everything and everybody speak against the capital punishment, I think that people who committed violent crimes should be punished to the fullest extend of law, which capital punishment basically is. As well as no human being deserves to be executed, no human being deserves to have his or her life taken away by the criminal. The laws of living say: " Sooner or later you will be responsible for everything