

# The morality of capital punishment

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



The issue of capital punishment is a hot topic in the United States today. The death penalty is so controversial because a great number of people differ on their opinions of whether it is wrong or right. Not only do people disagree about the righteousness of capital punishment, but many people have different arguments for why it is right or wrong. These complications make this topic a heavy one to analyze because it is highly controversial and so many people feel strongly about it.

The death penalty was declared to be cruel and unusual punishment by the Supreme Court in 1972. It was ruled unconstitutional and in violation of the Eighth and Fourteenth Amendments. However, in 1976 the Supreme Court reversed their decision deciding that the death penalty in fact, does not violate the Constitution and with new death penalty statutes put into place executions resumed in 1977. (Rachels, 231-232) Capital punishment is an unfair, unjustified punishment and not an effective tool in deterring crime; therefore it is unethical and should be abolished.

There are many valid arguments for why the death penalty is unethical. These attitudes are excellently illustrated in James Rachels's text *The Right Thing To Do*. I will be using this book and the authors of its essays to illustrate my points. Firstly, there is much evidence to support that capital punishment does not deter people from committing crimes, whether they are small or large. Supporting this is the fact that of the percentage of murderers convicted, only a small number of them are actually sentenced to death, and of that percentage, only a small number of those people are actually executed.

This fact is astonishing. In Hugo Adam Bedau's essay "The Case against the Death Penalty" he says that "Of all those convicted on a charge of criminal homicide, only 3 percent---about 1 in 33---are eventually sentenced to death" (Rachels, 232). This fact surprised me; I thought many more murderers were given the death penalty for their crimes. But with this being true, we cannot expect would-be murderers to be intimidated by capital punishment when the percentage of those actually executed is so low.

Also, there is a large time gap between the sentencing of murderers and their execution to allow for appeals. This process, which can take up several years, if not decades, is incredibly costly and it turns out that it is actually more expensive to execute a murderer rather than to imprison them for life. According to Deathpenaltyinfo. com, in Indiana (with similar figures in many other states) the cost of the death penalty is 38% more than the cost of a life without parole sentence. And in Florida, the state would save \$51 million per year if they punished their first-degree murderers with life sentences as opposed to death. This means that not only is capital punishment morally unjustified, but it is also financially unjustified.

Secondly, of those people sentenced to death, an unbalanced number of them are African American and/or of low economic status. According to Bedau, "Our nation's death rows have always held a disproportionately large population of African Americans, relative to their percentage of the total population" (Rachels, 234). Not only are the numbers of blacks as opposed to whites on death row lopsided, but the murderer of a white person is more likely to receive the death sentence than the murderer of an African

American (Rachels, 234) To further support this point, Bedau gives the following statistics: in the 18 years between 1977 and 1995, 313 people were executed; of those executed, 36 were convicted of killing a black person while 249 were convicted of killing a white person (Rachels, 235). This blatant bias supports my thesis that the death penalty is unfair.