

# Injustice the moment of unconsciousness and death.

[Countries](#), [United States](#)



Injustice within the United States Bryan Stevenson, a talk show host and political commentator, stated, “ United States has the highest rate on incarceration.” One of the most heavily debated topics in our nation is capital punishment. There have been several scholars who support this barbaric act claiming that the act serves as a deterrent for society to act in immoral ways. However, there are arguments that challenge the validity of capital punishment and call for better methods of addressing the criminals in our society. The argument against the death penalty includes discussion on its deterrence, race and overall justice.

In this paper, I seek to address these discussion points on the issue of capital punishment and develop a rationale against the death penalty. Deterrence The mere thought of being sentenced to death for a heinous crime is said to deter people from committing that crime. Some scholars support that “ people fear nothing more than death; although some believe life in prison is less feared” (Pace, 2002). This is true on some level; however, does this act as a better deterrent than life imprisonment? The members of the American Civil Liberties Union ascertain that each execution deters a certain number of murders have been thoroughly discredited by social science research (American Civil Liberties Union, 2007). The Amnesty International (2007) revealed that any form of execution is inhumane. All known methods can be painful and have their own unpleasant characteristics. Moreover, it must be remembered the death penalty is not only about the minutes during which the prisoner is brought from the cell and killed; a prisoner lives with the penalty of death hanging over their head from the moment he or she is sentenced to the moment of unconsciousness

and death. The search for a “ humane” way of killing people should be seen for what it is; a search to make executions more palatable or satisfactory to those carrying out the killing, to the governments which wish to appear humane, and to the public in whose name the killing is to be carried out (Amnesty International, 2007).

The death penalty does not have a strong enough effect on the deterrence of heinous crime because there has not been a significant shift in the states who legalized capital punishment versus those who have abolished their law. There has been noticeable change in the way society views the death penalty in our country. “ This argument has been the “ strongest” in support of capital punishment, but it is losing its appeal.

” The authors focused on the last 25 years of debate, their paper examined the changing nature of death penalty arguments in six specific areas: deterrence, incapacitation, caprice and bias, cost, innocence, and retribution. After carefully reviewing changes in public opinion regarding the death penalty, they reviewed the findings of social science research pertinent to each of those issues. Their analysis suggested that social science scholarship changed the way Americans debated the death penalty. Particularly when viewed within a historical and world-wide context, these changes suggest a gradual movement toward the eventual abolition of capital punishment in America (Radelet & Borg, 2000). RaceThe next argument touches on the biases that occur in our governmental system. There is an interesting occurrence in the amount of Blacks that have been sentenced to the death penalty versus Whites. There have been racial biases

in the area of race-of-victim and race-of-defendant, however, the focus is on the race-of-defendant.

In support of the death penalty, some people believe that equality reigns in this area. Americans are 11 times more likely to get the death penalty if the victim is black and the defendant is white, but they are 22 times more likely to get the death penalty if the victim is black and the defendant is white.

The fact that blacks are charged with capital crimes out of proportion to their numbers in the general population may simply mean that blacks commit capital crimes out of proportion to their numbers, (Clegg, 2001). This statement is highly prejudicial and simplifies an extremely complicated issue and fault of our governmental system. Even though the previous author feels compelled to state and voice his opinion of blacks and capital punishment, others feel some type of way when it comes to capital punishment.

Bouie (2014) stated that we hear a lot about the racial disparity in death penalty sentencing, namely, that black Americans are dramatically overrepresented on death row. Less remarked on is the disparity in death penalty support, as revealed in a new Pew Research Center survey. Overall, 55 percent of Americans support capital punishment, and 37 percent are opposed. Among whites, however, support for the death penalty jumps to 63 percent, compared to 40 percent for Hispanics and 36 percent for blacks. The author further stated that our cultural attitudes are unconsciously shaped by our collective history as much as they are consciously shaped by our current context. When you consider the death penalty as a tool of racial

control a way for whites to “defend” themselves from blacks then Pew’s poll results make sense. What we’re looking at is the inevitable result of that history expressed through public opinion, and influenced by racialized ideas on crime and criminality. If you’re still skeptical, consider this: In 2007, two researchers tried to gauge racial differences on capital punishment and assess how blacks and whites responded to arguments against the practice.

Their core findings with black Americans weren’t a surprise in general, blacks were receptive to any argument against the death penalty. Racine (2015) asserts that since capital punishment was reinstated in the United States in 1976, the death penalty has treated black and white murderers differently, and the racial discrepancies regarding the death penalty are astronomic, both in number and in public opinion. Dylan Roof, the white supremacist who allegedly murdered nine African Americans in June inside a Charleston, South Carolina, church, is likely on his way to a death penalty conviction. But he’ll be joining a small club since white-on-black killers are, in fact, rarely put on death row. At first glance, there doesn’t appear to be much racial disparity among death penalty recipients. The Death Penalty Information Center states 784 white individuals have been executed since 1976 compared to 490 African Americans. Black inmates and white inmates are more or less equally represented on death row as well (41 percent and 42 percent, respectively). But the numbers get concerning when you take into account that, according to the U.

S. Census Bureau, African Americans make up 13 percent of the population. And even more concerning are the differences in the race of the victims.

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Plaut (2004) stated that the preservation of human dignity requires capital punishment of convicted murderers. The position of Judaism is opposite of the position espoused by liberals.

It is precisely because of man's creation in God's image that capital punishment is declared justified and necessary. Human dignity requires execution of murderers, not compassion for their souls. Moreover, capital punishment is regarded in Judaism as a favor for the capital sinner, a form of atonement and redemption.

Ordinary murderers are allowed to achieve atonement for their souls in their execution. Only especially vile murderers - such as false witness whose lies are discovered after the person who was framed has been executed, or a man who sacrifices both his son and his daughter to the pagan god Molokh are denied execution because they are regarded as beyond redemption through capital punishment. Again, execution preserves human dignity, it does not defile it." The U. S.

Department of Justice reveals that 41.5 percent of defendants in federal cases in which the death penalty was sought were African Americans in 2010" (Bureau of Justice Statistics, 2011). Even after various case studies performed by Stephen Bright and countless hours of research by David Baldus, the general public does not view such discrimination as a reason to oppose the death penalty, although they recognize the biases of race" (Radelet & Borg, 2000). Justice On May 7, 2013 Willie Jerome Manning, a Mississippi native was scheduled to die at 6:00pm by lethal injection. He

was accused and charged with the killing of two Mississippi State University students in 1992. Mr.

Manning also had some major components such as fingerprints and DNA that would ultimately become vital to justice truly being served. Bryan also stated that “ for every nine people killed on death row one person is set free” In pouring outrage, some people stood beside Mr. Manning due to seeing the criminal justice system failing and the justice system, but also the citizens who are govern by these laws of the land.

If the government fails and kills an innocent man, is this government just? Justice is the final issue that arises in the argument of capital punishment. “ Death penalty rejectionists now admit that as long as we use the death penalty, innocent defendants will occasionally be executed” (Radelet & Borg, 2000). This is not justice. A human losing their life in vain is not a tactic that our nation should partake. There needs to be a more streamlined system for our government to operate more efficiently. The lives of many innocent people could have been spared if they were incarcerated for life and later evidence could have provided a way out for the innocent person.

This archaic act of punishment will not be just when the innocent members of our nation are being put to death. On June 29, 1972 Thurgood Marshall stated that, capital punishment violates the Eighth Amendment because it is morally unacceptable to the people of the United States at this time in their history. In judging whether or not a given penalty is morally acceptable, most courts have said that the punishment is valid unless it shocks the

conscience and sense of justice of the people. Assuming knowledge of all the facts presently available regarding capital punishment, the average citizen would, in my opinion, find it shocking to his conscience and sense of justice.

For this reason alone, capital punishment cannot stand (Plaut, 2004.) In an article written by Love, (2012) the author contended that application of the US death penalty was unfair, arbitrary and racially biased. Whether a defendant receives a death sentence depends not on the merits of the case, so much as on his or her skin color and the race of the victim and the county in which the murder case was prosecuted. Two recent news items in the US provide some illustrative context. First, the issue of bias: the North Carolina Senate recently approved Senate Bill 9, a measure that would repeal the state's Racial Justice Act.

The act, signed into law by Governor Bev Purdue in 2009, allows inmates to challenge their death sentences through statistical evidence of racial bias, including the exclusion of blacks from juries. Republican lawmakers and prosecutors opposed the law. Fortunately, the governor vetoed SB9, which would have required prosecutors to openly confess to racism. This would have made it far more difficult for prisoners to prove racial discrimination in their sentence, despite evidence such as a study of North Carolina which found that defendants whose victims were white were 3.5 times more likely to receive a death sentence. In conclusion, I personally feel the death penalty is not a method of punishment that should occur in our nation.

It was dissatisfying to even see that a black male was accused and convicted of a crime without even using all resources available to ensure that he was the guy who committed the crime. I also feel humans have evolved beyond the barbaric acts of eye-for-an-eye, and the feeling that we have the right to take someone else's life. Even while in the midst of adversity, there still was some good of it. As mentioned by Stevenson (2012) the system is not just being shaped or distorted by race, but by poverty. He further stated that we have a system of justice in this country that treats you much better if you are rich and guilty than poor and innocent. One of the most important pros of the situation was that Mr. Manning was fortunate enough to get his case overruled. America needs to streamline their system to ensure a safer process to handle delicate matters of this nature.

Each of us must ensure that people are aware of the fault in capital punishment being a deterrent for crime. We must admit that there is racial discrimination that alters a person's punishment due to the color of their skin. We must also come to a conclusion that justice is never served through the death penalty. It appears that the color of a perpetrator or defendant and victim's skin color plays a crucial and unacceptable role in deciding who receives the death penalty in America.

People of color have accounted for a disproportionate 40 % of total executions since 1976 and over 50 % of those currently awaiting execution. The death penalty, both in the U. S. and around the world, is discriminatory and is used disproportionately against the poor, minorities and members of racial, ethnic and religious communities. Since humans are fallible, the risk

of executing the innocent can never be eliminated. Furthermore, the astronomical costs associated with putting a person on death row including criminal investigations, lengthy trials and appeals are leading many states to re-evaluate and re-consider having this flawed and unjust system on the books.

A suspension or delay of the death penalty is necessary to address the blatant prejudice in our application of the death penalty. ? Works

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