We believe that the death penalty is morally wrong and should not be institutionalized in Massachusetts. It provides absolutely no benefit to society as a whole and is in no way justifiable. Besides the overriding fact that it is morally unjust, there are three additional factors that strengthen our stance against it. These reasons include our feelings that capital punishment is ineffective as a deterrent, that it promotes racial inequality, and that it allows for human errors that could potentially lead to the wrongful sentencing of an innocent person.

The fact that the conviction and sentencing of a criminal could never be completely void of human errors and mistakes, fortifies our belief that the death penalty in an unjust and unfair form of punishment. The death penalty, which essentially is in place to administer punishment for the killing of an innocent person, could actually lead to the death of another innocent person. This proves that institutionalizing it would be morally wrong. Human error is inevitable. People make mistakes, scientific tests are not always 100% accurate, and the legal system could be manipulated by people of high social stature and economic status. There will always be the mere possibility that an innocent person could be sentenced to death, and that alone should be a valid enough reason for the death penalty to remain illegal.

The death penalty also involves the issue of racial inequality. Due to a long history of racial struggles in America, it is still common for people to perceive a non-white person as a culprit over a white person. That stereotype is influenced in many ways, including the media, the press and even current events, such as gangsters being tied with Italians, drug dealing being tied with African/Latin American, and terrorism being associated with Iraqis. Along with the fact that a white person is less likely to be suspected of murder, when the victim of a crime is a white
person, the sentencing is often more severe than if the victim was of a different race. On the other hand, if a white person killed another white person, he would still likely to receive a less severe verdict compared to a nonwhite person. These inequalities were studied and published by Erik Eckholm in a 1944 article named, "An American Dilemma" (Pg 153).

One of the main reasons why we believe that the death penalty should not be legal in MA. is simply because there is not statistical evidence supporting the claim that the death penalty acts as a deterrent. It has been proven that there is no difference in murder rates of states with the death penalty vs. those without. Most of the time, when a murderer is kills someone, they are not thinking about the consequences of there actions. Many times it is a spur of the moment action and their mind is focused on anger or revenge, not the possible punishment. Also, capital punishment, as John Stuart Mill stated "does not inspire terror in hardened criminals, but it will make an impression on prospective murderers." (pg 144). As we can see, some harden criminals could view avoiding the death penalty as a challenge and ultimately commit even more crimes. Life in jail should be the appropriate punishment for murder. If a criminal is scared to ruin his life or end his life once he commits a crime, he will have the same fear to go to jail for life as his life will also be ended but in a different perspective.
The death penalty as a punishment is, from a moral standpoint, entirely unacceptable. It also does not benefit society in its existence. This existence being called a deterrent to further crime is a fictitious claim as it cannot be substantiated that deterrence even exists from the use of the death penalty. A punishment in this extremity is not just, and even it could be condoned, it is not equally distributed. With racial inequality at the forefront, minorities are killed at an alarmingly higher percentage than their white counterparts. No person, nor governing body, can institutionalize a punishment of death when it will be distributed unevenly. One man whom kills should not be able to buy the ability to live through better paid lawyers and higher social standing, while another dies out of mere financial burden. Even if the death penalty was correct from all other standpoints, the chance of human error is of utmost significance. The existence of innocent persons being killed is disgustingly immoral, unjust, and ridiculous. Thus, as previously discussed, these three points alone show that the death penalty should not be institutionalized in the state of Massachusetts, and for that regard, anywhere.

BIBLIOGRAPHY

Thomas Mappes and Jane Zembatty, eds., Social Ethics: Morality and Social Policy,

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A Barbaric Practice

The death penalty is a barbaric institution with no need in a just society, and, is decidedly unequal when used. As human beings we are not invested with the power to create life, thus should not be able to legally end life. The penalty itself undermines the equality of people. Thus,
as I shall explain, the death penalty should not be institutionalized in Massachusetts so long as it remains a just society.

The institutionalization of killing is unjust and absurd. Taking another life only adds another victim and more grieving. Man does not have the right to kill another. If a person ends another’s life, they should indeed receive punishment, but how is killing them by means of the death penalty any more morally acceptable? If taking life is wrong, and society then takes the ‘wrong-doer’s’ life, then does the institution which ended this life deserve to now lose something? This appears, and is, senseless.

The belief that one should treat others the way they wish to be treated sounds grand in theory. As Immanuel Kant emphasizes ‘eye for an eye’ rational as the ‘principle of equality…the principle of not treating one side more favorably than the other (Kant 101.)’ In other words any evil one exerts on another should be expected to be exerted back upon themselves (Nathanson 134.) Although seemingly attractive, this theory would not pan out when contextualized. As Nathanson almost comically points out ‘what would we decide to do with…drunken drivers (Nathanson 135?)’ Equal retribution is not used for other crimes; we don’t consider institutionalizing rape on a rapist, thus this should not be used as a defense of the death penalty. In a just society the best conceived punishment should not consist of killing off the perpetrator.

In fact the death penalty is the only punishment in which a mistake can in no way be corrected once carried out. If an innocent person is killed, for a variance of reasons, all argument of justice disappears as a validation. By undermining life how do we, as a society, expect for killing to lessen? The importance of preserving life is demolished by this penalty and could lead to less and less value instilled in life.
It is unjust in its existence but, ‘adding insult to injury,’ is the unequal nature in which it is exercised. Money and social standing should not have the ability to decide whether or not one can continue to live, but they do. If one can afford the better lawyer and trial they have a better chance of being spared death, as opposed to receiving death out of mere financial burden. The alarming race disparities blatantly expose the inequality in those handed out death sentences.

“Other things being equal, the studies show, killers of white people are more likely to receive death sentences than killers of blacks. This disparity, civil rights advocates say, shows that the judicial system places more value on the lives of whites than of blacks (Eckholm 151.)”

Indeed if significant statistics show more black people are executed for killing white people, than vice versa: In the last eighteen years there were 88 black people as opposed to 2 white, then more value is put on one person’s life than in another’s. This is unjust, immoral and undermines equality.

The death penalty does not benefit society and should not be institutionalized in Massachusetts, nor anywhere ideally. It is unjust to punish taking a life by taking another life; using this rational the killing never stops. Nothing is gained from the additional killing, the grieving parties just multiply. The penalty undermines the sanctity and equality of life. The racial disparities have been statistically proven in many studies. Therefore not only is there the possibility for an entirely innocent person to be executed but also for two persons, who have committed the same crime, to receive two starkly different sentences. The death penalty should not exist as it is morally wrong and serves no purpose to a just society.
Soniel Deceus

Death Penalty
No one should kill; let alone giving someone the legal right to inflict death on some.

After analyzing the arguments of the pros and those of the cons carefully, I have no choice but to classify the death penalty as a cruel and unusual punishment by its very nature. Its all essence is unethical, immoral and just simply an uncivilized custom to implement in civilized societies. I believe that no one should kill, let alone giving a person or a group of persons for that matter the legal right to inflict death on a human being. It is plainly out of the ordinary, and too absurd for any civilized society to put into practice. Thus, in no way, I believe the death should be institutionalized in Massachusetts. And for the states that it has been institutionalized already, I believe enormous efforts should be made to abolish it completely. I have many reasons for my belief. First of all the deterrence of the death penalty has not been proven in any way. It unquestionably violates the 8th Amendments, and more importantly it annihilates the possibility of rehabilitation.
The fact that “there is no conclusive statistical evidence supporting the claim that the death penalty is a uniquely effective deterrent” (Pojman, 141) is a very fact that needs to be taking in consideration when reasoning on the matter of death penalty. If in fact the death penalty prevents other murders to occur, I must say that that would have been a great argument for the death penalty, but the fact remains that it doesn’t. I believe in making society better and more civilized, and the death penalty clearly doesn’t help in that sense because it immoral and unethical and more importantly because it doesn’t do society any good accept ensure that retaliation and revenge as the law of our society.

Now, do not misunderstanding my points in thinking that I am implying that a murderer should not be punished severely, I certainly believe that anyone who has deliberately murdered another person should get life imprisonment without the possibilities of parole. I think that such a punishment fits the crime. But putting that person to death doesn’t solve nor better anything; it only implies revenge, “eye for an eye” so to speak. I believe that every crime should be punished to a degree severe enough that it deters others from committing such a crime. The whole idea is to focus on the well-being of society.

“The Eighth Amendment to the constitution of the United States explicitly prohibits the infliction of cruel and unusual punishment” (Thomas, 106). Though some argue that the death penalty is not definitely a cruel and unusually punishment because of different way of applying it, but the fact remains that you are still legally taking someone life away, which is my opinion make cruel and unusual. When someone kills someone, it is morally wrong, it’s the worst that could happen, but that still only involves that person’s morality. Now to make it lawful to put someone to death now that involves the morality of the society as a whole. To me that’s not the
way a civilized society should be. The constitution was created for us to abide to it; it is our
“Ten Commandments” for lack of a better term. For that reason alone it should not be broken.

Another reason why I believe that the death penalty should not be institutionalized is
because it eliminates the possibility of rehabilitation. I believe that if a human soul can be
changed it should be given a chance to. We have heard many stories on how prisoners on death
row have redeemed themselves and written that helps many not to follow the same path. Some
do paintings which inspires others in our society to become great. Some earn all kinds of
degrees while serving their sentence. Now, would you say that’s it’s a better outcome when
someone whose serving a life sentence redeemed themselves, write book and tell stories and help
others not to fall in the same path. I would. There are tremendous amount of evidence that these
type of thing happened in prisons. Putting someone to death would definitely rule out this great
opportunity, therefore it shouldn’t be institutionalized in Massachusetts or in any society.

BIBLIOGRAPHY

Thomas Mappes and Jane Zembatty, eds., Social Ethics: Morality and Social Policy,

Marybeth McCarthy

Death Penalty Paper

In my personal opinion, the death penalty should remain illegal in the state Massachusetts,
and, for that matter, be illegal in every other state as well. I feel as though there is no argument,
or theory, that will ever justify the killing of another person as a form of punishment. Although I do understand the complexity of this issue, in my mind the solution to this controversial subject is actually simple. Absolutely none has the right to end the life of another person, and therefore, the death penalty is morally wrong and should be illegal.

In an effort to try and understand a little reasoning behind the views of a retentionist, someone who supports the legalization of capital punishment, I read Igor Primoratz’s article called, “A Life for a Life”. In his article, Primoratz used the retributive theory to try and justify the utilization of the death penalty as a form of punishment. According to the retributive theory, the punishment of a crime should fit, or be equal to, the crime that was originally committed. This theory argues that, “When the moral order is upset by the commission of an offense, it is only right that the disorder be rectified by punishment that is equal to or proportional to the offense.” (p109). First, I want to credit Primoratz for providing a clear and convincing explanation of his opinion and the logic behind the retribution theory. However, his article did not change my mind. I still don’t think that the retributive theory, or any other theory, can justify the death penalty.

One of Primoratz main arguments focused on how he believes that it is not morally wrong to sentence a murderer to death because by committing the act of murder, that person essentially gave away his or her existing rights. He stated, “If I violate the rights of others, I thereby lose those same rights. If I am a murderer, I have no right to live.” (P129). He also reasoned that, “The offense is sole ground of the state’s right to duty and punishment.” (p127). I, however, strongly disagree with this standpoint. I believe that we are all born onto this earth as equals. At the very least, every human deserves one fundamental right, and that is the right to life.
No matter what a person does, even if it is the act of intentional murder, does another human being, another equal, have the right to end that person’s life.

In his article, Primiratz also acknowledged the abolitionist’s argument that the possibility for human error in the sentencing of the death penalty should be reason enough for it to be illegal. Primiratz countered by stating that the abolitionist’s human error argument “does not speak out against capital punishment itself, but against the existing procedures for trying capital cases... Errors of justice do not demonstrate the need to do away with capital punishment; they simply make it incumbent on us to do everything possible to improve even further procedures of melting it out” (pg131). Again, I do not agree with Primiratz’s point of view. It is human nature that mistakes will be made. No human created system, especially the US legal system, is, or will ever be, perfect. Therefore, the mere possibility that an innocent person could be sentenced to death IS actually a valid and direct way of criticizing capital punishment. Murdering an innocent person is against the law, and, through human errors and mistakes, the death penalty could potentially lead to the death of another innocent person. This correlation allows the “human error argument” to be used against the death penalty itself.

Primiratz presented one argument in his article that I actually have trouble disputing. He claimed that getting rid of the death penalty actually benefits convicted murderers in relation to other prisoners. He stated, “... we would bring about a situation in which proportionate penalties would be meted out for all offenses, except for murder. ... All other offenders would be punished according to their deserts, only murderers would be receiving less than they deserve.” pg 132. In my opinion, this is Primiratz’s strongest argument. I can only counter by reasoning that no one
deserves to die, not even a murderer. Therefore, what a murderer deserves is life in prison, and hopefully, that is what he or she will receive.

I found it interesting and insightful to read Primiratz’s article, and view the issue of the death penalty through his eyes. I have a much better understanding now of a retentionist’s point of view, as well as a better understanding of the retributive theory. Reading the article helped me question my own opinions, and ultimately led to the affirmation my original belief that the death penalty is wrong and should remain illegal.

BIBLIOGRAPHY

Primoratz, Igor. “A Life for a Life”
One of many arguments revolves around the issue of Death Penalty implementation to the justice system is the retribution argument. The idea of retribution argument for punishment is that when someone has committed an offense, he deserves to be punished. The punishment should then be measured proportionally to the offense committed. However, the main premises are that if the proportionate retributions to the crimes are always well deserved, just, and justified, thus should the death penalty be considered as the proportionate retribution to a crime such as murder?

I personally do not believe in the vengeance theory, which is part of the retribution argument and also the very basis of the death penalty: taking one’s life for he destroyed another’s life. Stephen Nathanson pointed out the irrelevancy of equal punishment or the principle of “an eye for an eye, a life for a life”: “Applied strictly, it would require that we rape rapists, torture torturers and burn arsonists whose acts have led to deaths” (Nathanson, p135). That might sound as childish as it seems, but I have to agree that it does point out that the principle of “an eye for an eye, a life for a life” is now merely just a slogan, a phrase and cannot give guidance or support laws that decide murderers deserve to be killed. There is an alternate punishment to “equal punishment” is that proportional punishment, however, according to Nathanson: “All that it requires is that if murder is the most serious crime, then murder should be punished by the most severe punishment on the scale. The principle does not tell us what this punishment should be, however, and it is quite compatible with the view that the most severe
punishment should be a long prison term.” (Nathanson, p 137) So is the death penalty necessary or a life long prison term is enough?

Regarding this point, Igor Primoratz reasoned that most of the crimes could be punished using fines and prison terms proportional to the severity of the crimes, or proportional to the value of destructed materials. However, the crime of murder is an exception since "the value of human life is not commensurable with other values, … It can be claimed that simply because we have to be alive if we are to experience and realize any other value at all, there is nothing equivalent to the murderous destruction of a human life except the destruction of the life of the murderer." (Primoratz, p128)

By stating that, I believe Primoratz would agree with the basic idea that killing someone is violating his right to life, but wouldn’t we be doing the same thing if we decide to end the perpetrator’s life with the death penalty? Primoratz argue that by stating “If I violate the rights of others, I thereby lose the same rights. If I am a murderer, I have no right to live.” (Primoratz, p 129) But what about his other rights which he did not take from his victim? One of the most important right I thought of is the right to redeem oneself from his sin. I agree with Nathanson that “If we take the life of a criminal, we convey the idea that by his deeds he has mad himself worthless and totally without human value. I do not believe that we are in a position to affirm that of anyone”(Nathanson, p 137). Even when the other rights bind to the right to life, we still cannot take them away long with his life.

We might dissect out the most important factors of life and take them away from him, yet allow the perpetrator to live. For example, if we put him in jail for life, the perpetrator still has to give up his privacy, his freedom, his interaction with other human
beings and most of his experience in life but yet still retain his right to redeem himself. This idea of “redeeming oneself is more important than not committing sins” is encouraged in most societies and religions, for instance Christianity, Buddhism, Taoism. There are examples such as the story of our beloved president George Washington and his father’s tree. Even now, the U.S. there is an example of Stan “Tookie” Williams, who is an ex gang leader received death sentence in L.A., trying to repent his sin by writing children novels encouraging peace and anti-violence resolutions, thus earning him many Nobel Peace Prize nominations. Many intuitively thought that he deserved his death sentence but now have changed their mind by helping him getting his appeal through Supreme Court. I think retribution indeed does its job to punish crimes, yet does not necessarily require the death penalty. If we take away the life of the murderer, therefore we also wrongfully deny the perpetrator’s right to repent his sin, which is not forfeited or should not be forfeited when he committed his crime. One possible solution to this is the life long in prison sentence.

**Bibliography**
