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Curiosity Report

One of the more controversial topics that are discussed among people is the use of the death penalty. I wanted to focus on current events that were ongoing and could still change and/or develop over the years. Many people with many opinions but I wanted to research by myself what some of the more arousing arguments are. I find this topic really sensitive and I want to further more research into what are some moral arguments against the death penalty? Stuck on the decision to write about arguments for or against the death penalty, I decided to research argument against the death penalty because I was placed on the other side of the argument for an assignment in middle school. Having done small research as to why one would support the death penalty, I wanted to know more about the other side of the argument; why one should be against it in my report. Not only that but I am anti-death penalty and it bothers me to know others find this justified. I want to generate this in attempt to convince those that haven't taken a side or already have to think the same.

S1: According to an interview conducted by Colleen Walsh for Prof. Carol Steiker of the Criminal Justice Policy Program at Harvard University, the U.S Supreme Court will strike down the death penalty once and for all. The title of the interview is "Death Penalty; in retreat", where the Colleen Walsh asks Prof. Steiker on some of the basic questions and her views within the death penalty and criminal justice system. Professor Carol Steiker can be seen as anti-death penalty as her interview is mainly about her thoughts on negatives of the death penalty, she doesn't clearly indicate that she disagrees or not but rather answers in ways that show disagreement with the topic. Her intended audience can be broad and can be directed to many people, but it would be to inform the public and those that share an interest in knowing more about the death penalty. Throughout the interview, Prof. Carol responds with facts and

supported opinions while trying not to be completely biased towards a side. Her tone is informative and one can say she is using logos. The interview is also on an Arthur whose books focus on criminal justice systems and other legal issues. It is also a primary source making it more legitimate and direct to use opposed to other.

The death penalty has been making its checklist stricter throughout the years, making the death penalty eligible for more of the notorious crimes. Seeing its pattern throughout the years, it would not be surprising to see the Supreme Court eventually prohibit the death penalty. In the response, Prof. Steiker states, “The Supreme Court has been on a trajectory of narrowing and questioning the death penalty. In 2002, it held that people with mental retardation, now called intellectual disability, couldn’t get the death penalty. In 2005, it held that juvenile offenders couldn’t get the death penalty. In 2008, it held that people who commit crimes other than murder...even the crime of aggravated rape of a child couldn’t get the death penalty. These are really significant limitations on capital punishment” (*Walsh*). This evidence is important because it provides clear understanding to why the death penalty would soon be eliminated if it continues on the current path. The current path is that the Supreme Court is placing strict limitations on the chance of one getting the death penalty, instead they remove certain crimes from the list of the death penalty thus making its offenders less and less common of getting convicted for the punishment. This is very clear as it shows that it will soon completely ban the death penalty in the near future. This source is incredibly helpful because it helps build ground as to why one should oppose the death penalty as long as provide context to how the death penalty stirs up domestic arguments as well as affects foreign relations.

S2: The death penalty is a violation of human rights and it is a failure to deter crime. From BBC's website, titled "Ethic's Guide, Capital Punishment." BBC is a public service broadcaster that produces programs and services throughout the UK as well as create content viewed around the world. The page talks about the different arguments used against the death penalty. Each argument is given a thorough sentence or two about its meaning. Since my topic question being what the moral arguments are for anti-death penalty, the page gives me dozens of arguments for abolishing the death penalty making it extremely useful and straight to the point, but the two that I found that stand out is the execution of the innocent and the failure to deter crime. As we don't know who the writers and editors of the page are, we cannot assume their standing on the death penalty but we can assume they are anti-death penalty considering they are writing a page on the moral arguments against the death penalty.

One of the supporting arguments is the value of human life and the right to live. As the website quotes, "Everyone has an inalienable human right to life, even those who commit murder; sentencing a person to death and executing them violates that right" (*BBC Ethics: Arguments Against Capital Punishment*). Human life is irreplaceable, there is no price nor exception because each human is different and unique, regardless of what we have done. Even if we can create a perfect human being identical to naturally born ones, it still isn't an exception to end lives, no exceptions at all. The death penalty does not allow the victim(s) to be reincarnated in anyway but only provides relief towards victim(s) and their families. This value of life concept can be understood by society way back in time. The medieval philosopher Thomas Aquinas describes the use of capital punishment on individuals saying, "Therefore if any man is dangerous to the community and is subverting it by some sin, the treatment to be commended is his execution in order to preserve the common good... Therefore to kill a man who retains his natural worthiness is intrinsically evil, although it may be justifiable to kill a sinner just as it is to kill a beast,

for, as Aristotle points out, an evil man is worse than a beast and more harmful. (*BBC Ethics: Arguments Against Capital Punishment*)”

The concept of deterrence of crime using the death penalty is an arguable statement made by those who are in favor of it. However, crime deterrence is based on the chances one may be caught in the act and convicted. The death penalty mainly applies only to those who commit serious heinous crimes against others such as murder, rape and etc. When one individual is deemed to approach that path, it is highly unlikely that the punishment for that crime, will prevent them from committing the act itself. To support this, the UN released a statement from the studies on relation between the death penalty and homicide rates, they stated, “...research has failed to provide scientific proof that executions have a greater deterrent effect than life imprisonment. Such proof is unlikely to be forthcoming. The evidence as a whole still gives no positive support to the deterrent hypothesis. (*BBC Ethics: Arguments Against Capital Punishment*)” Based on this one can concur that the death penalty honestly has little to no effect such as deterrence on crimes.

S3: This source is from a website called ProCons.org. They provide pros and cons on current issues and events while providing primary quotes from well-known individuals. They are non-partisan and only use this to educate and inform others. On the page, there are listed pros and cons about the death penalty, which is extremely helpful. Not only that, the website also provides statements and quotes from well-known people on their standing on the death penalty. In this source there are many quotes and statements but some have a higher significance. There are a total of 10 statements made by various people that state the cons of the death penalty. It is broken down into 10 sections and each category contains a pro and a con. The categories are Morality, Constitutionality, Deterrence, Retribution,

Irrevocable mistakes, Cost of death vs life in prison, Race, Closure for victim's family, Attorney quality and last but not least Physicians at executions. This source is extremely helpful towards researching the topic question because it provides sources from important figures that play a large role in the criminal justice system and their views.

Looking at the sections from morality, the death penalty is legalized crime and affects those who take part in it. When a convicted is sentenced to the death penalty, it is the decision of the jury and the judge to make this decision equally. However, some may not be comfortable with the knowledge of having "blood" on their hands, it would be forever known to them what they done to another person and or question their judgement. In an excerpt from the book "What I learned from executing two men" written by Semon Frank Thompson, he writes, "Regardless of their crimes, the fact that I was now to be personally involved in their executions forced me into a deeper reckoning with my feelings about capital punishment. After much contemplation, I became convinced that, on a moral level, life was either hallowed or it wasn't"(ProCon: *Should the Death Penalty be allowed*). In definition, hallowed means holy or honor. What Mr. Thompson was trying to say is that to some, life is either sacred or means nothing but a game. I think what he is trying to portray is the views of Pro vs Anti-death penalty supporters. Semon Frank Thompson was the Former Superintendent of the Oregon State Penitentiary up until his retirement in 2010. Since his retirement, Mr. Thompson has been reaching out to others and "persuade people that capital punishment is a failed policy. America should no longer accept the myth that capital punishment plays any constructive role in our criminal justice system"(*ProCon: Should the Death Penalty be allowed*).

S4: My final source is a YouTube video from the creators of Jubilee. With more than 4 million subscribers, Jubilee creates thought provoking, real and empathetic videos to create a movement for

human good. In this episode, they created a video regarding the death penalty. Their goal was to bring those against and in favor of the death penalty together to spark dialogues about their differences and similarities. There are 6 guests on the video; Dillion, Khalil, Genesta, Sean, Omar and Austin. Like most of their debate videos, of the 6 people, 50 percent of them support and the other 50 disagree with the topic, Khalil, Genesta and Austin are among those who are Anti-death penalty. Sean, Dillion and Omar are those who are Pro- death Penalty. Given statement by the directors, the guest are given the choice to agree by coming forward or disagree by standing in the back while those who agree finish their explanation and reasoning. In connection to the topic question, this source is different mainly because it is a video. The overall audience that each of these individuals are reaching out to is to convince the other side why and what the terms are to them agreeing or disagreeing with the issue given, in this case the death penalty. Unlike a written statement, a video or audio clip allows the reader to hear the way the speaker is speaking. For instance if the speaker is crying, angry, informative, or laughing. These elements are what make this source extremely helpful towards the topic question because it brings in both sides of the argument to discuss the topic and the audience can hear and see the debate.

From this video, the death penalty has the risk of sentencing innocent people. Directors presented the statement, "I am afraid that there are innocent people on death row" (*Lee 14:35*). In response to this, all six individuals approached the seats in response to them agreeing with the statement. It almost seems as if it is deemed that human error can result in wrong doing in the convictions of individuals placed in death row. There have definitely been individuals who were found innocent after their misfortunate sentences or even proven innocent during trial but still given the harsh sentence. Austin; who is Anti-death penalty states, "The current count I believe ever since President Carter is 100 people have been found not guilty due to basically witnesses lying and DNA testing....100 people is not a small amount" (*Lee 14:55*).

Knowing that human error and irrevocable flaws are almost certain to happen in most cases, one could

have a hard time trusting and perhaps even believing in the system itself. As Khalil mentions after Austin's response, "If one person is innocent, that's enough for me to not trust the legal system, and...um...in top of that in terms of corruption, racism all these kind of things that affect our whole legal system, I don't know why its taboo to say that....like let's admit it and move forward" (*Lee 15:13*). It's hard to disagree because it's true, these things exist in our society and legal system. These things shouldn't be prohibited to say and we should all just own up to the truth and move on and try to make it better, instead of wasting time disagreeing.

In conclusion, I have gathered a lot of information on the moral arguments against the death penalty. In the first source I found the connections that the death penalty had on America and foreign nations. In the second source, I gathered arguments as to why the death penalty is violation of human rights as well as its failure to deter crime. From the website ProCons.org I was able to identify how the death penalty is legalized crime and affects those who take part in it. Finally, with the help of Jubilee's video on death penalty I was able to find how the death penalty has the risk of sentencing innocent people. Seeing these arguments really gave me an idea to how the death penalty raises many questions and concerns. My standing has stayed the same as I, too oppose the death penalty for many reasons. However doing this report, propelled me to disagree even more with the death penalty. The main issue for me is the outdated form of punishment, the unmoral action and the value of human life. It's just too outdated and we as a society know better than that and have countless counter measures for dealing with high profile criminals such as life sentences. I am also understanding as to why one would be on the other side of this topic, some for their own personal reasons. I respect both sides of arguments pertaining to this topic but as to my thoughts on this topic, I am Anti-death penalty.

BBC. "Ethics – Capital Punishment: Arguments against Capital Punishment." *BBC*, Neil McIntosh, 2014, www.bbc.co.uk/ethics/capitalpunishment/against_1.shtml.

"Top 10 Pro & Con Arguments - Death Penalty - Procon.Org". *Deathpenalty.Procon.Org*, 2019, <https://deathpenalty.procon.org/view.resource.php?resourceID=002000>

Lee, Jason. "Death Penalty & Anti Death Penalty: Is There Middle Ground?". *Youtube*, 2018, <https://www.youtube.com/watch?v=ceVYO03zcZU>.

Walsh, Colleen. "Death Penalty, In Retreat". *Harvard Gazette*, 2015, <https://news.harvard.edu/gazette/story/2015/02/death-penalty-in-retreat/>.

My revision on this paper was not terribly hard thanks to Prof.Hall's review and feedback. I knew what to focus on and spend more time on. The problem I had was analysis and slight grammar mistakes. I struggled to provide my own opinion at the end of each evidence which was a problem because the reader would have to wait till the end to know where I stood and what my thoughts are. I didn't do it before because I thought that we weren't supposed to have any opinionated matter in the context of the essay except for the introduction and conclusion, but everything's good now. So, I mainly just moved a few sentences around for a better transition into other points and I provided my analysis for 4 of the quotes and some on my conclusion.