

# Contents

Foreword	13
Introduction	16
<b>Chapter 1: Is Capital Punishment Ethical?</b>	
Chapter Preface	21
<b>Yes: Capital Punishment Is Ethical</b>	
When a Loved One Is Murdered, the Death Penalty Seems Moral	23
<i>Olga Polites</i>	
Personal involvement with murder makes the academic argument to abolish capital punishment meaningless. It is easy to have moral objections to its practice as long as one is not directly affected.	
Death by Lethal Injection Is Not Cruel and Unusual Punishment	26
<i>Cal Thomas</i>	
Death penalty opponents believe that the lethal-injection process takes too long and should be abolished because it constitutes cruel and unusual punishment. In California, a federal court ruling may eventually lead to the erosion of justice against convicted killers.	
Juvenile Executions Should Be Ruled Constitutional	30
<i>Robert H. Bork</i>	
The U. S. Supreme Court wrongly ruled that teenagers could not be sentenced to death. In making their decision, the Court majority relied not on the American Constitution, but on foreign decisions and unratified treaties.	

Capital Punishment Is Moral to Prevent the Taking of Innocent Lives	35
<i>Cass R. Sunstein and Adrian Vermeule</i>	
Capital punishment is morally required because the death penalty deters other murders. States that choose life imprisonment, when they might choose capital punishment, are ensuring the deaths of large numbers of innocent people.	
<b>No: Capital Punishment Is Not Ethical</b>	
Capital Punishment Is Simply Murder	45
<i>Gary Egeberg</i>	
The worst person among us has human dignity and the potential to raise his or her morality. Many prison inmates are in a childish stage of moral development. If they lift up their humanity, then they will experience remorse.	
Death by Lethal Injection Is Inhumane	50
<i>Deborah W. Denno</i>	
Contrary to public perception, lethal injection is not a serene and soothing way to die, liking putting a sick animal to sleep. Instead, it is an inhumane and torturous practice, the result of both medical folly and political compromise.	
Putting Juvenile Murderers to Death Is Wrong	59
<i>Craig M. Bradley</i>	
In 2005 the U.S. Supreme Court struck down the death penalty for crimes committed by people under the age of eighteen. The court rightly ruled that it is immoral to equate the failings of a teenager with those of an adult, for a greater possibility exists that a minor's character deficiencies can be reformed.	
Physicians Have an Ethical Responsibility Not to Participate in Executions	65
<i>Peter A. Clark</i>	
The "medicalization" of the death penalty has initiated a vigorous debate concerning the appropriateness of physicians participating in executions. Doctors who participate in executions willingly violate the spirit of the Hippocratic oath and the <i>Code of Medical Ethics</i> .	

## **Chapter 2: Is Capital Punishment Administered Fairly?**

Chapter Preface 78

### **Yes: Capital Punishment Is Administered Fairly**

The Chance of Executing an Innocent Person Is Very Slight 80

*Richard A. Posner*

The number of people who are executed for a murder they did not commit is miniscule. In large part this is because of the many procedural steps it takes to execute prisoners. The average amount of time that a defendant spends on death row before being executed is about ten years.

Capital Punishment Is Administered Fairly 84

*Joshua Marquis*

Some opponents of the death penalty argue that poor and minority defendants are more likely to receive the death penalty and that many people on death row are innocent. Modern-day “abolitionists” peddle these discredited urban legends to undermine the central fact that the death penalty is administered fairly.

Death Row Reforms May Lead to a Fairer Criminal Justice System 94

*Jean M. Templeton*

Recently, Illinois undertook a comprehensive reassessment of its death penalty system. Reforms will have far reaching impacts on how murder trials are handled in the state and serve as a model for the nation.

### **No: Capital Punishment Is Not Administered Fairly**

Wrongful Convictions Involving Prisoners Are Too Common 103

*C. Ronald Huff*

Highly publicized DNA exonerations, especially involving inmates under the death sentence, have called into question the continuing use of the death penalty as a sentencing option in America.

The Death Penalty Is Not Applied Equally to Both Sexes	113
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*Victor L. Streib*

There is overwhelming evidence that the death penalty is used against men and not women. It is difficult to understand why this gender bias and disparity is allowed to continue. The nation needs to seek a more rationale, gender-neutral death penalty process.

Scientific Evidence Does Not Ensure Guilt in Death Penalty Cases	122
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*Sheila Jasanoff*

Modern society's belief that science can deliver just outcomes is mistaken. It is important to realize that science enters the courtroom not in the form of bare facts or claimed truths about the world, but as evidence.

The Evidence of Innocence Is Often Withheld in Death Penalty Cases	132
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*Dale S. Recinella*

The American legal doctrine called procedural bar prevents the accused from presenting new evidence of their innocence to the courts after a certain period of time. This limit in capital cases risks the execution of poor defendants despite late-discovered evidence of their innocence.

### **Chapter 3: Is Capital Punishment an Effective Deterrent to Crime?**

Chapter Preface	139
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#### **Yes: Capital Punishment Is an Effective Deterrent to Crime**

Capital Punishment Does in Fact Deter Crime	141
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*Joanna M. Shepherd*

Over the past decade, thirteen studies have unanimously determined that capital punishment is a deterrent to crime. Each execution deters somewhere between three and eighteen murders.

Homicidal Violence in Great Britain  
Has Increased Since the Abolition of  
the Death Penalty 145

*Theodore Dalrymple*

The homicide rate in Britain has doubled since the abolition of capital punishment in 1965. But homicidal violence has increased by up to ten times over the same period. If the deterrent effect were only 2 percent, it would save sixteen lives per year.

Hanging Saddam Hussein Will Deter  
Future Chaos in Iraq 151

*Patrick Poole*

If Saddam Hussein were allowed to live, Iraqis who suffered under his regime would fear his return. By hanging the tyrant, he will be prevented from ever resuming his reign of terror.

**No: Capital Punishment Is Not an Effective  
Deterrent to Crime**

Studies Cannot “Prove” Capital Punishment  
Deters Crime 157

*Clive Stafford Smith*

Recent evidence suggesting that capital punishment saves lives is bogus. It is immoral to kill even one innocent person for a crime he or she did not commit.

Capital Punishment Is Ineffective  
and Dangerous 161

*Michael Cohen*

It appears that vengeance is society’s strongest reason for embracing the death penalty. We need to remind ourselves exactly what justice is and what it replaces, lest we revert to a pattern where vengeance drives all reaction to crime.

Deterrence Studies Are Inconsistent and Unscientific	171
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*Jeffrey Fagan*

New studies claiming that capital punishment is a deterrent to crime are fraught with technical and conceptual errors. Further, there is an inherent risk of error and a high cost of implementation, two to five times the cost of life imprisonment.

## **Chapter 4: Should Capital Punishment Be Abolished or Reformed?**

Chapter Preface	175
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Executions Should Be Televised to Spur Debate About Capital Punishment	177
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*Howard Rosenberg*

The U.S. government should videotape and telecast executions late at night beyond the viewing hours of adolescents and young children. By publicizing executions, the American public would gain visual access to public policy and be in a better position to debate its merits and flaws.

Capital Punishment Is a Failed Experiment and Should Be Abolished	181
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*Anna Quindlen*

Capital punishment is an immoral practice that must be abolished. Last year, four countries accounted for nearly all executions worldwide: the United States and the totalitarian nations of China, Iran, and Saudi Arabia.

Feminists Should Advocate to Abolish Capital Punishment	185
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*Laura Huey*

Capital punishment offends the goals and values of feminists. Like the fight for reproductive rights, the abolition of capital punishment is in the public interest.

Saddam Hussein Should Not Have Been Hanged	192
<i>Richard Dawkins</i>	
The hanging of Saddam will provoke violence between rival Muslims and between Iraqis and American forces. His death also prevents researchers from studying his mind to learn how a person could be so evil.	
Public and State Support for the Death Penalty Is Declining	195
<i>Dahlia Lithwick</i>	
Americans seem to be coming to the realization that the death penalty is unjust. Several conservative members of the U.S. Supreme Court, however, may be moving the Court in the opposite direction.	
Organizations to Contact	201
Bibliography	205
Index	211