Political and Ethical Issues of Capital Punishment

Some Things to Consider...

To what degree is the media involved in the decision to use the death penalty? If the death penalty were completely useful and efficient, would we debate the ethical aspects? Is there discrimination in how we apply the death penalty, or is it a symptom of a deeper problem? Does the death penalty serve as a deterrent? Have we ethically advanced since Hammurabi's Code? Should people who are sentenced to life in jail be given the means to kill themselves? Many want to have a "three-strikes" policy; why do we use a baseball analogy in the regulation of our judicial system? Will we see an increase in the use of the death penalty in coming years? Why do we focus on the political issues rather than on the philosophical issues involved in the death penalty? Can we determine the outcome of a trial by looking at the jury? Is the death penalty really either a deterrent or a punishment, or is it the elimination of some "evil" element which we cannot understand and/or can't control?

Highlights from The Last Meeting...

We began by discussing the arguments of The American Philosophical Association, Eastern Division (see Vol. 3, No. 4 of The Philosopher's Stone). Many of us felt that their resolution was not worded well because some of the terms are ambiguous and undefined. What do they mean by arbitrariness? We assumed the implication is that two people may commit the same crime in different places and one may receive the death penalty while the other will not. This seemed like a weak argument to be applied specifically to the death penalty because it is applicable to all crimes and punishments. Their argument from discrimination is also applicable to other crimes.

In terms of irrevocability, if it were an efficient deterrent when the party was guilty, then it would be efficient even if the party were innocent. And doesn't the experience of prison irrevocably change one in some ways? Oscar Wilde wrote: "The vilest deeds like poison weeds/ Bloom well in prison air:/ It is only what is good in man/ That wastes and withers there" (from The Ballad of Reading Gaol).

From the perspective of Thomas Hobbes, we hand over all of our decisions to the laws and the state and we honor how they are handled. But Hobbes was simply making a political argument; the Utilitarian view could be that it could be considered "right" to kill an innocent person if that death contributes to the good of the social structure, as we accept during war time. As for costliness, it is more expensive to give the death penalty than to keep someone in prison for life only because of the lengthy appeal process.

These are all political arguments, not philosophical arguments. What the political arguments amount to is that we are not killing enough people fast enough. We could solve these problems and still be faced with the ethical question of ending someone's life.

But philosophical arguments would not sway anyone. The public at large is not even aware of the distinction between "right/wrong" and "legal/illegal". One weakness of philosophy is that it cannot appeal to the public. In this manner it is impractical. Thus the American Philosophical Association may have been aware that they were accentuating the political issues so that more people would support their arguments. And all of these arguments make sense if we are trying to make the death penalty "illegal" but not say that it is "wrong."

Women only commit 2% of the violent crimes in America (although
that figure is rising). It is mostly black males who get the death penalty. If Lady Justice were really
blind, would we have this gross statistical distortion? The discrimination that we see in the
statistics of the death penalty may be incidental to a larger discrimination. Many of the black
males who commit crimes are financially disadvantaged; their infractions may begin as economic
crimes, such as robbery, that get "out of hand." At what level should this problem be dealt with?

A Georgia senator once said—Of course it deters them; They can't do it again. If every single person who
was caught at a specific crime were sentenced to either the death penalty or to life in jail, would that serve as
a better deterrent than the current arbitrary system? In Senna & Seigel's Introduction to Criminal
Justice, second edition, it is stated that "Both general and specific deterrence assume rationality on the
part of the criminal" (73).

In a country that applies the death penalty regularly, there is an absolutist view of human life;
everyone's life has equal value. But where it is applied arbitrarily it does not have anything to do with the
value of human life itself. Our value is based on numbers. The rich can afford a good defense. The
moral worth of a person is not based on their actions.

Should we keep these criminals alive? Three thousand years ago the death penalty existed, but it was
not a matter of debate. With all of our progress, why is it that morally we have only progressed far enough
to begin debating the issues? We seem to be still at the cave level, still reacting rather than acting. Our
moral and emotional growth do not match our geometric leaps forward in our abilities to both destroy and
save. We can't expect our laws to be any more advanced than we ourselves can achieve. In the
manipulation of matter and energy we have advanced a great deal, but in terms of human values there has been
little if any progression.

The death penalty seems to be an extension of the Code of Hammurabi. This was the first code
of law. It emerged in 18th century B.C. Babylonia. This code promoted the standard of "an eye
for an eye"; punishments equivalent to the crimes. They even had a set of rules which matched
punishments to specific crimes. The Bible, too, says something similar in Exodus 21: 24-25, in
reference to punishment for the injury of a man's wife. The death penalty is "a life for a life."

Why haven't we developed much in the area of morality? Why is there more focus on development in
the material and physical areas? Does knowledge have to be of the physical? Isn't there both
knowledge directed out toward the material world and knowledge that is internal and reflective?

Material rewards are quick and satisfying. One of the fundamental
American beliefs is "do it now." Self-knowledge is a slow process.
Do we not have the patience? It's not just us--Alexander the Great
became bored with the philosophical teachings of Aristotle and went out to conquer the world.
Are we chemically wired somehow to go after "the rush"?

In what ways does the media affect whether someone will get the death penalty for a crime? It has
the power to put pressure on the court. Sensationalizing may push a
case to the death penalty when another similar crime which is not
so well publicized may not be pushed in that direction. Public
opinion also sways the direction of a trial. One of the ways that this
occurs is if the details of the case are an issue with the public at the
time of the trial.

Will we see an increase in the use of the death penalty? Most of
us agreed that the increased usage of the death penalty over the past
three years or so will continue. Populations are becoming more
dense and the economic conditions are becoming less stable. Greece
doesn't have the death penalty, and they look down on the "barbarians"
who do. But crime is not as serious there; they are stable, relatively
equal economically, and have a more homogenous culture.

In what ways are we being influenced to accept death? The
game market has gotten brutal. Whereas it used to be that the player
was a third party to the violence, there are now point-of-view games
which allow the player to be the killer. You can participate in "online" games where the characters
you are killing have real people behind them. And need we mention
virtual reality games? We don't even know what the long term
effects of television really are, let alone affecting the brain on this
deep level.

What if the death penalty were televised? Would it be popular?
Public hangings, witch burnings, and other such "events" were
popular in the past. Do you think that we are beyond such things?
We are already being sensitized to
similar programs. For example, someone said that there is a TV program on which men are put into a cage together, bare-fisted, to fight. These programs are apparently very bloody and are popular among children and adults alike. If people appreciate this--real injury--they will be entertained by the next step--real killing.

**Last Meeting of Fall Quarter**

Wednesday
November 19, 1997
8:30 p.m.
Gamble Hall, Room 106

**Topic for our Next Meeting...**

**The Incredible Shrinking Attention Span**
*By Mike Zehr*

Once upon a time, storytellers were revered as the keepers of history, people who not only entertained, but who also preserved the history of a culture. Later, it was the literate minority who took this position. Reading and writing were revered, and the writings of philosophers, clergy and historians were viewed with reverence. As reading and writing spread from an elite few to a larger portion of the populace, letter writing became an art, and diary keeping became a widespread pastime. The art of conversation and letter writing flourished worldwide.

What happened? With the advent of the telegraph, radio and television, hailed as marvels that would speed up and improve the communication between people, it seems that the art of communication itself has declined. Gone are the days of long debates in coffee houses and park benches over politics or philosophy. Gone are the days of year-long letter exchanges over varied topics. Here (to stay, it seems) are the days of hurried exchanges over cellular phones and grammatically impaired e-mail messages, where a turnaround of more than 10 minutes leaves the writer feeling impatient and anxious.

Has the value that we place on communication changed for some reason? Has our rapidly increasing ability to trade information with each other impaired our actual ability to *communicate*? We value the speed and reliability of modern communication, but does that speed and reliability somehow make us value the content of the communication less? Have you ever purchased a movie that you really liked, only to have it sit on your bookshelf, watched maybe once? There seems to be more value in a movie that you have to wait to see, that you have to actually have to make an effort to see.

With the telephone, fax, and e-mail available to us, there settles in a sort of lethargy; why call your family today? The people that you wish to talk to are always just a phone call away; you can call them later. Why write a letter when you can talk to them on the phone anytime you want? Yet, oddly enough, despite this freedom, we seem to communicate with those we are away from far less than those in earlier times did, when letter writing was considered something more than a chore that a child away at camp is subjected to.

But the change is not only in how we value communication, it also seems that with each new development, we change how we communicate. This, I feel, is particularly noticeable with e-mail. Gone are the long, flowing letters of the 18th and 19th century. Now we have short, disjointed messages which are apparently completely immune to the laws of grammar, logic, and coherent thought. As the way that we communicate changes, does the way that we think also change? Are we, as a culture, becoming disjointed and impatient? Very few literate people of the past would pass up a book solely because it was greater than a certain number of pages (say, 800). How many people today would pass up such a novel, not because the didn't have the time to read, but because anything that long "Must be boring?"

**Announcements!!!**

First AASU Philosophy "Field Trip"

Dr. Nordenhaug's Medieval Philosophy class traveled to Georgia Southern University on Thursday, November 6th, to attend a lecture sponsored by the GSU Department of Literature and Philosophy.

The guest speaker was

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Dr. Thomas Flynn, a professor of Philosophy at Emory University in Atlanta, where he teaches Ethics, 20th Century Philosophy, and other courses. He has earned four Teacher Of The Year awards and has published several books and approximately 60 articles. And he is, as we had the privilege to learn first hand, a dynamic, eloquent, knowledgeable, and interesting speaker (as well as being remarkably tolerant of an irate "heckler").

The title of Dr. Flynn's lecture was "At the Crossroads of Philosophy & Religion: The Test Case of Religious Existentialism." His goal was to give us a sense of what the existentialist movement is about, how it overlaps with religion, and how it affects concrete lives. (For a more detailed description of this topic, contact us or see the next issue of The Inkwell).

Everyone had an enjoyable and educational experience.

We extend our thanks to the GSU Department of Literature and Philosophy for inviting us to attend this lecture; to the AASU Department of Languages, Literature, and Dramatic Arts for funding our transportation; to Dr. Erik Nordenhaug for arranging the trip, bringing us to GSU (and, especially, for being a "safe driver"); and, of course, special thanks to Dr. Thomas Flynn.

Winter Quarter Philosophy Courses:
Ph251--Introduction to Ethics and Contemporary Moral Issues
Ph313--Continental Rationalism and British Empiricism

Guest Philosopher to Speak at Armstrong!

Dr. Ann Hartle, a professor of Philosophy at Emory University, will be coming to AASU to share a lecture on her most recent publication, Self-Knowledge in the Age of Theory. Dr. Hartle will be joining us on Thursday, April 9th, 1998, at 12:15 in Health Professions Auditorium. There will also be a luncheon held after the lecture, in the faculty dining room in MCC, at which we can speak with Dr. Hartle and discuss her topic.

Sponsored by The Philosophical Debate Group

Contact us for more information!

Get Ready... 2nd Annual Philosophical Essay Contest!!!
*Essays must focus on a philosopher or some philosophical topic
*Essays must be a minimum of 1,000 words and include your name and phone number
*Competitors must be students of AASU during the 97-98 academic year

Awards will be given for First, Second, and Third place winners.

Submissions can be dropped off at any time in The Thought Box in The Writing Center in Gamble Hall 109.

Judging will take place in Spring Quarter 1998.

Mark your Calendars!
Winter Quarter Meeting Schedule
Gamble Hall, room 106
8:30 p.m. Wednesday, January 14 & 28
February 11 & 25
March 11

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