The arguments on revenge and what the Bible says

Sometimes one hears the argument that there should have capital punishment because God says so. The holy book of the Bible contains instructions that can be considered as justifying the death penalty. However, these arguments can be rejected.

The Bible certainly gives long lists of crimes for which death is the punishment. These include witchcraft, bestiality, adultery, and some religious rules as well as premeditated murder.

It is important to set out what counts as capital murder and establishing a kind of capital murder definition. Moses even sets up three cities to which those who have committed second degree murder are to go. Many crimes are listed which we no longer consider to be crimes at all.

COMPELLING REASONS

In any case there are two compelling reasons why there is capital punishment: (1) that the answer to the question of capital punishment is not to be found in the Bible, and (2) that the answer to the question of capital punishment is not to be found in the Bible.

First, the story of the first murder should be considered very carefully. It is the story of the first murder, one can assume it is intended to be instructive. It is a genesis story. And, of course, Cain's. Also, the death of God, as it is not death by banishment or exile.

A New Testament, of course, we find that Jesus stops the community from stoning to death a adulterous woman by reminding them that they too are guilty of error. On both occasions when the god figures in the story deal directly with a guilty human they do not invoke capital punishment.

We have to attempt to resolve their example then we too should turn away from capital punishment.

Others argue that murderers deserve to die. But the whole notion that a murderer in capital punishment is based upon a fairly silly view of reality which claims that there is some transcendent moral-measuring device — some kind of moral metre stick — which is knowable by mere humans. Who deserves to contract crime? Who deserves to win the 6-49? "No one," is the only correct answer.

Another possibility is that determination is true and then what human beings do is entirely the result of a long string of material causes.

WEAKEST ARGUMENT

The capital punishment argument rest against the death penalty by presenting this kind of position, which states that the idea of desert is as invalid as are the actions of biljard balls when struck by the cue ball. "The desertism," is true then the whole notion of desert loses its force; the way to change behavior is to change the environment.

We have to look at both and base our criminal justice system on rehabilitation, not revenge, on defense not desert, on protection of society not purging of emotion.

Economic Arguments

As the B.C. Civil Liberties Association says in its position paper on capital punishment: "Any discussion of capital punishment must acknowledge that three things can be said quickly and firmly against it.

First, capital punishment consists of bringing about the death of someone. Since death is normally regarded as irreversible, the saying "never again" or "always prima facie wrong to inflict anything evil on anyone, capital punishment is always prima facie wrong.

Second, capital punishment is an unusually cruel form of punishment. A man executed by a public lynching may be relatively humane, but the waiting period and knowledge that one will be killed is an exquisite torture.

Third, there is always the danger that one finds themselves executing an innocent man." Given that the death penalty is prima facie wrong then we must justify its return by some argument which gives us good reason to override its prima facie evil.

Over the past two decades we have come to realize the adequacy of those arguments. We have seen how the retributivist attempts to justify the death penalty comes to recognize we do not know what humans are deserving. We have found prescriptive wealths of evidence that the argument that led us to reject it as an argument which provided reasons to override its prima facie wrongness of capital punishment.

MORE ACQUITTALS

We looked at the deterrence arguments to understand the evidence. There is no new evidence which shows that capital punishment is a unique deterrent. We do not have, any better deterrence than incarcereation, then we cannot lodg the protection of society argument as a justification for capital punishment. Further, there is good evidence to show that juries tend to acquit more frequently when the only punishment is death. Thus, the protection of society principle leads us to reject the idea.

But, what of one last "retributivist" argument — economics?

One way to keep a murderer in prison for life, or for 20 years. Some might say that is dangerous. Persons who can never again be trusted in society. Isn't it better to kill them then to lock them up? Could we use the money in better ways to eliminate social evils? WHO SHOULD DIE?

One difficulty with this position is that saying who should get killed. There are all kinds of non-murderers who are dangerous, who are the criminally insane, many of whom are dangerous and beyond rehabilitaion. Are we to slaughter all dangerous persons who are dangerous who kills with his car be sub- jected to the death penalty? Should all dangerous persons be killed? We will indeed have a busy hangman.

If we are prepared to bear the costs of life for a murderer and to bear the cost of support for the criminally insane, or for the incarceration of murderers?

All of these justifying arguments fail for the reasons I've indicated over the years. Letting any justifying argument we must conclude that the prima facie evil of the death penalty has been overturned. We must, therefore, as rational citizens, urge our government to return the death penalty to Canada.