

Death Penalty Has Been Used In Every Society to Punish

This is the last of three articles designed to acquaint voters with the arguments for and against capital punishment.

By JOE BIGHAM

The death penalty has the longest tradition of any form of punishment. It has been used by every society to punish its worst criminals.

Why has execution found so much favor throughout history, right down to Oregon—1958?

Deterrence has always been given an important place in the philosophy surrounding the death penalty. Retentionists argue that the death penalty deters potential murderers from committing murder by showing them just what they can expect if they do. They claim that no other punishment is so feared as execution. Even if the threat of execution fails to deter from murder in every instance, it certainly does exercise a greater deterrent influence than would any other form of punishment, retentionists claim.

Deterrent Effect

The fact that one abolitionist state, Rhode Island, permits execution of a life termer who murders is an admission that the death penalty does have some deterrent effect, claim retentionists.

Determining with any accuracy just how many persons are actually deterred from murder by the fear of execution is an impossible task. The problem is simply that any person who decides not to murder because he fears execution is unlikely to tell anyone that he had contemplated murder.

The only unarguable deterrent effect of the death penalty is that it prevents any repetition of murder by the particular person who is executed.

Protection of Society

Protection of society is the paramount duty of the state's law enforcement, judicial and penal systems. Defenders of the death penalty argue that

this punishment offers the only effective and safe method of protecting society from repeated killings by a murderer. Some draw a parallel between the individual's right to kill in self defense and the right of the state to kill in defense of its citizens as a whole.

Retentionists argue that it is the duty of the state to protect its people absolutely. Any other consideration must be secondary. Any individual or state which does not follow this principle is no better than the murderer himself.

Retentionists back up their argument by citing the Bible. Two scripture passages are commonly cited in defense of capital punishment.

Genesis 9:6 reads: "Whoso sheddeth man's blood, by man shall his blood be shed: for in the image of God made he man." Romans 13:1-2 states: "Let every soul be subject unto the highest powers. For there is no power but of God: The powers that be are ordained of God. Whosoever, therefore, resisteth the power, resisteth the ordinance of God: And they that resist shall receive to themselves damnation."

Sixth Commandment

Defenders of the death penalty also claim that the Sixth Commandment, "Thou Shalt Not Kill," does not forbid use of the death penalty. The Commandment forbids murder, not capital punishment.

Retentionists also question what is to keep a murderer who has been sentenced to life from killing a guard in an attempt to escape? He can receive no harsher treatment than he is already serving, so he would have no compunctions against murdering a guard to facilitate his escape.

Defenders of the death penalty decry the seeming callousness of the supposedly humanitarian abolitionists who pay so much attention to the rights and welfare of the murderer that they forget the

sorrow and suffering of the murdered person's family. They claim that the victim's family is entitled to much greater sympathy and help than the man that brought this terrible sorrow upon them.

Common Argument

Another common argument is that many states have abandoned capital punishment for a time only to restore it later. Defenders of capital punishment claim that an alarming rise in the murder rate accompanied abolition in many instances.

Defenders also claim that abolitionists have been unable to produce an effective, efficient substitute punishment for the death penalty that will protect society and will be certain of accomplishment. They claim that one of the serious drawbacks of the abolitionist argument is that they have never come up with a proposed alternative that is sound and workable.

One commonly espoused alternative, a strict system of life imprisonment, is viewed by some as little better than death from the prisoner's standpoint, since he must die to carry out his sentence anyway.

Other Alternative

The other alternative, rehabilitation, has many flaws which have never been ironed out through trial and error, since few trials have been made and the public is afraid to suffer the consequences of error. Retentionists claim that it would be impossible to safeguard the public through a rehabilitation system. They claim that it is impossible to prove that a former murderer has been cured. Turning him loose on society is an invitation to him to repeat his act.

Summarizing the arguments on both sides, abolitionists claim that capital punishment is wrong because it fails to deter potential murderers, because an innocent person may be executed, because only

Campaign Card Introduces Kin

Salem—UPI—Don Maestretti, state capitol police officer who has charge of parking and building security in the Capitol Mall, was surprised this week to be handed a campaign card calling for election of a man by the same name for sheriff.

Maestretti, the Oregon one, is under civil service and prohibited from political activity.

It turned out that the Don Maestretti running for sheriff is the Republican incumbent from Lander county, Nevada. The two are second cousins, but have never met.

the poor are executed and because it is morally wrong for the state to take life.

Retentionists counter by saying that capital punishment is the best deterrent to murder available today and is needed to insure adequate protection for the public.

In conclusion, what does the experience of the different states show?

Whereas the defenders of capital punishment claim the homicide rate has risen in many cases when it has been abolished, and the critics of the punishment claim that it does not act as a deterrent, the statistics are non-conclusive.

For instance, in 1953 the entire New England region, including the abolitionist states of Maine and Rhode Island, had a homicide rate of 1.4 per 100,000 population. Maine recorded a 1.6 rate and Rhode Island a rate of 0.4, one above and the other below the average. Connecticut, a death penalty state, had a homicide rate of 1.8, well above the average.

The picture remains clouded in statistics for the Midwestern states made in 1954. The three abolitionist states in the region, Michigan, Minnesota, and Wisconsin, had homicide rates of 4.3, 0.5, and 1.1, respectively. Three nearby retentionist states, Illinois, Indiana, and Ohio had rates of 5.4, 3.5, and 3.8, respectively.



BIG MID-AIR COLLISION—Air policeman at left guards wreckage of the two huge B-52's which collided in mid-air near Spokane, Wash. Of the 20 persons aboard the two planes, four are known to have survived, six are dead and six are missing.

Alaska Crash Toll Corrected

Anchorage, Alaska—UPI—Air Force officials have reported that 13 persons, instead of the 12 previously reported, died in the crash of a C-47 transport at Elmendorf Air Force base here Tuesday.

A spokesman said the 13th body was found in the burned wreckage "quite a while after the crash." He said the manifest carried only 17 names and that the other three persons on the flight must have been "hitch-hikers."

All earlier reports said 19 persons were aboard the

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