Public Discourse Surrounding the Death Penalty

For decades the issue of whether or not the death penalty should be expunged from the legal system or stay being implemented on a case by case basis has been an extremely controversial topic. Within the “Public Sphere,” the domain of our social life where public opinion is crafted and where private people can conjoin, forming a general public, there are advocates both for and against the death penalty. Today, the internet serves as arguably the largest and most potent form of a public sphere, being that it’s completely accessible to any member of the public. Advocates for the death penalty argue that in many instances the death penalty serves as an appropriate means of justice, often providing a sense of closure to those who have had loved ones fall victim to heinous crimes. Advocates against the death penalty wish for the death penalty to be removed as a possible form of capital punishment in its entirety, largely because of how they find it to be inhumane and immoral to put someone to death, no matter the circumstances.

The death penalty can provide a sense of closure to those whose loved one’s are victims of heinous, unspeakable crimes. Arkansas Attorney General Leslie Rutledge, a known supporter of the death penalty was recently quoted in a PBS NewsHour article saying, “...when the state executes a person who has committed a terrible crime, the act brings closure to the victim's family” (Arkansas Attorney General Leslie Rutledge via PBS NewsHour). This well-known concept of closure is commonly used by advocates of the death penalty as one of the most important effects and results that obtaining justice provides. These advocates imply the death
penalty yields the most effective type of closure in instances when the victims of these family members have been murdered. An example of this comes from the author’s perspective of the aforementioned PBS NewsHour article from April of 2017 which covered a specific instance that resulted in a total of nine people receiving the death penalty for a string of multiple crimes that included rape and murder. The author writes, “The friends and family of those killed or injured by Jason Mcgehee, Stacey Johnson, Marcel Williams, Kenneth Williams, Bruce Ward, Ledell Lee, Jack Jones, Don Davis, and Terrick Nooner have waited decades to receive some closure for their pain.” Without even quoting the families directly, the author simply assumes similarly to how advocates of the death penalty have constantly conveyed that the death penalty provides closure to these families.

By definition, bullshit is not concerned with whether the statement is true or false and with subjectivity (morals) there is no absolute truth, hence the qualification for bullshit. “Thoughtful attention to detail requires discipline and objectivity” (Harry Frankfurt’s ‘On Bullshit’ pg. 5). The absence of true and universal objective standards with regard to morals yields controversy and no finite definition of whether or not killing someone can ever truly be justified. In theory any explanation or attempt at justification, whether it be for or against the death penalty in accordance with the Frankfurt reading is all fundamentally, technically “bullshit” and any reasoning as to why the death penalty should remain implemented or be eliminated can be classified as one’s subjective opinion. According to debate.org, one anonymous user writes, “It’s not that they are innocent, it is just that we have no right to harm them in return, it’s the same reason we don’t cheer any more for the kid who strikes back at the bully who assaults him...he is just as evil as his oppressor when he lowers himself, and so are
This post not only states the death penalty is immoral, but utilizes an analogy, the kid striking back at the bully, to shed light on the logical hypocrisy that carrying out the death penalty presents. The hypocrisy explicitly lies in how if it’s against the law to kill someone and commit murder, then it should be equally against the law to kill someone as a form of punishment. “...the lack of connection to a concern with truth--this indifference to how things really are...I regard as of the essence of bullshit” (Harry Frankfurt’s ‘On Bullshit’ pg. 8). On twitter, a tweeter with the handle, @engineerjay1987 writes, “Neither is immoral. Depending on the situation, life in prison is enough but those who are serial killers and violent killers, the death penalty is what is needed. As far as hope. Ask God for forgiveness.” Aside from not providing any supporting evidence, this claim that the death penalty is not immoral simply has ‘no concern with truth’ which by definition, qualifies it as a “bullshit” tweet.

Both advocates for the death penalty being morally righteous and advocates for the death penalty being an immoral act share this common line of thinking, in that both sides’ basis for what they believe appeals to pathos and is derived from their feelings and emotions toward the controversial issue, making it just that: a belief. Just from a google search alone, an image appeared with big bold letters stating, “The death penalty is DEAD WRONG” (Google images). Below this bold heading lies five bullet points which states that the death penalty is racist, targets the poor, kills the innocent, is barbaric, and doesn’t deter crime. While in many unique cases these facts can be true, in actuality there isn’t enough viable data to back up these claims because if there was it would most likely be presented on the poster instead of these claims with no real evidence to back them up. This fact of the matter qualifies this poster, along with its reasoning as a belief from these advocates for the removal of the death penalty. Likewise, advocates that are
for the death penalty publish claims (beliefs) that are accessible via a quick google search as well. In an article published on www.diffen.com the author writes, “…advocates generally believe that certain crimes deserve death as a punishment, somewhat akin to the ‘eye for an eye’ doctrine” (www.diffen.com). This quote even more so illustrates the belief aspect of the discourse surrounding this public discourse by literally stating a timely principle and belief that personifies the law of retaliation, admittedly stating that it’s the advocates’ in favor of the death penalty’s belief that a person who has inflicted pain and suffering to any person(s); then that person should be penalized to a similar degree.

Advocates for the Death Penalty like to simplify the issue using logic, framing the controversy of whether the Death Penalty should be utilized in a court of law as not being controversial in the slightest, but instead using “logic” to provide a simple answer. This answer boils down to, for lack of better words, “treating others how you want to be treated” and if you commit a brutal murder then you deserve to die. Competing information campaigns come into play and are then utilized further in the sense of vilifying the opposition when advocates for the Death Penalty say things such as what was posted by an anonymous user on debate.org who wrote, “You cannot tell me that the woman who shot down the life of an innocent 14 year old kid in my neighborhood deserves the privilege to flourish in the beautiful planet...Capital Punishment is justified only in the case of a fair retribution for a ravage crime committed” (debate.org). This user is able to both simplify and dramatize the issue, in part vilifying the opposing viewpoint implying that anyone who doesn’t agree that the slain murder of a 14-year-old child warrants extreme punishment is to some extent unsympathetic towards the gruesome murder of innocent children. In the Lange reading, Lange writes, “Information campaigns are
organized sets of communication activities intending to generate specific outcomes or effects in a relatively large number of people…” This quote exemplifies the reasoning behind why the sympathizing, gut-wrenching anecdotes such as the aforementioned quote from debate.org describing an innocent 14-year-old being murdered are needed and used by advocates of the death penalty as they serve as the warrant for them arguing the apparent need for the death penalty. It’s what explicitly links the facts to the claim and does so appealing to the public’s pathos and in many ways “dumbing down the issue” as a form of persuading more members of the public to be on board with the death penalty.

Those in favor of eliminating the death penalty better utilize logos as a means for persuading the public into attempting to convey the absurdity and how despicable just having the option of legally ending someone’s life actually is. With the example of hypocrisy, logos serves as the warrant and reasoning for the absurdity of the death penalty stating that if it’s illegal to kill someone then it should be illegal to kill someone for killing someone. These advocates then take part in competing information campaigns, specifically with regards to simplifying and dramatizing the issue by ignoring the multitude of complexities that would be included upon a case by case basis, but rather breaking down the issue to stating that it’s inhumane to kill, no matter the circumstance. This logic that if we encourage our citizens to abide by the law and not commit murder, implies that it then must be hypocritical to support any form of killing, even if it’s done so in a legal, “justifiable” manner. This hypocrisy leads to the vilification of the opposing side (advocates for the death penalty) implying that anyone who supports the death penalty must support killing, a universally wrong, sinful act which would then in part deem such
a supporter as a hypocrite; a well-known term with an extremely negative connotation, let alone meaning.

Like many political issues, having definite beliefs makes the issue more and more polarized, resulting in little capability or understanding for advocates on either side to be willing to reach a compromise. As a result of these competing information campaigns, this public issue been simplified on the surface and has transformed the vast majority of the public into either being for or against the death penalty. The question of morality and humaneness leads people to question their own personal values. The polarized nature comes into play for instance with those advocating against the death penalty to accuse those that are for the death penalty as being cold and inhumane, yet again vilifying the other side. Likewise, advocates for the death penalty contribute to the polarization of the issue by vilifying the other side by claiming they lack sympathy for the victims’ families and don’t care about providing a sense of closure, aiding those who’ve been torn apart from such unspeakable acts. As long as there is a legal system in place, there will always be public discourse surrounding how people view the death penalty.