

<u>Bedau</u>	<u>Van den Haag</u>
DP doesn't deter • not applied consistently or promptly (~2% of homicides) • criminals think they won't get caught • if not premeditated, punishment cant' deter • life in prison is enough to deter the rational murderer	DP might deter • studies aren't conclusive one way or the other • the possibility that the execution of a murderer will save an innocent life is worth the risk that is won't Deterrence doesn't really matter • you'd be against DP even if it deterred • I'd be for it even if it didn't
Should all punishments "fit" the crime? • Rape rapists, torture torturers, etc...? • What most heinous crimes deserve is the most heinous legal punishment. If we abolish DP, that would be life in prison, and that would be all justice required	DP is the only fitting retribution for heinous crimes
DP is irrevocable, and innocents will be executed • We know a lot of	Yes, we might occasionally execute an innocent person. But it's worth that

innocent have been released before execution • Do we really think we haven't made mistakes?	cost. • Driving cars costs some innocent lives, but the costs are worth the benefits. • DP is too. Benefit of "doing justice", and possibly deterrence.
DP is applied unfairly • Baldus Study (race of defendant and victim matters) • GAO study • Gender matters • Economic status matters	The unfair distribution doesn't affect the justice of particular executions • Punishments are imposed on individuals, not groups. The only important question is "Did this person commit the crime in question?" If so, DP is just. • Justice is getting what you deserve. That's not affected by what others get. • Appropriate legal safeguards are in place to minimize this
DP is barbaric • We constantly find apparently less barbaric ways to execute people, but now even lethal injection is under fire	It's not barbaric, unless justice is barbaric. It's doesn't brutalize society • Does imprisonment show a lack of respect for freedom?

• This barbarity sets a bad example for society. We can't kill someone to show how bad it is to kill someone.	• Do fines show lack of respect for property?
DP costs more than life in prison • Cost of capital trial is significantly greater • Cost of appeals is greater • lessening these costs makes it more likely that we'll make a mistake.	Even if it does, financial cost don't trump doing justice.
DP is not favored by the public • While majorities favor DP in principle, they don't when given the alternative of life in prison plus restitution	Van den Haag doesn't respond, but he might say • It is supported by the public • Who cares?
Worldwide trend is towards abolition	Who cares?