

Unjust Desserts by Dan Jacoby

“To me belongeth vengeance and recompense,” it says in Deuteronomy 32:35 (KJV). In Paul’s letter to the Romans, chapter 12, verse 19, he wrote, “Dearly beloved, avenge not yourselves, but rather give place unto wrath: for it is written, Vengeance is mine; I will repay, saith the Lord.”

Ronell Wilson was sentenced to death earlier this week for killing two undercover police detectives in a weapons sting gone bad. Prior to Mr. Wilson’s case, nobody has been sentenced to death in a federal court in New York in almost 50 years – and for a very good reason.

There are two, and only two, reasons given for executing convicted criminals. One is to serve as a deterrent. The other is a claim that “justice has been done.” But neither argument, held up to the light, has any real substance.

Every study ever done on the results of capital punishment – state-sponsored murder – on a society shows that there is absolutely no deterrent. At best, the person who is executed won’t commit any more crimes, but the same result can be achieved through imprisonment. Conversely, while the odds of those people ever doing anything to redeem their lives, even partially, are slim, the odds of an executed person doing anything good are exactly zero.

The claim of justice is ridiculous. How can there be justice for a double murder, as in this case? How can there be justice for someone who kidnaps, rapes, tortures, and then kills a child? For millennia, societies have attempted to come closer to some sense of justice, and we have always fallen short, because exact, pure justice is unachievable.

And who is this “justice” for? If you’re reading this, it probably isn’t for you, since you probably don’t know anyone involved in this case. It isn’t for any of the lawyers either; they get paid and move on, regardless of the outcome of the case. It isn’t for the jurors, since by law they have no connection to the people involved either.

It isn’t justice for the family and friends of Mr. Wilson. Those who tried to care for him and help him become a productive member of society are losing someone they love. Those who failed him aren’t being punished for their failures; they’re getting away with it.

It isn’t justice for the family and friends of the two police officers who were murdered. They don’t get Detective Andrews or Detective Nemorin back. And it certainly isn’t justice for the two detectives; their lives are still lost.

So if the death penalty isn’t a deterrent and it isn’t justice, what is it? In fact, there is only one reason for executing someone in this position, and that reason is revenge. But revenge as a motivation is, at best, self-defeating, and often results in more violence. Today’s Sunni-Shia wars are a perfect example of revenge, lasting over 1,300 years. That is why such a variety of people, from the author of Deuteronomy to St. Paul to Shakespeare to Alan Jay Lerner and Frederick Loewe have railed against it.

Adding to the fact that there is no good reason for capital punishment is the question of how many innocent people have been killed by the state. The Innocence Project has exonerated dozens of people who were convicted, “beyond a reasonable doubt,” of crimes for which they were sentenced to death. How many others were not so fortunate?

Giving in to the desire for revenge is easy, and resisting that urge is extremely difficult. So we still have capital punishment available in our society. Perhaps we will one day decide, once and for all, that revenge has no place in our system of justice. Until then, people will continue to be murdered by our society in the phony name of justice, and only for revenge.