

# Critical Thinking and Ethics

## Final Paper: The Death Penalty

### **Purpose**

The purpose of this assignment is to review the ethical theories covered in class, demonstrate your comprehension of their key concepts and principles, and to use them to make a conclusion about the morality of the death penalty.

### **Skills**

This assignment will help you practice the following skills:

- Structuring an essay.
- Writing analytically.
- Comparing and contrasting different views.
- Applying theory to a concrete issue.

### **Knowledge**

This assignment will help you become familiar with the following content.

- Moral Theory
- The Death Penalty

### **Task**

In this paper you will review the three ethical theories covered in class and apply them to the debate over the death penalty. The three ethical theories are utilitarianism, the ethics of autonomy, and social contract theory. All of these theories have something to say about the nature of morality in general, and while none of them are specifically about the death penalty, they can help us make a judgment about its rightness or wrongness.

Begin by reading the two 1000wordphilosophy.com articles by Yost and Rodgers:

<https://1000wordphilosophy.com/2019/07/28/the-death-penalty/>

and

<https://1000wordphilosophy.com/2019/02/05/theories-of-punishment/>

Then read the following New York Times articles about the execution of Lisa Montgomery, available on Blackboard (warning - they are disturbing):

- Rachel Louise Snyder - Punch After Punch, Rape After Rape, a Murderer Was Made
- Hailey Fuchs - U.S. Executes Lisa Montgomery for 2004 Murder

You may cite these and the articles below when writing your essay. You are prohibited from using any other outside sources.

- John C. Kissinger Jr. – The Death Penalty Should be Maintained
- Kim Evans – The Death Penalty Should be Abolished
- David Weinberger – Why Morality Demands the Death Penalty
- David R. Dow – Lessons from Death Row Inmates (Ted Talk)

For your paper:

1. First, describe the difference between forward-looking theories of punishment and backward-looking theories of punishment. Explain how a proponent of the death penalty might appeal to forward-looking and backward-looking theories of punishment to justify executing our society's worst criminals. (2 paragraph minimum, **30 points**)
2. Briefly summarize what utilitarianism says is the difference between right and wrong. Then explain whether a utilitarian would favor keeping or favor abolishing the death penalty. A complete answer will include the concept of "opportunity costs" and a consideration of how alternatives to the death penalty would raise or lower society's happiness. (2 paragraph minimum, **30 points**)
3. Briefly define and illustrate what autonomy is and give reasons for thinking that we have a moral obligation to respect people's autonomy. Then explain whether or not people would deserve to be punished for their crimes if they *didn't* have autonomy. Assuming we do have autonomy, does someone deserve to be punished more harshly because they harm someone on purpose rather than by accident? Why or why not? (2 paragraph minimum, **30 points**)

4. Briefly explain what we know and what we don't know behind the "veil of ignorance" in John Rawls' social contract theory. Then explain whether we would vote to keep or abolish the death penalty if we were in Rawls' "original position" behind the veil of ignorance and why. (2 paragraph minimum, **30 points**)
5. Make a concluding moral judgment about keeping or abolishing the death penalty. This judgment may include qualifications about who should be executed and why, but it cannot be ambiguous, it must be clearly either in favor of or opposed to abolishing the death penalty. Note, the moral judgment you decide to defend here does not need to be your actual personal view; it can be any judgment that you believe can be defended using reason. (1 paragraph minimum, **20 points**)
6. Identify the best reason(s) in support of your conclusion and explain why it (they) is conclusive. It is okay if this paragraph partially repeats what you've written in steps 2-4. (1 paragraph minimum, **30 points**)
7. Then, provide what you think is the best objection to your conclusion in step 6 and respond to the objection. (2 paragraph minimum, **20 points**)
8. Evaluate the U.S. government's decision to execute Lisa Montgomery in light of your conclusion. Was the government's decision correct? Why or why not? (2 paragraph minimum, **20 points**)
9. Finally, provide a works cited page that provides the references you used, written in [MLA format](#). This page will include at least the 1000 word philosophy articles, the NY Times article, as well as any of the other sources provided, if you chose to refer to them. (**20 points**)

## Criteria for Success

Your paper must be in double-spaced, professional 12-point font. The text must be left-aligned. Give it an appropriate title and bold and/or underline the title. Make sure your name and date are on it, but don't put the name of the professor.

- Every step of the task is completed, and in the proper order.
- Every step is written primarily in your own words. If you quote the course material or readings, be sure to properly cite the work. (If you quote my PowerPoints directly, you can simply include my last name in parentheses, along with the date of the lecture).
- The paper does not contain any “filler,” i.e. sentences unrelated to the prompt or their paragraph's main idea.
- The paper has the proper typesetting spelling, grammar, paragraph structure and editing.
- Correctly following these criteria is worth **20 points**.