

## Death Penalty Context — and Fresh Ways to Move Ahead

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### The Death Penalty Is Part of the U.S.'s Culture of Violent Punishment:

The movement to abolish the death penalty can make more progress by understanding it from several different perspectives and devising strategies for each valid perspective.

For example, we could see it in the context of the U.S.'s longstanding culture of violent punishment – typically without due process. **Examples include:**

- The old “Wild West” legacy of posses to hunt suspects and hang them (*e.g.*, the 1943 movie “The Ox-Bow Incident”)
- Racist lynchings of African-Americans
- The “tough-on-crime” laws that emphasize severe punishment instead of either prevention or rehabilitation
- The “stand-your-ground” laws that let ordinary people shoot and kill suspects
- The increasingly violent and militarized policing of American cities, with special emphasis on police violence against African-Americans
- The U.S.'s willingness to bomb other countries for our government's perception of their misbehavior

### Yes, the Death Penalty Is Similar to the U.S.'s Violent Foreign Policy:

War and the death penalty draw from the same roots and cause many of the same problems.

#### **Both war and the death penalty:**

- Think we can solve problems by killing people
- Avoid looking for underlying systemic roots of problems
- Assume that “we” are righteous and pure, but “they” are totally evil and cannot be rehabilitated
- Practice racism, classism, xenophobia, and other kinds of oppression against “the other”
- Dehumanize other people (even calling them “monsters” instead of human beings)
- Often break laws (domestic laws and international laws) in order to carry out their killing
- Break apart the human family (within a state or nation or the world) rather than promote healing
- Waste huge amounts of money on methods that only make problems worse

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## **We Understand Our Needs and Values.**

### **Can We Also Understand The Needs and Values of People on the Other Side?**

Recently a friend told me about protesting against nuclear weapons in the US and also in the USSR during the Cold War. Americans told him that our weapons protected peace, but their weapons showed their intention to start a nuclear war. Russians told him exactly the same thing, but from their perspective in a mirror image.

We who oppose the death penalty recognize the merit in the values and needs that motivate us. But we tend to mischaracterize the values and needs that motivate the people who support the death penalty. Our reasons are good and wise, but their reasons are bad and ignorant.

There are several reasons why we need to honestly understand the people who support the death penalty. The most obvious reason, of course, is so we can design strategies and messages that will speak to their values and their needs, so we can undermine or counter their reasons and help them change toward accepting abolition.

But a more subtle reason is to retrieve the death penalty issue from a domestic Cold War polarization in which each side vilifies the other. Underlying many abolitionists' motivation is the desire for a more humane and inclusive society without fear and anger toward "the other," which drives so much of U.S. foreign and domestic policy. Abolitionists' strategy could "walk the talk" and avoid using disparaging or mean-spirited words when discussing people who support the death penalty.

Perhaps retrieving the debate from an "us-vs.-them" mindset could foster a public conversation that actually moves toward solutions – not only regarding the death penalty, but also regarding other issues such as gun violence, women's rights, GLBT rights, environmental protection, the climate crisis, poverty, foreign policy, separation of church and state, and so forth.

## **How Can We Find Compassion for People Who Are Trapped in a Mindset?**

When I first typed this heading I worded it, "People Who Are Tripped in That Mindset." Then I realized that the logic of this article pertains to those of us who are trapped in our mindset as well. Labeling only other people as trapped in their mindset only perpetuates the polarization and impedes satisfactory solutions. All people need to be freed from such entrapment. Breaking free requires compassion for all of us.

For that matter, it's interesting to note that my values are a "commitment," but my adversary's values are a "mindset." Hmmmm.

How might the public conversation about the death penalty be different if neither side blamed or vilified the other?

- If death penalty supporters did not accuse abolitionists of not wanting to hold murderers accountable?
- If abolitionists did not accuse supporters of being motivated by hatred and violent vengeance?
- If death penalty supporters did not accuse abolitionists of not caring about victims?
- If abolitionists did not accuse supporters of being racist?

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What would happen if someone were to facilitate a conversation using Marshall Rosenberg's Nonviolent Communication (also called "Compassionate Communication") methodology?

What would happen if we were to have a conversation that searched for common ground – public policies that people on both sides of the debate could agree on – such as certain kinds of crime-reduction programs, services for victims' families, etc.? We could use this conversation and these agreements as "Confidence-Building Measures" (the term for these kinds of international negotiations between opposing nations to agree to some modest-level agreements, with the intention that these create confidence that they can also follow up and negotiate more substantive issues).

In what other ways might we change the ways that people on each side of the death penalty issue interact so as to detoxify the conversation, lay a foundation for a more solutions-oriented way of discussing controversial public policy issues, and lead to a more civilized civil society?

I invite your thoughts about the approach sketched out above.

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