

May 9, 1979

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as a deterrent to crimes for potential offenders have occasioned a great deal of debate. The results simply have been inconclusive. This article says the Justice went on to say with approval of the position of Professor Charles L. Black that no conclusive evidence would ever be available on the question of deterrents and it is my personal opinion that that is the case for the reason that social science simply is not a science and not equipped to deal with all of the factors and control all of the factors that go into determining what deters crime. Putting statistics aside, in my own mind I then go back to common sense, to history, and more than that, to literature. I believe that history and literature shows that all men fear or have a great apprehension of death, and not just western history, not just western literature but all literature. Just quoting briefly from Shakespeare. "Death is a fearful thing. Ah, but to die and go we know not where. To lie in cold obstruction and to rot. The weariest and most loathed worldly life that age, ache, poverty and imprisonment can lay on nature is a paradise to what we fear of death." It seems logical to me that this fear, this apprehension, is not only common among men who do not commit crimes but is also common among men who commit crimes and among men who murder. I can't say for sure, nobody can, that all who murder have fear of death or apprehension of death. Maybe some do not. But it seems reasonable to me to assume that a portion of those people do, and to the extent that that portion does, it seems to me logical then to conclude that the death penalty will have an effect of deterring that portion. Secondly, I would ask you to consider for a moment our entire criminal system.

SPEAKER MARVEL: You have one minute.

SENATOR BEUTLER: From the lowest crime to the highest crime, it is structured on the premise that the harsher punishment is the greater deterrent. I doubt if you will find very many of the abolitionists speaking today who would be willing to say that the penalty for armed robbery should be the same as the penalty for petty larceny and the reason they wouldn't say that is because they think a greater deterrent, a harsher penalty, is necessary to deter the more serious crime, either that or they must be saying that what they call revenge and retribution is necessary in greater portions for the greater crime. Now I don't think they would be saying that. If you looked at it from the pure point of view of rehabilitation, they probably should be arguing that all the penalties should be the same, for I think it is at least arguable that the time