

*Death Penalty and Life  
Imprisonment*

サンプル問題  
Death Penalty  
(英文和訳用)

LEO





◇ Death Penalty

- ◇ During my 27 years as director of the Michigan Department of Corrections, I have learned more than I care to know about murder. I have reviewed the grisly details of many homicides. I have come to know well many murderers who were serving out their adult lives in prisons.
- ◇ Some of these people, in my opinion, may deserve to die for their crimes. But I have come to the conclusion that we, as a civilized society, should not kill them.
- ◇ We should not because the death penalty fails the two tests against which any just sanction must be measured.
- ◇ The first test is that the sanction must be in our public self-interest, which in this instance means that we protect our own lives by taking the life of another. (1)In my profession, public protection is my primary responsibility. Therefore, if I had grounds for believing that the execution of convicted murderers saved the lives of innocent people, I would be obligated to endorse capital punishment.
- ◇ But capital punishment does not protect. Few issues in criminal justice have seen as much research over the last 40 years as the deterrent impact of executions, and there is no issue I am aware of in which the balance of evidence weighs so heavily on the negative side. There is even the possibility that some murderers see execution as a martyrdom which will provide a dramatic end to a life of hatred for themselves and others.

- ◇ It is sometimes said that even though an execution may not deter others, it at least prevents the freeing of the murderer in a few years to kill again. In Michigan, which has not executed anyone in nearly a century and a half, we have no record of any person commuted from a sentence of first-degree murder, who repeated that crime. First-degree murderers who do not die in prison serve an average of 25 years before release, and their record thereafter is exemplary. To argue that we need capital punishment for our own safety will not stand scrutiny; life imprisonment is adequate for that purpose.
- ◇ The second proper test of any penalty exacted by a civilized society is that it can be applied with assurance of justice and fairness. Capital punishment clearly fails this test as well.
- ◇ It fails a test of social justice in that it has been disproportionately applied to minorities. This disturbing aspect of the death penalty application remains a problem even today. A recent study in our own state shows that both the race of the offender and the victim are factors in determining whether a person will be convicted of a first-degree murder or of a lesser crime. Research in other states has consistently shown a similar pattern of racial discrimination in assigning the death penalty.

- ◇ There also is the ever-present possibility—and over time the certainty—of the ultimate injustice: the socially approved execution of a person who happens to be innocent. Despite all judicial safeguards, some persons serving prison terms for murder in the first degree have been subsequently found to have been wrongfully convicted. At that point a prison term can at least be abridged, but a life cannot be restored.
- ◇ I am convinced capital punishment fails all proper criteria of an effective and just response to homicide. But there is yet a strong reason why we, as civilized people, should not kill even the most hateful and undeserving of criminals. (2)That is the brutalizing effect which the death penalty has on the public which imposes it. Deliberate, unnecessary killing cheapens the value of human life.
- ◇ Once we recognize that the death penalty is neither a just nor effective response to murder, then only vengeance is left. Several years ago, Canada's Pierre Trudeau asked this question: “(3)Are we so bankrupt as a society, so lacking in respect for ourselves, so lacking in hope for human betterment, so socially bankrupt that we are ready to accept vengeance as a penal philosophy?”
- ◇ I am proud that Michigan continues to answer no to that question.

- ◇ [設問1] 作者が二重下線部のような結論に達した理由を本文に即して二つ挙げよ。(各100字以内)
- ◇
- ◇ [設問2] 下線部(2)を具体例を挙げて説明せよ。
- ◇
- ◇
- ◇ [設問3] 下線部(1)(3)を和訳せよ。(a penal philosophy: 刑法哲学)



- ◇ 2 The following is part of an interview between a journalist and a representative of the Campaign for the Abolition of the Death Penalty. Read the questions (1-9) and find the answer (a-i) that *best* matches each of them.

- ◇ QUESTIONS

- ◇ (1) But why do you insist so strongly that the death penalty should be abolished?
- ◇ (2) Shouldn't you be more respectful towards victims of violent crime and their relatives?
- ◇ (3) But surely there's nothing in international law prohibiting use of the death penalty?
- ◇ (4) Many experts have said that the death penalty is an effective weapon for a state in its fight against crime. How can you answer them?
- ◇ (5) There have been cases where prisoners have been released, and committed further horrible crimes. Isn't the death penalty the only solution in such cases?
- ◇ (6) Some crimes are surely so awful that death is the only appropriate punishment. Don't you agree?
- ◇ (7) Surely, for some prisoners, there is more suffering in being locked up for life than in being executed?
- ◇ (8) How would you answer, say, those Japanese who complain that your criticisms of their system are just another attempt by the West to "impose their cultural values on us" ?
- ◇ (9) The weakest point of your position, don't you think, is that a clear majority of public opinion actually supports the death penalty?

- ◇ ANSWERS

- ◇ a. The reasons for this are complex, but are largely emotional. Things would be very different if more information was available about the reality of the death penalty and how it is applied.
- ◇ b. Well, no convincing scientific evidence has ever emerged that executions prevent crime more effectively than life imprisonment.
- ◇ c. What's important here is the finality and cruelty inherent in the death penalty. Yes, we must sympathize with all victims, direct and indirect, of human rights abuses. But this does not mean that we should respond to violent crime in a manner incompatible with modern civilized behavior.
- ◇ d. Nobody knows whether an executed criminal would actually have repeated the crimes for which he was found guilty.
- ◇ e. Human rights are universal. It does not matter where they were developed and formulated; their contents derive from many different traditions and are acknowledged by all the members of the United Nations as the standards by which they have agreed to abide.
- ◇ f. Central to human rights is that they are universal. That is, they are accorded equally to every individual regardless of their status, ethnicity, or religion. Nor may they be taken away, no matter what. Human rights apply to the worst of us as well as to the best of us.
- ◇ g. The Universal Declaration of Human Rights not only recognizes each person's right to life; it also states directly that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." The death penalty directly violates these rights.
- ◇ h. The death penalty — that is, the cold-blooded killing of a human being by the state — is the ultimate denial of human rights. It violates, in the name of justice, the right to life proclaimed in the Universal Declaration of Human Rights.
- ◇ i. Not many people understand the unique cruelty of the death penalty, which involves not only the inhumanity of the execution itself, but the long wait on death row— often lasting many years—contemplating that dreadful moment.

単語テスト

- 1 She seems to be sadly \_\_\_ in tact.
- 2 The speech was a \_\_\_ attempt to embarrass the government.
- 3 The opposition attacked the government as morally \_\_\_ .
- 4 Dillon has \_\_\_ nearly all his sentence.
- 5 Such things should not be allowed to happen in a \_\_\_ society.
- 6 Our \_\_\_ concern is to provide the refugees with food and health care.
- 7 The sentence was later \_\_\_ to life imprisonment.
- 8 We have seen a \_\_\_ increase in the crime rate.
- 9 She's threatening to sue her employers for \_\_\_ dismissal.
- 10 He was \_\_\_ for treason.
- 11 Close \_\_\_ of the document showed it to be a forgery.
- 12 Window locks are an effective \_\_\_ to potential burglars.
- 13 The committee has \_\_\_ our proposals.
- 14 I'm fed up with your \_\_\_ negative attitude.
- 15 Jane has strong \_\_\_ for asking for more money.
- 16 Despite my repeated \_\_\_ , Rod still looked very nervous.
- 17 So far all attempts to \_\_\_\_\_ normal relations between the two countries have failed.
- 18 His \_\_\_ behavior impressed all our staff.

- ◇ civilized    disturbing    lacking    grounds  
 bankrupt    commuted    executed    wrongful  
 served out    endorsed    consistently    deterrent  
 primary    restore    deliberate    exemplary  
 assurances    scrutiny

1	2
3	4
5	6
7	8
9	10
11	12
13	14
15	16
17	18



ありがとうございました。

LEO



メール

[yamas@leo21.net](mailto:yamas@leo21.net)

yamas@leo21.net  
yamas@leo21.net



電話

0422-70-5205

0422-70-5205  
0422-70-5205  
0422-70-5205

