

## Moral Disengagement in State Executions

People ordinarily refrain from behaving in ways that violate their core moral standards because such conduct will bring self-censure. However, in some institutional role functions, such as military combat and state executions, the taking of human life presents a grave moral predicament. Intentional infliction of death and destruction can, therefore, exact a heavy emotional toll and leave a troubled and haunted life by those who have to do it. The challenge is to explain how individuals who are caring and compassionate in other aspects of their lives can perform roles that require them to take a human life.

In the course of socialization, people adopt standards of right and wrong that serve as guides and deterrents for conduct. They do things that give them satisfaction and a sense of self-worth, and refrain from behaving in ways that violate their moral standards because such conduct will bring self-condemnation. However, moral standards do not function as fixed internal regulators of conduct. Moral self-sanctions do not come into play unless they are activated, and there are a variety of psychosocial mechanisms by which such sanctions can be selectively disengaged from lethal conduct. This enables individuals to carry out lethal functions without the restraint and personal costs of self-censure. The present article examines the critical role of selective moral disengagement in state executions.

Figure 1 presents the eight psychological mechanisms by which moral self-sanctions are suspended and the four sites in the moral control process where this can occur. At the behavioral locus, worthy ends are used to vindicate lethal means. This is achieved by moral and utilitarian justifications. They include biblical imperatives that murder must be avenged, and the necessity to execute murderers to maintain societal order, deter others from homicidal crimes, and to spare societies the costs of life imprisonment. Euphemistic language sanitizes the taking of human life as simply a legal penalty and clothes executions in pallid legalese. Advantageous comparison renders executions merciful by contrasting them to the heinous homicides committed by the condemned inmates.

At the agency locus, one's role in the lethal activity is obscured or minimized by displacement and diffusion of responsibility. The path to death of a condemned inmate involves fragmentation of the execution process across jurisdictional systems and subfunctions of the lethal procedure so that no one feels that they are the actual agent of the death penalty. At the outcome locus, the experienced suffered during the execution is minimized or disputed. At the inmate locus, the condemned are dehumanized, bestialized, and blamed for bringing the execution on themselves by their heinous crimes. Among the various mechanisms of moral disengagement, moral justification is especially influential because it serves a dual function. Investing lethal means with moral and humanitarian purposes both enlists moral engagement in the service of the enterprise

and disengages self-censure for those who have to implement the deathly means. The mechanisms usually work in concert. Moreover, they operate at the social systems level as well as at the individual level.

Moral disengagement is enlisted at each of the three levels in the application of the death penalty – at the societal, judicial, and execution levels. At the societal level, moral disengagement eases the public’s qualms about the use of executions for capital offenses. The higher the moral disengagement the stronger the public support for the death penalty. Moral concerns are mitigated when state executions are viewed in the abstract under the sanitized label of “capital punishment.”

Those who favor the death penalty are far removed from its implementation in the execution chamber. It is a graver moral predicament for jurors who make decisions that sentence a person to death. Craig Haney identified the unique conditions built into the sentencing process that enable jurors to sentence a person to death. These conditions reflect the various modes of moral disengagement. Because of the widespread public support for state executions, most members are already favorably disposed to the death penalty through repeated societal justifications. Politicians trade on it. Individuals who unalterably oppose the death penalty are eliminated when the jury is impaneled. Attorneys battle over the personalization and dehumanization of defendants. As previously noted, displacement and diffusion of responsibility for the execution also figure prominently in the sentencing process. Jurors view their decisions as compelled by the sentencing instructions rather than as a personal decision. This displacement of responsibility is aided by prosecutors who often present them with misleading and forced choices on capital sentencing.

Jurors not only minimize their personal responsibility for their collective decision but play down its consequences as well. They contend that Appellate judges will ultimately decide the question. They also believe that, even if the death sentence is upheld, the execution is unlikely to happen. “They don’t put you to death. You sit on death row and get old.” The weakening of moral engagement by distal role in the execution process is captured by Sara Rimer in the remarks of a retiring warden. “If jurors had to draw straws to see who was going to pull the switch or start the lethal injection, there wouldn’t be as many executions.

The gravest moral predicament is faced by executioners who have to kill a human up close and by their own hand. Unless they suspend moral self-sanctions for the intentional taking of a human life, they would have difficulty doing it, and would be burdened by a troublesome legacy were they to do so. Michael Osofsky, Albert Bandura and Philip Zimbardo examined, in three penitentiaries, the pattern of moral disengagement in three subgroups of prison personnel depending on the type and degree of their involvement in the execution process. Prison guards who had no involvement in the execution process, and were thus spared a grave moral predicament, exhibited little moral disengagement. Members of the support team, who provide solace to the families of the victim and the inmate, disavowed moral disengagement. Members of the execution team, who perform key roles in the execution itself, enlisted all of the modes of moral disengagement. They adopted biblical, economic, and societal security justifications for

the death penalty, ascribed subhuman qualities to condemned inmates, and disavowed a sense of personal agency in the taking of life. In the course of providing ameliorative aid, the support personnel hear the families of the victims recount the brutal ways in which their loved ones were murdered. As a consequence, members of the support team change from moral engagers to moral disengagers with increasing participation in executions.

The members of the execution team see themselves as doing society's work as in any other job in an institutional service facility. Their focus is on performing the sub-functions proficiently. To negate moral self-sanctions, executioners seek solace in the dignity of the process and in the view that condemned killers have a degraded aspect to their nature and executing them will protect the public. The executioners described the desensitization through routinization: "No matter what it is, it gets easier over time. The job just gets easier." The routinization is fostered by a sense of duty and professionalism in carrying out the executions. However, some were distressed by the fact that they no longer were perturbed by their deadly activity: "The hardest thing for me is that the first one really affected me and the next two to three didn't. It affected me that it didn't affect me."

Executions are achieved through the collective effort of many people, each efficiently performing a small part. Responsibility for the executions is displaced to societal policies, the dictate of the law, and jurors' decisions. As one of the guards put it, his job is simply to carry out the order of the state. "It's not up to me to say yea or nay. That's for the judges and juries. I'm not a part of the deal-making process. I'm here to do the job."

The institutional arrangement diffuses the agentic subfunctions across a variety of individuals, each performing only a small bit in the division of labor. The strap-down is accomplished by highly fractionated, diffused responsibility. Each member straps a particular part of the body: left leg, right leg, left arm and torso, right arm and torso, head. They approach their task with a strong sense of technical responsibility. "We each have a small role on the team. We carry out a job for the state." Fragmentation structurally builds a low sense of personal responsibility into the death penalty system. The moral disengagement power of diffusion of responsibility through task fractionalization is reflected in the remarks of a guard in San Quentin who strapped down the offenders' legs to the death chair in 126 executions. "I never pulled the trigger," he said, "I wasn't the executioner."

The executioners relied on a variety of strategies to manage the emotional aspects of a worklife that requires them to put a person to death. Construing executions as serving high moral and societal purposes spared them a heavy emotional toll. "I wouldn't do it at all if it didn't feel right. I'd stop if I felt it were against my morals and the bible." Societal legal sanctions had similar effects: "According to the law this was justified. I never felt pain or sorrow." Depersonalization of the relationship with condemned inmates was another ameliorative strategy: "It makes it really stressful getting to know the inmates. By not knowing them, you can do your job. Getting to know them makes it tough." Inmates' expressed attitudes of cruelty also made it easier to execute them: "Some of the inmates talk about killing people like eating a bag of potato chips. That makes it easier."

Selective control of one's own consciousness is still another emotion regulation strategy for lessening perturbing ruminations. Members of the execution team adopted a firm compartmentalization of their worklife and homelife: "My life is like a switch. I turn it on when I get here and turn it off when I leave. I won't let myself take my job home."

As shown by Samuel Gross and Phoebe Ellsworth, the American public is experiencing a conflicting view regarding state executions. People voice substantial support for the death penalty while doubting its deterrent value, and acknowledging that the judicial system is often administered unfairly and cannot fully protect innocent defendants from being put to death. Erosion of public support leaves executioners with the ghastly task of executing individuals stripped of moral justifications for it. "Having the whole country concerned about the death penalty creates more stress for us than the actual execution."

### *Cross References*

Death Penalty, Death Qualification of Juries, Jurors' and Judges' Instructions, Jury Selection, Jury Understanding of Judges' Instructions in Capital Cases

### *Further Readings*

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### *Figure Caption*

Mechanisms through which moral self-sanctions are selectively disengaged from detrimental conduct at different points in the self-control process.