

THE UNITED STATES AND THE DEATH PENALTY

A BRIEF HISTORY OF THE DEATH PENALTY IN THE UNITED STATES

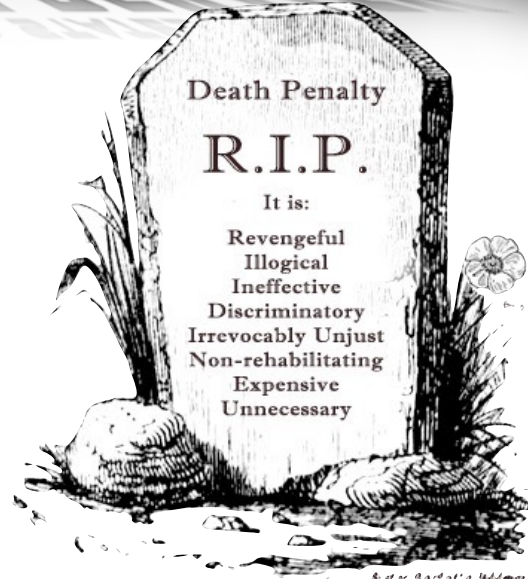
Background

In the United States, the death penalty has faced several recent challenges. In 1972, the U.S. Supreme Court ruled that capital punishment, as then applied, violated the Eighth Amendment to the Constitution forbidding "cruel and unusual punishments." The court declared that the states were applying the death penalty unfairly and unevenly.

Crowded Death Rows

The immediate effect of this ruling was to stop all executions in the United States. But in 1976, the U.S. Supreme Court ruled that the death penalty could be constitutional. It warned, however, that the death penalty could not be mandated, required by law. And it said that judges and juries must be adequately informed about the appropriateness of a death penalty.

Most states rewrote their death-penalty laws, making them constitutional. There has since been an upsurge in the number of people sentenced to death. Throughout the nation, prisons now have to cope with crowded death rows. The number of condemned people actually executed, however, has remained much smaller than in the past. In the 1930s, murderers were being executed at an average of 167 a year. In 1937, the number of executions had an all-time peak of 199.



Opponents

They are against the death penalty not because they think courts should be kind to convicted killers, but because they don't believe that anyone should be legally killed. They argue that executions just teach brutality.

"If the law supports killing people—even for the worst crimes—it makes us all killers," says a Texas attorney.

Opponents also point to studies showing that African Americans and poor people are more likely to get the death penalty than other Americans. Because of this unfairness, they argue, the death penalty violates the Eighth Amendment to the U.S. Constitution, which prohibits "cruel and unusual punishments."

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Overview

1. What type of document is it?
2. What is the main topic?

Focus

3. What happened in 1972?
4. What happened in 1976?
5. What can you say about the 1930's in the USA concerning the death penalty?
6. What are the opponents' main arguments against the death penalty?

