

Death Penalty Research Paper

12 pages | 2853 words

I. Introduction

The death penalty in the United States is a constant source of controversy. Efforts to abolish capital punishment in America date back to over 100 years and continue to expand in present-day. In addition, all 50 states vary in their retention and application of the death penalty. Currently, the death penalty is legal in 32 states, the distribution of the actual executions however, is quite wide. The five states with the highest number of executions performed account for approximately 65% of the total executions in the country since the US Supreme Court re-affirmed and reinstated the death penalty in 1976. The state of Texas alone is responsible for almost 37% of the country's executions. In contrast, 14 states have executed five or fewer prisoners since 1976.

II. History

Since the earliest societies, capital punishment has been used as a method of crime deterrence.

Historical archives show that the even the most primitives tribes utilized methods of punishing culprits that often included taking their lives in order to pay for the crimes they committed. Murder most often warranted this ultimate form of punishment but other points of view are in [argumentative essays](#).

As tribal societies formed social classes and man-kind developed its own self-governed republics, capital punishment became a usual response to a variety of crimes, such as sexual assault, military offenses and treason. Written rules were created to alert the people of the penalties that could face them should they participate in any wrongdoing. One of the earliest written documents observed that supported the death penalty was the Code of Hammurabi, written on stone tablets around 1760 BC. The code contained approximately 282 laws that were proposed by the Babylonian King Hammurabi and included the theory of an "eye for an eye." Several other ancient documents were also supportive of the death penalty; these included the Christian Old Testament, the Jewish Torah, and the writing of Athenian legislator Draco, who was a proponent of capital punishment for a large number of offenses in Ancient Greece.

The earliest forms of the death penalty were intended to be painful, slow and torturous. Some ancient cultures employed methods of crucifixion, stoning, and being burned at the stake among others. Later civilizations found these methods to be cruel, unusual forms of punishment and thus opted for more humane practices. During the 18th and 19th centuries, legislators found less painful and faster approaches to execution, which included beheading by the guillotine and hanging. These practices were typically large public spectacles and were not any less bloody or violent but death was almost always instantaneous, so they were perceived as being more compassionate.

III. In the United States

Capital Punishment in the United States dates back to the founding of the original colonies, and was used for a variety of crimes such as burglary, treason, counterfeiting and murder. During the American Revolution, legislators in the United States began to examine and revise policies behind the death penalty. In 1971, the constitution was amended to prohibit any form of...

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The Death Penalty in America Hugo Adam Bedau, 1998-05-28 A J Richards *The International Library of Essays on Capital Punishment, Volume 2* Peter Hodgkinson, 2016-12-05 The essays selected for this volume develop conventional abolition discourse and explore the conceptual framework through which abolition is understood and posited Of particular interest is the attention given to an integral but often forgotten element of the abolition debate alternatives to capital punishment The volume also provides an account of strategies employed by the abolition community which challenges tired methodologies and offers a level of transparency previously unseen This collection tackles complex but fundamental components of the capital punishment debate using empirical data and expert observations and is essential reading for those wishing to comprehend the fundamental issues which underpin capital punishment discourse **The International Library of Essays on Capital Punishment, Volume 1** Peter Hodgkinson, 2016-12-05 This volume provides up to date and nuanced analysis across a wide spectrum of capital punishment issues The essays move beyond the conventional legal approach and propose fresh perspectives including a unique critique of the abolition sector Written by a range of leading experts with diverse geographical methodological and conceptual approaches the essays in this volume challenge received wisdom and embrace a holistic understanding of capital punishment based on practical experience and empirical data This collection is indispensable reading for anyone seeking a comprehensive and detailed understanding of the complexity of the death penalty discourse *The Death Penalty* Roger Hood, Carolyn Hoyle, 2015-01-08 The fifth edition of this highly praised study charts and explains the progress that continues to be made towards the goal of worldwide abolition of the death penalty The majority of nations have now abolished the death penalty and the number of executions has dropped in almost all countries where abolition has not yet taken place Emphasising the impact of international human rights principles and evidence of abuse the authors examine how this has fuelled challenges to the death penalty and they analyse and appraise the likely obstacles political and cultural to further abolition They discuss the cruel realities of the death penalty and the failure of international standards always to ensure fair trials and to avoid arbitrariness discrimination and conviction of the innocent all violations of the right to life They provide further evidence of the lack of a general deterrent effect shed new light on the influence and limits of public opinion and argue that substituting for the death penalty life imprisonment without parole raises many similar human rights concerns This edition provides a strong intellectual and evidential basis for regarding capital punishment as undeniably cruel inhuman and degrading Widely relied upon and fully updated to reflect the current state of affairs worldwide this is an invaluable resource for all those who study the death penalty and work towards its removal as an international goal *On the Alternative Punishment to the Death Penalty in China* Gui Huang, 2024-04-17 This book presents a study of alternative penalties to the death penalty in China aiming to promote theoretical exploration of death penalty reform in China as well as long term penal reform Currently China is endeavouring to control the use of the

death penalty and is gradually moving towards its abolition. The factors influencing the choice of the punishment option to replace the death penalty are complex and varied and include the traditional punishment culture, penalty concepts, the political system, the punishment system, public opinion and human rights etc. Given the differences between China and developed Western democratic states, when we examine these influencing factors, we cannot ignore the culture of the punishment and the special political and legislative system in China. In this light, this work examined and analysed the factors that influence the choice of punishment option to replace the death penalty in this special political system with its clearly Chinese characteristics. Criminal policy and public opinion are two significant and typical factors involving obvious political considerations in China. The former normally reflects and carries out the will of the Government as expressed to the national management; the latter responds to the majority of citizens' view on the current legal system and it is to a great extent the basis for national leadership's running of the country. Even though life imprisonment without release hereinafter (LWOP) has been stipulated by the Ninth Amendment for the crime of corruption, it should not be the preferable option as the alternative sanction to the death penalty because it is a kind of cruel torture and violates the constitutional principle of human rights protection. On the contrary, life imprisonment with possibility of release hereinafter (LWPR) would be an option but the termination mechanisms for inmates should be set out in accordance with the principle of proportional justice. Aggravated life imprisonment can be chosen to replace the death penalty in China. In addition, there needs to be improvements made to the relevant criminal systems. By examining China's death penalty reform and long term imprisonment reform, this book not only explains the methodology of the reform theoretically but also pays attention to the issues of legislation and judicial practice. This book is of interest to scholars and researchers in the fields of criminal justice, penal reform, issues and crime control in China.

The Ethics of Capital Punishment Matthew H. Kramer, 2011-12-15 Taking a fresh look at a central controversy in criminal law theory, *The Ethics of Capital Punishment* presents a rationale for the death penalty grounded in a theory of the nature of evil and the nature of defilement. Original, unsettling and deeply controversial, it will be an essential reference point for future debates on the subject.

Routledge Handbook on Capital Punishment Robert M. Bohm, Gavin Lee, 2017-12-15 Capital punishment is one of the more controversial subjects in the social sciences, especially in criminal justice and criminology. Over the last decade or so, the United States has experienced a significant decline in the number of death sentences and executions. Since 2007, eight states have abolished capital punishment, bringing the total number of states without the death penalty to 19, plus the District of Columbia, and more are likely to follow suit in the near future. Nebraska reinstated its death penalty in 2016. Worldwide, 70 percent of countries have abolished capital punishment in law or in practice. The current trend suggests the eventual demise of capital punishment in all but a few recalcitrant states and countries. Within this context, a fresh look at capital punishment in the United States and worldwide is warranted. *The Routledge Handbook on Capital Punishment* comprehensively examines the topic of capital punishment from a wide variety

of perspectives A thoughtful introductory chapter from experts Bohm and Lee presents a contextual framework for the subject matter and chapters present state of the art analyses of a range of aspects of capital punishment grouped into five sections 1 Capital Punishment History Opinion and Culture 2 Capital Punishment Rationales and Religious Views 3 Capital Punishment and Constitutional Issues 4 The Death Penalty's Administration and 5 The Death Penalty's Consequences This is a key collection for students taking courses in prisons penology criminal justice criminology and related subjects and is also an essential reference for academics and practitioners working in prison service or in related agencies

Innocence and the Death Penalty United States. Congress. Senate. Committee on the Judiciary, 1994

Statistical Challenges in Assessing and Fostering the Reproducibility of Scientific Results National Academies of Sciences, Engineering, and Medicine, Division on Engineering and Physical Sciences, Board on Mathematical Sciences and Their Applications, Committee on Applied and Theoretical Statistics, 2016-02-29

Questions about the reproducibility of scientific research have been raised in numerous settings and have gained visibility through several high profile journal and popular press articles Quantitative issues contributing to reproducibility challenges have been considered including improper data measurement and analysis inadequate statistical expertise and incomplete data among others but there is no clear consensus on how best to approach or to minimize these problems A lack of reproducibility of scientific results has created some distrust in scientific findings among the general public scientists funding agencies and industries While studies fail for a variety of reasons many factors contribute to the lack of perfect reproducibility including insufficient training in experimental design misaligned incentives for publication and the implications for university tenure intentional manipulation poor data management and analysis and inadequate instances of statistical inference The workshop summarized in this report was designed not to address the social and experimental challenges but instead to focus on the latter issues of improper data management and analysis inadequate statistical expertise incomplete data and difficulties applying sound statistical inference to the available data Many efforts have emerged over recent years to draw attention to and improve reproducibility of scientific work This report uniquely focuses on the statistical perspective of three issues the extent of reproducibility the causes of reproducibility failures and the potential remedies for these failures

Capital Punishment: Oxford Bibliographies Online Research Guide Richard Rosenfeld, 2010-05

This ebook is a selective guide designed to help scholars and students of criminology find reliable sources of information by directing them to the best available scholarly materials in whatever form or format they appear from books chapters and journal articles to online archives electronic data sets and blogs Written by a leading international authority on the subject the ebook provides bibliographic information supported by direct recommendations about which sources to consult and editorial commentary to make it clear how the cited sources are interrelated related A reader will discover for instance the most reliable introductions and overviews to the topic and the most important publications on various areas of scholarly interest within this topic In criminology as in other disciplines researchers at all levels are drowning in potentially useful

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Death Penalty Cases Barry Latzer, 2010-10-27 *Death Penalty Cases* presents significant verbatim excerpts of death penalty decisions from the United States Supreme Court The first chapter introduces the topics discussed throughout the book It also includes a detailed history of the death penalty in the United States After this introduction the remaining eighteen chapters are divided into five parts Foundational Cases Death Eligible Crimes and Persons The Death Penalty Trial Post Conviction Review and Execution Issues The first part consisting of five chapters talks about the mandatory death penalty mitigating evidence and racial bias The next part covers death eligible crimes such as rape and other crimes that do not involve homicide and murder The middle part presents the trial process from choosing the appropriate decision makers through the sentencing decision Followed by this is a chapter focusing on the aftermath of conviction such as claims of innocence The book concludes by exploring issues related to execution such as not executing insane convicts Finally execution methods are presented Provides the most recent case material no need to supplement Topical organization of cases provides a more logical organization for structuring a course Co authors with different perspectives on the death penalty assures complete impartiality of the material Provides the necessary historical background a clear explanation of the current capital case process and an impartial description of the controversies surrounding the death penalty Provides the latest statistics relevant to discussions on the death penalty Clearly explains the different ways in which the states process death penalty cases with excerpts of the most relevant statutes *Euthanasia, Abortion, Death Penalty and Religion - The Right to Life and its Limitations* Hans-Georg Ziebertz, Francesco Zaccaria, 2018-11-16 This book considers how the termination of life might be accepted in the view of a general obligation to protect life It features more than 10 papers written by scholars from 14 countries that offer international comparative empirical research Inside readers will find case studies from such areas as India Chile Germany Italy England Palestine Lithuania Nigeria and Poland The papers focus on three limitations of the right to life the death penalty abortion and euthanasia The contributors explore how young people understand and evaluate the right to life and its limitations The book presents unique empirical research among today s youth and reveals that among other concepts religiosity matters It provides insight into the acceptance perception and legitimation of human rights by people from different religious and cultural backgrounds This investigation rigorously tests for inter individual differences regarding political and judicial rights on religious grounds while controlling for other characteristics It will help readers better understand the many facets of this fundamental yet controversial philosophical question The volume will be of interest to students researchers as well as

general readers searching for answers **The Slow Death of the Death Penalty** Todd C. Peppers, Jamie Almallen, Mary Welek Atwell, 2025-07 The book is a postmortem examination of what has killed the death penalty in states across the country

The Politics of the Death Penalty in Countries in Transition Madoka Futamura, Nadia Bernaz, 2013-08-15 The increase in the number of countries that have abolished the death penalty since the end of the Second World War shows a steady trend towards worldwide abolition of capital punishment This book focuses on the political and legal issues raised by the death penalty in countries in transition understood as countries that have transitioned or are transitioning from conflict to peace or from authoritarianism to democracy In such countries the politics that surround retaining or abolishing the death penalty are embedded in complex state building processes In this context Madoka Futamura and Nadia Bernaz bring together the work of leading researchers of international law human rights transitional justice and international politics in order to explore the social political and legal factors that shape decisions on the death penalty whether this leads to its abolition reinstatement or perpetuation Covering a diverse range of transitional processes in Asia Africa Latin America Europe and the Middle East *The Politics of the Death Penalty in Countries in Transition* offers a broad evaluation of countries whose death penalty policies have rarely been studied The book would be useful to human rights researchers and international lawyers in demonstrating how transition and transformation provide the catalyst for several of interrelated developments of which one is the reduction and elimination of capital punishment *Criminal Justice in America* Carla Lewandowski, Jeff Bumgarner, 2020-11-17 This authoritative set provides a comprehensive overview of issues and trends in crime law enforcement courts and corrections that encompass the field of criminal justice studies in the United States This work offers a thorough introduction to the field of criminal justice including types of crime policing courts and sentencing landmark legal decisions and local state and federal corrections systems and the key topics and issues within each of these important areas It provides a complete overview and understanding of the many terms jobs procedures and issues surrounding this growing field of study Another major focus of the work is to examine ethical questions related to policing and courts trial procedures law enforcement and corrections agencies and responsibilities and the complexion of criminal justice in the United States in the 21st century Finally this title emphasizes coverage of such politically charged topics as drug trafficking and substance abuse immigration environmental protection government surveillance and civil rights deadly force mass incarceration police militarization organized crime gangs wrongful convictions racial disparities in sentencing and privatization of the U S prison system

Questioning Capital Punishment James R. Acker, 2014-06-13 The death penalty has inspired controversy for centuries Raising questions regarding capital punishment rather than answering them *Questioning Capital Punishment* offers the footing needed to allow for more informed consideration and analysis of these controversies Acker edits judicial decisions that have addressed constitutional challenges to capital punishment and its administration in the United States and uses complementary materials to offer historical empirical and normative perspectives about death penalty policies and practices

This book is ideal for upper level undergraduate and graduate classes in criminal justice **Unpacking the Death Penalty in ASEAN** Sriprapha Petcharamesree, Mark P. Capaldi, Alan Collins, 2023-03-20 This book contributes conceptually theoretically and morally to a deeper understanding of the distinctive Asian perceptions of punishment justice and human rights Researched and prepared by scholars who have not only been conducting studies on the death penalty in the region but have also been advocating for legal reforms this edited book touches upon the different justifications for the use of capital punishment in the ASEAN region exposing the secrecy sensitivities and dilemmas that mask violations of international human rights laws The chapters bring in numerous new perspectives which have been overlooked in the traditional discourse surrounding the use of the death penalty such as that around crimes that do not meet the threshold of most serious the dignity of death row inmates and their families contradictions within religion and capital punishment and the way in which growing authoritarianism and the media are adversely influencing the public's perception and support for capital punishment in the region In examining how public opinion shapes state policies towards the death penalty and how it varies according to different offences and different states the authors critically analyse how the international human rights mechanisms have specifically called for ASEAN member states to refrain from extending the application of the death penalty and to limit it to the most serious crimes Relevant to socio legal scholars focused on crime and punishment in Southeast Asia and in the Global South more broadly this is a landmark collection in criminology and human rights scholarship Chapter ASEAN and the Death Penalty Theoretical and Legal Views and a Pathway to Abolition is available open access under a Creative Commons Attribution 4.0 International License via link [springer.com](https://www.springer.com) *To Establish Rational Criteria for the Imposition of Capital Punishment* United States. Congress. Senate. Committee on the Judiciary, 1978 Public Opinion, Crime, And Criminal Justice Julian Roberts, 2018-10-08 Taking on one of the most popular issues of the day crime and the way we make sense of it Julian Roberts and Loretta Stalans reveal the mismatch between the public perception of crime and the reality of crime statistics Discussing such issues as public knowledge of crime sources of crime information information processing by the public public attitudes about crime and the effectiveness of punishment this book considers the role that public opinion plays in the politics of criminal justice issues Based on extensive data from the United States with comparisons with Canada and the United Kingdom Roberts and Stalans reveal the truth behind how the public perceives crime and how this perception compares to actual criminal activity **The History of the Death Penalty in Colorado** Michael Radelet, 2017-01-15 In *The History of the Death Penalty in Colorado* noted death penalty scholar Michael Radelet chronicles the details of each capital punishment trial and execution that has taken place in Colorado since 1859 The book describes the debates and struggles that Coloradans have had over the use of the death penalty placing the cases of the 103 men whose sentences were carried out and 100 more who were never executed into the context of a gradual worldwide trend away from this form of punishment For more than 150 years Coloradans have been deeply divided about the death penalty with regular questions about whether

it should be expanded restricted or eliminated It has twice been abolished but both times state lawmakers reinstated the contentious punitive measure Prison administrators have contributed to this debate with some refusing to participate in executions and some lending their voices to abolition efforts Colorado has also had a rich history of experimenting with execution methods first hanging prisoners in public and then starting in 1890 using the twitch up gallows for four decades In 1933 Colorado began using a gas chamber and eventually moved to lethal injection in the 1990s Based on meticulous archival research in official state archives library records and multimedia sources The History of the Death Penalty in Colorado will inform the conversation on both sides of the issue anywhere the future of the death penalty is under debate

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