

The Puzzling Persistence of Capital Punishment

Craig S. Lerner
Antonin Scalia Law School
George Mason University

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Cesare Beccaria On Crimes and Punishments (1764)

- I am prompted by this futile excess of punishments, which have never made men better, to enquire whether the death penalty is really useful and just in a well-organized state. By what right can men presume to slaughter their fellows?



Thomas Jefferson (1778)

- The punishment of death should be abolished, except for treason and murder . . .
- Whosoever shall be guilty of Rape, Polygamy, or Sodomy with man or woman shall be punished, if a man, by castration, if a woman, by cutting thro' the cartilage of her nose a hole of one half inch diameter at the least.

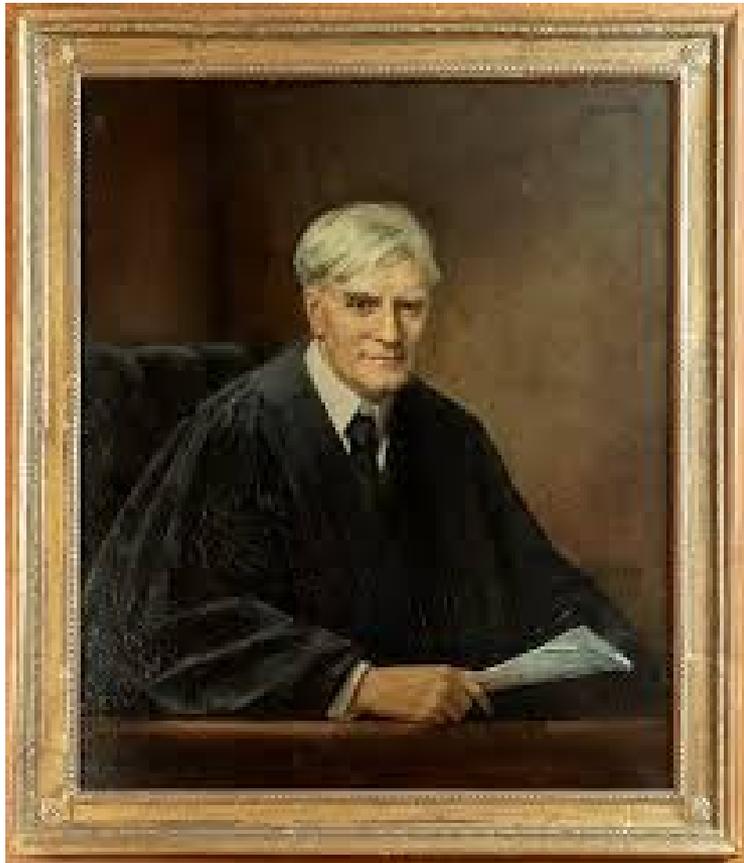


William Thackeray Going To See A Man Hanged (1840)

- There is some talk of the terror which the sight of this spectacle inspires, and of this we have endeavoured to give as good a notion as we can in the above pages. I fully confess that I came away down Snow Hill that morning with a disgust for murder, but it was for the murder I saw done.

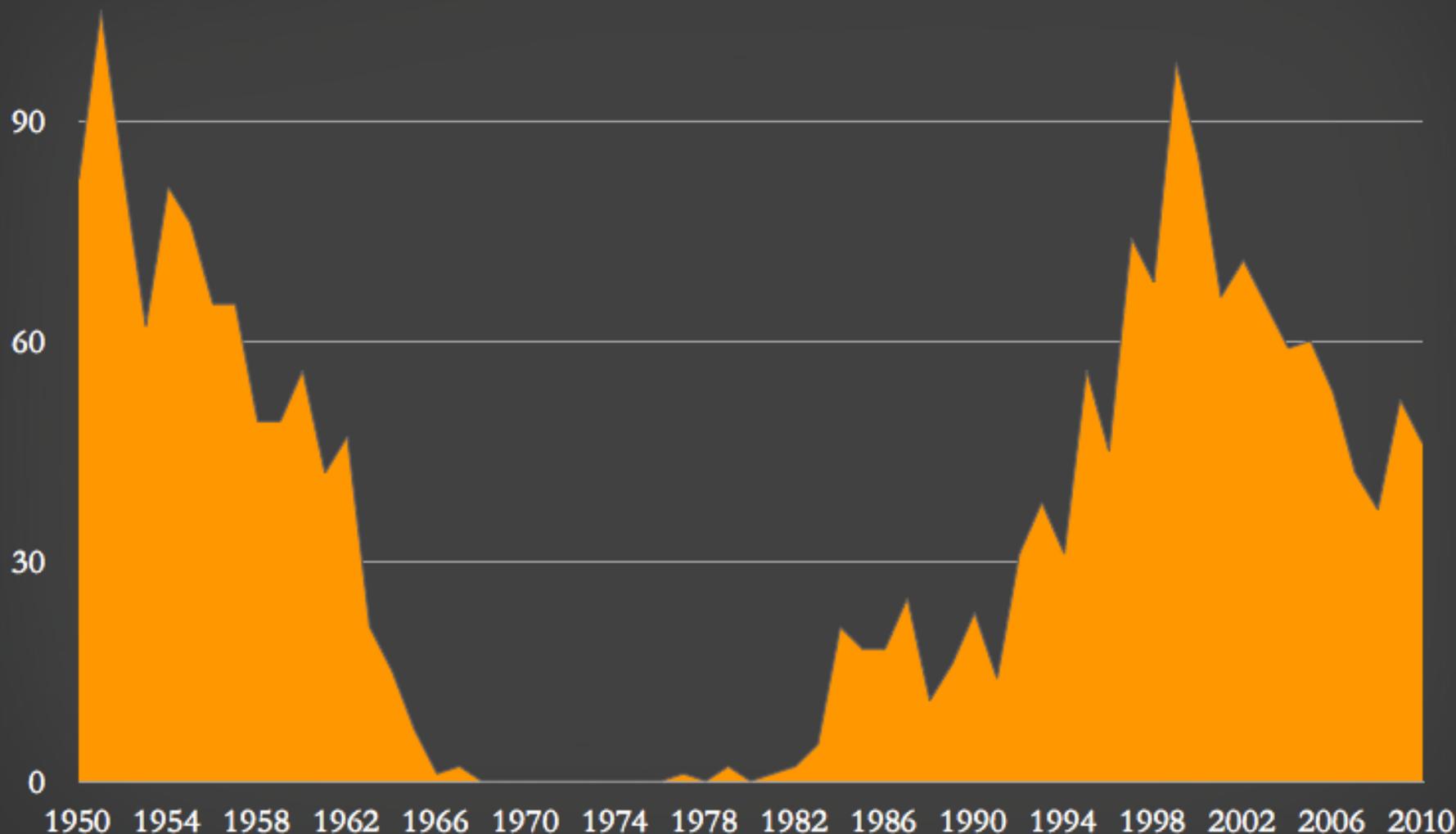


**Benjamin
Cardozo**
Law and
Literature (1931)



Perhaps the whole business of the retention of the death penalty will seem to the next generation, as it seems to many even now, an anachronism too discordant to be suffered, mocking with grim reproach all our clamorous professions of the sanctity of life.

EXECUTIONS IN THE UNITED STATES 1950 - 2010



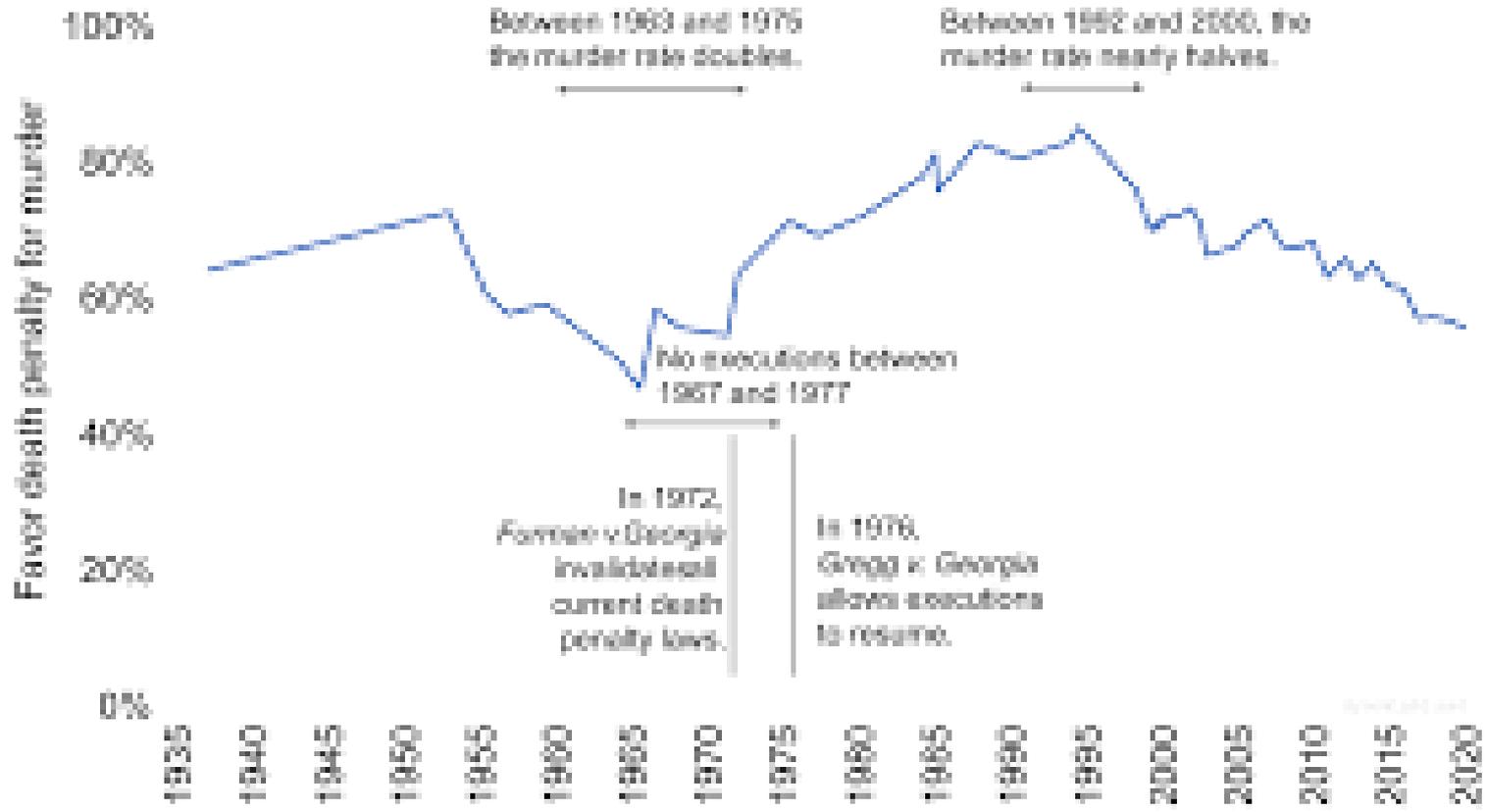
Data from BJS, Capital Punishment 2001, Spreadsheet Figure 3
and Capital Punishment 2010, Spreadsheet Table 9.

PRISON
POLICY INITIATIVE

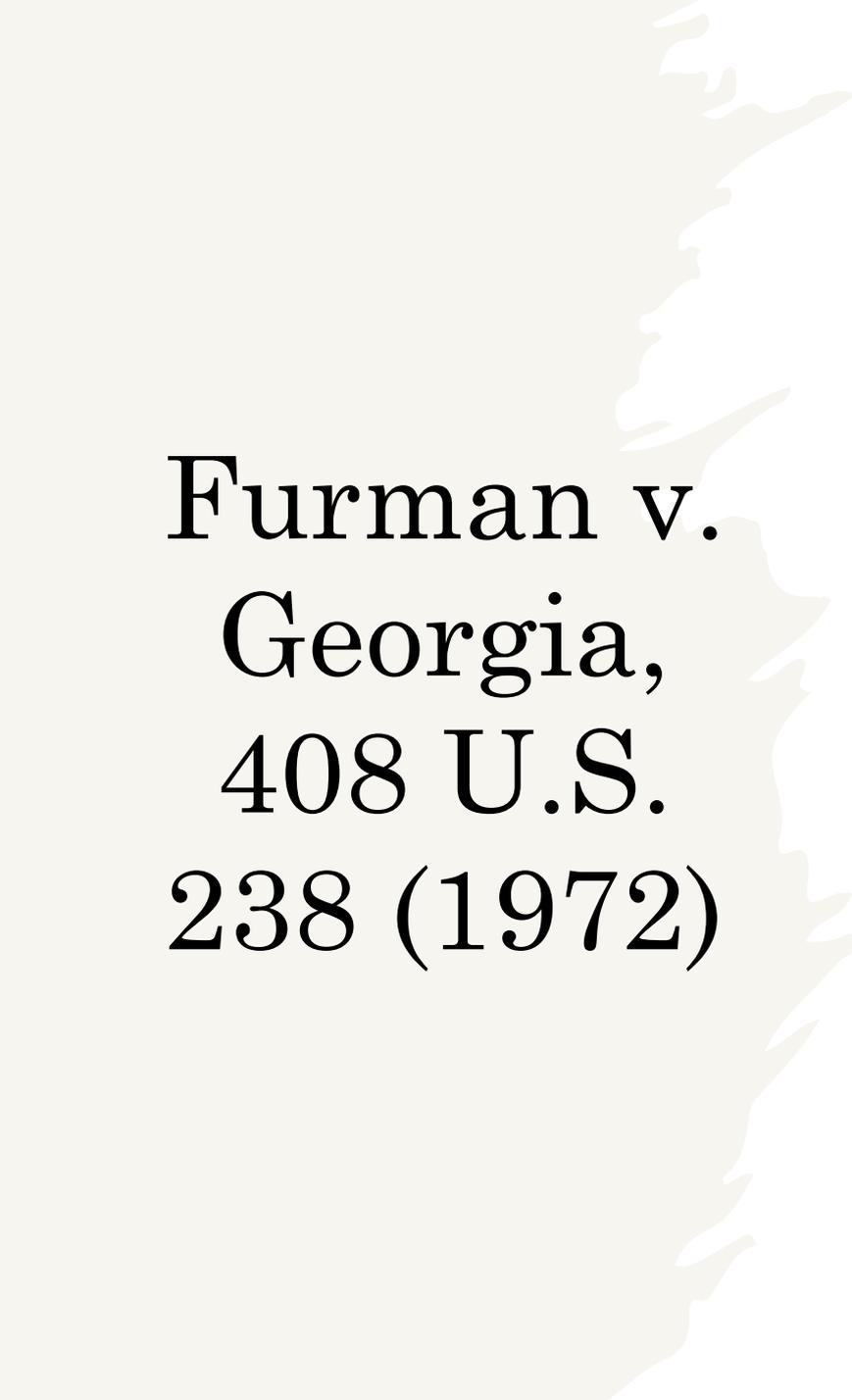
US Disciplinary Barracks, Fort Leavenworth



Popular support for the death penalty in the U.S.



© 2021 Pew Research Center

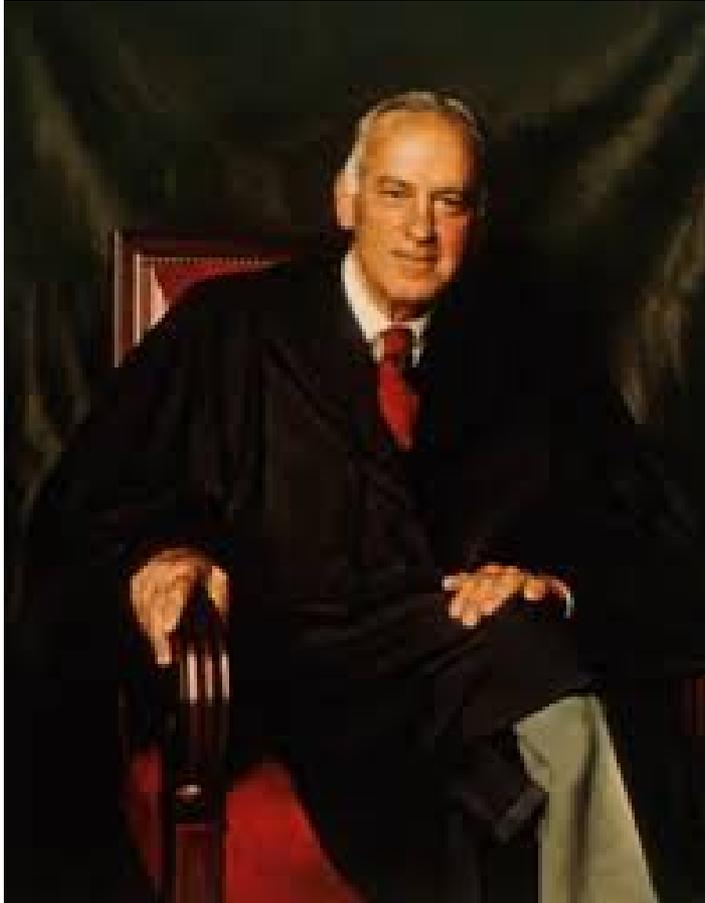


Furman v.
Georgia,
408 U.S.
238 (1972)

Justice Stewart: “These death sentences are cruel and unusual in the same way that being struck by lightning is cruel and unusual.”

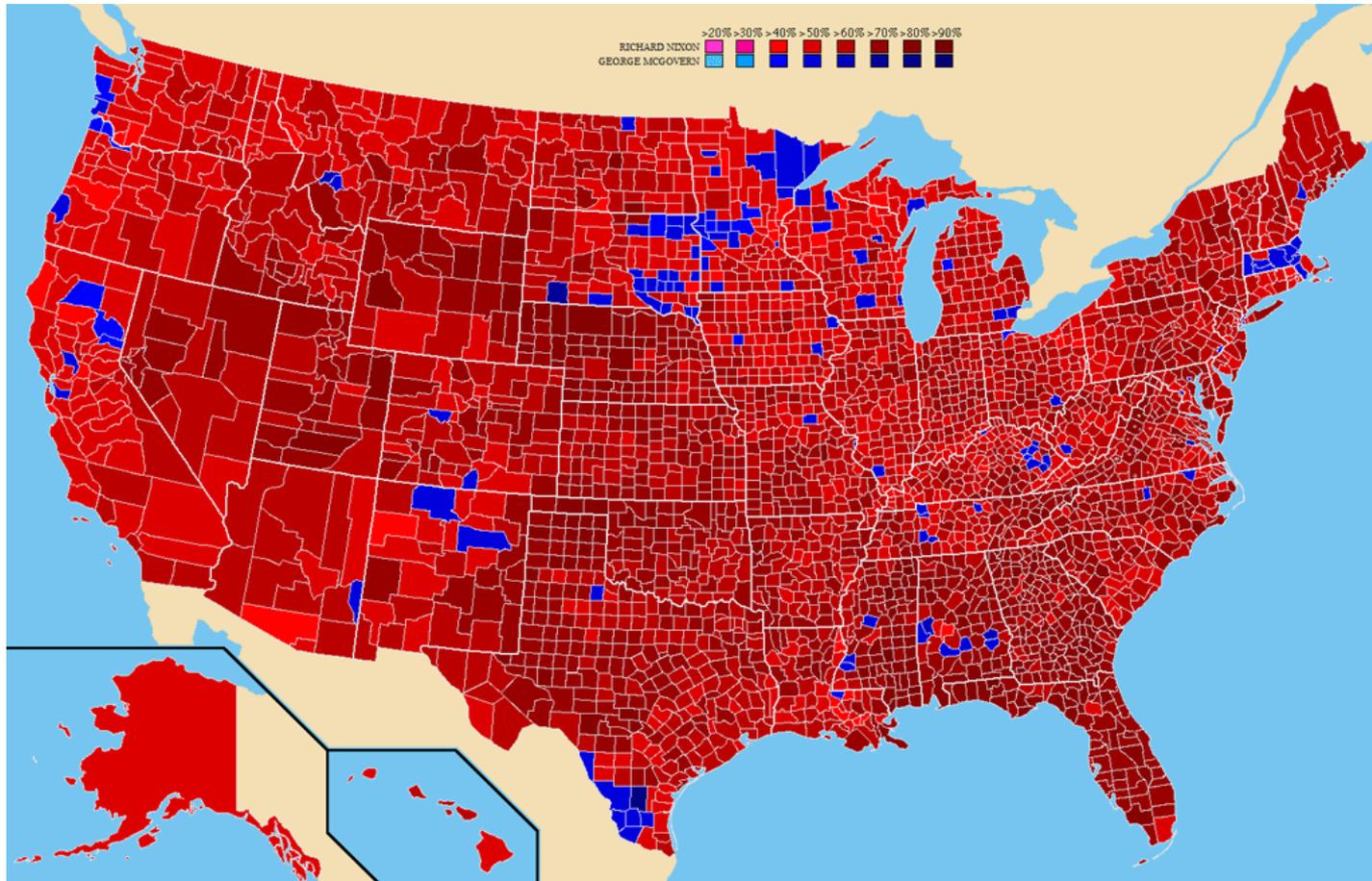
Potter Stewart

Furman v. Georgia (1972)



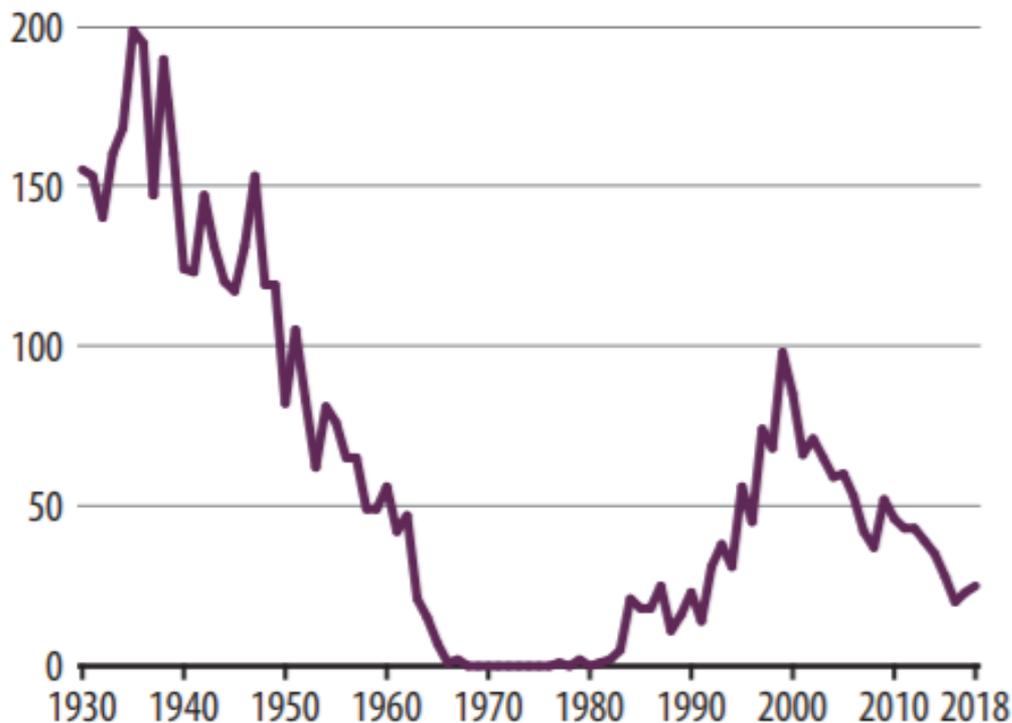
“The instinct for retribution is part of the nature of man.”

1972 Presidential Election



Number of prisoners executed under civil authority in the United States, 1930-2018

Executions



Note: Excludes 160 executions carried out by military authorities from 1930 to 1961. See appendix table 4 for counts.

Source: Bureau of Justice Statistics, National Prisoner Statistics program (NPS-8), 1930-2018.

**Connecticut
Governor Daniel
Malloy in 2012**



In celebrating Connecticut's abolition of the death penalty, Malloy said that the state was "joining almost every other industrialized nation" in the world.

VIRGINIA

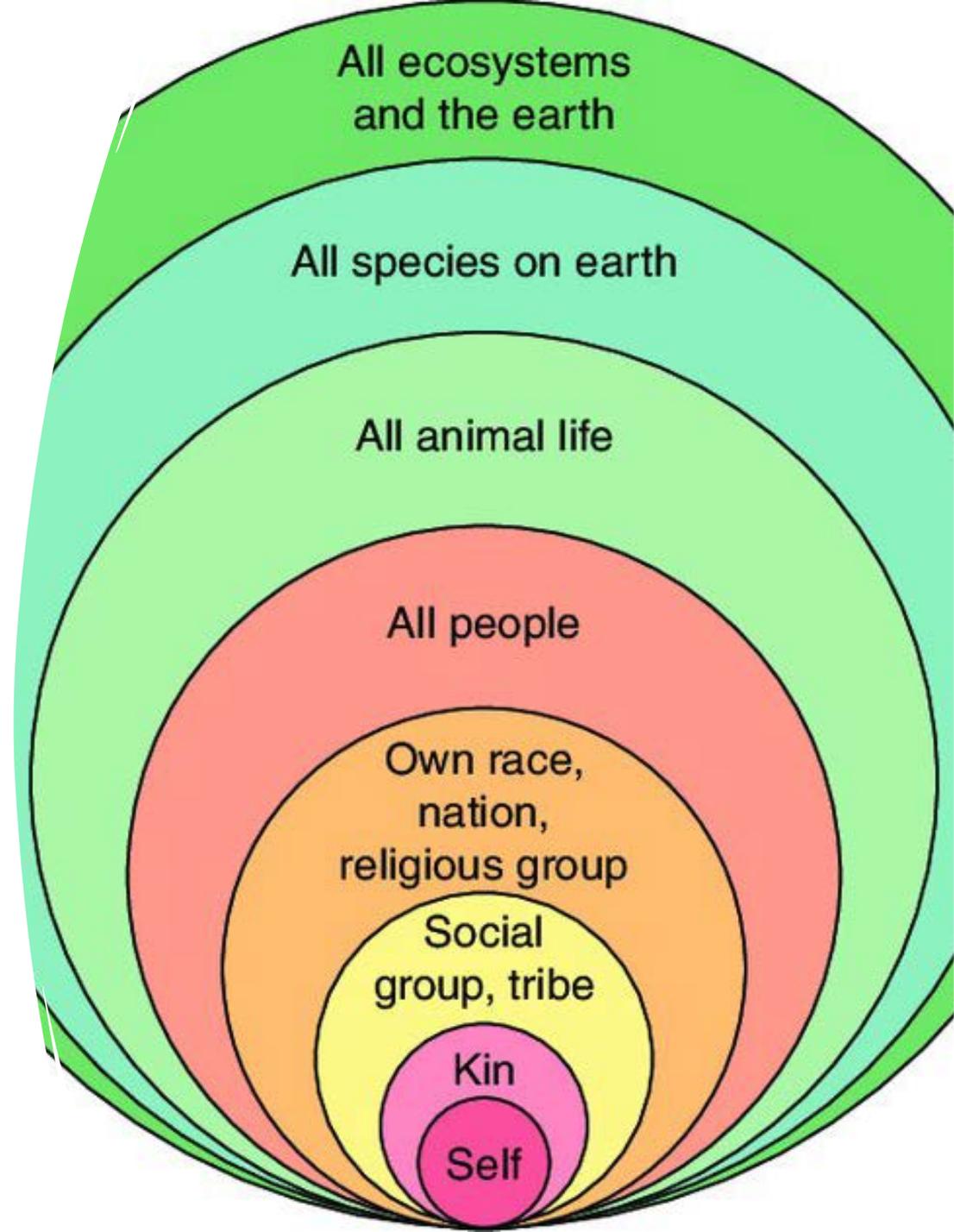


THE 23RD STATE TO ABANDON
THE DEATH PENALTY

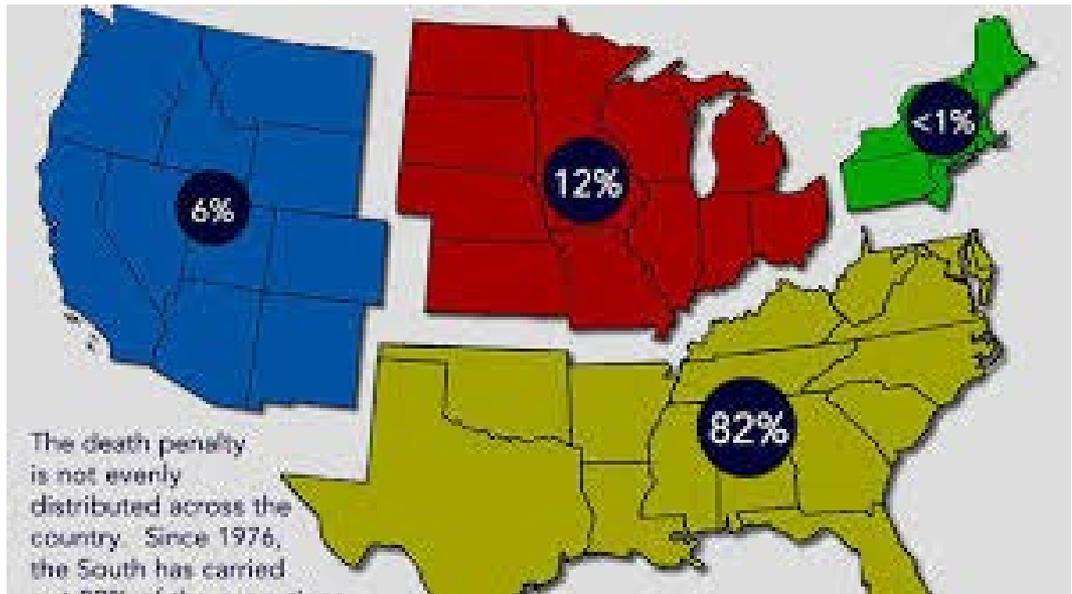
DEATH PENALTY
ACTION

**Professor Brandon
Garrett, End of Its Rope:
How Killing the Death
Penalty Can Revive
Criminal Justice (2017)**

- We have become “more merciful” and learned to expand our circle of compassion and to take account of the “full life story of the person being convicted of a crime.”

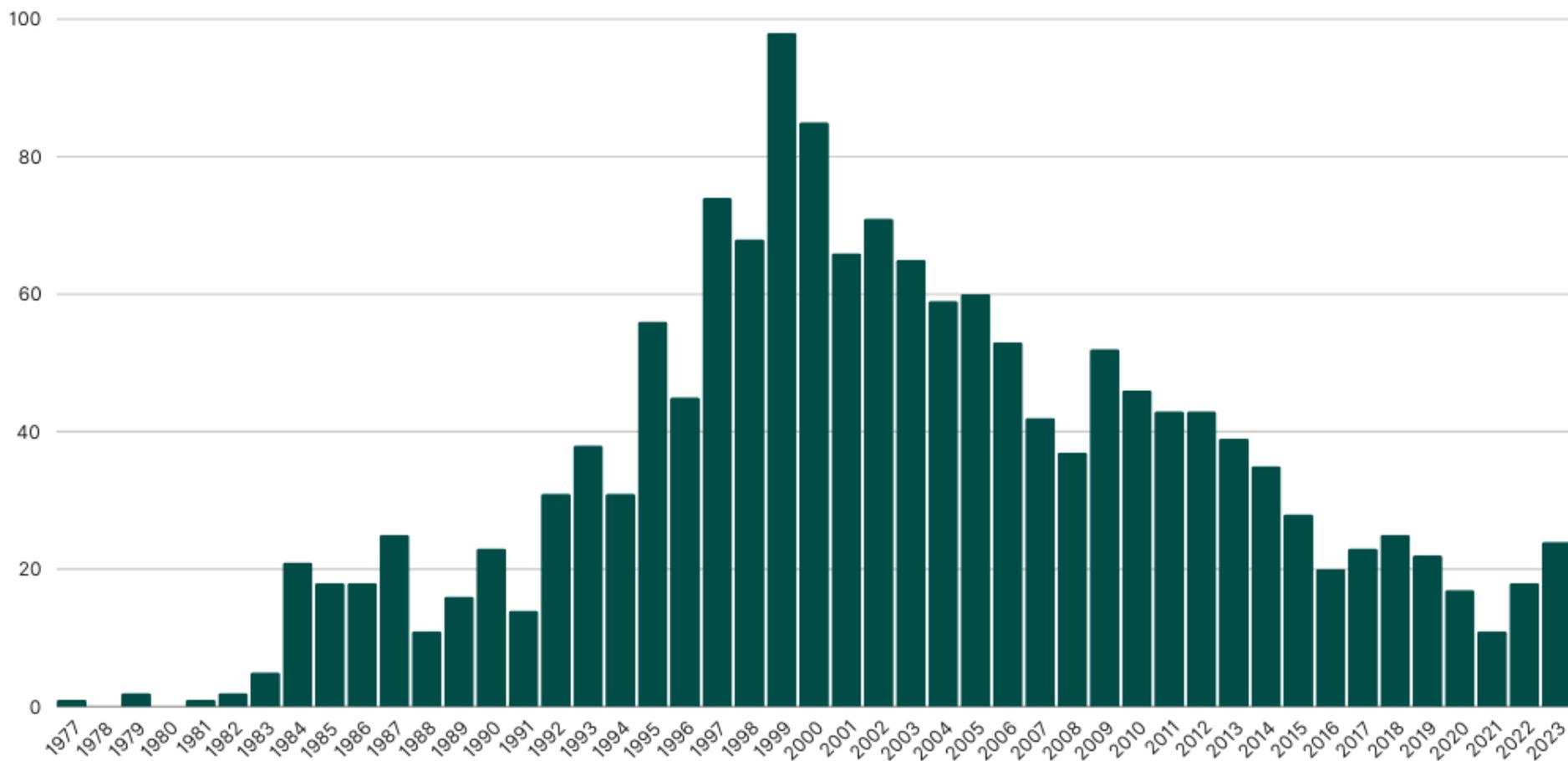


Death Penalty by Region Since 1976



The Number of People Executed in the U.S. Each Year

1977-2023



Source: NAACP Legal Defense Fund Data, Criminal Defense Team Analysis

2024 Executions (25) by County

All Places

Utah

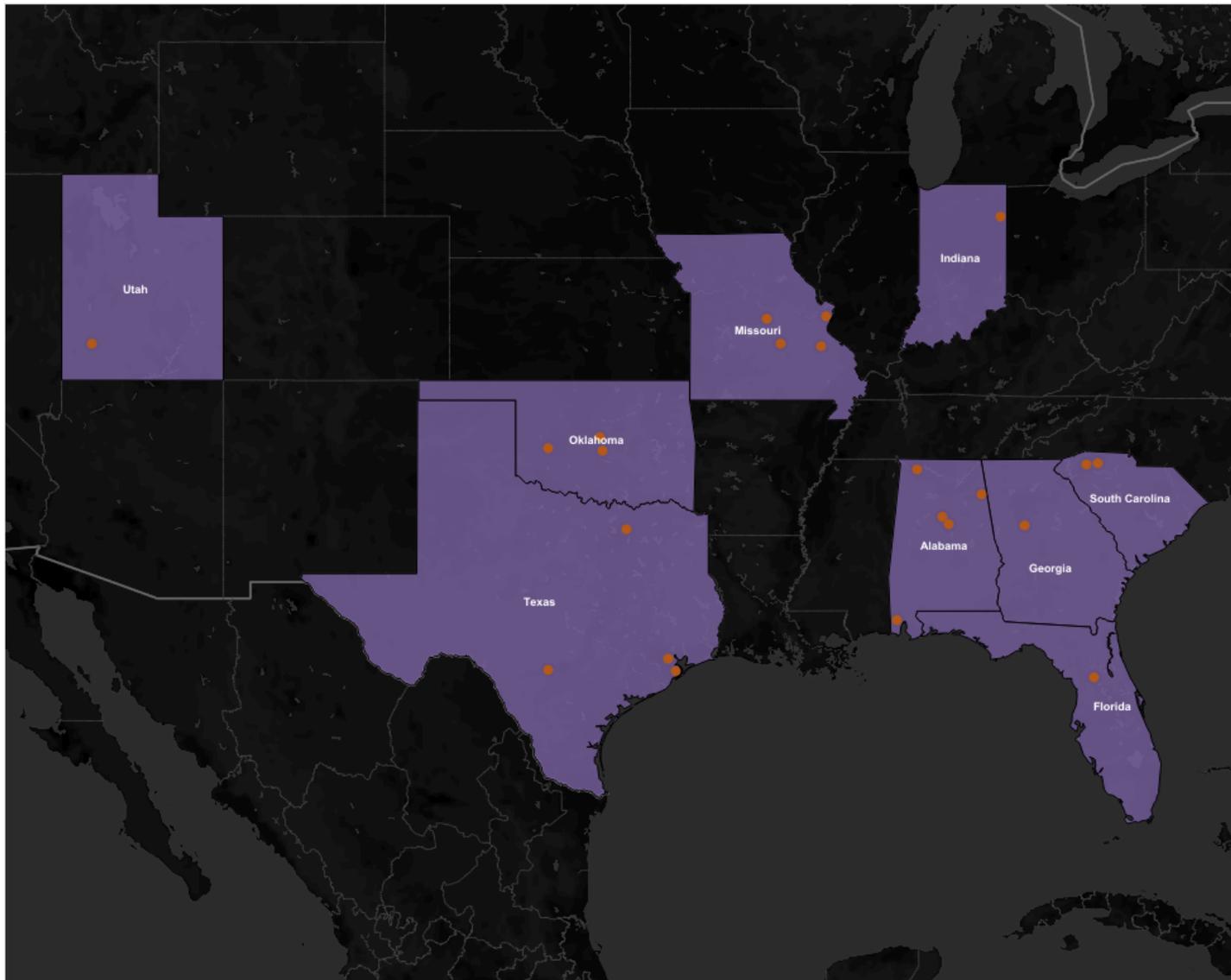
Oklahoma

Texas

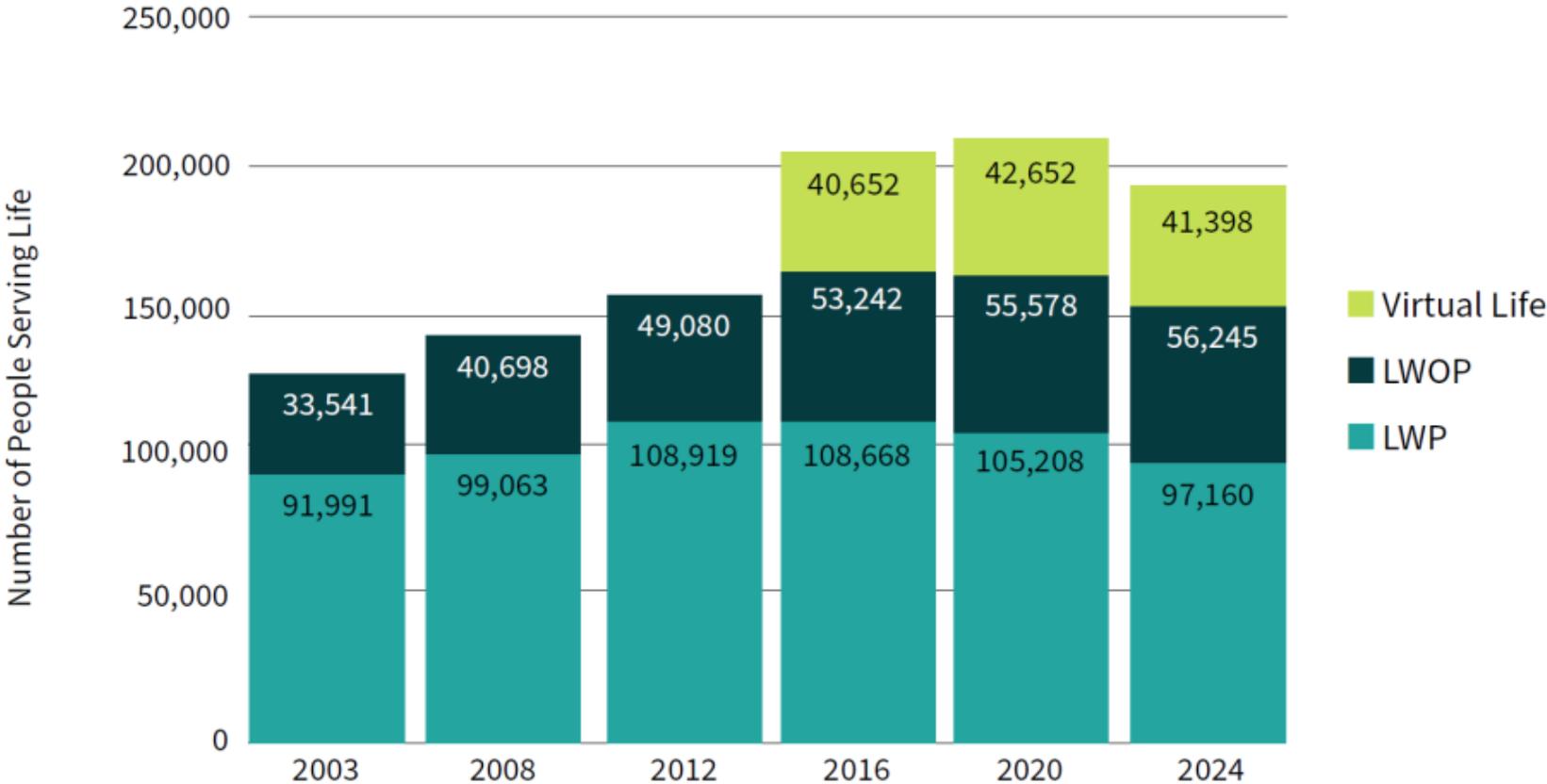
Missouri

Indiana

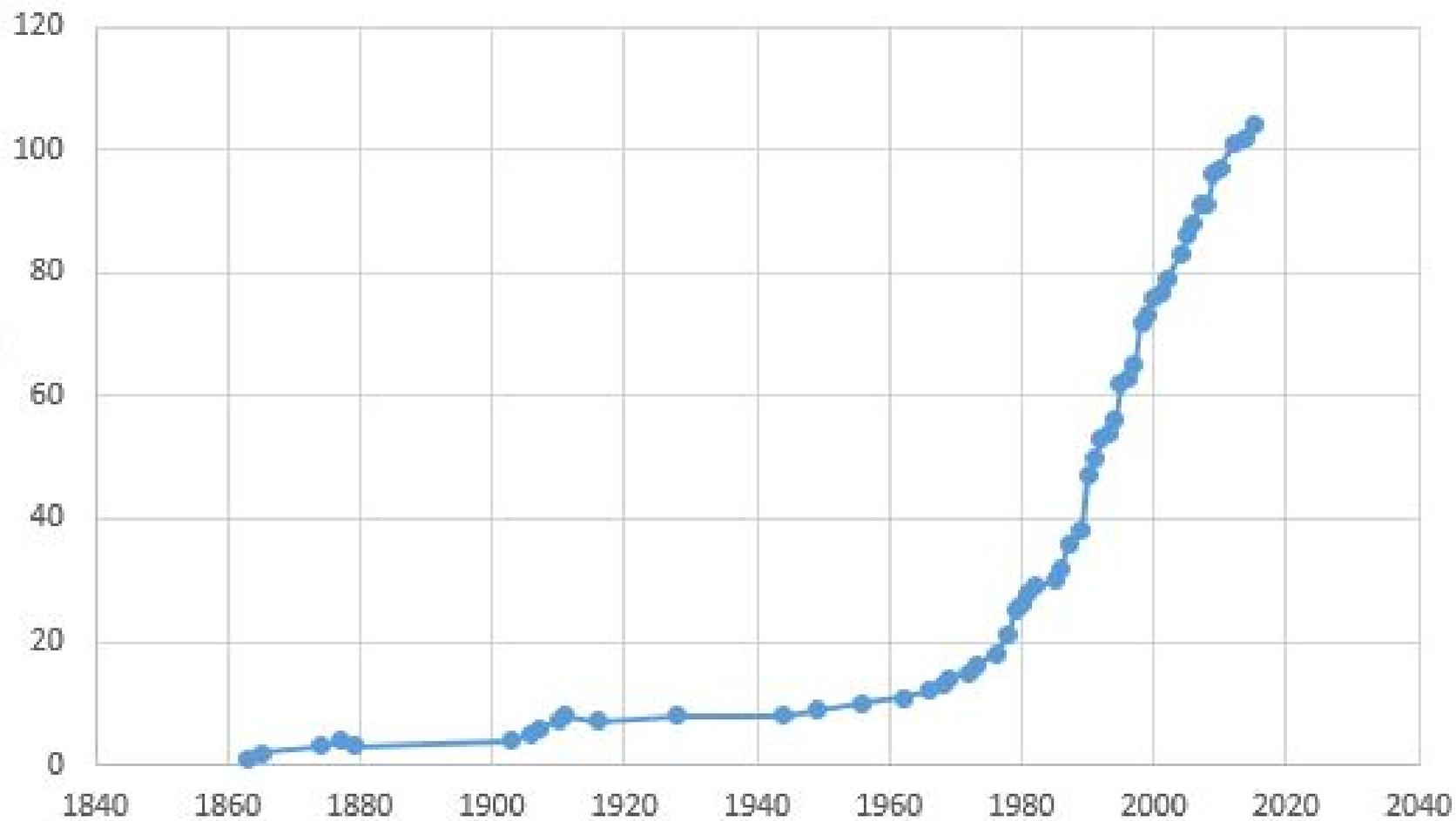
Ala



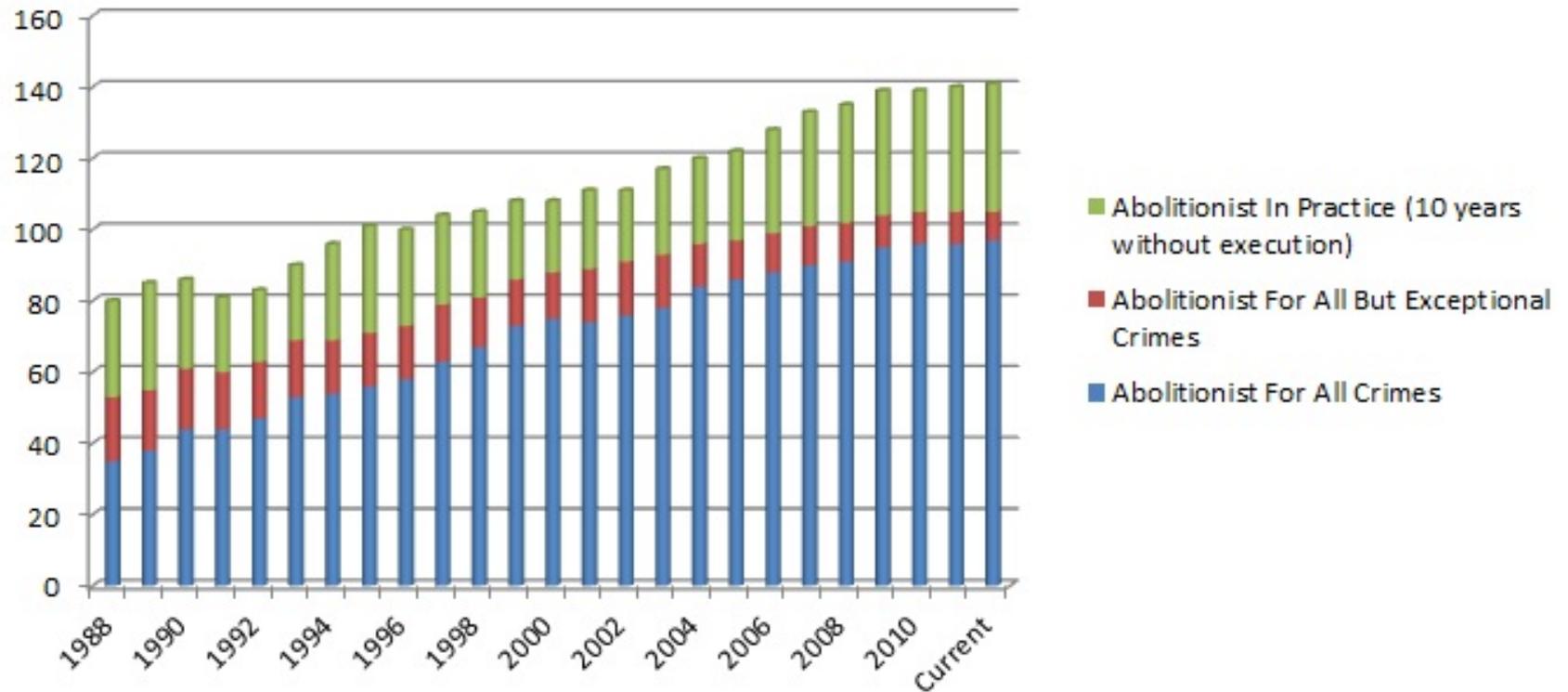
Life Sentences in United States

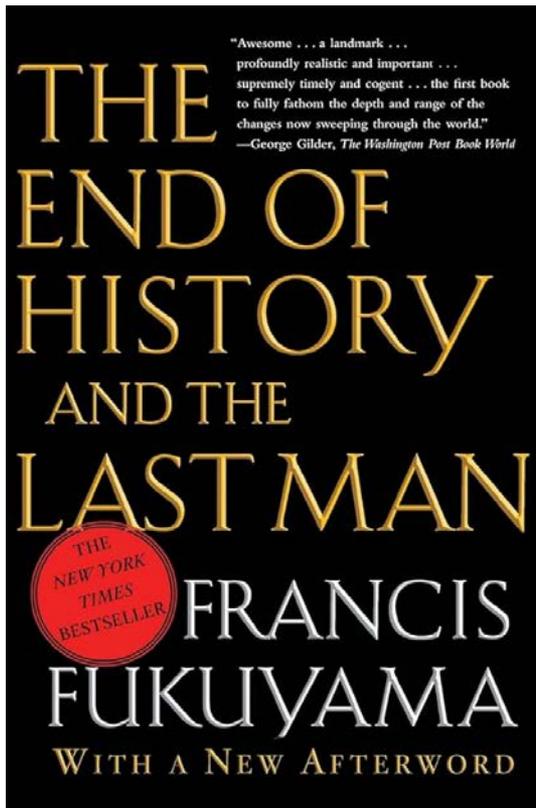


Number of countries that have abolished the death penalty



NUMBER OF ABOLITIONIST COUNTRIES





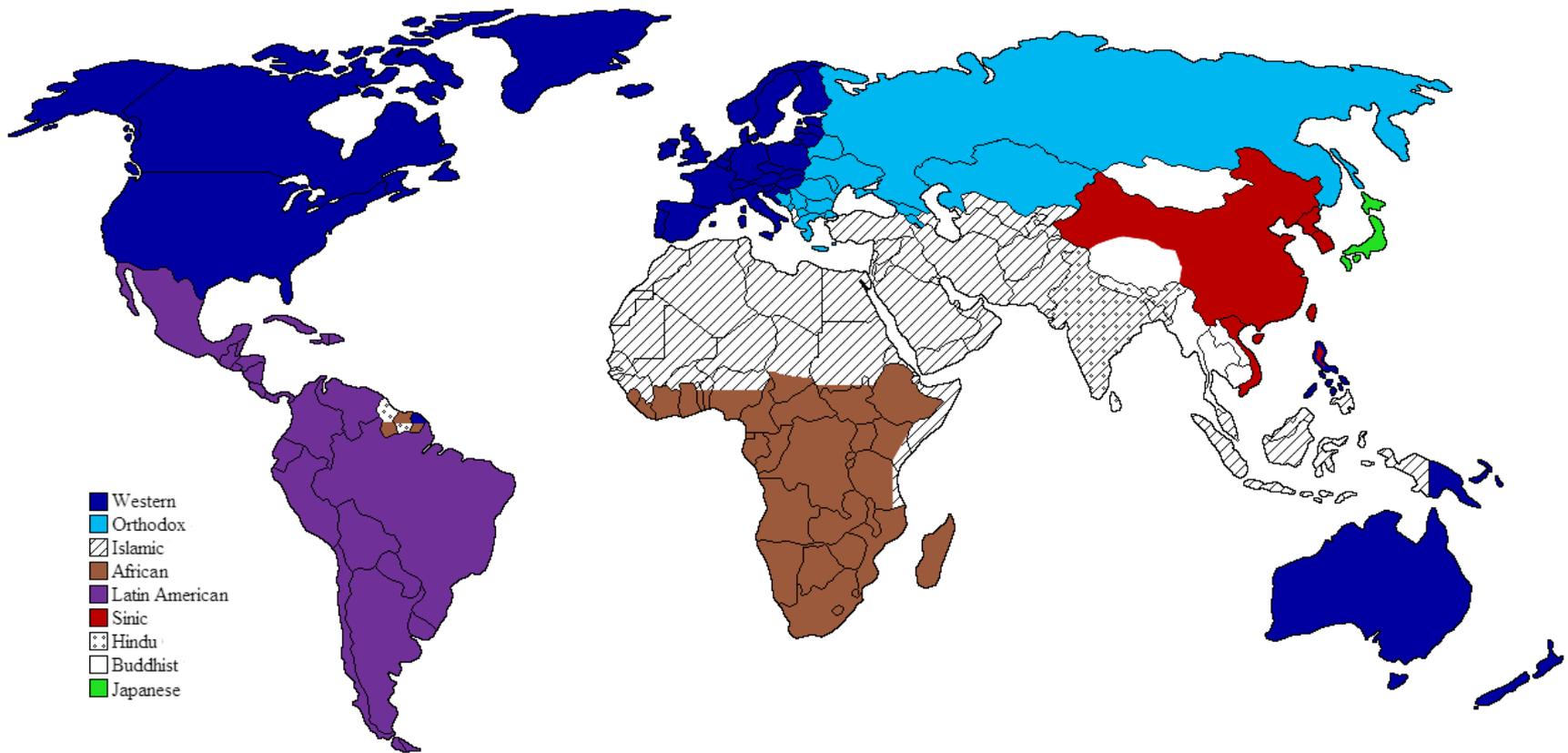
“Mankind’s ideological evolution and the universalization of liberal democracy”

- “Modern liberal societies [will be defined] by the spread of compassion. . . . This comes to light, for example, in the gradual disappearance of capital punishment among developed counties.”

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- “The global trend away from the death penalty is unmistakable.”
 - “The death penalty is becoming an anachronism nationally, in part because society has evolved, matured and better understands that it’s a flawed system of punishment.”

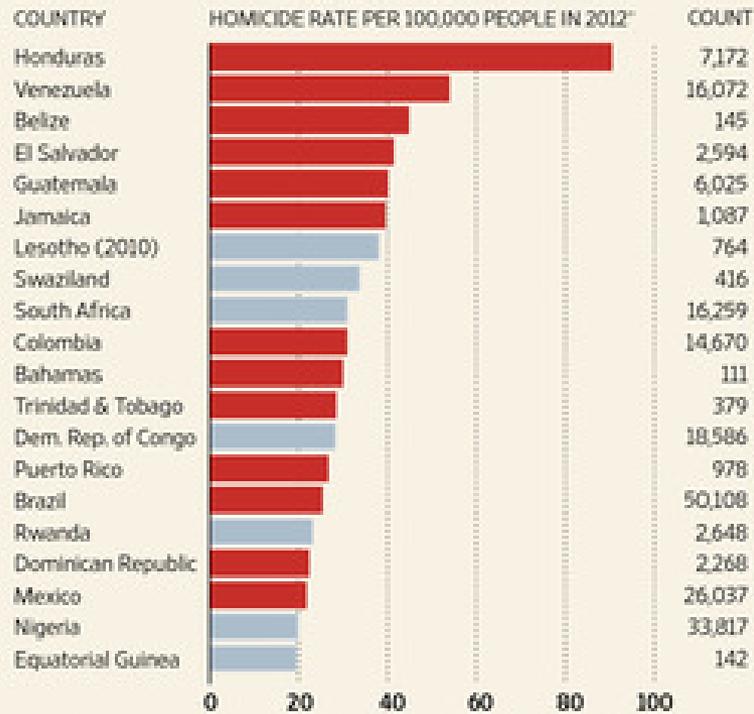
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- “Like the whipping post and the pillory, already relegated to the discard pile of history, the death penalty is—at bottom—a vestige of a bygone era when barbaric practices like slavery and ear cropping were still in use.”
 - “[I]t is inevitable that the death penalty will eventually be prohibited in all circumstances, as the law of torture should be interpreted today as prohibiting the barbaric practice of capital punishment.”

Samuel Huntington, The Clash of Civilizations (1996)



Killing Fields

Latin America and the Caribbean have 13 of the top 20 homicide rates in the world.



* Countries with a rate of less than 20 and fewer than 100 homicides are excluded.

Source: U.N. Office on Drugs and Crime

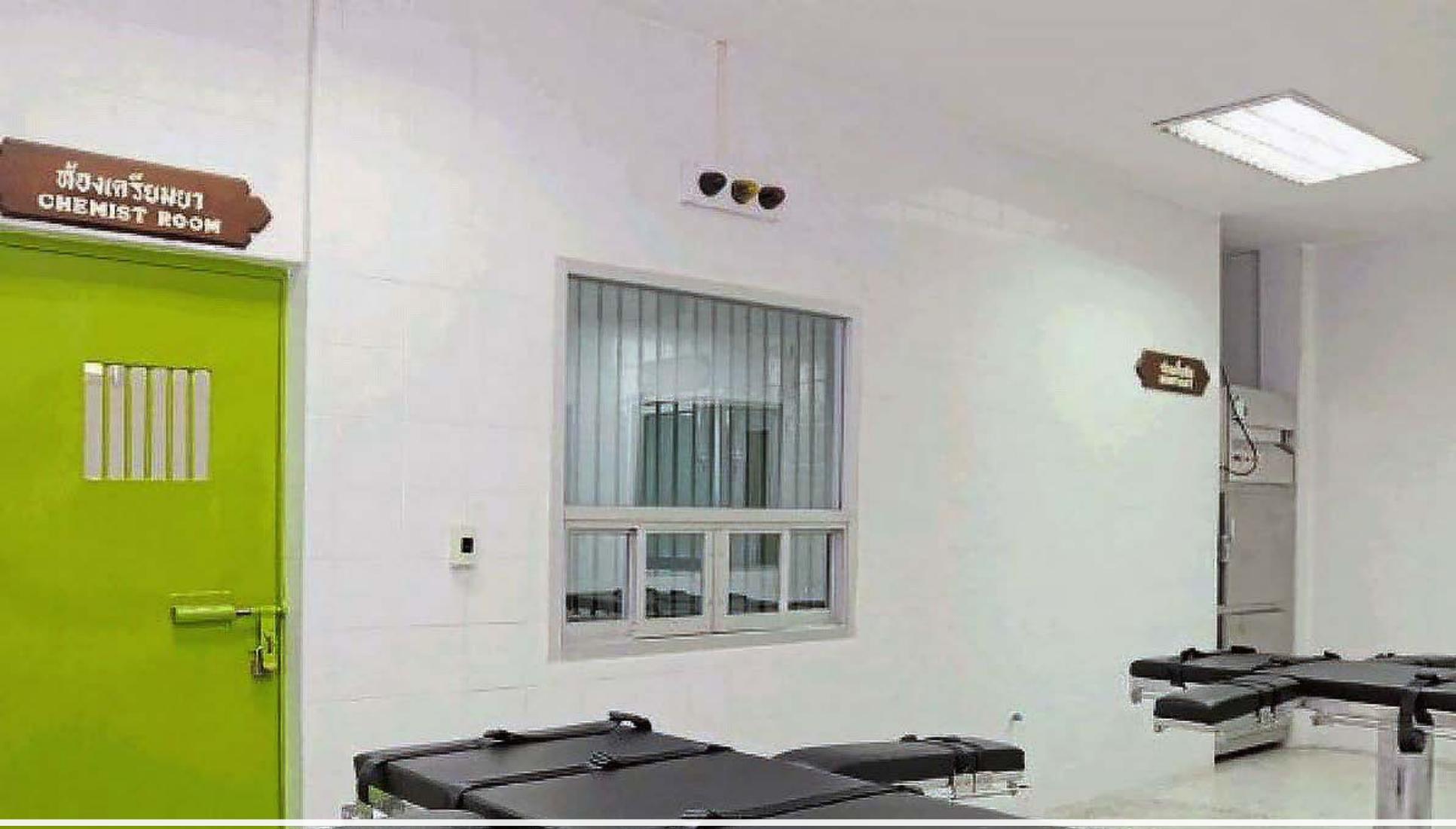
The Wall Street Journal

Capital punishment is
“vengeance on the
part of the state.”



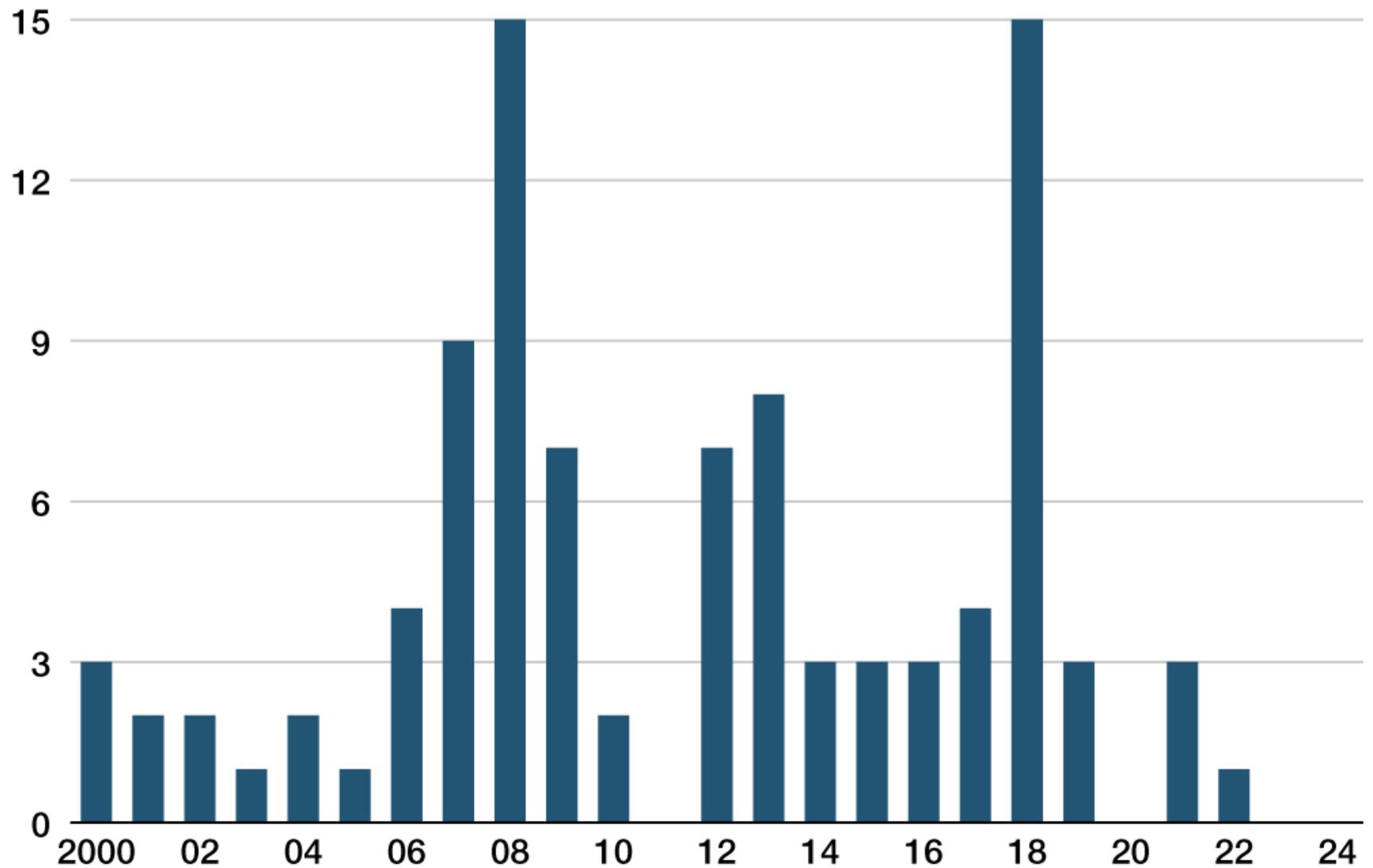


The Return of the Death Penalty in India



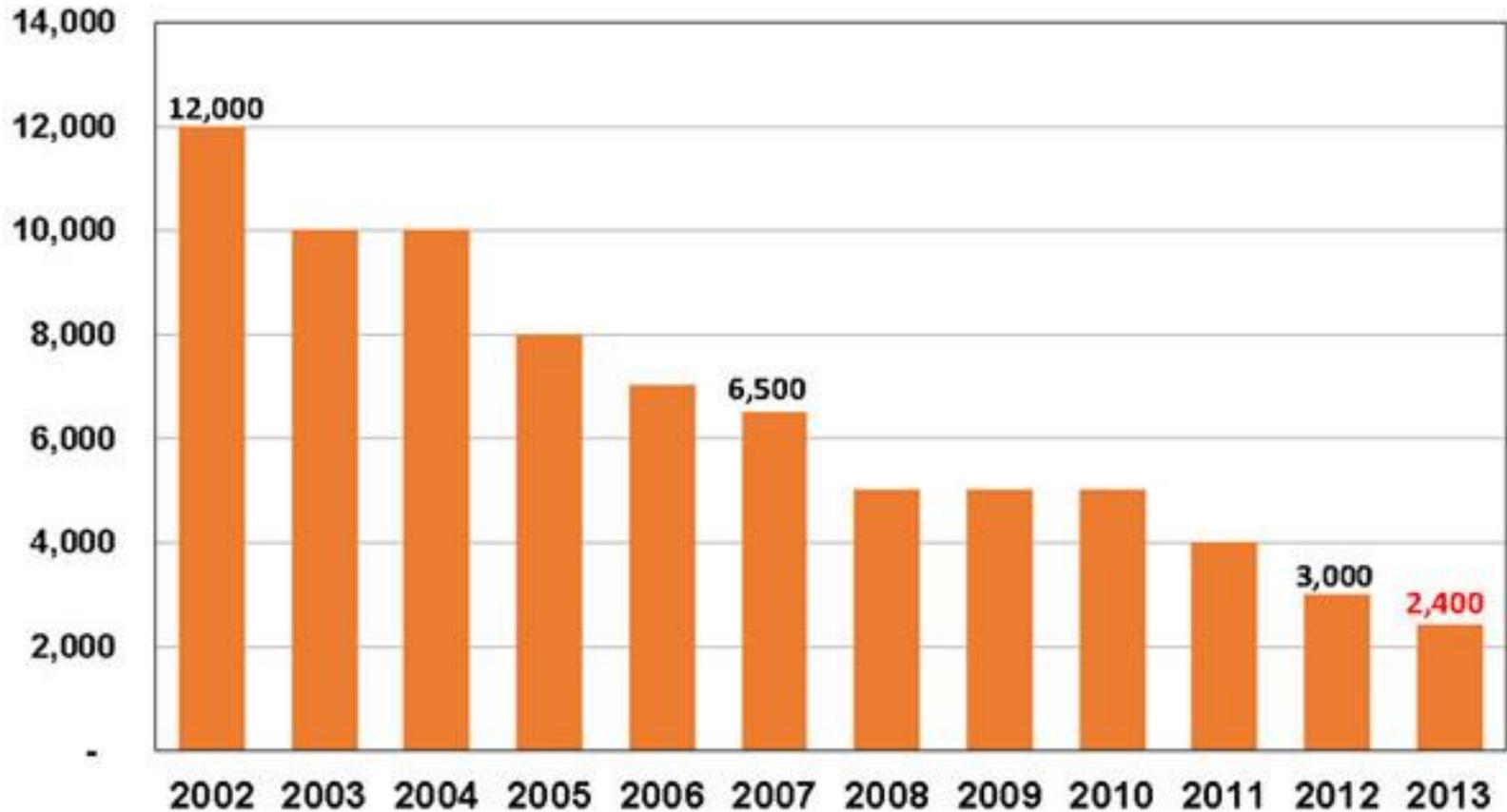
Thailand Rejects Proposal To Abolish Capital Punishment

Number of Annual Executions in Japan since 2000



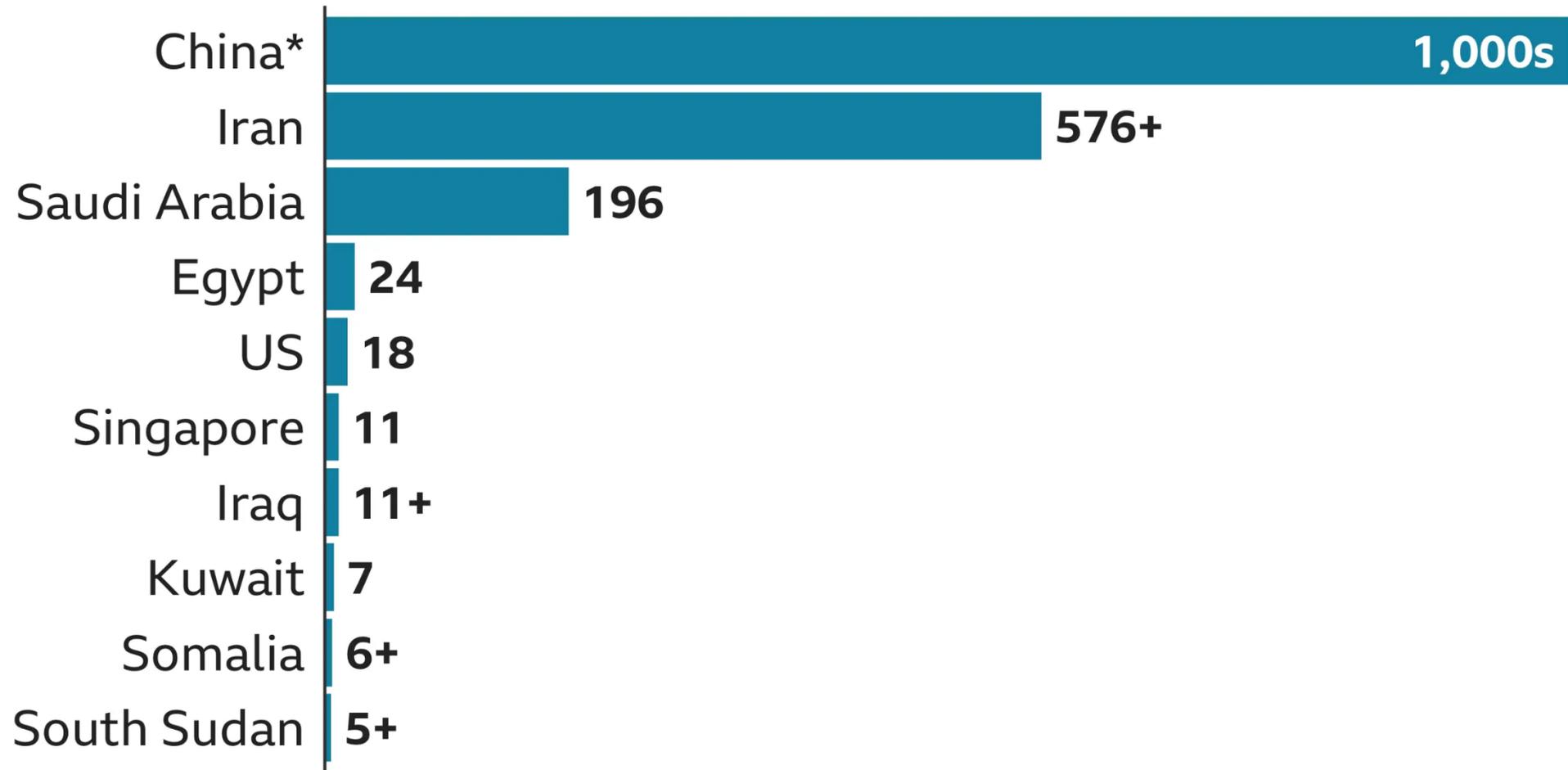
Created by *Nippon.com* based on data available from various media sources.

Executions in China



The countries with the highest number of executions in 2022

Numbers with a '+' indicate the figure calculated is a minimum



*Data for China is unavailable but Amnesty estimates that thousands were executed

Boston Marathon Marathon Bombing (2013)

Dzhokhar A. Tsarnaev



Cross
Examination
of Sister
Helen
Prejean

Q: Sister, you're not based in Massachusetts, are you?

A: Correct.

Q: You don't live here.

A: No.

Q: And your order is not located here?

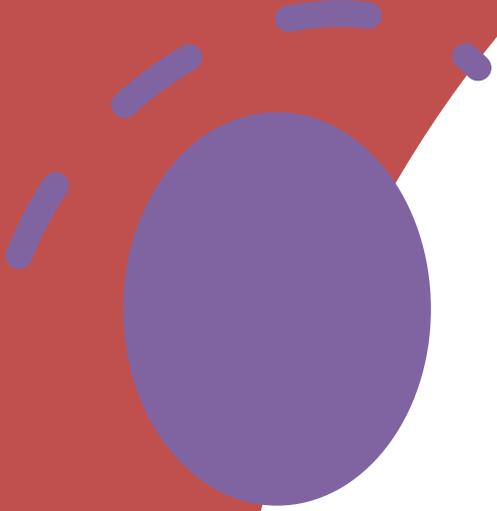
A: Some – sisters are related in different branches, so some of our cousin sisters of St. Joseph are here.

Q: But not you?

A: But not me.

President
Donald Trump
Restoring the
Death Penalty
and Protecting
Public Safety
Executive
Order
January 20,
2025

Capital punishment is an essential tool for deterring and punishing those who would commit the most heinous crimes and acts of lethal violence against American citizens. Before, during, and after the founding of the United States, our cities, States, and country have continuously relied upon capital punishment as the ultimate deterrent and only proper punishment for the vilest crimes. Our Founders knew well that only capital punishment can bring justice and restore order in response to such evil.



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