

“Cruel and Unusual Punishment”

October 2010

The death penalty is “cruel and unusual punishment in several ways.

Certainly it is “cruel” for the government to kill its citizens, and the methods of execution are far more cruel than most people think.

Each successive method of execution was welcomed as a humane alternative to the barbaric practice that was in place at the time the new “reform” was instituted. However each new “humane” method of execution turned out to be cruel as well. The electric chair physically burned people’s flesh, and some people caught fire while they were being executed (including the husband of a speaker we brought to Olympia). The gas chamber asphyxiates a person. Hanging can cause strangulation in a painful way. Now lethal injection’s many botched executions are being exposed and publicized. There is no humane way to kill people.

The death penalty is also “unusual” in the sense that it rarely is carried out, so instead of this punishment being certain (which would be necessary for it to deter other people from committing murder), it is carried out very arbitrarily – especially with geographic bias (certain states, and certain counties within those states), racial bias, economic class bias, disability bias, etc., etc. Our society has many kinds of biases and prejudices – many of them systemic and institutional, rather than merely personal – and these serve as filters that determine which murders are investigated seriously, which ones are brought to trial, which ones are prosecuted as death penalty cases (vs. cases that seek life imprisonment), which ones will have adequate defense attorneys, which ones are being pressured by media and public opinion and politicians for death sentences, which ones will be allowed to pursue meaningful appeals, etc., etc., etc.

The result of all this is the terribly biased system of capital punishment that we have now. That is why U.S. Supreme Court Justice Harry Blackmun gave up on capital punishment: **THERE IS NO WAY TO REFORM A SYSTEM THAT IS INHERENTLY AND FUNDAMENALLY UNWORKABLE.** That is also why Washington State Supreme Court Justice Robert Utter resigned from the State Supreme Court: **HE REFUSED TO PRETEND THAT THE DEATH PENALTY WAS JUST AND COULD BE HANDLED IN THE JUDICIAL SYSTEM.**

More information about the death penalty is available at www.olympiafor.org/death_penalty.htm