

Capitalism Kills: Capital Punishment in the United States of America
by
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When little George Stinney was executed by the State of South Carolina, he was all of 14 years old. He was so little that they had to take the Bible he was holding in his hands and put it under him to raise him up so that they could electrocute him properly. As the 1800 voltes surged through his convulsing little body, his face mask fell away, revealing the tears rolling down his cheeks.



George Stinney

George had been railroaded on a charge of killing two little girls. His "trial" lasted all of one day and no witnesses were called in his defense, and his conviction was based on an alleged verbal confession forced out of him by the cops. His entire family had been forced to flee the state, under threat of being lynched, so George had to face this horror all alone in the world. Can you imagine the pain, the feeling of being totally alone, the absolute terror of the last few weeks of this 14 year-old's life? George was black; the two little girls were white. That was all the State of South Carolina and the white racists in the state needed to know; that was all they cared about.

Capital Punishment and Lynch Mobs

That was back in 1929, and in those years such official state sanctioned murders went hand-in-hand with lynch mobs. In fact, in the case of George Stinney it was always touch and go whether the state would murder him before a lynch mob got to him. These state sanctioned murders and lynchings were used to maintain a general state of repression in the South,

especially against black people, for which it was used as outright mass terrorism. However, the lynchings were not purely directed against black people and according to one [study](#) in the early 1880s there were more whites lynched than blacks in the South. According to this same study, from 1882 to 1968, there were 4,472 people in the South killed by lynch mobs, of which 3,445 were black.

Killing the Leaders

During these years, state sanctioned executions as well as lynchings were also used against working class organizers. In the case of state sanctioned frame ups and executions, some of the most prominent cases were those of Albert Parsons (1887), Joe Hill (1915), and Sacco and Vanzetti (1927). When the situation was too urgent because of the heat of the struggle, then the capitalist class turned to lynching worker organizers such as in the Everett Massacre of 1916.

Lynch Mobs Become Politically Difficult

From the 1930s onwards, several factors made lynch mob rule more difficult. These included the Russian Revolution and the rise of the Communist Party in the United States, the worker revolts of the 1930s, and the colonial revolutions of the 1950s. To this must be added the huge importance of the revolt of black people in the 1960s.

All of this not only made lynch mob rule nearly impossible; it also made official state sanctioned executions much more difficult. In fact, for a brief period, the US Supreme Court had ruled (in 1972) that capital punishment was unconstitutional. Then, the counter attack started and in 1976 the same court found that new legal murder laws were constitutional. And although extra-legal lynch mob executions were no longer generally possible, official and unofficial state executions continued. We have, for instance, the police murders of Black Panther Party leaders such as Fred Hampton (assassinated by the Chicago police in 1969). In addition, there were the murders of other black leaders who were too prominent for the police to openly assassinate so the state did it more covertly. These included Malcolm X (killed in 1965) and Martin Luther King, jr. (killed three years later).

"Law and Order":

What was happening in society as a whole?

The mass revolts against both the Vietnam War and against racist segregation (mainly) in the South had set the representatives (Republican and Democrat alike) of the US capitalist class back on their heels. However, both these revolts had some inherent weaknesses of their own: They were unable to find a road to the masses of workers, especially white workers. In part that was due to the conscious policy of President Lyndon Johnson and even Nixon after him. They carried out a series of social reforms. In part, however, it was because of the weaknesses of the leadership of that movement itself as well as the betrayals of the union leadership (who were in a lot stronger position at that time than they are today).

Death Penalty Makes a Come-back

Starting with Nixon, however, the representatives of Corporate America went onto the offensive. Even while Nixon carried out some economic reforms (including in Medicare), he started to raise the banner of "law and order." This term was first raised by the racist governor of Alabama, George Wallace, to attack the civil rights movement. Nixon put this slogan onto the national agenda and made it respectable. As one of his chief strategists at the time, John Ehrlichman, said, "We'll go after (the votes of) the racists." However, due to the rise of the black revolt, they couldn't do it openly, so as Ehrlichman put it, they used a "subliminal appeal".

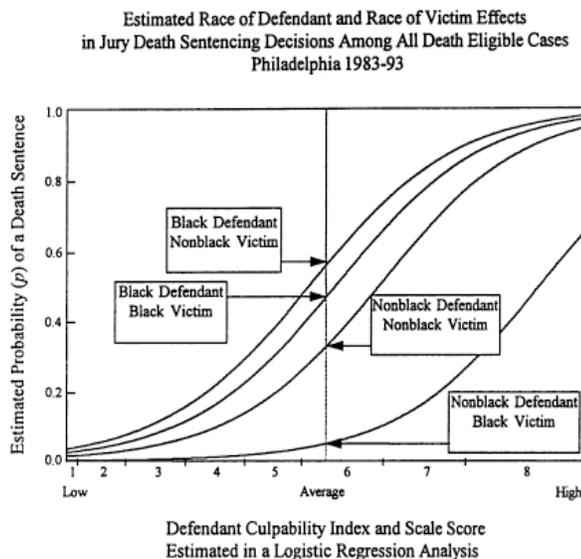
Under this banner, not only were prison sentences increased, more people - especially black males - put into prison, and executions reinstated, but a series of police murders were

carried out. This included against the most prominent members of the Black Panther Party.

From the mid '70s to the mid '90s, the number of executions steadily increased, to a peak of 315 in 1997. Since then, the number has declined to 78 in 2012. In part this is due to the increased awareness of the racist as well as anti-worker bias of the US criminal (in)justice system. Texas, for instance, has the dubious honor of being the national leader in state executions. There, one [study](#) found that a black person convicted of a similar crime to a white was 4.3 times more likely to be executed. As a Texas cop [told](#) Clarence Brandley when he and another person were arrested for a murder, "One of you two is gonna hang for this. Since you're the n___, you're elected." (After spending ten years on death row, Brandley was exonerated and released in 1990.)

US Supreme Court Sanctions Racism

The US Supreme Court has sanctioned the racist use of the death penalty. In 1987, in the case of *McCleskey v. Kemp*, the US Supreme Court ruled that even if it was proven that the death sentence was used in a racist way, it could still be carried out unless it was proven that racism was the motive in the individual case involved. In other words, the prosecutor and the jury had to openly state that they were going for the death sentence because the defendant was black. Since the black revolt of the 1960s, hardly any juror, no less a prosecutor would be stupid enough to say that. In part, the Court felt compelled to make that ruling since the entire sentencing procedure - no less the criminal (in)justice system as a whole - is racist - that is, it is carried out more severely against black people than against whites. As the majority noted in that case, *"Taken to its logical conclusion, (Warren McCleskey's claim) throws into serious question the principles that underlie our criminal justice system... If we accept McCleskey's claim that racial bias has impermissibly tainted the capital sentencing decisions, we could soon be faced with*



similar claims as to other types of penalty." In other words, McCleskey must be executed to protect the entire racist basis of the criminal (in)justice system.

Poverty a Major Factor Also

Overlapping the racist nature of the US criminal (in)justice system and its most extreme aspect - capital punishment - is the class issue. One [study](#), for instance, in California revealed that of the 384 men and women on death row at the time, every single one of them was poor

enough to qualify for a free, state-appointed lawyer. And even former US Supreme Court Justice William O Douglas admitted that "One searches our chronicles in vain for the execution of any member of the affluent strata of this society." Or put another way, by Bryan Stevenson of the Equal Justice Initiative in Alabama, "Our (criminal justice system) treats you better if you are rich and guilty, than if you are poor and innocent."

The presumption of guilt (rather than innocence) pervades every aspect of the criminal (in)justice system. Whenever a person is caught up in it - especially if it's a black man - he is presumed guilty. Thus we have cases like that of Troy Anthony Davis, executed by the State of Georgia in 2011 despite the fact that he was almost certainly innocent. On top of that is the wave of extra judicial police murders, usually of black men. According to one report, in the first six months of 2012 the police killed a black person every 36 hours. While these are mere statistics, one must keep in mind not only the loss of the life of that individual - often snuffed out before he or she hardly got started, but also the immense pain of the family involved - a pain that will live with them forever.

Convicts Exonerated

In recent years, mainly due to the development of DNA evidence, hundreds of prisoners have been exonerated; they have been proven innocent of the crime for which they were serving time. Amongst these were many who were on death row and some who were already convicted. These developments have weakened the position of the advocates of the death penalty, but they cannot give up.

Capital Punishment Politically Necessary for US Capitalism - and inherently Racist

The death penalty is part and parcel of the propaganda campaign against "violent criminals" "drug gangs" and now also against "terrorism". In this time of mounting attacks against working class people, US capitalism must use this campaign as a diversion. Not only that, but the justification of the death penalty is an important tool in encouraging a certain blood lust, a thirst to lash out against somebody who cannot fight back. This attitude was most clearly expressed during the Republican primary campaign when one of the candidates, Texas governor Rich Perry, started bragging about how many people had been executed in his state. The audience erupted in applause. Even US President Obama has joined the chorus, justifying the death penalty as a means of expressing "outrage".

Every capitalist country develops in its own way, its own style, and the capitalist class of that particular country must adapt to that history, to that culture, where political methods have been especially crude. Here in the United States, official, state sanctioned "capital punishment" is just the tip of the iceberg; it goes hand-in-hand with state frame-ups of individual leaders, and with other forms of killing, including police murders and, the most crude form, lynchings. Today, the lynchings are generally not politically possible any longer, but police terrorism in the black community is alive and well. While capital punishment has been set back a bit, it is still politically necessary for the reasons explained above. Given the culture and politics of the United States, it is and will always be used in a racist manner and in a manner that discriminates against poor people. As it is part and parcel of the general drive to break up solidarity and feelings of community, one thing it will not do is deter crime.