

## ABSTRACT

Author: Adam Pelz

Title: The Continuation of a ‘Solved’ Problem: Exploring Racial Disparities in Furman v. Georgia

Thesis Advisor: Troy Rondinone

Department: Department of History and Honors College

Year: 2021

The landmark decision, *Furman v. Georgia* (1976), is an often-overlooked decision in the Supreme Court’s history, but is arguably the biggest in the history of American capital punishment. The *Furman* case provided an opportunity for the Supreme Court to review the constitutionality of capital punishment and whether it constitutes “cruel and unusual” punishment, thus violating the Eighth and Fourteenth Amendments. The Supreme Court supported the view that capital punishment was unconstitutional, but this was rescinded in *Gregg v. Georgia* (1976) and *McCleskey v. Kemp* (1986). The *Furman* decision was initially a significant victory for the civil rights movement and opponents to capital punishment. This Thesis seeks to unravel the *Furman* decision by applying Ibram X. Kendi’s three categories of people (anti-racist, assimilationist, and segregationist) to the opinions of each Supreme Court justice. The purpose of this categorization is to contextualize the *Furman* decision as part of a larger theme in American History: anti-racist legislation that seemed to fight racism, but actually encouraged racism when put into practice. This Thesis also provides a brief history of capital punishment in America, a literature review on the relationship between race and capital punishment, and the aftermath of *Furman* (primarily the *Gregg v. Georgia* and *McCleskey v. Kemp* Supreme Court decisions).