

## A

African Charter on the Rights and Welfare of the Child, 24, 27  
 American Convention on Human Rights, 24, 26–27  
 American Declaration of Rights and Duties of Man, 27  
 Anti-Drug Abuse Act, 5  
 Atkins v Virginia  
   background for, 2, 2–3  
   content of, 1  
   culpability conclusion in, 11  
   dissenting arguments in, 22–23  
   majority comments on  
     international standards, 27–28  
   national consensus and, 2, 22  
   penological goals and, 15–16

## C

capital punishment. *See* death penalty;  
   juvenile death penalty  
 Clinton, Bill, 5–6  
 Committee on the Rights of the Child, 24–25  
 confessions, 16–17, 21–22  
 Constitution Project, 11  
 Convention on the Rights of the Child  
   implementation of provisions of, 24–25  
   juvenile death penalty provision  
     of, 1, 24  
   national constitutional constraints  
     and, 24–28  
   participating nations, 1  
   ratification numbers for, 28  
   regional reinforcement of, 24  
 cruel and unusual punishment, 1  
 customary international. *See*  
   international

## D

death penalty  
   as deterrent, 15–16  
   error-prone nature of system for,  
     17–18

death penalty (*continued*)  
   juveniles and, 1  
 decency. *See* international standards; national  
   consensus

## E

Eighth Amendment, 1  
 enforcement  
 execution

## F

false confessions, 16–17, 21–22  
 Federal Death Penalty Act, 5–6  
*Furman v Georgia*, 3

## G

Geneva Conventions, 26, 27  
*Georgia, Furman v. See Furman v Georgia*  
*Georgia, Gregg v. See Gregg v Georgia*  
 global. *See* international  
*Gregg v Georgia*, 3

## H

Human Rights Committee, 25–26, 27

## I

ICJ (International Commission of Jurists), 23  
 Inter-American Commission on Human Rights,  
   27  
 International Commission of Jurists (ICJ), 23  
 International Covenant on Civil and Political  
   Rights  
   armed conflict and, 26  
   exceptions to, 27  
   juvenile death penalty provision of, 1, 25  
   number of participatory nations, 27  
   regional reinforcement of, 24  
   U.S. ratification of, 23  
   U.S. ratification reservations, 25–26  
 international law, 23  
 international standards  
   Amnesty International position concerning,  
     1, 3  
   Atkins v Virginia on, 29  
 international treaties and organizations, 1, 24–  
   28

## J

juvenile death penalty  
 actions needed regarding, 29  
 contradictions of, 12–13  
 Convention on the Rights of the Child and, 1, 24  
 countries prohibiting, 13  
 evolution of national consensus and, 3–9  
 evolution of prohibition of, 6–7  
 examples of actual application of, 14–15  
 federal death penalty legislation and, 5–6  
 geographical concentration of, 9–10  
 International Covenant on Civil and Political Rights and, 24, 25  
 international implementation of, 25  
 international law standards and, 1, 13  
 mental retardation consideration similarities, 1  
 national consensus measurement of, 7–8  
 organizations against, 7–8  
 rareness of execution of, 6–7  
 state government responsibilities and, 1  
 state legislation history addressing, 3–5  
 states' historical records of juvenile crime executions, 1, 6–7  
 statistics about, 1, 9, 10, 29  
 Texas and, 9, 10  
 wrongful execution and, 16–18

juvenile offenders  
 age as mitigating factor for, 18–19  
 age dividing line for, 13  
 characteristics of, 12  
 commonality with mentally retarded offenders, 11–12  
 confessions of, 21–22

juvenile offenders (*continued*)

contradiction of death penalty legislation, 12–13  
 examples of, 14–15, 18–19, 20–22, 28  
 immaturity of, 12–13  
 scientific studies involving, 13  
 as witnesses, 17, 19–21  
 wrongful execution and, 17–18

## M

mental retardation  
 culpability and, 11–12  
 national consensus measurement and, 7  
 penological goals and, 15  
 state laws and, 4

## N

national consensus  
 Constitution Project conclusions and, 11  
 evolution of, 3–9  
 Federal Death Penalty Act and, 5  
 local culture and, 9–10  
 measurement of, 7–8  
 states prohibiting any death penalty and, 4–5  
 Supreme Court interpretation of, 1, 2–3

## O

opinion polls, 7–8

## P

penological goals, 11, 15–16  
 Penry v Lynaugh, content of, 1–2  
 polls, 7–8

## R

Reagan, Ronald, 5  
 Rehnquist, check name, 23

## S

Scalia, Antonin, 22–23  
 standards of decency. *See* national consensus  
*Stanford v Kentucky*, content of, 1, 2  
*Stanford v Kentucky*  
 dissenting arguments in, 10–11, 14  
 international standards and, 29  
 as rejection of international law, 1  
 religious organizations against, 8

statistics, 1, 7–8, 9–10  
    countries prohibiting, 13  
    for juvenile death penalty  
        executions worldwide, 25

Supreme Court. *See* U.S. Supreme  
    Court

## T

Texas, 9, 10

Thomas, Clarence, 23

treaties. *See* international treaties and  
    organizations

## U

UN Safeguards Guaranteeing  
    Protection of the Rights of Those  
    Facing the Death Penalty, 26–27,  
    28

U.S. Supreme Court  
    death penalty cases of, 1989, 1–2  
    international standards and, 1  
    national consensus issue and, 2, 3,  
    5  
    pro-death penalty justices, 22–23  
    *see also* names of specific cases

## V

Vienna Convention on the Law of  
    Treaties, 26

*Virginia, Atkins v. See Atkins v Virginia*

## W

wrongful execution, 16–18