

THE PERIODIC TABLE OF THE PRESIDENTS™

The Eighth Amendment

Introduction:

The Eighth Amendment is the fourth consecutive amendment that protects the rights of the accused. The amendment can be broken down into three clauses: Excessive Bail, Excessive Fines, and Cruel and Unusual Punishments. The imprecise wording of the amendment leaves much interpretation up to the courts. Over time they have decided, and re-decided, what the terms excessive, cruel, and unusual all mean.

The text of this amendment reads, "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

Questions:

1. What rights are protected under the Eighth Amendment?
2. What year was the Eighth Amendment ratified?
3. What are the three clauses of the Eighth Amendment?
4. What is bail?
5. What is a fine?
6. Would a punishment of life in prison for speeding be acceptable under the Eighth Amendment? Why, or why not?
7. Judges can deny bail altogether for certain prisoners. When might this be acceptable?
8. Who determines what "cruel and unusual" means"?
9. What was the ruling of the Supreme Court in *Gregg v. Georgia* (1976)?
10. Would you consider solitary confinement "cruel and unusual" punishment? Why, or why not?