

Pro Death Penalty Research Papers

This book includes perspectives from a broad range of victims, including family members of the crime victims; convicted persons whose rights are violated by the justice system through wrongful convictions, unequal and discriminatory application of justice, lack of a due process, imposition for crimes that do not meet the most serious crimes threshold or to the categories of perpetrators that should be protected from the death penalty (minors, persons with mental or intellectual disabilities, pregnant women), as well as third parties including family members of the convicted person (especially children and primary caretakers) and persons included in criminal proceedings or executions (such as prosecutors, judges, lawyers and executioners). It is argued in this thought provoking book that the states right to execute violates the right to life and negatively reflects on human rights of its citizens in general.

The contributors offer analysis and explanations of new developments in retributivism, the philosophical account of punishment that holds that wrongdoers must be punished as a matter of right, duty, or justice, rather than deterrence, rehabilitation, or vengeance.

The death penalty is contested across modern social, political, academic, and legal institutions, and this interdisciplinary text helps readers analyze that debate. It begins with *Furman v. Georgia*, which doubles as the Supreme Court's only decision striking down the death penalty and as the origin of the modern American death penalty. The text explores the legal rules and moral reasoning behind the principle that the death penalty be reserved for the worst offenders, as well as the most uncomfortable realities of American capital punishment--the likelihood of wrongful executions and the undeniable influence of race on death penalty practice. Discussion of law and theory is always supplemented with appropriate empirical studies, and is connected to the practice of lawyers on the ground. The text concludes with a glimpse to the future of the death penalty, and situates the increasingly exceptional American experience in an international context. This legal material is carefully presented so as to remain accessible to non-lawyers, and it is intended for anyone with an interest in capital punishment.

Does the Supreme Court have the authority to deprive the people of the right to govern themselves? Marshaling a convincing array of historical sources, Raoul Berger demonstrates that the Framers withheld such power from the Court and that its death penalty decisions unconstitutionally impose the Justices' morals upon an unwilling people. Copyright © Libri GmbH. All rights reserved.

Sources of Variation in Pro-Death Penalty Attitudes in China

Capital Punishment in Texas, 1923-1990

An Agenda for the Next Generation of Capital Punishment Research

Moving Away from the Death Penalty

The Biblical Truth about America's Death Penalty

May the State Kill?

Living on Death Row

The death penalty is a heated topic. The execution of a human being that is convicted of a crime can seem mind-blowing. For some, it may seem necessary. Although the opinions on death row differ, there is one fact that does neither the against- or pro-death penalty supporters doubt. Wrongly convicted men continue to be executed. Innocent people go on death row. Falsely accused human beings face the capital punishment. This is not a book about why the death penalty is wrong. This book goes through ten gruesome and heartbreaking cases of innocent people that were convicted and sentenced to death. These victims are only a few amongst many more recognized cases, and many more unrecognized ones. Although no one knows how many innocent people have been executed through the years, one may wonder, upon reading these pages, how many do we really need?

*NEW YORK TIMES EDITORS' CHOICE • A deeply reported, searingly honest portrait of the death penalty in Texas—and what it tells us about crime and punishment in America “If you’re one of those people who despair that nothing changes, and dream that something can, this is a story of how it does.”—Anand Giridharadas, The New York Times Book Review WINNER OF THE J. ANTHONY LUKAS AWARD In 1972, the United States Supreme Court made a surprising ruling: the country’s death penalty system violated the Constitution. The backlash was swift, especially in Texas, where executions were considered part of the cultural fabric, and a dark history of lynching was masked by gauzy visions of a tough-on-crime frontier. When executions resumed, Texas quickly became the nationwide leader in carrying out the punishment. Then, amid a larger wave of criminal justice reform, came the death penalty’s decline, a trend so durable that even in Texas the punishment appears again close to extinction. In *Let the Lord Sort Them*, Maurice Chammah charts the rise and fall of capital punishment through the eyes of those it touched. We meet Elsa Alcalá, the orphaned daughter of a Mexican American family who found her calling as a prosecutor in the nation’s death penalty capital, before becoming a judge on the state’s highest court. We meet Danalynn Recer, a lawyer who became obsessively devoted to unearthing the life stories of men who committed terrible crimes, and fought for mercy in courtrooms across the state. We meet death row prisoners—many of them once-famous figures like Henry Lee Lucas, Gary Graham, and Karla Faye Tucker—along with their families and the families of their victims. And we meet the executioners, who struggle openly with what society has asked them to do. In tracing these interconnected lives against the rise of mass incarceration in Texas and the country as a whole, Chammah explores what the persistence of the death penalty tells us about forgiveness and retribution, fairness and justice, history and myth. Written with intimacy and grace, *Let the Lord Sort Them* is the definitive portrait of a particularly American institution.*

Powerful, wry essays offering modern takes on a primitive practice, from one of our most widely read death penalty abolitionists As Ruth Bader Ginsburg has noted, people who are well represented at trial rarely get

the death penalty. But as Marc Bookman shows in a dozen brilliant essays, the problems with capital punishment run far deeper than just bad representation. Exploring prosecutorial misconduct, racist judges and jurors, drunken lawyering, and executing the innocent and the mentally ill, these essays demonstrate that precious few people on trial for their lives get the fair trial the Constitution demands. Today, death penalty cases continue to capture the hearts, minds, and eblasts of progressives of all stripes—including the rich and famous (see Kim Kardashian’s advocacy)—but few people with firsthand knowledge of America’s “injustice system” have the literary chops to bring death penalty stories to life. Enter Marc Bookman. With a voice that is both literary and journalistic, the veteran capital defense lawyer and seven-time Best American Essays “notable” author exposes the dark absurdities and fatal inanities that undermine the logic of the death penalty wherever it still exists. In essays that cover seemingly “ordinary” capital cases over the last thirty years, Bookman shows how violent crime brings out our worst human instincts—revenge, fear, retribution, and prejudice. Combining these emotions with the criminal legal system’s weaknesses—purposely ineffective, arbitrary, or widely infected with racism and misogyny—is a recipe for injustice. Bookman has been charming and educating readers in the pages of The Atlantic, Mother Jones, and Slate for years. His wit and wisdom are now collected and preserved in A Descending Spiral.

People from all walks of life speak out against the barbarism of government control over a person's death, as well as the inconsistent pardoning of some criminals

Against Capital Punishment

A Worldwide Perspective

The Rope, The Chair, and the Needle

A Panoramic Portrait of America

The Contradictions of American Capital Punishment

American Democracy and the Fate of Capital Punishment

Essays on Theory and Policy

Recommendations. To state and federal corrections agencies - To state legislators and the U.S. Congress. -- I. Development of lethal injection protocols. Oklahoma - Texas - Tennessee - Lethal injection machines - Public access to lethal injection protocols. -- II. Lethal injection drugs. Potassium chloride - Pancuronium bromide - Sodium thiopental - The failure to review protocols. -- III. Lethal injection procedures. Qualifications of execution team - Checking the IV equipment - Level of anesthesia not monitored. -- IV. Physician participation in executions and medical ethics. -- V. Case study: Morales v. Hickman. -- VI. Botched executions. -- VII. International human rights and U.S. constitutional law. International human rights law - U.S. Constitutional law. -- Appendix A: State Execution Methods. -- Acknowledgements.

The increase in the number of countries that have abolished the death penalty since the end of the Second World War shows a steady trend towards worldwide abolition of capital punishment. This book focuses on the political and legal issues raised by the death penalty in "countries in transition", understood as countries that have transitioned or are transitioning from conflict to peace, or from authoritarianism to democracy. In such countries, the politics that surround retaining or abolishing the death penalty are embedded in complex state-building processes. In this context, Madoka Futamura and Nadia Bernaz bring together the work of leading researchers of international law, human rights, transitional justice, and international politics in order to explore the social, political and legal factors that shape decisions on the death penalty, whether this leads to its abolition, reinstatement or perpetuation. Covering a diverse range of transitional processes in Asia, Africa, Latin America, Europe, and the Middle East, The Politics of the Death Penalty in Countries in Transition offers a broad evaluation of countries whose death penalty policies have rarely been studied. The book would be useful to human rights researchers and international lawyers, in demonstrating how transition and transformation, ‘provide the catalyst for several of interrelated developments of which one is the reduction and elimination of capital punishment’.

A landmark dissenting opinion arguing against the death penalty Does the death penalty violate the Constitution? In Against the Death Penalty, Justice Stephen G. Breyer argues that it does: that it is carried out unfairly and inconsistently, and thus violates the ban on "cruel and unusual punishments" specified by the Eighth Amendment to the Constitution. "Today's administration of the death penalty," Breyer writes, "involves three fundamental constitutional defects: (1) serious unreliability, (2) arbitrariness in application, and (3) unconscionably long delays that undermine the death penalty's penological purpose. Perhaps as a result, (4) most places within the United States have abandoned its use." This volume contains Breyer's dissent in the case of Glossip v. Gross, which involved an unsuccessful challenge to Oklahoma's use of a lethal-injection drug because it might cause severe pain. Justice Breyer's legal citations have been edited to make them understandable to a general audience, but the text retains the full force of his powerful argument that the time has come for the Supreme Court to revisit the constitutionality of the death penalty. Breyer was joined in his dissent from the bench by Justice Ruth Bader Ginsburg. Their passionate argument has been cited by many legal experts - including fellow Justice Antonin Scalia - as signaling an eventual Court ruling striking down the death penalty. A similar dissent in 1963 by Breyer's mentor, Justice Arthur J. Goldberg, helped set the stage for a later ruling, imposing what turned out to be a four-year moratorium on executions.

Selected by the Modern Library as one of the 100 best nonfiction books of all time From the Modern Library's new set of beautifully repackaged hardcover classics by Truman Capote—also available are Breakfast at Tiffany's and Other Voices, Other Rooms (in one volume), Portraits and Observations, and The Complete Stories Truman Capote's masterpiece, In Cold Blood, created a sensation when it was first published, serially, in The New Yorker in 1965. The intensively researched, atmospheric narrative of the lives of the Clutter family of Holcomb, Kansas, and of the two men, Richard Eugene Hickock and Perry Edward Smith, who brutally killed them on the night of November 15, 1959, is the seminal work of the “new journalism.” Perry Smith is one of the great dark characters of American literature, full of contradictory emotions. “I thought he was a very nice gentleman,” he says of Herb Clutter. “Soft-

spoken. I thought so right up to the moment I cut his throat.” Told in chapters that alternate between the Clutter household and the approach of Smith and Hickock in their black Chevrolet, then between the investigation of the case and the killers’ flight, Capote’s account is so detailed that the reader comes to feel almost like a participant in the events.

Arguments, Trends and Perspectives

The Death Penalty in the Eighties

Responsibility, Rehabilitation and Restoration

Americans Speak Out Against the Death Penalty

The Death Penalty on the Ballot

Retributivism

A Punishment in Search of a Crime

The fifth edition of this highly praised study charts and explains the progress that continues to be made towards the goal of worldwide abolition of the death penalty. The majority of nations have now abolished the death penalty and the number of executions has dropped in almost all countries where abolition has not yet taken place. Emphasizing the impact of international human rights principles and evidence of abuse, the authors examine how this has fueled challenges to the death penalty and they analyze and appraise the likely obstacles, political and cultural, to further abolition. They discuss the cruel realities of the death penalty and the failure of international standards always to ensure fair trials and to avoid arbitrariness, discrimination and conviction of the innocent: all violations of the right to life. They provide further evidence of the lack of a general deterrent effect; shed new light on the influence and limits of public opinion; and argue that substituting for the death penalty life imprisonment without parole raises many similar human rights concerns. This edition provides a strong intellectual and evidential basis for regarding capital punishment as undeniably cruel, inhuman and degrading. Widely relied upon and fully updated to reflect the current state of affairs worldwide, this is an invaluable resource for all those who study the death penalty and work towards its removal as an international goal.

Against Capital Punishment develops an innovative argument against the death penalty that sidesteps questions about the morality of execution itself. Yost argues that the irrevocability of the death penalty calls for its abolition. In so doing, he explores the extent of legal institutions' responsibility to remedy their mistakes and solves the problems that sabotage other versions of procedural abolitionism
Evolving Standards of Decency examines the ways in which popular culture portrays the death penalty. By analyzing literature and film, Atwell argues that capital punishment becomes much more complex when both offenders and victims are presented as fully developed individuals. Those studying justice issues, corrections, or capital punishment will find this an accessible work that places the stories read in novels or seen in movies in the context of the legal system that has the power of life and death.

Experts on both side of the issue speak out both for and against capital punishment and the rationale behind their individual beliefs.

The Death of Punishment

An Examination of the Modern System of Capital Punishment

The Rise and Fall of the Death Penalty

The Decline of the Death Penalty and the Discovery of Innocence

Should America Have Capital Punishment? The Experts on Both Sides Make Their Case

Strengthening Forensic Science in the United States

Against the Death Penalty

In this timely work, the bishops open a new dialogue on crime and justice in the United States.

Scores of talented and dedicated people serve the forensic science community, performing vitally important work. However, they are often constrained by lack of adequate resources, sound policies, and national support. It is clear that change and advancements, both systematic and scientific, are needed in a number of forensic science disciplines to ensure the reliability of work, establish enforceable standards, and promote best practices with consistent application. Strengthening Forensic Science in the United States: A Path Forward provides a detailed plan for addressing these needs and suggests the creation of a new government entity, the National Institute of Forensic Science, to establish and enforce standards within the forensic science community. The benefits of improving and regulating the forensic science disciplines are clear: assisting law enforcement officials, enhancing homeland security, and reducing the risk of wrongful conviction and exoneration. Strengthening Forensic Science in the United States gives a full account of what is needed to advance the forensic science disciplines, including upgrading of systems and organizational structures, better training, widespread adoption of uniform and enforceable best practices, and mandatory certification and accreditation programs. While this book provides an essential call-to-action for congress and policy makers, it also serves as a vital tool for law enforcement agencies, criminal prosecutors and attorneys, and forensic science educators.

Many studies during the past few decades have sought to determine whether the death penalty has any deterrent effect on homicide rates. Researchers have reached widely varying, even contradictory, conclusions. Some studies have concluded that the threat of capital punishment deters murders, saving large numbers of lives; other studies have concluded that executions actually increase homicides; still others, that executions have no effect on murder rates. Commentary among researchers, advocates, and policymakers on the scientific validity of the findings has sometimes been acrimonious. Against this backdrop, the National Research Council report *Deterrence and the Death Penalty* assesses whether the available evidence provides a scientific basis for answering questions of if and how the death penalty affects homicide rates. This new report from the Committee on Law and Justice concludes that research to date on the effect of capital punishment on homicide rates is not useful in determining whether the death penalty increases, decreases, or has no effect on these rates. The key question is whether capital punishment is less or more effective as a deterrent than alternative punishments, such as a life sentence without the possibility of parole. Yet none of the research that has been done accounted for the possible effect of noncapital punishments on homicide rates. The report recommends new avenues of research that may provide broader insight into any deterrent effects from both capital and noncapital punishments.

Deterrence and the Death Penalty National Academies Press

A Debate

The Anti-Death Penalty Movement in America, 1972-1994

An Exploratory Study of Chinese Students at Home and Abroad

Debating the Death Penalty

Capital Punishment in America

The Death Penalty

Two distinguished social and political philosophers take opposing positions in this highly engaging work. Louis P. Pojman justifies the practice of execution by appealing to the principle of retribution: we deserve to be rewarded and punished according to the virtue or viciousness of our actions. He asserts that the death penalty does deter some potential murderers and that we risk the lives of innocent people who might otherwise live if we refuse to execute those deserving that punishment. Jeffrey Reiman argues that although the death penalty is a just punishment for murder, we are not morally obliged to execute murderers. Since we lack conclusive evidence that executing murderers is an effective deterrent and because we can foster the advance of civilization by demonstrating our intolerance for cruelty in our unwillingness to kill those who kill others, Reiman concludes that it is good in principle to avoid the death penalty, and bad in practice to impose it.

*In 1982, Sister Helen Prejean became the spiritual advisor to Patrick Sonnier, the convicted killer of two teenagers who was sentenced to die in the electric chair of Louisiana's Angola State Prison. In the months before Sonnier's death, the Roman Catholic nun came to know a man who was as terrified as he had once been terrifying. She also came to know the families of the victims and the men whose job it was to execute—men who often harbored doubts about the rightness of what they were doing. Out of that dreadful intimacy comes a profoundly moving spiritual journey through our system of capital punishment. Here Sister Helen confronts both the plight of the condemned and the rage of the bereaved, the fears of a society shattered by violence and the Christian imperative of love. On its original publication in 1993, *Dead Man Walking* emerged as an unprecedented look at the human consequences of the death penalty. Now, some two decades later, this story—which has inspired a film, a stage play, an opera and a musical album—is more gut-wrenching than ever, stirring deep and life-changing reflection in all who encounter it.*

*The death penalty arouses our passions as does few other issues. Some view taking another person's life as just and reasonable punishment while others see it as an inhumane and barbaric act. But the intensity of feeling that capital punishment provokes often obscures its long and varied history in this country. Now, for the first time, we have a comprehensive history of the death penalty in the United States. Law professor Stuart Banner tells the story of how, over four centuries, dramatic changes have taken place in the ways capital punishment has been administered and experienced. In the seventeenth and eighteenth centuries, the penalty was standard for a laundry list of crimes—from adultery to murder, from arson to stealing horses. Hangings were public events, staged before audiences numbering in the thousands, attended by women and men, young and old, black and white alike. Early on, the gruesome spectacle had explicitly religious purposes—an event replete with sermons, confessions, and last minute penitence—to promote the salvation of both the condemned and the crowd. Through the nineteenth century, the execution became desacralized, increasingly secular and private, in response to changing mores. In the twentieth and twenty-first centuries, ironically, as it has become a quiet, sanitary, technological procedure, the death penalty is as divisive as ever. By recreating what it was like to be the condemned, the executioner, and the spectator, Banner moves beyond the debates, to give us an unprecedented understanding of capital punishment's many meanings. As nearly four thousand inmates are now on death row, and almost one hundred are currently being executed each year, the furious debate is unlikely to diminish. *The Death Penalty* is invaluable in understanding*

the American way of the ultimate punishment. Table of Contents: Abbreviations Introduction 1. Terror, Blood, and Repentance 2. Hanging Day 3. Degrees of Death 4. The Origins of Opposition 5. Northern Reform, Southern Retention 6. Into the Jail Yard 7. Technological Cures 8. Decline 9. To the Supreme Court 10. Resurrection Epilogue Appendix: Counting Executions Notes Acknowledgments Index Reviews of this book: [Banner] deftly balances history and politics, crafting a book that will be valuable to anyone interested in knowing more about capital punishment, no matter what his or her views are on the ethical issues surrounding the topic. --David Pitt, Booklist Reviews of this book: In this well-researched and clear account...Banner charts how and why this country went from having one of the world's mildest punitive systems to one of its harshest. --Publishers Weekly Reviews of this book: Stuart Banner's book is fine and balanced and important. His lucid history of this grim subject is scrupulously accurate...It is refreshingly free of the tendentiousness and the sensationalism that this subject invites. --Richard A. Posner, New Republic Reviews of this book: [The] contrast between the past and the present can now be seen with great clarity thanks to...Stuart Banner and his comprehensive book, *The Death Penalty*...American historians have been slow to undertake anything like a full-scale study of the subject...Banner's book does much to fill [the gaps]. His book is an important and comprehensive...treatment of the topic. --Hugo Adam Bedau, Boston Review Reviews of this book: Despite the gruesome nature of the book's topic, it is difficult to stop reading. Banner's research is fascinating, his writing style compelling. Given the emotional nature of the subject (few people known to me are wishy-washy about whether the death penalty is moral or immoral), Banner walks the line of neutrality skillfully, without seeming evasive. --Steve Weinberg, Legal Times Reviews of this book: Stuart Banner's *The Death Penalty* is a tour de force, remarkable for its neutrality as it traces the ways in which the death penalty has been applied, and for what kinds of crimes, from the Colonial era to the present. Banner...writes like a historian who believes perspective is best gained by dispassionately setting out what happened and letting everyone come to his or her own conclusions. I think, in this book, that works wonderfully. On a subject in which emotions run so high, it seems awfully useful to have a dispassionate voice. After all, if Banner allowed his own feelings on the death penalty--pro, con or somewhere in the middle--to be known, the book easily could be dismissed as a diatribe. He doesn't, and it can't. --Judith Neuman Beck, San Jose Mercury News Reviews of this book: Law professor Banner...offers a persuasive examination of the evolution of capital punishment from Colonial times onward. He makes clear that the death penalty has possessed generally consistent support from the US populace, although changes in the sensibilities of juries, executioners, legal theoreticians, and judges have occurred...Highly recommended. --R. C. Cottrell, Choice Reviews of this book: Stuart Banner aptly illustrates in *The Death Penalty*, like the nation, the death penalty has changed with the times...Banner's account spotlights a number of interesting trends in American history...Mostly evenhanded in the tour he provides through the history of the death penalty and its role in and reflection of American society, he has managed to provide an accessible look at what is a profoundly controversial and complicated subject. --Steven Martinovich, Ft. Lauderdale Sun-Sentinel Reviews of this book: "For centuries," Stuart Banner tells us, "Americans had been proud to possess a criminal-justice system that made less use of the death penalty than just about any other place on the globe, including the countries of western Europe." But no longer. Now we possess "one of the harshest criminal codes in the world." *The Death Penalty* helps explain that turnaround, but only in the course of a complicated story in which different factors emerge at different times to play often unforeseeable roles...[This is a] superbly told history. --Paul Rosenberg, Denver Post and Rocky Mountain News Reviews of this book: Stuart Banner's lucid, richly researched book brings us, for the first time, a comprehensive history of American capital punishment from colonial times to the present. He describes the practices that characterized the institution at different periods, elucidates their ritual purposes and social meanings, and identifies the forces that led to their transformation. The book's well-ordered narrative is interspersed with individual case histories, that give flesh and blood to the account. --David Garland, Times Literary Supplement Reviews of this book: [An] informative, even-handed, chillingly fascinating account of why and how the U.S. government and many state governments decided to sponsor executions of criminals--even though innocent defendants might die, too. --Jane Henderson, St. Louis Post-Dispatch Reviews of this book: Stuart Banner's *The Death Penalty* is a splendidly objective achievement. Delightfully written, free of academic pretense, liberally sprinkled with apt references from contemporary sources, the book exhaustively explores the multifaceted evolution of America's penal practices. --Elsbeth Bothe, Baltimore Sun *The Death Penalty* is certain to be the definitive account of the American experience with capital punishment, from its beginnings in the seventeenth century, to the execution of Timothy McVeigh in 2001. This is a first rate piece of scholarship: well written, deeply researched, fascinating to read, and full of insights and good common sense. It is, in my view, one of the finest books to deal with this troubled and troubling subject. Historical and legal scholarship owe a debt of gratitude to Stuart Banner. --Lawrence Friedman, Stanford Law School A masterful book. This is a long overdue account which fills a huge gap in our understanding of America's long and complex relationship to state killing. With meticulous scholarship and lucid prose, Banner has written a compelling account of the place of capital punishment in our society. It sets the standard for all

future scholarship on the history of the death penalty in America. --Austin Sarat, author of When the State Kills: Capital Punishment and the American Condition The Death Penalty, a study we have badly needed, is the first history of the nation's engagement--as well as its disengagement--with capital punishment from the country's earliest days to the present. With a sure grasp of the constitutional issues, Stuart Banner greatly advances a conversation at last underway about the rightness of putting people to death for having inflicted a death. Banner's greatest and most useful feat is remaining dispassionate on a subject that he cares deeply about--as do a growing number of his fellow Americans. --William S. McFeely, author of Proximity to Death The Death Penalty beautifully explains the changing paths traveled by supporters and opponents of capital punishment over the years. It explores a subject of enormous symbolic importance to Americans today, linking our views about the death penalty to our larger concerns about crime. --David Oshinsky, author of "Worse Than Slavery": Parchman Farm and the Ordeal of Jim Crow Justice Banner's book is a superbly detailed and textured social history of a subject too often treated in legal abstractions. It demonstrates how capital punishment has gnawed at the conscience and imagination of Americans, and how it has challenged their efforts to define themselves culturally, politically, and racially. --Robert Weisberg, Stanford Law School For twelve years Robert Blecker, a criminal law professor, wandered freely inside Lorton Central Prison, armed only with cigarettes and a tape recorder. The Death of Punishment tests legal philosophy against the reality and wisdom of street criminals and their guards. Some killers' poignant circumstances should lead us to mercy; others show clearly why they should die. After thousands of hours over twenty-five years inside maximum security prisons and on death rows in seven states, the history and philosophy professor exposes the perversity of justice: Inside prison, ironically, it's nobody's job to punish. Thus the worst criminals often live the best lives. The Death of Punishment challenges the reader to refine deeply held beliefs on life and death as punishment that flare up with every news story of a heinous crime. It argues that society must redesign life and death in prison to make the punishment more nearly fit the crime. It closes with the final irony: If we make prison the punishment it should be, we may well abolish the very death penalty justice now requires.

Death Penalties

State by State

Lethal Injections in the United States

A Path Forward

So Long as They Die

In Cold Blood

A Catholic Perspective on Crime and Criminal Justice

This paper examines Chinese students' attitudes about the death penalty in contemporary China. Drawing upon Western public opinion research on the death penalty, samples of Chinese college students at home and abroad are used to explore the magnitude of their pro-death penalty attitudes and sources of variation in these opinions. Both groups of Chinese students are found to support the death penalty across different measures of this concept. Several individual and contextual factors are correlated with pro-death penalty attitudes, but the belief in the specific deterrent effect of punishments was the only variable that had a significant net effect on these attitudes in our multivariate analysis. The paper concludes with a discussion of the implications of this study for future research on public opinion about crime and punishment in China.

Capital Punishment: The Defining Issues for the Next Generation, comprised of original chapters authored by nationally distinguished scholars, is an ambitious effort to identify the most critical issues confronting the future of capital punishment in the United States and the steps that must be taken to gather and analyze the information that will be necessary for informed policy judgments. Contributors will articulate the most pressing issues of administration, litigation, legislation, and executive action confronting the future of capital punishment, and identify research strategies designed to supply answers to those questions. The book represents a valuable academic contribution, particularly within criminal justice and law, and promises to be of interest as well to policymakers and practitioners. It will be published a generation after the Supreme Court's landmark decision in Gregg v. Georgia (1976) heralded the "modern era" of capital punishment, and at a time when the efficacy and operation of the death penalty are under intensive scrutiny by governmental study commissions throughout the country. The book is organized into six sections: (A) Institutional and Disciplinary Perspectives on the Death Penalty; (B) Capital Punishment: Public Policy Perspectives; (C) The Death Penalty as Applied; (D) Participants in the Capital Punishment Process; (E) The Punishment of Death; and (F) Interdisciplinary Perspectives: Toward a Research Agenda for the Future.

In late summer 1923, legal hangings in Texas came to an end, and the electric chair replaced the gallows. Of 520 convicted capital offenders sentenced to die between 1923 and 1972, 361 were actually executed, thus maintaining Texas' traditional reputation as a staunch supporter of capital punishment. This book is the single most comprehensive examination to date of capital punishment in any one state, drawing on data for legal executions from 1819 to 1990. The authors show persuasively how slavery and the racially biased practice of lynching in Texas led to the institutionalization and public approval of executions skewed according to race, class, and gender, and they also track long-term changes in public opinion up to the present. The stories of the condemned are masterfully interwoven with fact and interpretation to provide compelling reading for scholars of law, criminal justice, race relations, history, and sociology, as well as partisans on both sides of the debate.

Capital punishment is irrevocable. It prohibits the correction of mistakes by the justice system and leaves no room for human error, with the gravest of consequences. There is no evidence of a

deterrent effect of the death penalty. Those sacrificed on the altar of retributive justice are almost always the most vulnerable. This book covers a wide range of topics, from the discriminatory application of the death penalty, wrongful convictions, proven lack of deterrence effect, to legality of the capital punishment under international law and the morality of taking of human life.

The Case Against the Death Penalty

Deterrence and the Death Penalty

Death Penalty and the Victims

Exposing the Death Penalty in 12 Essays

The Politics of the Death Penalty in Countries in Transition

Searching for Justice among the Worst of the Worst

Let the Lord Sort Them

Offering a timely reanalysis of the issue of Japan's capital punishment policy, this cutting edge volume considers the de facto moratorium periods in Japan's death penalty system and proposes an alternative analytical framework to examine the policy. Addressing how the Ministry of Justice in Japan justified capital punishment policy during the de facto moratorium periods from 1989 to 1993, from 2009 to 2010 and from 2010 to 2012, the author debates the misconceptions surrounding the significance of these moratoriums. The book evidences the approach, rationale and evolution of Japan's Ministry of Justice in consistently justifying capital punishment policy during the different execution-free periods and provides a better understanding of the powerful unelected elite who actually drive the capital punishment system in Japan. Based on parliamentary proceedings, public opinion surveys and periodical reports by both international and domestic human rights NGOs as well as interviews of government ministers, NGO staff, pro- and anti-death-penalty advocates, this text is key reading for those interested in Japan, its government, criminal justice system and policies on the death penalty and human rights.

Focuses on what happens when the American public gets decide on the fate of capital punishment.

Built on in-depth interviews with movement leaders and the records of key abolitionist organizations, this work traces the struggle against capital punishment in the United States since 1972. Haines reviews the legal battles that led to the short-lived suspension of the death penalty and examines the subsequent conservative turn in the courts that has forced death penalty opponents to rely less on litigation strategies and more on political action. Employing social movement theory, he diagnoses the causes of the anti-death penalty movement's inability to mobilize widespread opposition to executions, and he makes pointed recommendations for improving its effectiveness. For this edition Haines has included a new Afterword in which he summarizes developments in the movement since 1994.

This revised and updated second edition is an overview of capital punishment. It offers an examination of the death penalty, supported by statistics and Supreme Court cases, and followed by pro and con discussions. The book addresses every major issue relating to the death penalty including deterrence, racial impact, arbitrariness, its use on special populations, and methods of execution. This text challenges students to evaluate their beliefs and assumptions on each of the various issues surrounding this controversial subject. Each chapter begins with a primer of the issue to be discussed, followed by the data and critical documents necessary to make an educated assessment, and concludes with essays that offer differing viewpoints by some of the best minds in the country. New material added to the second edition includes: updated data on deterrence ; new data and articles on brutalization and cost ; new cases and articles on the death penalty for juveniles ; new case and articles on the death penalty for raping a child ; and a new chapter on methods of execution.

A Descending Spiral

Japanese Moratorium on the Death Penalty

For and Against

The Future of America's Death Penalty

Evolving Standards of Decency

A Balanced Examination

Wrongful Executions

Since 1996, death sentences in America have declined by more than 60 percent, reversing a generation-long trend toward greater acceptance of capital punishment. In theory, most Americans continue to support the death penalty. But it is no longer seen as a theoretical matter. Prosecutors, judges, and juries across the country have moved in large numbers to give much greater credence to the possibility of mistakes - mistakes that in this arena are potentially fatal. The discovery of innocence, documented in this book through painstaking analyses of media coverage and with newly developed methods, has led to historic shifts in public opinion and to a sharp decline in use of the death penalty by juries across the country. A social cascade, starting with legal clinics and innocence projects, has snowballed into a national phenomenon that may spell the end of the death penalty in America.

From 1965 until 1980, there was a virtual moratorium on executions for capital offenses in the United States. This was due primarily to protracted legal proceedings challenging the death penalty on constitutional grounds. After much Sturm und Drang, the Supreme Court of the United States, by a divided vote, finally decided that "the death penalty does not invariably violate the Cruel and Unusual Punishment Clause of the Eighth Amendment." The Court's decisions, however, do not moot the controversy about the death penalty or render this excellent book irrelevant. The ball is now in the court of the Legislature and the Executive. Leg islatures, federal and state, can impose or abolish the death penalty, within the guidelines prescribed by the Supreme Court. A Chief Executive can commute a death sentence. And even the Supreme Court can change its mind, as it has done on many occasions and did, with respect to various aspects of the death penalty itself, durlog the moratorium period. Also, the people can change their minds. Some time ago, a majority, according to reliable polls, favored abolition. Today, a substantial majority favors imposition of the death penalty. The pendulum can swing again, as it has done in the past.

A provocative examination of the most recent shift in court opinion that, in effect, works to expedite the administration of death sentences.

While secular support for capital punishment in America seems to be waning, religious conservatives, particularly in the "Bible belt," remain staunch advocates of the death penalty, citing biblical law and practice to defend government-sanctioned killing. Dale S. Recinella compares biblical teaching about the death penalty, including such passages as "eye for eye, tooth for tooth, life for life," with the nation's current system of capital punishment, and offers persuasive arguments for a faith-based moratorium on -- and eventual abolition of -- executions. Framing his careful and incisive analysis as a legal brief to those who believe the Bible mandates the ultimate punishment, the author addresses two critical areas of inquiry: what do the scriptures tell us about who is deserving of death and who has the authority to kill, and what do they tell us about the required standards for execution and the plight of victims' families. Recinella's examination of the Hebrew Torah, or Christian Pentateuch, and the Talmud reveals that the biblical death penalty was not a simple system of swift retribution, but a complex and practical set of laws that guided capital courts established under the Sanhedrin. His scrutiny of these texts, the Christian doctrine of atonement, and Romans 13 in the Pauline Epistles, draws parallels between the traditional biblical arguments used in favor of capital punishment and those used as the basis for pro-slavery positions in the nineteenth century. Demonstrating that both approaches are unsubstantiated in biblical terms, Recinella debunks the accepted religious reasoning for support of the death penalty and shows instead that the Bible's strict conditions for sanctioning execution are at odds with the arbitrary ways in which capital punishment is administered in the United States. He provides convincing evidence that a sentence of death in today's criminal justice system in fact fails to meet both the Bible's exacting procedural requirements and its strict limitations on judicial authority. By providing actual scriptural language and foundation to counter the position that biblical truth justifies a pro-death penalty stance, this thoughtful, solidly researched, and well-reasoned work will give pause to religious fundamentalists and challenge them to rethink their strongly held views on capital punishment.

*The Supreme Court's Obstacle Course
an American history*

A Challenge to the Death Penalty

An Eyewitness Account of the Death Penalty in the United States

Innocent on Death Row - a Review of False Death Penalty Convictions

The Psychology of Waiting to Die

Dead Man Walking

This book synthesizes scholarly reflections with personal accounts from prison administrators and inmates to show the harsh reality of life on death row.

Zimring reveals that the seemingly insoluble turmoil surrounding the death penalty reflects a deep and long-standing division in American values--a division that he predicts will soon bring about the end of capital punishment in this country.

See America with 50 of Our Finest, Funniest, and Foremost Writers Anthony Bourdain chases the fumigation truck in Bergen County, New Jersey Dave Eggers tells it straight: Illinois is Number 1 Louise Erdrich loses her bikini top in North Dakota Jonathan Franzen gets waylaid by New York's publicist...and personal attorney...and historian...and geologist John Hodgman explains why there is no such thing as a "Massachusettsian" Edward P. Jones makes the case: D.C. should be a state! Jhumpa Lahiri declares her reckless love for the Rhode Island coast Rick Moody explores the dark heart of Connecticut's Merritt Parkway, exit by exit Ann Patchett makes a pilgrimage to the Civil War site at Shiloh, Tennessee William T. Vollmann visits a San Francisco S&M club and Many More!

Popular Culture and Capital Punishment